



Community Participation Support Webinar

Timeframes to Know:

- The Federal COVID-19 Public Health Emergency declaration ended 5/11/23
 - PA's 1915(c) Waiver Appendix K flexibilities will end 6 months after, on 11/11/23
 - The language in the approved Consolidated, Community Living, and Person/Family Directed Supports Waivers (at that time) will apply after Appendix K ends

- CPS Outcomes
- OVR Referrals
- Resuming CPS Services
- P/FDS Waiver Cap Exceptions for CPS
- Residential Services and CPS
- General CPS Services
- Appendix K Flexibilities
 - Current Appendix K Guidance
 - Post-Appendix K Guidance
- Questions

Prevocational CPS Employment Outcomes

- All participants receiving prevocational CPS services must have a competitive integrated employment outcome included in their service plan.
- There must be documentation in the service plan regarding how and when the provision of prevocational services is expected to lead to competitive integrated employment.

Prevocational Community Participation Support can include...

- Developing appropriate worker traits
- Learning work environment expectations
- Situational assessments
- Identifying available transportation to and from work
- Occupational training for a specific occupation
- Work-related evaluations

Non-Prevocational CPS Outcomes

- Individuals who do not receive prevocational services should have outcomes that reflect activities supported by the Community Participation Support service such as:
 - Becoming part of their community or pursuing activities that support health and wellness,
 - Lifelong learning,
 - Self-advocacy, or
 - Greater connection to their community.

An Office of Vocational Rehabilitation (OVR) Referral is **required** prior to CPS services being authorized when an individual is under 25 years old and:

- Wants to receive prevocational CPS Services in any setting for which they would receive subminimum wage, or
- The OVR Case was closed due to
 - OVR was unable to contact the individual after repeated attempts
 - The individual chose to stop receiving OVR services, or their actions made it impossible to continue (such as repeatedly missing meetings with OVR)

When is a referral to OVR **not required** prior to CPS services being authorized:

- If the individual is 25 years old, or older,
- If the individual is under 25 years old, but will not be making subminimum wage or receiving the pre-vocational component while receiving CPS services, or
- If OVR has determined the individual is ineligible for services **or** the individual's case has already been closed

ODP Announcement 23-025 UPDATE: Coronavirus Disease 2019 (COVID-19): Guidance for Returning to or Discharge from Community Participation Support (CPS) Services

- If the individual **wants to change/end** CPS services, the SC should plan a team meeting to discuss alternative options based on the individual's needs.
- If the individual **wants to resume** CPS services but is still on a CPS provider waiting list because the provider has not identified a return date, CPS may be removed from the ISP until the service is able to be resumed, **IF all the following has occurred...**

- ❑ The CPS provider has reached out to the individual regarding their placement on the waiting list,
- ❑ The CPS provider has notified the individual and their SC of the barriers to service delivery,
- ❑ The CPS provider must issue notice in accordance with Chapter 6100.304 related to written notice,
- ❑ The AE must issue due process rights upon approval/authorization of ISPs where CPS is reduced, suspended, or terminated.

Order of Return List

- No longer needs to be maintained by CPS providers who have:
 - Contacted all individuals who were on their list to update them on the providers ability to render CPS to the individual,
 - Updated the individual's SC on the status of the individual with the provider (resuming CPS, on waiting list to resume CPS, undecided, does not wish to resume CPS), and
 - Communicated all current updates to the service location's assigned Administrative Entity

Person/Family Directed Support Waivers will allow cap exceptions for CPS (and Transportation Trip) for the following fiscal years:

- **2023-2024**
- **2024-2025**

Individuals enrolled in the P/FDS Waiver prior to 7/1/23 can **maintain or return to** the greater amount of CPS service units authorized in the ISP between the following:

- FY19-20 as of January 2020, or
- FY22-23

Maintenance of this amount includes the units re-allocated among:

- In-Home and Community Supports
- Companion
- Respite

If an individual has Residential Habilitation & CPS, the CPS service should only be provided outside of weekday hours of 8am to 5pm when all of the following conditions are met:

- For any day for which the individual receives Community Participation Support outside of typical hours, the Residential Habilitation provider bills “With Day”; and
- The activities for which the individual is supported are in a community location or community hub with a total of 3 or fewer people receiving the Community Participation Support service; and
- The activities for which the individual is supported are part of a regularly scheduled activity, group, or class that is directly connected to **an inclusion or employment outcome** that the Community Participation Support service is supporting the individual to pursue.

Reminder:

- Individuals must be provided choice of willing and qualified providers.
- Ordinary activities of everyday lives are considered community participation when all of the following are met:
 - It is part of the program of the provider and is identified in the individual's plan; and
 - The support that is provided falls within the service definition for Community Participation Supports; and
 - It is consistent with the individual's preferences, choices and interests; and
 - The support is not the responsibility of another provider (for example, medical appointments for someone in residential services).

1) The Waiver Variance Form does not need to be completed.

- While the amount of time that participants spend in the community may be impacted by the COVID-19 pandemic, providers are required to offer participants opportunities to spend time in the community consistent with their preferences, choices, and interests.
- At the current time, this flexibility will end on 11/11/23 and the Waiver Variance Form will need to be completed after this date.

2) CPS may be provided in-person or remotely in private homes. This includes:

- Homes owned, rented or leased by the participant, the participant's family, or friends.
- Homes where Supported Living is provided.
- Licensed and unlicensed Life Sharing homes.
- CPS may not be provided in a home not listed, such as the home of a CPS staff person.

2) CPS may be provided in-person or remotely in private homes.

- At the current time, this flexibility will partially end on 11/11/23. After that date, CPS:
 - May be provided in private homes via teleservices using remote technology as long as all guidance for teleservices is followed.
 - May NOT be provided in-person in private homes.

