



Nursing Family/Acute Hospital (NF/AH) Waiver Renewal Timeline and Transition Plan

**Rebecca Schupp, Acting Chief
Long-Term Care Division**

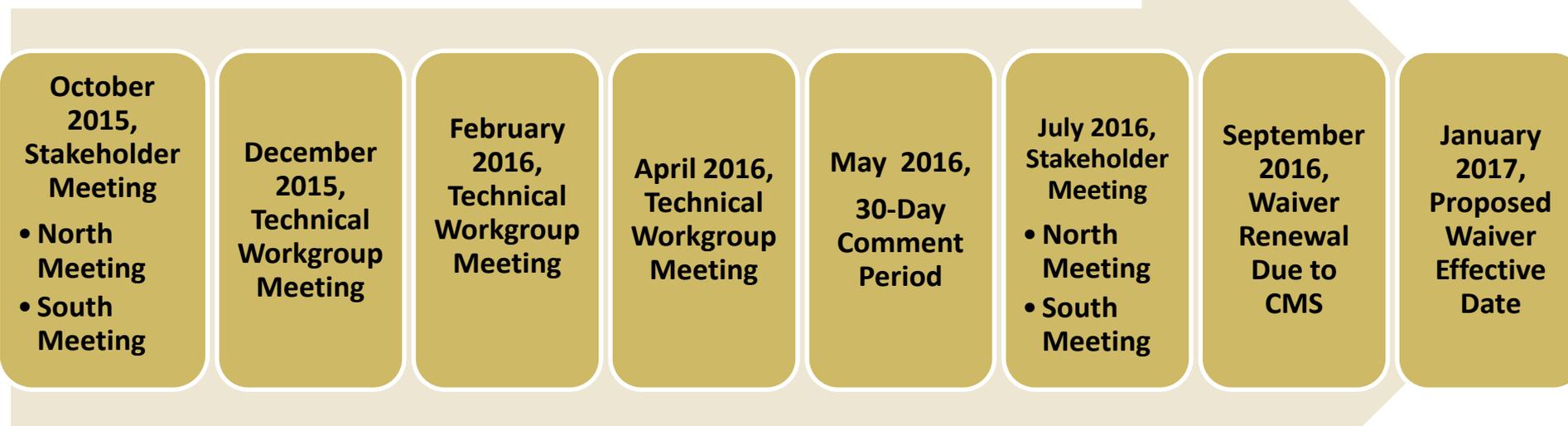


Topics to Cover

- NF/AH Waiver Renewal Process
- Background on new Federal Ruling
- Centers for Medicaid & Medicaid Services' (CMS) Ten Home and Community-Based Characteristics
- NF/AH Transition Plan Requirements
- NF/AH Waiver Renewal and Transition Plan Process



NF/AH Waiver Renewal Timeline



October 2015, Stakeholder Meeting
• North Meeting
• South Meeting

December 2015, Technical Workgroup Meeting

February 2016, Technical Workgroup Meeting

April 2016, Technical Workgroup Meeting

May 2016, 30-Day Comment Period

July 2016, Stakeholder Meeting
• North Meeting
• South Meeting

September 2016, Waiver Renewal Due to CMS

January 2017, Proposed Waiver Effective Date



Technical Workgroup

- Key Experts
 - Consumers
 - Family members
 - Providers
 - Advocates
 - Other stakeholders
- Recommend and guide draft proposal on NF/AH waiver renewal and transition plan for public comment period.



Questions for Consideration

- What changes would I recommend related to the waiver program?
- What would I recommend as solutions to overcome the challenges of the waiver program?
- What would I not want changed during the waiver renewal process?



Questions and Answers





Background on Federal Ruling

- Home and Community-Based Settings Final Rule
 - In 2009, the Center for Medicare & Medicaid Services (CMS) published an advance notice of proposed rulemaking that indicated the federal government's intention to initiate rulemaking on number of areas within the section 1915(c) program.
 - By March 16, 2019 every HCBS program must be in compliance with the final rule and have a CMS approved transition plan.



