

## **DWIHN Response to HCBS Transition of Members and DWIHN HCBS Transition Tracking Reporting Process**

### **Background:**

#### **HCBS Compliance Activities**

“MDHHS recently surveyed settings that were initially non-responsive to previous survey activities designed to assess a setting’s compliance with HCBS requirements. As a result of those recent MDHHS reviews, a number of settings were found to require heightened scrutiny status. Due to previously identified time constraints, MDHHS will not complete a heightened scrutiny review process on those settings and the identified waiver participants for whom the survey was completed must be transitioned from HCBS or to HCBS compliant settings.”

### **Work Product Requirements:**

#### **Required Transition and Transition Tracking**

“Settings which have failed to successfully exit Heightened Scrutiny status are not compliant with HCBS requirements and will be required to initiate transition activities for individuals who received HCBS at or through the setting. *Those settings and associated PIHPs/CMHSPs will need to initiate and report those transition activities to MDHHS. All transition activities must be completed no later than March 1, 2023.*”

All tracking will be recorded on the Excel Spreadsheet provided by MDHHS titled, “Region 7 Transition Tracking Template initial 9 14 22.xlsx”.

Depending on the Member’s Transition Pathway, there will be required monthly documentation, evidence and progress of contacts/planning for their Individual Transition Planning.

These reports are due for all the identified members, on the specified spreadsheets twice a month with the first report due to MDHHS on October 3, 2022 (10/3/2022). These reports are to be submitted for each member until they are replaced and MDHHS acknowledges the replacement. Update to previous deadline is that all transitional activities for and behalf of the member must be completed by March 1, 2023.

### **Procedures:**

#### **FTP Documentation and Evidence Submission (Please refer to FTP Guidance Document):**

The file transfer protocol site will be used as the mechanism for CMHSP Heightened Scrutiny leads to upload updated copies of the Transition Tracking spreadsheet and other required supporting documentation to MDHHS.

## **Submission Due Dates**

“The first submission is due on October 3, 2022. Updates are required to be submitted on the 1<sup>st</sup> and 15<sup>th</sup> of each month, with the final update due March 1, 2023. PIHPs/CMHSPs are encouraged to conduct the transition work as quickly as possible to ensure there are adequate resources to address any additional transitions that may be required following MDHHS’ submission of HS cases to CMS.”

The CRSPs must submit their documentation, information and progress of the contacts/planning for the Individuals/Members and their Transition Planning on the on the designated date as noted by the “HCBS Transition CRSP Reporting Grid Final 9-28-2022.xlsx” by 12:00PM (Noon) to the attention of the Heightened Scrutiny Lead. Due Dates are indicated on each tab.

**Transition Pathways (Status of Member & Evidence/Documentation and Reporting):**

**Transition activities must result in a cessation of the use of Medicaid HCBS funding for identified settings.**

Accordingly, options are limited to one of the following four pathways (Refer to Transitions Tracking Flowchart.xlsx and HCBS Transition Tracking Reporting Requirements Document):

- 1) Settings and CMHSPs/PIHPs can confirm that the past delivery of HCBS services to an individual on the Transitions Tracking list by the setting was in error and provide attestations from the provider, the CMHSP and the PIHP that mechanisms have been put in place to assure that there will be no future HCBS service delivery or payment for HCBS services provided at the setting. **(Member Status: The Home and Community Based Services were provided or reported in error.)**

***Evidence Documentation Required:***

- a) *Prepare and submit Signed Attestations from the Provider and the CMHSP confirming that past HCBS service delivery at or stemming from the setting were reported in error and describe the mechanisms that have been implemented to assure that there will be no future HCBS service delivery or HCBS payment for services provided at or stemming from the setting.*
  - b) *Upload a copy of the individual's current IPOS supporting that the individual is not receiving HCBS services at or through the setting.*
- 2) Settings and CMHSPs/PIHPs can confirm that an individual on the Transitions Tracking list will continue to reside or receive services at the setting, but provide detail and assurances that address how the funding for services will be transitioned from HCBS funding to other sources (i.e., general fund allocations, private funds, other). **(Member Status: The Home and Community Based Services were not provided or reported in error, and non-HCBS funding sources will be used in the future to support the individual's continued service receipt at the setting.)**