3) Up to 6 people may be supported in a community location for cohorting.

- ISP changes are not required to support more than 3 people in a community location when changes in staff ratios are not requested.
- At the current time, this flexibility will end on 11/11/23.

After this date:

- A maximum of 3 participants can be served simultaneously by any one provider at a community location at any one time in order to bill community codes.
- When more than 3 participants receive services by any one provider at a community location at any one time, facility codes must be billed.

4) CPS services may be provided using remote technology when all of the following are met:

- The participant has agreed to receive the service remotely and the ISP team has determined that the remote service will meet the health and safety needs of the participant.
- The remote service includes a component of skill building for use of technology so that in the long-term participants can use technology independently or with minimal support.

4) CPS services may be provided using remote technology when all of the following are met:

- The technology used complies with HIPAA requirements.
- The remote service is part of a larger plan for participants to connect in community settings or address wellness needs. The remote service must be used in conjunction with other opportunities and not used by itself.
- After 11/11/23, CPS may be provided via teleservices using remote technology as long as all guidance for teleservices is followed.



Guidance that is effective January 1, 2023

This information has been added to ensure person centered planning and participant choice and privacy when receiving teleservices.

Participants must have an informed choice (understanding all the options available to them, including the benefits and possible risks) to receive direct services in-person or via teleservices. Teleservices may only occur when the service plan team determines that using remote technology is the most appropriate service delivery method to meet the participant's needs (including health and safety needs) and goals. This determination must be based on consideration of all of the following:

- Service delivery complies with the requirements in the service definition, ODP policies, and regulations.
- Teleservices must be provided by means that allow for live two-way communication with the participant; interaction may not be recorded. Live video (seeing the individual and the individual seeing the staff) or audio transmission (such as a staff's voice coming through a device and giving prompts/direction to the individual) is only allowable to persons designated by the participant and designated staff employed by the provider responsible for direct service delivery.
 - Providers can call participants over the phone as an incidental component of teleservices to check-in with participants as allowed in the service definition or in emergency circumstances when all other criteria are met.
 - Monitoring of devices is not allowable under teleservices.
- The provider has explained to the participant and everyone else residing in the home the impact that teleservices will have on their privacy.

- The participant must be alerted prior to the activation of any audio communication device unless the participant turns on the audio communication device themselves.
- All live real time audio and video communication devices used to render teleservices in any part of the home or community must include indicators that let the participant know that the equipment is on and operating in audio or video mode.
- How teleservices enhance the participant's integration into the community.
- The request to use teleservices was initiated by a request from the participant and/or the family/representative when appropriate, and not the provider.
- How the participant's needs for in-person support during service provision will be met.
- The provider, in conjunction with the ISP team, has developed a back-up plan that will be implemented should there be a problem with the technology.

47

Attachment 1

Bulletin 00-22-05

Updated 6-16-2023

- The provider is responsible for ensuring that any technology used to render teleservices are HIPAA compliant and that the delivery of teleservices has been reviewed and accepted by the HIPAA compliance officer.
- The provider is also responsible for providing initial and ongoing training and support to the participant, and anyone designated by the participant, regarding the operation of the technology used during teleservices, including turning it on and off at-will.

5) CPS may be provided in a setting owned, leased, or operated by a provider of other ODP services, excluding Personal Care Homes and Residential Habilitation homes.

- Licensure may be required if:
 - CPS services are provided to 4 or more people in a location that is owned, rented, or leased and operated by the provider
 - CPS services include providing rehabilitative, habilitative, or handicapped employment or employment training to 1 or more people in a setting that is owned, rented, or leased and operated by the provider
- At the current time, this flexibility will end on 11/11/23.

6) Participants receiving Residential Habilitation can receive remote CPS for a maximum of 10 hours per week when all criteria for remote service delivery are met.

- In-person CPS may not be billed when provided in Residential Habilitation homes. When CPS is provided remotely, a provider can render both CPS and Residential Habilitation to a participant.
- Procedure codes and billing for remote CPS must reflect the accurate individual to staff ratio for the number of individuals receiving remote services by a CPS staff person.

6) Participants receiving Residential Habilitation can receive remote CPS for a maximum of 10 hours per week when all criteria for remote service delivery are met.

- After 11/11/23, CPS teleservices may only be rendered in a Residential Habilitation home when the participant:
 - Routinely participates in CPS services in-person outside the home; and
 - Has a medical or behavioral condition that precludes in-person participation for a temporary period of time not to exceed 26 consecutive weeks.



Questions



[ODP COVID19 Provider Resources \(pa.gov\)](#)

- *ODP Announcement 22-010: Version 3 of the ODP Operational Guide – For the Intellectual Disability/Autism Waivers During the Federal COVID-19 Public Health Emergency (Includes the Operational Guide as an attachment)*
- *ODP Announcement 23-025: Guidance for Returning to or Discharge from Community Participation Support (CPS) Services*

[Updated ODPANN 23-040 FY23-24 Renewal Guidance \(home.myodp.org\)](#)

- This is the PDF link right to ODP Announcement 23-040

[OVR Referral Process for ODP Employment-Related Services \(home.myodp.org\)](#)

- This is the PDF link right to Bulletin 00-19-01

[Consolidated Waiver \(pa.gov\)](#)

- This is the Consolidated Waiver page which includes the current waiver and recent Record of Change

[Community Living Waiver \(pa.gov\)](#)

- This is the Community Living Waiver page which includes the current waiver and recent Record of Change

[PFDS Waiver \(pa.gov\)](#)

- This is the Person/Family Directed Support Waiver page which includes the current waiver and recent Record of Change

[ISP Manual \(pa.gov\)](#)

- This is the PDF link right to the current ISP Manual

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