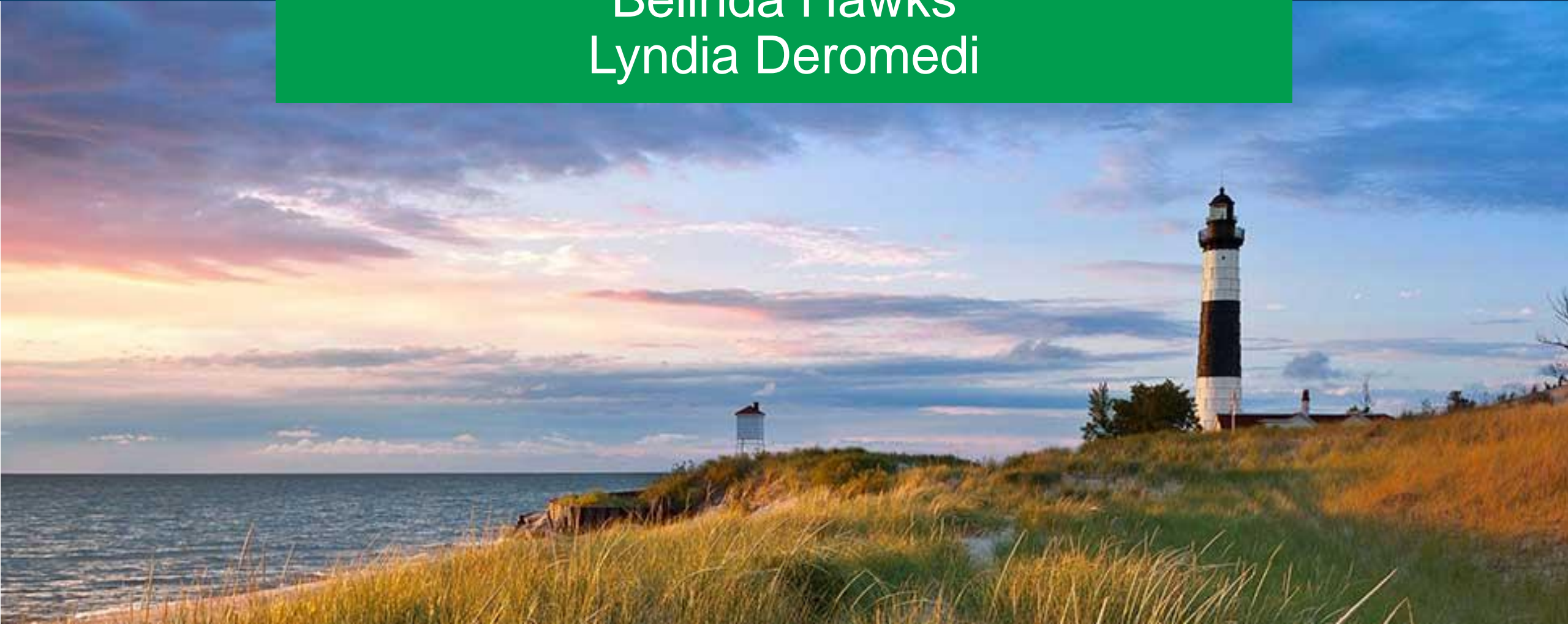




Arc Policy Webinar  
Belinda Hawks  
Lyndia Deromedi



# Topics



- Conflict Free Access and Planning Update.
- New Initiatives.
- Home and Community Based Services Rule Implementation Update
- IDD Adult Assessment tool

# Requirement

"Entities that evaluate eligibility or provide case management services cannot...have a financial interest in any entity paid to provide care to the individual."

Home and Community-Based Services Final Rule

42 CFR 441.730

42 CFR 441.301



**Financial Firewall**

# Requirement

- Service planning activities for HCBS, including the development of the Independent Plan of Service (IPOS), assessment and coordination of services, must be independent from the delivery of HCBS services.
- Conflict-free rules apply to all entities conducting HCBS service planning.
- States can seek CMS approval to grant an “only willing and qualified provider” designation when the only willing and qualified provider for service planning in a geographic area also provide HCBS.

# Assumptions & Values

- 1. Structural mitigation is required:** Conflicted functions will be separated.
- 2. State-wide approaches reduce disparity:** It is ideal to implement a state-wide approach, wherever possible.
- 3. Designations must be carefully considered:** MDHHS must define and consider designations to the state-wide structural mitigation approach for regions with a single willing and qualified provider.
- 4. Systems use existing structures:** The existing PIHPs and CMHSPs will be responsible for implementing CFA&P requirements.



