



WILL LIGHTBOURNE  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



GAVIN NEWSOM  
GOVERNOR

September 16, 2020

Ms. Judith Cash, Director  
State Demonstrations Group  
Center for Medicaid & CHIP Services  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S2-25-26  
Baltimore, MD 21244-1850  
Via email to [Judith.Cash@cms.hhs.gov](mailto:Judith.Cash@cms.hhs.gov)

REQUEST FOR 12-MONTH EXTENSION OF THE MEDI-CAL 2020 SECTION 1115  
WAIVER DEMONSTRATION

Dear Ms. Cash:

The California Department of Health Care Services (DHCS) is pleased to submit the enclosed request for a 12-month extension of the Medi-Cal 2020 Section 1115 waiver demonstration, which is scheduled to expire on December 31, 2020. Although DHCS has conducted significant planning for a transition away from the Section 1115 waiver authority for many aspects of the Medi-Cal program under the California Advancing and Innovating Medi-Cal (CalAIM) initiative, the final development of our approach and the preparation for our affected health care delivery systems has been delayed by the impact of the COVID-19 pandemic. It is essential for the stability of the state's health care systems, particularly during the pandemic and its immediate aftermath, that the current Medi-Cal 2020 Section 1115 demonstration authorities be extended for one year to December 31, 2021.

In March 2020, as COVID-19 community spread accelerated, the State of California moved quickly by enacting one of the nation's earliest stay-at-home orders. This stay-at-home order was accompanied by suspension of non-essential medical procedures, transition to telehealth for many services, transition to telework for administrative staff, and reprioritization of health care resources and training to address COVID-19, such as infection control measures. As you are aware, the state also moved quickly to secure approval of various flexibilities for the Medi-Cal program as a result of COVID-19, including under the current Medi-Cal 2020 demonstration. Not unlike the impact felt nationwide, the ongoing public health emergency has caused a significant and sustained disruption to California's overall health care delivery system, as well as its economy. As a result, DHCS received multiple requests from organizations representing the state's health care delivery systems (e.g. counties, provider organizations, hospitals, behavioral health directors, and managed care plans). Stakeholders uniformly requested that, since providers and other partners have not been able to properly prepare for CalAIM

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implementation given the focus and attention needed to respond to the COVID-19 emergency, the state requests a one year extension of the Medi-Cal 2020 Section 1115 waiver. In addition, the economic impact of the public health emergency has been particularly significant for the health care industry and state and local governments, with the ultimate fiscal effects still uncertain at this point. Finally, as we suspect is the case for CMS, DHCS has had to redirect considerable resources to its more immediate COVID-19 response efforts and away from CalAIM and the 1115 and 1915(b) waiver renewal requests.

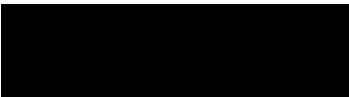
This confluence of events has prevented the state from moving ahead with the negotiation and implementation of CalAIM with a January 1, 2021, start.

Based on initial conversations with CMS leadership and staff on April 22, 2020, indicating support for an extension given the circumstances and subsequent guidance from CMS on the process for submitting the extension on June 8, 2020, including a follow up email from your staff on June 12, 2020, DHCS is proposing the enclosed 12-month waiver extension request. This extension would ensure stability in the Medi-Cal program amidst the unprecedented public health emergency, and would allow for sufficient time to negotiate and implement the larger scale CalAIM initiative starting January 1, 2022.

The enclosed contains all of the information and content required for an extension request under 42 C.F.R. § 431.412, including a description of the public and tribal stakeholder processes that DHCS has conducted over the last few months. As explained in further detail in the enclosed, DHCS is proposing to continue most of the current programs or components of Medi-Cal 2020 during the extension year as those are approved today or with slight modification.

Thank you for your consideration and we look forward to our continued partnership with respect to the proposed extension.

Sincerely,

A black rectangular redaction box covering the signature of Jacey Cooper.

