

## **FAQ's Re: Adding Services in the Family Home to the HCBS-DD Waiver**

- 1. What are the primary considerations made by DDD for delaying an amendment to the Comprehensive Services waiver that would allow individuals and their families to have the choice of remaining in their own household while receiving services?**

Response

The primary and only consideration for the current HCBS-DD waiver application is to make changes necessary to bring the waiver into compliance with CMS requirements, thereby securing future funding. The compliance issues being addressed are to ensure clients have informed choice of qualified providers and can choose from qualified providers anywhere in the state, establish a clear audit trail for all waiver expenditures, make processes and payments transparent for all parties, pay rates according to a uniform rate setting methodology, prevent conflict of interest among case management agencies and providers, and provide for a consistent dispute resolution process. The benefit to allow services in the family home is not a compliance issue. Once compliance issues are resolved and the waiver application approved by CMS, DDD will have the foundation to make the benefit definition change necessary to allow services in the family home.

- 2. What is the projected time frame to submit such a waiver amendment?**

Response

The projected time frame to submit such a waiver amendment is summer, 2008. Meeting this time frame is contingent upon first obtaining CMS approval of the amendment to bring the current HCBS-DD waiver into compliance. Due to the impact of problems associated with the Supports Intensity Scale, submission of the amendment to bring the current HCBS-DD waiver into compliance may be delayed. If so, the Division will be delayed in meeting the target time frame for submitting the HCBS-DD amendment adding the benefit to allow family services in the home.

- 3. What are the possible consequences to the state if it fails to meet CMS waiver standards?**

Response

CMS may take any of the following actions as a result of non-compliance:

1. Require the state to pay back the federal portion of funds spent to deliver HCBS-DD services that did not meet the compliance criteria. This action represents significant dollars and has been exercised in other states.

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2. Freeze the waiver until compliance is met (not allow any more people to be added for service even if the cap has not been exceeded).
3. Choose to **not** renew the HCBS-DD waiver, which is up for renewal in 2009.