

California's Statewide Transition Plan



- Introductions
 - Department of Health Care Services
 - Department of Developmental Services
 - Department of Aging
 - Department of Social Services
 - Department of Public Health

Statewide Transition Plan (STP)



- Previous STP submitted August 14, 2015
- CMS sent response letter November 16, 2015
- Stakeholder engagement
- CMS conference call series
- Revised STP Addresses CMS response letter
- Posted for public comment on August 29, 2016



Revised STP

Waivers and Settings included in the STP

- Clarify settings types across 1915i, 1915k, 1915c, and 1115 (Community-Based Adult Services, or CBAS [Attachment I]) programs
 - Pg. 6 – 13
 - CMS had difficulty understanding the many provider types and settings
 - State clarified all provider types under each program, and the settings that would be assessed for compliance



Revised STP

Systemic Assessment

- Provide a systemic assessment for the settings in the San Francisco Waiver (Adult Residential Facility, Residential Care Facility for the Elderly, Direct Access Housing)
 - Pg. 40 – 43, 61 – 65
 - The state analyzed the laws and regulations governing these settings (systemic assessment), which are used in the Assisted Living Waiver. The STP identifies that the assessment applies to both programs.



Revised STP

Site-Specific Assessments

- Provide a timeline for all activities of the STP
 - Pg. 28, Attachment VII
- Provide key details about the site-specific assessment process
 - Pg. 13, 21 – 25, Attachment VI
- Provide estimates of setting compliance
 - Pg. 25
 - The state will include estimates in an updated STP



Revised STP

Monitoring of Settings

- Provide more detail on monitoring activities
 - Pg. 13, Attachment VI
 - The state has provided an at-a-glance view of California's monitoring and oversight process demonstrating each program's approach to on-site assessments and compliance with the Home and Community-Based (HCB) Settings Final Rule as an attachment to the STP



Revised STP

Remedial Actions

- Provide remedial strategies to develop language for settings under the 1915k, HIV/AIDS, and In-Home Operations programs that uphold the HCB Settings Final Rule
 - Pg. 66
 - The state revised the statement to address CMS' requirement



Revised STP

Remedial Actions

- Provide specific remedial language for each conflicting/silent requirement in the systemic assessment
 - Pg. 36 – 66
- Provide milestones and timelines for remediation strategies
 - Pg. 28, Attachment VII



Revised STP

Heightened Scrutiny

- Provide process for identifying settings that are presumed to have qualities of an institution
 - Pg. 25 – 26
- The state ensures all settings demonstrate the characteristics of the HCB Settings requirements
 - Attachment VI
- Private or family homes are presumed to be in compliance, and are defined in the STP.
 - Pg. 13 – 17



Revised STP

Relocation of Beneficiaries

- Provide the process for how the state will transition members to another setting, if needed
 - Pg. 26 – 27
 - The state has identified its process for transitioning members to compliant settings, if possible, when there is a change in members' services or providers



Revised STP

Public Comment

- Provide evidence of public notice for the public notice periods to the STP
 - Pg. 30 - 34



Revised STP

Other Concerns

- Clarify how the state defines delayed egress / secured perimeters, and how the state ensures they comport with the settings requirements
 - Pg. 28
 - The state indicates that modifications to the HCB Setting requirements must be documented and supported by the person-centered plan

Revised Draft **CBAS** Transition Plan



Overview

The California Department of Aging (CDA) revised the *Draft CBAS Transition Plan (August 14, 2015)* to:

- Respond to discussions with CMS about November 2015 letter to DHCS
- Align with *Draft STP* on heightened scrutiny, transition/relocation plan for CBAS participants due to CBAS center non-compliance with HCB Settings requirements, delayed egress/secured perimeters
- Reflect updates on CBAS activities since submission of the *Draft CBAS Transition Plan (August 14, 2015)* to CMS

Revised Draft **CBAS** Transition Plan

Systemic Assessment



- Clarify which CBAS state policies uphold Federal Requirements #1 (Access to the greater community), #3 (Ensuring rights including freedom from coercion and restraint), and #7 (Freedom to have visitors)
 - Refer to *Appendix III: Assessment of ADHC/CBAS Laws, Regulations, Waiver Provisions and Other Requirements* (bolded information in “Comments” column)
 - Federal Requirement #1: *Appendix III, Pg. 3 – 5*
 - Federal Requirement #3: *Appendix III, Pg. 10 – 12*
 - Federal Requirement #7: *Appendix III, Pg. 29 – 30*

Revised Draft **CBAS** Transition Plan

Systemic Assessment



- Ensure adherence to regulations, protocols and required documentation on the proper use of soft restraints to safeguard the health and safety of individuals
 - Refer to *Appendix III*, Pg. 11 – 12

Revised Draft **CBAS** Transition Plan

Site Specific Assessments



- Provide more detail about the CBAS on-site provider compliance validation and ongoing monitoring processes to ensure CBAS setting compliance
 - Clarify who is conducting the on-site survey, the validation mechanisms built into the provider self-assessment process and the use of consumer/beneficiary surveys for validation compliance determination
 - Refer to *Section 3: Compliance Determination Process for HCB Settings*, Pg. 19 – 22, and *Appendix V: Setting Assessment Process (Monitoring & Oversight, On-Site Monitoring Protocols, Provider & Member Self-Surveys)*

Revised Draft **CBAS** Transition Plan



Other Concerns

- Revise the *CBAS HCB Settings Transition Plan Summary Milestones* from the previous draft *CBAS Transition Plan (submitted 8/14/15 to CMS)* to clarify the target start and end dates for the CBAS HCB Settings Stakeholder Meetings convened from February 2016 to July 2015
 - Refer to *Section 1: Education and Outreach*, Pg. 12 – 13, which identifies the one-day CBAS HCB Settings Stakeholder Meetings. This meeting information was removed from the revised *Appendix I: Milestones & Timelines* in the *Revised Draft CBAS Transition Plan (August 29, 2016)*



Additional Resources

- STP Website:

<http://www.dhcs.ca.gov/services/ltc/Pages/HCBSStatewideTransitionPlan.aspx>

- Attachment I - Revised Draft CBAS HCB Settings Transition Plan:

http://www.aging.ca.gov/ProgramsProviders/ADHC-CBAS/HCB_Settings_Stakeholder_Activities/Key_Documents/Docs/Revised%20DRAFT%20CBAS%20HCB%20Settings%20Transition%20Plan_082916.pdf

- CMS STP Response Letter:

<https://www.medicaid.gov/medicaid-chip-program-information/by-topics/long-term-services-and-supports/home-and-community-based-services/downloads/ca/ca-cmia.pdf>

- DDS Website:

<http://www.dds.ca.gov/HCBS/>

- HCB Setting Final Rule CMS Website:

<https://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>

Questions/Comments