Jacey Cooper  
Chief Deputy Director  
Health Care Programs  
State Medicaid Director

Enclosures

cc: See Next Page

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cc: Mr. Will Lightbourne  
Director  
Department of Health Care Services  
[Will.Lightbourne@dhcs.ca.gov](mailto:Will.Lightbourne@dhcs.ca.gov)

Ms. Erika Sperbeck  
Chief Deputy Director  
Policy and Program Support  
Department of Health Care Services  
[Erika.Sperbeck@dhcs.ca.gov](mailto:Erika.Sperbeck@dhcs.ca.gov)

Mr. Benjamin McGowan  
Deputy Chief Counsel  
Department of Health Care Services  
[Benjamin.McGowan@dhcs.ca.gov](mailto:Benjamin.McGowan@dhcs.ca.gov)

Mr. Kirk Davis  
Deputy Director  
Health Care Delivery Systems  
Department of Health Care Services  
[Kirk.Davis@dhcs.ca.gov](mailto:Kirk.Davis@dhcs.ca.gov)

Ms. Lindy Harrington  
Deputy Director  
Health Care Financing  
Department of Health Care Services  
[Lindy.Harrington@dhcs.ca.gov](mailto:Lindy.Harrington@dhcs.ca.gov)

Ms. René Mollow  
Deputy Director  
Health Care Benefits & Eligibility  
Department of Health Care Services  
[Rene.Mollow@dhcs.ca.gov](mailto:Rene.Mollow@dhcs.ca.gov)

Ms. Kelly Pfeifer  
Deputy Director  
Behavioral Health  
Department of Health Care Services  
[Kelly.Pfeifer@dhcs.ca.gov](mailto:Kelly.Pfeifer@dhcs.ca.gov)

Mr. Aaron Toyama  
Senior Advisor  
Health Care Programs  
Department of Health Care Services  
[Aaron.Toyama@dhcs.ca.gov](mailto:Aaron.Toyama@dhcs.ca.gov)



**State of California**  
**Department of Health Care Services**

***Medicaid Section 1115 Waiver Demonstration***  
***Extension Request***

***September 15, 2020***



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## Section 1 – Introduction

The California Department of Health Care Services (DHCS) is requesting a 12-month extension of the Medi-Cal 2020 Section 1115 waiver demonstration, which is scheduled to expire on December 31, 2020. Although California has conducted significant planning for a transition away from the Section 1115 waiver authority for many aspects of the Medi-Cal program, the final development of our approach and the preparation of our health care delivery system has been delayed by the impact of the COVID-19 pandemic. It is essential for the stability of the state’s health care systems, particularly during the pandemic, that the current Medi-Cal 2020 Section 1115 waiver provisions be extended for one year to December 31, 2021.

### Delivery System Transformation Planning

DHCS has been working for over two years to re-imagine, modernize, and align its Medi-Cal (Medicaid) delivery system with three key goals:

1. Identify and manage member risk and need through whole person care approaches and addressing the social determinants of health;
2. Move Medi-Cal to a more consistent and seamless system by reducing complexity and increasing flexibility; and
3. Improve quality outcomes, reduce health disparities, and drive delivery system transformation through value-based initiatives, modernization of systems, and payment reform.

This plan, known as “California Advancing and Innovating Medi-Cal” (CalAIM) will be a multi-year initiative to improve quality of life and health outcomes for California residents by implementing broad delivery system, program, and payment reform across the Medi-Cal program. The major components of CalAIM will build on successful programs piloted in California’s previous federal waivers and result in better health outcomes for Medi-Cal members and long-term cost savings and avoidance. The authority for CalAIM would be established through a combination of a comprehensive Section 1915(b) waiver (for the affected managed care delivery systems) and a narrower Section 1115 waiver demonstration (for the programs and initiatives for which approval is not available under Section 1915(b)).

Starting in the fall of 2019, DHCS developed and refined the elements of CalAIM through a robust stakeholder and public engagement process involving five major policy Workgroups represented by stakeholders across the health care delivery system and consumer advocacy organizations. The state hosted 20 Workgroup meetings between November 2019 and the end of February 2020. Each meeting also included an opportunity for participation by phone and webinar, as well as an in-person public comment period as part of the agenda. The agreed upon goal, based on discussions with the Centers for Medicare & Medicaid Services (CMS), had been to submit the CalAIM proposals to CMS for review by June 2020, and to receive federal approval in time for the expiration of the Medi-Cal 2020 Section 1115 waiver demonstration on December 31, 2020.