# Assumptions & Values

- 1. Strengthen Protections:** Ensure Michigan's public behavioral health system adequately protects beneficiary choice
- 2. Prioritize the Person's Experience:** Ensure Michigan's public behavioral health system prioritizes the experiences of beneficiaries and their families.
- 3. Maintain Viability:** Ensure Michigan's public behavioral health system is viable and robust to adequately serve beneficiaries

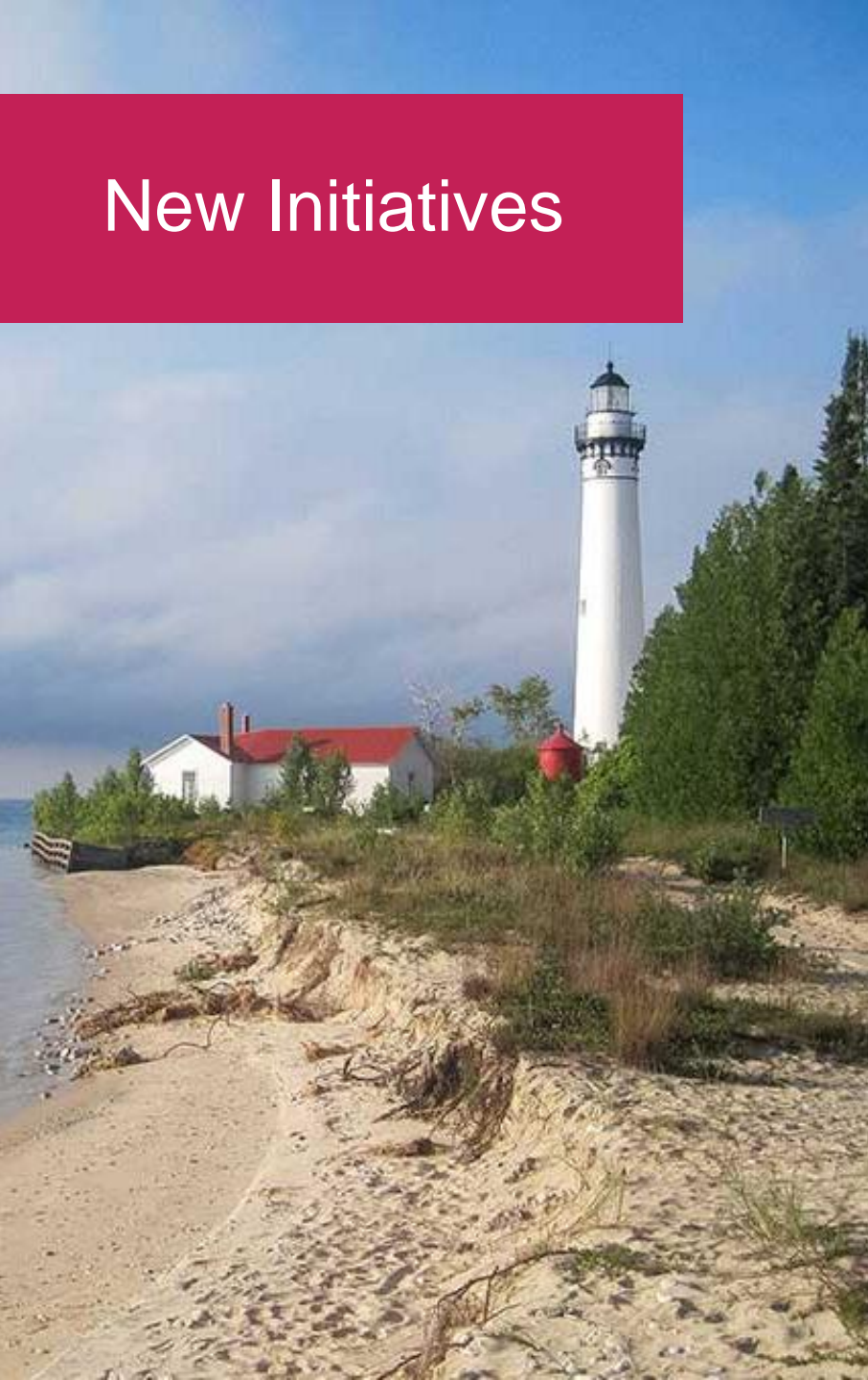
# Updates



- Workgroup concluded in November 2023.
- MDHHS drafted initial implementation strategy.
- Letter sent to CMS from advocate organizations.
- Waiver and 1915 (i) State Plan language
- MDHHS reviewing questions from CMS.
- Implementation strategy and timeline revisions
- Upcoming webinar to be scheduled