***Evidence Documentation Required:***

- a) *Prepare and submit Signed Attestations from the Provider and the CMHSP that: i) confirms that past HCBS service delivery at or stemming from the setting were not in error; ii) identifies the date by which HCBS service delivery or HCBS payment for services provided at or stemming from the setting will cease; and iii) identifies the source of the funding that will be used to support the individual's continued service receipt at the setting.*
- b) *Upload a copy of the individual's current IPOS supporting that the individual is not receiving HCBS funded services at or through the setting.*

- 3) Settings and CMHSPs/PIHPs can confirm that an individual on the Transitions Tracking list received Home and Community Based Services from the setting in the past, but that the individual has now chosen to end or pause receiving the identified Home and Community Based Service(s) from the setting until such time as MDHHS decides that the setting is compliant with HCBS requirements. **(Member Status: The Home and Community Based Services were i) not provided or reported in error; and ii) non-HCBS funding sources will not be used in the future to support the individual's continued service receipt at the setting; and iii) the individual will choose to end or pause the identified services.)**

*Evidence Documentation Required:*

- a) *Prepare and submit Signed Attestations from the Provider and the CMHSP that: i) confirm that the individual has chosen to end or pause previously received Home and Community Based Services; and ii) identifies the date on which HCBS will end or pause.*
  - b) *Upload a copy of the individual's current IPOS supporting that the individual has chosen to stop or pause receiving Home and Community Based Services provided at or through the setting.*
- 4) CMHSPs/PIHPs can initiate and complete transition activities with individuals on the Transition Tracking list. Those activities must result in the individual transitioning from their current residential or non-residential provider to a new setting that is not prohibited from providing Home and Community Based Services. **(Member Status: The HCBS services were: i) not reported in error, and ii) non-HCBS funding sources cannot be used to pay for services delivered to the individual at or through the setting; and iii) the individual has not chosen to end or pause receiving Home and Community Based Services, then the individual will need to transition to another setting in order to continue to receive HCBS funded services and supports.)**

*Evidence Documentation Required:*

- a) *Transition Discussions were initiated with the individual need documentation for dates of discussion.*
- b) *Upload a copy of the individual's pre-transition Individual Plan of Service*
- c) *Upload a copy of the individual's updated individual plan of service that addresses the individual's transition from the non-HCBS compliant setting to the new HCBS compliant setting*

- d) Record and submission of the name of the Setting to where the individual will be transitioning.*
- e) Record and submission of the address of the Setting to where the individual will be transitioning.*
- f) Record and submission of the name of the provider for the setting the individual will be transitioning.*
- g) Record and submission of the date by which the individual transitioned to the new setting.*
- h) If the new setting is a licensed AFC, a copy of the individual's Residential Care Agreement for the new setting is required to be recorded and submitted*

**NOTE:**

- 1) ALL EVIDENCE and DOCUMENTATION is required to be submitted by FTP Protocol to MDHHS (Reference FTP Guidance)
- 2) ALL EVIDENCE and DOCUMENTATION is required to be tracked and recorded on the “Region 7 Transition Tracking Template initial 9 14 22.xlsx”.

## **Detroit Wayne Integrated Health Network Coordinated Response**

- 1) CMHSP and/or PIHP Heighted Scrutiny Lead (Eugene Gillespie) received HCBS Tracking Process from Tom Renwick leading the coordinated project with the Michigan Department of Health and Human Services and Michigan State University Institute of Health Policy. (Completed 9-14-2022)
- 2) Heightened Scrutiny Lead reports and discusses process with Quality Department Administrator. (Completed 9-14-2022)
- 3) Quality Director send out a General Information and Guidance E-mail to Executive Leadership, Departmental Leadership and Key Staff regarding this MDHHS Project (Completed 9/15/2022)
- 4) Heighted Scrutiny Lead and Quality Administrator discusses and develops draft ideas and next steps with Quality Director (Completed 9/16/2022)
- 5) Quality Administrator coordinates Internal Meeting with Departmental Leadership and Key Staff for 9/21/2022. (Completed 9/16/2022)
- 6) Heighted Scrutiny Lead submits questions for guidance and clarification to MDHHS (Mille Shepard and Cory Page) (Completed 9/19/2022) (Received Follow-up 9/20/2022).
- 7) Heightened Scrutiny Lead develops draft of Coordinated Response and submits to Quality Administrator and Director for Review (Due 9/21/2022)
- 8) Information and Planning Meeting with Next Steps Meeting on 9/21/2022.