## COVID-19 Impact

In March 2020, as COVID-19 community spread accelerated, the State of California moved quickly to stem the spread by enacting one of the nation's earliest stay-at-home orders. This stay-at-home order was accompanied by suspension of non-essential medical procedures, transition to telehealth for many services, transition to telework for administrative staff, and reprioritization of health care resources and training, including infection control measures, to address COVID. While the stay-at-home order and related delivery system changes significantly slowed the spread of the virus, these changes caused significant disruption to the overall health care delivery system, and the economy, in California.

As a result, DHCS received multiple requests from organizations representing the state's health care delivery systems (e.g. counties, provider organizations, hospitals, behavioral health directors, and managed care plans). Stakeholders uniformly requested that, since providers and other partners are not able to properly prepare for CalAIM implementation given the focus and attention needed to respond to the COVID-19 emergency, the state request an extension of the Medi-Cal 2020 Section 1115 waiver. In addition, the economic and fiscal impacts of the Public Health Emergency in California and other states has been significant. In recognition, the Governor's revision to the state budget released in May 2020 postponed funding for CalAIM. This confluence of events has prevented the state from moving ahead with the negotiation and implementation of CalAIM with a January 1, 2021 start. Based on initial conversations with CMS leadership and staff indicating support for an extension given the circumstances, DHCS is proposing a 12-month waiver extension request.

## 12-Month Extension Request

DHCS is requesting a 12-month extension of the Medi-Cal 2020 Section 1115 waiver demonstration. A full description of the elements of the extension request is provided below.

It is important to note that the **Public Hospital Re-Design and Incentives in Medi-Cal (PRIME)** program is not included in this extension request. DHCS has been working closely with the public hospital systems to transition the PRIME program over to the Quality Incentive Program (QIP) directed payment initiative approved under the 2016 Medicaid managed care final rule. We anticipate that transition can occur with an effective date of July 1, 2020, subject to CMS approval of the required preprint.

Keeping all other elements of the Medi-Cal 2020 waiver intact for an additional year is critical to maintaining the current delivery system until the CalAIM initiative can proceed:

- Medi-Cal Managed Care
- Whole Person Care Pilots
- Health Homes Program
- Global Payment Program and Safety Net Care Pool
- Drug Medi-Cal Organized Delivery System



- Low-Income Pregnant Women
- Out of State Former Foster Care Youth
- Community-Based Adult Services
- Coordinated Care Initiative
- Dental Transformation Initiative and Designated State Health Programs
- Tribal Uncompensated Care
- Rady's California Children's Services Pilot
- PACE as an Alternative Delivery System in Select COHS

Section 2 provides a description of the history of California's use of the Medicaid Section 1115 waiver authority, followed by an outline of the proposed elements of the 12-month extension in Section 3.