## New Initiatives

- MDHHS establishing IDD Specialist position
  - Focus areas:
    - Policy and Practice Improvement
    - Assistive and Smart Technology
    - Quality Improvement
    - Long term care continuum
    - Training and case consultation







# Behavioral Health Home and Community-Based Services Rule Update IDD Assessment Tool



# HCBS Final Rule Overview



The HCBS Final Rule requires that individuals have free access to their homes and communities and are empowered with the same degree of decision making as individuals who are not HBCS participants.

# HCBS Overview and Timeline

January 2023 HS setting sent to CMS

Early March 2023 HCBS State Transition Plan was approved by CMS

Corrective Action Plan sent to CMS

March 17, 2023 HCBS Rule Compliance

Setting Survey sent on June 5, 2024 to all known residential providers. Goal to identify features of all settings across the state to develop a statewide data base,

On Site visits from the Centers for Medicare and Medicaid Services (CMS) July 15-19, 2024.



# Compliance Assessment and Monitoring

## **New Assessment Process:**

- No longer using Qualtrics Survey to assess compliance
- Assessments will be conducted face to face by HCBS staff
  - Annual physical assessment
  - Three-year comprehensive assessment
- Why?
  - Clarify questions in real time-reduces false non-compliance flags
  - Remediations can be implemented more immediate
  - Eliminate settings “falling through the cracks”
  - Encourages open dialogue in real time
  - Increase opportunities for technical assistance and guidance



# Annual Physical Assessment

## **Physical Assessment of Settings:**

- Review physical structure of the setting to assess compliance. Examples include:
  - Keyed locks on bedroom doors
  - Open kitchen areas
  - No barriers to keep individuals from accessing all public areas of their home
  - Presence of a current signed IPOS on site for every participant
  - Are there setting wide restrictions in effect?
- Reduction of assessments: May reduce to one assessment annually. Up to discretion of PIHP/CMHSP.

# Three-Year Comprehensive Assessment

## **Three-Year Comprehensive Assessment:**

- Assessment is specific to the person where the annual physical assessment is specific to the setting.
- Assessment will look at whether the participant experiences the setting and services in a way that is compliant with the rule such as:
  - Can the person come and go as they choose; within and outside the setting (yard) and the greater community,
  - Evidence the person chose the setting/ providers?
  - Are there restrictions on the person?
- Assessment will be conducted on settings that provides CLS and Skill Building (Specialized Residential, provider owned and operated, skill building providers).

# HCBS Resources

## Resources

MDHHS HCBS Webpage:

[Behavioral Health HCBS Waivers \(michigan.gov\)](https://www.michigan.gov/mdhhs/0,4570,7-153_1-423_1-424_1-425_1-426_1-427_1-428_1-429_1-430_1-431_1-432_1-433_1-434_1-435_1-436_1-437_1-438_1-439_1-440_1-441_1-442_1-443_1-444_1-445_1-446_1-447_1-448_1-449_1-450_1-451_1-452_1-453_1-454_1-455_1-456_1-457_1-458_1-459_1-460_1-461_1-462_1-463_1-464_1-465_1-466_1-467_1-468_1-469_1-470_1-471_1-472_1-473_1-474_1-475_1-476_1-477_1-478_1-479_1-480_1-481_1-482_1-483_1-484_1-485_1-486_1-487_1-488_1-489_1-490_1-491_1-492_1-493_1-494_1-495_1-496_1-497_1-498_1-499_1-500_1-501_1-502_1-503_1-504_1-505_1-506_1-507_1-508_1-509_1-510_1-511_1-512_1-513_1-514_1-515_1-516_1-517_1-518_1-519_1-520_1-521_1-522_1-523_1-524_1-525_1-526_1-527_1-528_1-529_1-530_1-531_1-532_1-533_1-534_1-535_1-536_1-537_1-538_1-539_1-540_1-541_1-542_1-543_1-544_1-545_1-546_1-547_1-548_1-549_1-550_1-551_1-552_1-553_1-554_1-555_1-556_1-557_1-558_1-559_1-560_1-561_1-562_1-563_1-564_1-565_1-566_1-567_1-568_1-569_1-570_1-571_1-572_1-573_1-574_1-575_1-576_1-577_1-578_1-579_1-580_1-581_1-582_1-583_1-584_1-585_1-586_1-587_1-588_1-589_1-590_1-591_1-592_1-593_1-594_1-595_1-596_1-597_1-598_1-599_1-600_1-601_1-602_1-603_1-604_1-605_1-606_1-607_1-608_1-609_1-610_1-611_1-612_1-613_1-614_1-615_1-616_1-617_1-618_1-619_1-620_1-621_1-622_1-623_1-624_1-625_1-626_1-627_1-628_1-629_1-630_1-631_1-632_1-633_1-634_1-635_1-636_1-637_1-638_1-639_1-640_1-641_1-642_1-643_1-644_1-645_1-646_1-647_1-648_1-649_1-650_1-651_1-652_1-653_1-654_1-655_1-656_1-657_1-658_1-659_1-660_1-661_1-662_1-663_1-664_1-665_1-666_1-667_1-668_1-669_1-670_1-671_1-672_1-673_1-674_1-675_1-676_1-677_1-678_1-679_1-680_1-681_1-682_1-683_1-684_1-685_1-686_1-687_1-688_1-689_1-690_1-691_1-692_1-693_1-694_1-695_1-696_1-697_1-698_1-699_1-700_1-701_1-702_1-703_1-704_1-705_1-706_1-707_1-708_1-709_1-710_1-711_1-712_1-713_1-714_1-715_1-716_1-717_1-718_1-719_1-720_1-721_1-722_1-723_1-724_1-725_1-726_1-727_1-728_1-729_1-730_1-731_1-732_1-733_1-734_1-735_1-736_1-737_1-738_1-739_1-740_1-741_1-742_1-743_1-744_1-745_1-746_1-747_1-748_1-749_1-750_1-751_1-752_1-753_1-754_1-755_1-756_1-757_1-758_1-759_1-760_1-761_1-762_1-763_1-764_1-765_1-766_1-767_1-768_1-769_1-770_1-771_1-772_1-773_1-774_1-775_1-776_1-777_1-778_1-779_1-780_1-781_1-782_1-783_1-784_1-785_1-786_1-787_1-788_1-789_1-790_1-791_1-792_1-793_1-794_1-795_1-796_1-797_1-798_1-799_1-800_1-801_1-802_1-803_1-804_1-805_1-806_1-807_1-808_1-809_1-810_1-811_1-812_1-813_1-814_1-815_1-816_1-817_1-818_1-819_1-820_1-821_1-822_1-823_1-824_1-825_1-826_1-827_1-828_1-829_1-830_1-831_1-832_1-833_1-834_1-835_1-836_1-837_1-838_1-839_1-840_1-841_1-842_1-843_1-844_1-845_1-846_1-847_1-848_1-849_1-850_1-851_1-852_1-853_1-854_1-855_1-856_1-857_1-858_1-859_1-860_1-861_1-862_1-863_1-864_1-865_1-866_1-867_1-868_1-869_1-870_1-871_1-872_1-873_1-874_1-875_1-876_1-877_1-878_1-879_1-880_1-881_1-882_1-883_1-884_1-885_1-886_1-887_1-888_1-889_1-890_1-891_1-892_1-893_1-894_1-895_1-896_1-897_1-898_1-899_1-900_1-901_1-902_1-903_1-904_1-905_1-906_1-907_1-908_1-909_1-910_1-911_1-912_1-913_1-914_1-915_1-916_1-917_1-918_1-919_1-920_1-921_1-922_1-923_1-924_1-925_1-926_1-927_1-928_1-929_1-930_1-931_1-932_1-933_1-934_1-935_1-936_1-937_1-938_1-939_1-940_1-941_1-942_1-943_1-944_1-945_1-946_1-947_1-948_1-949_1-950_1-951_1-952_1-953_1-954_1-955_1-956_1-957_1-958_1-959_1-960_1-961_1-962_1-963_1-964_1-965_1-966_1-967_1-968_1-969_1-970_1-971_1-972_1-973_1-974_1-975_1-976_1-977_1-978_1-979_1-980_1-981_1-982_1-983_1-984_1-985_1-986_1-987_1-988_1-989_1-990_1-991_1-992_1-993_1-994_1-995_1-996_1-997_1-998_1-999_2000)

