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Community First Choice

Implementation of Community First Choice in the HCS and TxHmL Programs

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Topics of Discussion

- Community First Choice (CFC) Overview
- Who Can Receive CFC?
- Implementation in DADS 1915(c) Waiver Programs
- Provision of CFC Services
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Community First Choice Overview

- Pursuant to S.B. 7, HHSC and DADS will implement Community First Choice (CFC) on June 1, 2015.
- CFC is a federal Medicaid benefit allowing states to provide home and community-based services and supports to Medicaid recipients with disabilities under 1915(k) of the Social Security Act.
- Texas is implementing CFC as a new Medicaid State Plan benefit.

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CFC Services

- CFC services include:
  - Personal Assistance Services
  - Habilitation
  - Emergency Response Services (ERS)
  - Support Management

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Who Can Receive CFC?

- Individuals enrolled in a 1915(c) waiver are eligible to receive CFC Services. Individuals not in a 1915(c) Medicaid waiver may also be eligible for CFC and would receive services through a managed care organization.
- CFC services are only available to individuals residing in their own home or a family member's home (OH/FH).
- Individuals who would otherwise be eligible to receive Supported Home Living (SHL) or Community Support (CS) will transition to CFC personal assistance services and habilitation services (PAS/HAB).

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Implementation in DADS 1915(c) Waiver Programs

- Individuals currently receiving services through one of the following 1915(c) waiver programs will access their CFC benefits through their DADS comprehensive waiver provider:
  - Home and Community-based Services (HCS);
  - Texas Home Living (TxHmL);
  - Community Living Assistance and Support Services (CLASS); or
  - Deaf Blind with Multiple Disabilities (DBMD).
- Individuals can also choose to self direct their CFC PAS/HAB using the Consumer Directed Services (CDS) option.

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CFC Personal Assistance Services/Habilitation

- Personal Assistance Services
  - Assistance with activities of daily living (ADLs), instrumental activities of daily living (IADLs), and health-related tasks through hands-on assistance, supervision or cueing.

- Habilitation
  - Acquisition, maintenance, and enhancement of skills necessary for the individual to accomplish ADLs, IADLs, and health-related tasks

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CFC Emergency Response Services

- Effective June 1, 2015, ERS will be available through CFC for individuals who are eligible.
- To provide CFC ERS, an HCS or TxHmL Program provider must:
  - be licensed as a personal ERS provider in accordance with 25 TAC Chapter 140, Subchapter B (relating to Personal ERS Providers); or
  - contract with a personal emergency response system provider licensed in accordance with 25 TAC Chapter 140, Subchapter B.

CFC Support Management

- If an individual in the HCS or TxHmL Program is receiving CFC PAS/HAB and would like training on how to select, manage and dismiss service providers, the program provider or FMSA must provide CFC support management to the individual by providing written information developed by DADS and HHSC and available on the DADS website.

Local Authorities

- Local Intellectual and Developmental Disability Authorities (LIDDAs) that are HCS or TxHmL providers will provide CFC services to individuals in their HCS/TxHmL programs.

- LIDDAs may not provide CFC services to individuals outside of their HCS/TxHmL contracts.

PROVISION OF CFC SERVICES

CFC Personal Assistance Services/Habilitation

- In the HCS and TxHmL Programs, personal assistance services and habilitation will be provided as a blended service called CFC PAS/HAB.
- All of the tasks and activities delivered through HCS supported home living (SHL) or TxHmL community support (CS) will continue to be delivered through CFC PAS/HAB.
- The CFC PAS/HAB rate will be the same as the existing SHL and CS rates.

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CFC PAS/HAB Service Provider Qualifications

- A CFC PAS/HAB service provider must:
  - be 18 years of older;
  - have a high school degree, GED, or pass a competency test with three references;
  - not be the parent of an individual who is under 18 years of age or the spouse of an individual;
  - meet any other qualifications requested by the individual or legally authorized representative (LAR) based on the individual's needs and preferences.
- **New Qualification**:
  - A CFC PAS/HAB service provider may live in the same residence as the individual.