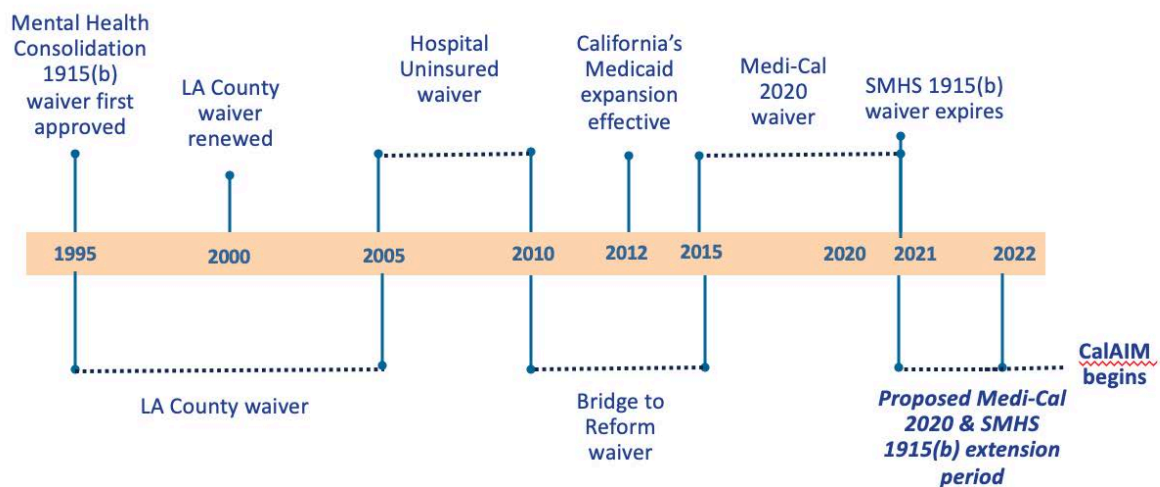




## Section 2 – Medi-Cal Section 1115 Waiver History and Background

California’s relationship with the Medicaid Section 1115 waiver authority dates back to 1995, when the state became one of the first to leverage the flexibility provided under the law. The first approved waiver was designed to provide needed financial relief to Los Angeles County in the wake of an economic downturn. Through the waiver, the Los Angeles County Department of Health Services sought to reduce its traditional emphasis on emergency room and inpatient care by building an integrated system of community-based primary, specialty, and preventive care. This demonstration established Section 1115 as the key authority for and pathway to Medicaid innovation in California for the next 25 years.

### Medi-Cal 1115 Waiver History: 1995-2021



### Medi-Cal Hospital Uninsured Care Waiver (2005)

California’s “Medi-Cal Hospital Uninsured Care” waiver under Section 1115 was approved in 2005. The waiver and expenditure authorities enabled California to improve the condition of its state and county budgets by making new federal matching funds available to cover uncompensated care costs and expand coverage of the uninsured. Specifically, the waiver established a Safety Net Care Pool (SNCP) that made federal matching funds available to the state’s designated public hospitals (DPHs) to help offset the losses they sustain in providing medically necessary health care services to the uninsured. The SNCP also included a pool of funds to help finance the expansion of health care coverage options for low-income individuals in certain counties in the state. Under the waiver, California also shifted the state source of its Medicaid payments to hospitals from intergovernmental transfers (IGTs) to certified public expenditures (CPEs).



## California Bridge to Reform Waiver (2010)

In 2010, California's 2005 demonstration was renewed and renamed the "California Bridge to Reform." In the Bridge to Reform waiver, the state received the necessary authority and corresponding federal support to invest in its health care delivery system and prepare for full implementation of the Affordable Care Act (ACA). The Bridge to Reform waiver was initially designed to support the following primary initiatives:

- *Coverage Expansion*: Provided phased-in coverage for individual counties for adults aged 19-64 with incomes up to 200% of the federal poverty level (FPL) through the Low-Income Health Program (LIHP).
- *Managed Care for Seniors and Persons with Disabilities*: Improved care coordination for vulnerable populations by mandatorily enrolling seniors and persons with disabilities (SPDs) into Medi-Cal managed care.
- *DSRIP*: Supported California's public hospitals in their effort to improve quality of care by providing payment incentives through the Delivery System Reform Incentive Payment (DSRIP) program for projects that support infrastructure development, innovation and redesign of the delivery system, population-focused improvements, and urgent improvements in care.
- *Uncompensated Care*: Supported the ongoing provision of services to otherwise uninsured individuals through the Safety Net Care Pool (SNCP) Uncompensated Care Component and federal funding of Designated State Health Programs (DSHP).
- *California Children's Services (CCS) Pilots*: The waiver included provisions to test alternate health care delivery models for children enrolled in CCS, through several pilot programs. The CCS program provides diagnostic and treatment services, medical case management, and physical and occupational therapy services to children under age 21 with certain medical conditions, such as cystic fibrosis, hemophilia, cerebral palsy, heart disease, cancer, and traumatic injuries. CCS also provides medical therapy services that are delivered at public schools. The CCS program is authorized and funded as one of the Designated State Health Programs (DHSPs).