Goals of the Federal Ruling

- Enhances the quality of HCBS and provides additional protections to individuals enrolled in HCBS programs.
- Maximizes opportunities for people to have access to the benefits of community living and receiving services in the most integrated setting.
- States must include a transition plan specific to the HCBS program to ensure compliance with the new Federal Rules.



Statewide Transition Plan (STP)

- STP describes how the State will come into compliance with new Federal Home and Community-Based (HCB) setting requirements
- STP can be viewed at:
<http://www.dhcs.ca.gov/services/ltc/Pages/HCBSStatewideTransitionPlan.aspx>
- NF/AH's Transition Plan adherence to the STP processes

Statewide Transition Plan (STP) Process



The following framework and strategy will be implemented through the STP to achieve and maintain compliance with the federal requirements:

- Systemic Assessment
- Self Surveys
 - Participants
 - Providers
- On-site Assessments
- Stakeholder Input



STP Processes Modeled for NF/AH Waiver

- Compliance Determination Process for NF/AH Waiver
 - ❑ Provider/participant self-surveys and on-site assessments will be completed and findings from these evaluations will determine compliance or non-compliance.
 - ❑ The NF/AH Transition Plan will build off of the existing STP tools.
 - ❑ DHCS will seek input from stakeholders, consumers, family members, advocacy groups, etc. on the NF/AH Transition Plan and process.



Overview of New Federal Provisions

HCBS providers must meet the following qualifications:

1. Setting is integrated in and supports full access to the greater community;
2. Setting is selected by individuals from among setting options;
3. Setting ensures individual rights of privacy, dignity, respect, and freedom from coercion and restraint;
4. Setting optimizes autonomy and independence in making life choices;
5. Waiver participants have choice regarding services and who provides them;



Overview of New Federal Provisions

Residential HCBS Providers - Congregate Living Health Facility (CLHF):

6. A lease or other legally enforceable agreement providing similar protections;
7. Privacy in unit including lockable doors, choice of roommates, and freedom to furnish or decorate the unit,
8. His/her own schedule including access to food at any time;
9. Have visitors at any time; and
10. Lives in a setting that is physically accessible.



What is a Congregate Living Health Facility (CLHF)?

- CLHF is a residential home with a capacity of no more than 12 beds.
- A state license is required to operate a CLHF.
- CLHFs provide skilled nursing care on a recurring intermittent, extended, or continuous basis.
- There are currently 34 CLHF waiver providers.



NF/AH HCBS Current Characteristics

- DHCS believes that a community includes a safe and purposeful environment where individuals have:
 - Needed support and safety
 - The greatest freedom to live productive connected lives according to their own desires
- The majority of NF/AH participants already reside in their own home or setting of their choice.
- DHCS has the end goal of optimizing autonomy, independence, and consumer choice in mind.