CFC PAS/HAB Service Provider Qualifications (cont'd)

- In addition to meeting the personnel requirements outlined in the HCS and TxHmL rules, the program provider must, if requested:
  - allow the individual to train a CFC PAS/HAB service provider in the specific assistance needed by the individual and to have the service provider perform CFC PAS/HAB in a manner that comports with the individual's personal, cultural, or religious preferences; and
  - ensure a CFC PAS/HAB service provider attends training provided by or through HHSC or DADS so that the service provider can meet any additional qualifications desired by the individual.

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CFC Emergency Response Services

- If an individual is residing in their own home or family member's home and are currently receiving ERS as an adaptive aid, on their next renewal Individual Plan of Care (IPC) with an effective date of June 1, 2015 or later, this service must be listed as CFC ERS.
- ERS will no longer be covered as an adaptive aid in the waiver for individuals after June 1, 2015.
- If approved, ERS is available as an adaptive aid for individuals in other residential settings.

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CFC Emergency Response Services (cont'd)

- The CFC ERS rate has a cost limit of $29.76 per month.
- For each individual who requests and qualifies for ERS, the service coordinator or program provider will be required to enter $357.12 ($29.76 x 12 months) for a renewal IPC with an effective date of June 1, 2015 or later. Service coordinators or providers may update ERS during an IPC revision on or after June 1, 2015.
- When adding ERS on a revision IPC, the service coordinator or program provider must calculate the amount to include on the IPC by multiplying the ERS cost limit of $29.76 by the total number of months remaining for the IPC year.
- Example: If 6 months remains of the IPC year, the program provider multiplies $29.76 x 6 and enters $178.56 on the revision IPC.

CFC Emergency Response Services (cont'd)

- HCS and TxHmL Program providers must bill the actual amount paid for CFC ERS, which may be no more than $29.76 per month.

- When an HCS or TxHmL Program provider is able to contract for less than the ERS cost limit, the program provider must only bill for the actual amount paid for the ERS service.

CFC Support Management

- Interest in CFC support management is:
  - discussed during the person directed planning process if the individual requests it;
  - offered to all individuals receiving CFC PAS/HAB regardless of service delivery model; and
  - is noted as a “Yes” or “No” on the IPC.
- There is no reimbursement for CFC support management and there are no specific service provider qualifications, except that the person providing support management cannot also be the CFC PAS/HAB service provider .

Service Planning

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Service Planning

- At the next renewal IPC with an effective date of June 1, 2015 or later, the person-directed plan (PDP), implementation plan (IP), and IPC must reflect the new CFC services
- If a plan revision requires changes to SHL or CS, the revised IPC must reflect both units of SHL or CS utilized before June 1, 2015 and CFC PAS/HAB units remaining for dates of service on June 1, 2015 and later.

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Service Planning (cont'd)

- An updated PDP is required on or before the effective date of:
  - the next renewal IPC; or
  - an IPC revision that reflects a PDP change.
- For an individual whose IPC is effective before June 1, 2015, and includes an emergency response system as an adaptive aid, the IPC may continue to include this service until the IPC is renewed on or after June 1, 2015. However, if the IPC is being revised for other reasons, the LIDDA or program provider may also revise ERS.
- For individuals who qualify, if ERS is identified as a need for an individual after June 1, 2015, the service must be included on the IPC as CFC ERS, and not as an adaptive aid.

Forms Being Updated for CFC

Forms Being Updated for CFC

- DADS revised the following forms:
  - *DADS Form 1742- Service Backup Plan for HCS and TxHmL*
  - *DADS Form 2121- Long Term Services and Supports*
  - *DADS Form 2125- Home and Community-based Services Implementation Plan*
  - *DADS Form 3608- Individual Plan of Care- Home and Community-based Services*
  - *DADS Form 3615- Request to Continue Suspension of Waiver Program Services*
  - *DADS Form 3616- Request for Termination of Waiver Program Services*
  - *DADS Form 3617- Request for Transfer of Waiver Program Services*
  - *DADS Form 4121- Supported Home Living/Community Supports*
  - *DADS Form 8578- Intellectual Disability/Related Condition Assessment*
  - *DADS Form 8582- Individual Plan of Care- Texas Home Living Services*
  - *DADS Form 8665- Person Directed Plan*

Forms Being Updated for CFC (cont'd)

- New versions of the PDP and IPCs will be available May 1, 2015 for service planning. All other forms will be available by June 1, 2015.
- For IPCs effective June 1, 2015 or later, the new versions of the paper forms must be used unless the service planning process using the current forms began prior to June 1, 2015.
- CARE will automatically convert unclaimed SHL or CS units on existing IPCs to CFC PAS/HAB on June 1st.
- Program providers will be able to move units that were utilized before June 1, 2015 but not yet claimed back to SHL or CS using the C30 screen. Instructions for the C30 screen are included in Information Letter 2015-28.

