



COMMISSIONER  
Jon Weizenbaum

November 7, 2014

To: Community Living Assistance and Support Services Case Management Agencies  
Community Living Assistance and Support Services Direct Services Agencies  
Financial Management Services Agencies

Subject: Information Letter No. 14-75  
Cognitive Rehabilitation Therapy, Employment Assistance and Revisions of  
Qualifications for Habilitation and Respite Providers

The purpose of this letter is to inform Community Living Assistance and Support Services (CLASS) providers and Financial Management Services Agencies (FMSA) about the addition of Cognitive Rehabilitation Therapy (CRT) and the Consumer Directed Services (CDS) option for CRT and Employment Assistance (EA) in the CLASS program. In addition, the provider qualifications for habilitation and respite providers have been revised.

The changes and revised provider requirements are consistent with the CLASS waiver renewal application pending approval by the Centers for Medicare & Medicaid Services (CMS). CMS has agreed to allow the Department of Aging and Disability Services (DADS) to implement these changes pending approval of the renewal application that is expected to be retroactive to September 1, 2014.

#### *New Service*

Effective December 1, 2014, CRT will be an available service in the CLASS program. The 2014-15 General Appropriations Act, 83<sup>rd</sup> Legislature, Regular Session, 2013, specifically appropriated funds for the provision of CRT in the CLASS program. The legislation requires an individual seeking CRT services receive a neuropsychological or neurobehavioral assessment and plan of care in accordance with the Medicaid State Plan.

CRT is a service that:

1. assists an individual in learning or relearning cognitive skills that have been lost or altered as a result of damage to brain cells or brain chemistry in order to enable the individual to compensate for lost cognitive functions; and
2. includes reinforcing, strengthening, or reestablishing previously learned patterns of behavior, or establishing new patterns of cognitive activity or compensatory mechanisms for impaired neurological systems.

A CRT service provider must be:

1. a psychologist licensed in accordance with Texas Occupations Code, Chapter 501;
2. a speech-language pathologist licensed in accordance with Texas Occupations Code, Chapter 401; or
3. an occupational therapist licensed in accordance with Texas Occupations Code, Chapter 454.

As outlined in 40 TAC §45.103, the CLASS case manager has primary responsibility to assist an individual to access any non-CLASS program service available in the community, including assisting an individual to access a neuropsychological or neurobehavioral assessment through the Medicaid State Plan.

A case manager must inform the individual or legally authorized representative (LAR) about the availability of CRT and explain that a neuropsychological or neurobehavioral assessment and plan of care must be obtained through the Medicaid State Plan prior to accessing this service in the CLASS program.

At enrollment if it is anticipated CRT may be a requested service based on information from a family member or member of the service planning team (SPT) to be included in the enrollment Individual Plan of Care (IPC), the case manager must begin assisting the individual to access the required state plan assessment within 30 calendar days after notification by the DSA of DADS approval of diagnostic eligibility for an individual enrolling into the CLASS program. This assessment must be completed before including CRT on the proposed enrollment IPC. This activity must not delay convening the service planning team to develop the habilitation plan, the proposed enrollment IPC, and developing an Individual Program Plan (IPP) for each CLASS service within 30 calendar days after notification by the DSA of DADS approval of diagnostic eligibility for an individual enrolling into the CLASS program as specified in 40 TAC §45.214.

After enrollment if CRT is identified as a needed service, within five business days after becoming aware the individual's needs have changed, the case manager must assist the individual obtain the required state plan assessment. As specified in 40 TAC §45.223, the case manager must also develop a proposed revised IPC and revised IPP(s) and, if necessary, a revised habilitation plan, within five business days after becoming aware the individual's need for a CLASS Program service changes. When preparing IPC and IPP revisions to add CRT, case management compliance with this five-day timeframe will be measured based on the availability of the state plan assessment and plan of care that must be received prior to adding this service to the CLASS IPC.

CLASS providers and FMSAs will bill for the provision of CRT using the service codes identified in this chart:

<b>Bill Code</b>	<b>Service Code</b>	<b>Description</b>
G6089	61	Cognitive Rehabilitation Therapy
G6090	61V	CDS Cognitive Rehabilitation Therapy
G6091	61V	CDS Cognitive Rehabilitation Therapy - Taxes
G6092	61V	CDS Cognitive Rehabilitation Therapy - ES/Benefits

*New Employment Service Available through the Consumer Directed Services (CDS) Option*

Effective December 1, 2014, EA will be available through the CDS option. A description of the requirements related to EA will be in an information letter posted concurrently with this information letter.

### *Forms Revisions*

The following CLASS forms will be revised with the addition of CRT and the availability of new services through the CDS option:

- Form 3621-Revised, CLASS Individual Plan of Care
- Form 3621-T-Revised, CLASS – IPC Service Delivery Transfer Worksheet
- Form 3621, CLASS Individual Plan of Care
- Form 3621-T, CLASS – IPC Service Delivery Transfer Worksheet
- Form 3595, IPP Service Review
- Form 1735, Employer and Financial Management Services Agreement, CLASS Service Provision Requirements Addendum
- CLASS CDS Employer Budget

### *Revised Service Provider Qualifications*

The name of the certifying agency for service providers of hippotherapy and therapeutic horseback riding has changed from North American Riding for the Handicapped Association to Professional Association of Therapeutic Horsemanship International.

A habilitation or respite service provider who is employed by a CLASS DSA or a CDS employer on or after May 1, 2015 must have one of the following qualifications:

1. a high school diploma;
2. a certificate recognized by a state as the equivalent of a high school diploma; or
3. both of the following:
  - a. a successfully completed written competency-based assessment demonstrating the service provider's ability to perform habilitation or respite, including an ability to perform habilitation or respite tasks required for the individual to whom the service provider will provide habilitation or respite; and
  - b. at least three written personal references from persons who are not relatives of the service provider that evidence the service provider's ability to provide a safe and healthy environment for the individual.

Each DSA or CDS employer may develop a competency-based assessment to verify a habilitation or respite service provider can meet the needs of the individual. The competency-based assessment must be specific to the identified needs of the individual as identified in the habilitation plan and consistent with services the individual requires. These revised qualifications for habilitation and respite providers are included to ensure individuals are served by persons qualified to provide services in a safe and healthy environment.

### *Rules Revisions*

The changes and requirements described in this letter are included in amendments to DADS rules at 40 TAC, Chapter 45 to be proposed in the *Texas Register* in the near future.

The CLASS waiver application submitted to CMS will be available on the CLASS webpage after it is submitted to CMS. The approved waiver renewal application will be posted once CMS approval is obtained.

For questions about CLASS program policy, please contact the CLASS mailbox at [class@dads.state.tx.us](mailto:class@dads.state.tx.us). For questions about CDS option policy, please contact [cds@dads.state.tx.us](mailto:cds@dads.state.tx.us)

Sincerely,

*[signature on file]*

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Director  
Center for Policy and Innovation

*[signature on file]*

Elisa J. Garza  
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Access and Intake