

Assistive Daily Living Services (ADLS) Waiver Amendment

Medicaid Advisory Committee

April 28, 2016

• 04/26/2016 •

ADLS Waiver History

- Physical disability waiver (quadriplegia) that allows individuals with significant disabilities to manage and self-direct their services and to live as independently as they choose in their home, community and workplace.
- **Established in 1994**-Prairie Freedom Center provided limited funding to some participants who needed PA's. The State Attendant Care program provided limited funding to people with spinal cord injuries. More was needed. DHS and participants developed the waiver and were in favor of consumer control and advocated for independence in managing/directing their own PA's.
- **2011** - Amended to remove earned income from the cost share formula
- **2012-2017**- Current ADLS Waiver as approved by CMS (waiver renewal every 5 years)

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Administrative Authority/Operating Agency

- Department of Social Services, Division of Medical Services is the designated Single State Medicaid Agency and has administrative authority
- Department of Human Services, Division of Rehabilitation Services is the designated operating agency
- Department of Social Services, Division of Economic Assistance determines financial eligibility for all people applying for Medicaid in SD

ADLS Waiver Eligibility

- Administrative Rules of South Dakota
 - Must have quadriplegia defined as a substantial functional limitation in all 4 extremities.
 - The applicant is 18 years of age or older
 - The disability is likely to continue indefinitely
 - Must meet nursing facility level of care
 - Must be medically stable
 - Must be able to manage and self-direct services
 - SSI/Medicaid eligible

Current Waiver Services

- **Personal Attendant Services** - personal care service provided to a participant. Participant is responsible for hiring, training, supervision, discipline, and can also choose to terminate this staff. Friends and family can become a paid PA if they meet hiring requirements of the chosen provider. PA services include homemaking services, such as laundry, cooking, cleaning. Limited to 42 hours/week.
- **Case Management** - provided by the provider agency and responsible for the completion of the initial assessment, annual assessments, and coordinates services and supports participant needs through a service plan, including those not covered under waiver.
- **Consumer Preparation Services** - these services support the participant in the hiring and supervising of personal attendants. CPS required to support self direction in hiring and managing their own PA's.

Current Waiver Services

- **Skilled Nursing Services** - provided as determined needed by the participant's physician that cannot be provided by the personal attendant. Includes care for a wound that is infected. Services a PA cannot perform.
- **Emergency Response Services** - monthly subscription charges for a participant to have a monitored telephone service that allows them to access emergency services by pushing a button on a pendant. ADLS can pay up to \$45 per month for the monitoring service.
- **Incontinent Supplies**- any supplies that support bowel and bladder maintenance up to \$100 per month. This amount can be increased upon Waiver Manager approval.

ADLS Providers

Currently provide Case Management, Consumer Preparation and hire PA's through their agency:

- **Independent Living Choices**
 - Main office – Sioux Falls, Matt Cain Director
 - Statewide services
- **Homecare Services of South Dakota**
 - Main office – Pierre, Steven Novotny Director
 - Statewide services
- **Preferred Home Health**
 - Main office – Buffalo, Deb Brown, Director
 - West River services

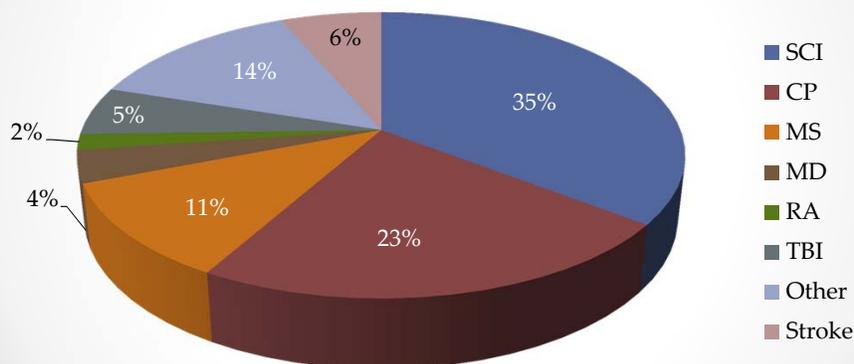
Challenges of ADLS Program

- Seeing decrease in ADLS participants
- Cost Share is a disincentive
- Out of compliance with conflict-free case management requirement
- Services don't meet all the needs
- Language in waiver is restrictive for some participants on the waiver

Advantages of ADLS Program

- Allows family members to be Personal Attendants if they meet the hiring criteria
- Participants can work their schedule out with their PA directly, including late nights and weekends
- Participant decides who comes into their home to provide the services
- Participant trains the PA to perform tasks using methods they prefer and are safe/efficient
- Participants learn valuable directing/managing skills

Population by Disability



Why Amend?

- Proposed to amend due to decrease in participants on program, responses from current ADLS participant survey and provider concerns
- Created workgroup to obtain feedback from stakeholders, participants, family members, providers
- Began amending waiver based on feedback from survey and workgroup

Proposed Changes

- Remove Cost Share-many current participants contribute between \$2 and \$902 for ADLS services per month, which is a disincentive to be on the program and burdensome to participants. Still need to meet financial need to qualify for program.
- Remove case management as a service from the waiver, hire two "Service Coordinators" to assist participants in case management activities as an Administrative function within DHS, to be conflict free (CM does not provide other direct services to participants) as per HCBS rule.

Proposed Changes

- **Add Services:**
 - Specialized Medical Equipment and Supplies (hoyer lift, scooter, medication dispensers, etc)
 - Respite Care (relief for caretakers for participants that cannot be left alone)
 - Environmental Accessibility Adaptations (bathroom modifications, ramps, widen doors, etc)
 - Vehicle Modifications (lifts, tie downs, etc)

- **Revise Services:**
 - Increase PA limit from 42 hours per week to 50 hours per week
 - Increase Incontinence supplies to \$200 per month

Proposed Changes

- Add ability to hire home health agencies to supplement the self directed option of hiring personal attendants;
- Revise language in waiver to allow participants to select a non-legal representative to manage and direct their services without requiring they be present while services are being provided;
- Change language in waiver to use aggregate per capita expenditures under the waiver instead of individual costs.

Waiver Amendment Process

- Formal comment period was February 8-March 9, 2016
- Public meeting by webinar/teleconference was February 18, 2016
- Legislature approved 2 FTE for Service Coordinators (case managers)
- Waiver amendment was submitted to CMS on March 31, 2016.
- Upon approval from CMS, intent is to begin amended ADLS waiver July 1, 2016.

Contact Information

Ronda Williams
ADLS Waiver Manager
Division of Rehabilitation Services
Hillsview Plaza, 3800 E. Hwy. 34
Pierre, SD 57501
(605) 773-5989

Ronda.williams@state.sd.us
<http://dhs.sd.gov/drs/il/ADLS.aspx>