### Invited:

- Customer Service
  - Managed Operations
  - ORR
  - Residential
  - UM
  - Legal
- 9) Heighted Scrutiny Lead will develop a Reporting Document and Format for CRSPs to submit their required information, evidence and progress of Contacts with their Members for the HCBS Transition Process.
  - 10) Heightened Scrutiny Lead will schedule meetings with CRSPs for Discussion and Training regarding the Identified Members who will need to have a Transition Plan and

need to be reported to MDHHS. List of Members (Identified by MHWIN #'s) will be e-mailed [SECURE] to respective CRSP Quality Directors. (Due 9/22/2022)

- 11) Meetings/Trainings with Identified Clinically Responsible Service Providers (CRSPs) (Heightened Scrutiny Lead will train CRSPs on Internal Reporting Document) 9/26/2022 to 9/28/2022
- 12) Submission of Initial Required Information from CRSPs and Progress of Contacts with Identified Members due 9/30/2022 to the Heightened Scrutiny Lead by 12:00PM (Noon)
- 13) Heightened Scrutiny Lead will submit via FTP the Transition Tracking Template and related Evidence and Documentation to MDHHS on 10/3/2022.
- 14) CRSPs will submit the second set of required information, documentation and progress of the contacts/planning for the Individual Members and their Transition Planning on 10/12/2022 by 12:00PM (Noon).
- 15) Heightened Scrutiny Lead will submit via FTP the Transition Tracking Template and related Evidence and Documentation to MDHHS on 10/3/2022 & 10/15/2022.
- 16) Subsequent Submission of Documentation and Progress are due to MDHHS on the 1<sup>st</sup> and 15<sup>th</sup> of the subsequent months. The CRSPs must submit their documentation, information and progress of the contacts/planning for the Individual Members and their Transition Planning on Thursday of the Week Before the Due Date by 12:00PM (Noon) to the attention of the Heightened Scrutiny Lead. (For example Due Date to MDHHS: 11/1/2022; CRSP Due Date: 10/27/2022 and Due Date to MDHHS: 11/15/2022; CRSP Due Date: 11/10/2022) (Please note 11/11/2022, DWIHN is closed therefore the earlier date.)
- 17) Heightened Scrutiny Lead will assure submission via FTP the Transition Tracking Template and related Evidence and Documentation to MDHHS by the 1<sup>st</sup> and 15<sup>th</sup> of each subsequent month until 3/1/2023. (ALL TRANSITIONS FOR MEMBERS are to be completed prior to 3/1/2023 with the last report due to MDHSS by 3/1/2023.)

**OPERATIONAL NOTE:** There will need to be coordination with Residential and the CRSPs to assure that the Member, their Guardian and their Support System is Informed of the Members Options and in some cases where certain choices may result in “relocation (where Member chooses to be relocated), loss of services (where members chooses to stay at “non-compliant location or members choose to cancel or pause their HCBS Services), loss of financial resources for services (where members chooses to stay at “non-compliant location or members choose to cancel or pause their HCBS Services). All documentation especially the IPOS needs to indicate Member’s/Individual’s participation and choice in the process. Other departments such as Customer Service may need to provide guidance due to the Member’s/Individual’s change in benefits where required (Loss of Services; Loss of Funding).

**PLANNING NOTE:** There may be a need for the Heightened Scrutiny Lead to meet with the CRSPs on a Monthly Basis to ascertain process and progress of the Transition Planning for the Identified Members/Individuals.

**IMPACT:**

- The number of members impacted was 58 \* (As reported by MDHHS)
- The number of providers impacted was 28
- The providers with multiple members impacted 6
- The actual number of members impacted is 56  
(1 Member Duplicated; 1 Member Deceased)