Compliance Requirements

Compliance Requirements

- An HCS or TxHmL program provider must comply with 40 TAC Chapter 9, Subchapters D or N, as if CFC PAS/HAB and CFC ERS are HCS or TxHmL Program services.
- An HCS or TxHmL program provider must comply with Chapter 49 of this title, Contracting For Community Services.
- DADS is developing draft CFC rules and plans to release rule drafts for stakeholder input this summer.

Compliance Requirements (cont'd)

- Information Letter Number 2015-28 describes how CFC is being implemented in the HCS and TxHmL Programs.
- Information Letter Number 2015-29 describes how CFC is being implemented for individuals using the CDS option in the HCS and TxHmL Programs.
- New program rules describing CFC in the waiver program have a target effective date of March 20, 2016.
- Use of electronic visit verification (EVV) does not apply to the HCS and TxHmL program providers delivering CFC services to individuals enrolled in the HCS and TxHmL Programs.

Billing and Rates

Billing and Rates

- Effective June 1, 2015, an HCS or TxHmL Program provider must comply with the CFC Billing Guidelines.

- The CFC Billing Guidelines will be available June 1, 2015 and can be found in the same location as the HCS/TxHmL billing and payment guidelines.

Additional Information

HCS and TxHmL Program Eligibility Requirements

- In addition to all other eligibility requirements, to maintain eligibility for HCS or TxHmL, an individual must receive:
  - at least one HCS or TxHmL service annually; **AND**
  - HCS or TxHmL service monthly or monthly monitoring (i.e., service coordination) to be eligible for the HCS or TxHmL Program.
- Since CFC is not a waiver service, CFC services do not satisfy the above eligibility requirements. LIDDA service coordinators are required to notify individuals of these requirements before July 1, 2015, and at least annually thereafter.

HCS and TxHmL Program Eligibility Requirements (cont'd)

- To assist individuals with maintaining eligibility for the waiver, program providers are encouraged to inform the individual's service coordinator if there is a concern over an individual's eligibility due to this monthly service requirement.

Individuals Receiving CFC Services with Medical Assistance Only (MAO) Medicaid

- Individuals who receive Supplemental Security Income (SSI) benefits are categorically eligible for SSI Medicaid.
- Individuals certified for Medicaid who do not receive SSI Medicaid are most likely certified for MAO Medicaid.
- In accordance with CFC regulations, an individual with MAO Medicaid must receive a monthly HCS or TxHmL service to be eligible for CFC.
  - Respite is an example of a monthly HCS or TxHmL service.
  - Monthly monitoring by a service coordinator is not an HCS or TxHmL program service and, therefore, does not meet this eligibility requirement.

Consumer Rights and Services

- For individuals in a waiver program, complaints regarding their CFC services, program provider, or FMSA are handled in the same manner as complaints are today.
- DADS Consumer Rights and Services: 1-800-458-9858

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CFC Resources

- Information letters are available online: http://www.dads.state.tx.us/providers/CFC/index.cfm
- Service coordinators are required to provide individuals currently receiving SHL or CS with individual letters from DADS that are included as an attachment to IL 2015-28 and provide an oral explanation of the letter by July 1, 2015.
- Service coordinators can do this in person or over the phone if the letter is mailed to the individual or LAR.
- DADS is developing an FAQ document that will become available at a future date.

Online Information

- For more information, please visit: http://www.dads.state.tx.us/providers/CFC/index.cfm
- Please email policy questions, with "CFC" in the subject line, to: CfcPolicy@dads.state.tx.us
  After June 1, 2015, for questions about a specific individual's CFC services, email PE/UR at: cfcoperations@dads.state.tx.us
- HHSC CFC website: http://www.hhsc.state.tx.us/medicaid/managed-care/community-first-choice/

Thank you!