Or Email: [HCBSTransition@michigan.gov](mailto:HCBSTransition@michigan.gov)



## IDD Assessment Tool

- World Health Organization Disability Assessment Schedule 2.0 (WHODAS 2.0)
  - Will be used for:
    - Eligibility determinations for the Habilitation Supports Waiver and 1915(i)SPA services
    - In conjunction with the Person-Centered Planning Process
- Replaces Supports Intensity Scale-Adults (SIS-A)
- March of 2023, MDHHS concluded the contract to utilize the SIS-A assessment tool for adults with I/DD.
- Fall of 2023, the MDHHS developed an assessment panel workgroup that included clinical and administrative professionals from PIHPs and CMHSPs, Medicaid beneficiaries, advocates, and family members of Medicaid beneficiaries from across the State of Michigan to support the selection of a replacement for the SIS-A.
- Panel Members reviewed four candidate assessments and provided a recommendation to MDHHS.
- Four candidate assessments reviewed were Functional Assessment Standardized Items (FAS\*), Adult Needs and Strengths Assessment (ANSA), Adaptive Behavioral Assessment System (ABAS3) and WHODAS 2.0.
- Will be creating a Webpage to communicate updates and include resources related to this work



# Assessment Selection Process



- Panel Members selected using an application process
  - Experiences with assessments
  - Panel experience in Behavioral health (family and persons served)
  - 20 Panel Members selected
  - Variety included assessors, CMHSP and PIHP administrators, beneficiaries, and family members.
  - Panel selected in September 2023, with the work starting in October 2023
- The MDHHS team narrowed their selection from a larger pool of assessments to four candidates including the ANSA, ABAS-3, FASI, and WHODAS 2.0.
- To guide the selection of an assessment and drive the Panel's work, MDHHS identified five key areas to consider for each assessment including:
  - **Scientific Acceptability:** Is the assessment reliable, valid, adequately studied, and does it measure outcomes?
  - **Asks about Need Areas:** Does the assessment include questions about relevant need areas?
  - **Usability at the Person-Level:** Does the assessment have a reasonable number of questions and take a reasonable amount of time to complete? Can the results be helpful in planning?
  - **Feasibility at the System Level:** Are the training requirements reasonable? Can the data and score exports be used at the regional and state levels?
  - **Person-Centeredness:** Is the assessment accessible, dignified, and respectful?

# Assessment Selection Process



## Examine:

- Members were assigned to breakout groups, each of which reviewed one of the candidate assessments.
- Breakout group assignments ensured a variety of perspectives in each group.
- Between November and December, Panel Members used meeting times to explore their assigned candidate assessments and provide insights on each of the key areas.
- Summary documents and presentations were developed by each breakout group to review with the other Panel Members and the MDHHS team.

## Review:

- In January 2024, each breakout group presented their assigned candidate assessment to the entire Panel.
- Breakout groups were expected to speak on each of the key areas, as identified above. After each group presented and fielded questions, all Panel Members responded to a recommendation survey.
- The survey asked Panel Members to rate how each assessment performed in each of the key areas and indicate whether they recommend the assessment for MDHHS' implementation.
- To close out the Panel, Members reviewed high-level summary data and feedback from the recommendation survey. They were offered an additional opportunity to offer insights via a narrative survey



# Assessment Selection Process



## Select

- From January until March 2024, the MDHHS team reviewed all survey scores and narrative feedback from Panel Members. In their review, the MDHHS team considered:
  - How did each assessment score in each key area?
  - How many Panel Members recommended the assessment for implementation?
  - What did Panel Members say about assessments after reviewing summary data?
  - What did Panel Members discuss in ongoing Panel meetings?
  - What is important to MDHHS in assessment implementation?
  - What was learned from previous assessment implementations that can inform this selection?
- The MDHHS team used the Panel scores and feedback to identify follow-up questions and implementation considerations on each assessment and narrow their selection.

An aerial photograph of a river flowing through a dense forest with vibrant autumn foliage. The river features a prominent waterfall with white foam at its base. The sky is overcast with grey clouds.

# WHODAS 2.0

## **General Tentative Timeline for WHODAS 2.0 Implementation:**

- MDHHS defining implementation details (current)
- Begin gathering steering committee members (fall 2024)
- Steering Committee Launch (winter 2025)
- Training (Spring 2025)
- Implementation (Fall 2025)