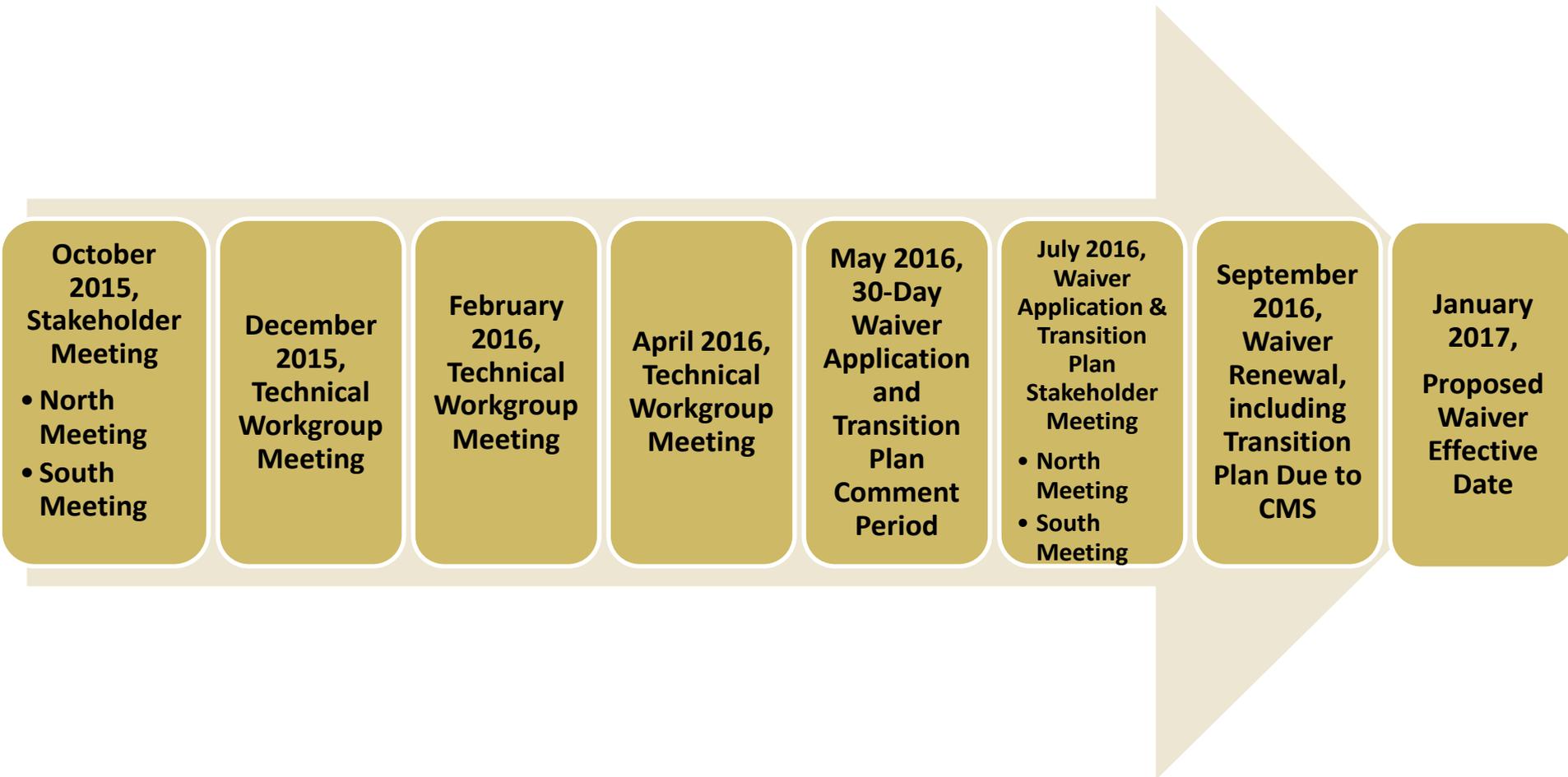


NF/AH Transition Plan Public Comment Process

- DHCS will conduct a public comment period from May 1, 2016 through May 30, 2016 to allow stakeholders to comment on the NF/AH waiver and Transition Plan drafts.
- DHCS will collect and summarize stakeholders' input.
- Based on stakeholders' input, specificity will be added and/or modifications will be made to the various components in the NF/AH Transition Plan.



NF/AH Waiver Renewal and Transition Plan Timeline





For More Information

More information about the final rule is on:

- <http://www.medicaid.gov/HCBS>
- <https://www.federalregister.gov/articles/2014/01/16/2014-00487/medicaid-program-state-plan-home-and-community-based-services-5-year-period-for-waivers-provider>
- <http://www.dhcs.ca.gov/services/ltc/Pages/HCBSStatewideTransitionPlan.aspx>

Questions for Consideration



- I reside in an institution, how does the NF/AH transition plan affect me?
- I reside in a home, how does the NF/AH transition plan affect me?
- I am a licensed provider, how does the NF/AH transition plan affect me?
- I am a non-licensed provider, how does the NF/AH transition plan affect me?