In addition, several amendments to the waiver were approved during the 2010-2015 demonstration period that further advanced the state's goals. These included:

- *Community-Based Adult Services (CBAS)*: An amendment approved on March 30, 2012 authorized California to establish the Community-Based Adult Services (CBAS) Program, which offers services to eligible older adults and adults with disabilities in an outpatient facility-based setting in order to restore or maintain their optimal capacity for self-care and delay or prevent unnecessary institutionalization. CBAS services include an individual assessment; professional nursing services; physical, occupational, and speech therapies; mental health services; personal care; nutritional counseling; and



transportation, among others. The CBAS waiver amendment was renewed on November 28, 2014.

- *Managed Care for the Newly-eligible Population*: Effective January 1, 2014, adults newly eligible for Medi-Cal with incomes up to 133 percent of the FPL were added as a state plan eligibility category pursuant to the Affordable Care Act and were transitioned from the Low-Income Health Program (LIHP) to the Medi-Cal managed care delivery system.
- *Coordinated Care Initiative (CCI)*: Through a further amendment to the waiver, DHCS received approval to establish the Coordinated Care Initiative (CCI) with coverage commencing on April 1, 2014. The state also received separate Section 1115A demonstration authority for the Cal MediConnect program. The CCI was designed to provide integrated care across delivery systems and rebalance service delivery away from institutional care and into the home and community. It has been implemented in seven counties and is comprised of two parts: (1) Cal MediConnect, a demonstration project that combines acute, primary, institutional, and home and community-based services into a single benefit package for individuals who are fully or partially eligible for Medicare and Medicaid; and (2) mandatory Medi-Cal managed care enrollment for dual eligible individuals for all Medi-Cal benefits, including managed long-term services and supports.
- *Drug Medi-Cal Organized Delivery System (DMC-ODS)*: As part of its ongoing effort to treat and prevent substance use disorders (SUD), California received approval in August 2015 to implement a new delivery system for SUD treatment known as the Drug Medi-Cal Organized Delivery System (DMC-ODS). The DMC-ODS Program provided California counties the opportunity to provide their resident Medicaid beneficiaries with a range of evidence-based SUD treatment services not available under the Medi-Cal state plan. In connection with the DMC-ODS Program, the state was first in the nation to receive approval for federal Medicaid funding for residential treatment of SUDs in institutions for mental disease (IMDs). To date, 37 counties have implemented the DMC-ODS Program providing access to 96 percent of the Medi-Cal population. As described in more detail in Section 5 below, the 2019 University of California Los Angeles' (UCLA) evaluation of the DMC-ODS program concluded that it has met its stated goals of improving access, quality, and coordination of care for SUD services in implementing counties.

## Medi-Cal 2020 Waiver (2015)

In December 2015, the federal government approved a five-year extension of the state's Section 1115 waiver. The new waiver, entitled "Medi-Cal 2020," retained and advanced many of the initiatives established under its predecessor Bridge to Reform waiver, and established new programs designed to expand access and improve quality, particularly for individuals with complex health and social needs, including individuals with SUDs and individuals experiencing homelessness. Through the Medi-Cal 2020 waiver, the state received legal authority to extend



the operation of and federal financial support for programs in the Bridge to Reform waiver and also established the following new programs:

- *Public Hospital Redesign and Incentives in Medi-Cal (PRIME)*: Under the Medi-Cal 2020 waiver, California received authority to extend and improve its DSRIP Program—renamed PRIME—to provide additional incentives to its safety-net hospitals to improve the way they deliver care. Specifically, the PRIME program provides incentive funding for California’s 21 DPHs and 39 District/Municipal Public Hospitals (DMPHs) to support delivery system reform, including through adoption of alternative payment models (APMs), with the ultimate goal of increasing quality and efficiency and improving population health and health outcomes, particularly for high-utilizers and individuals with co-occurring physical and behavioral health conditions. To receive funding, participating hospitals must report on progress toward and achievement of specified performance metrics.
- *Whole Person Care (WPC) Pilots*: The state received authority and up to \$1.5 billion in federal funds to pilot an innovative new approach to engaging and treating Medicaid beneficiaries who are high-utilizers of the health care system or present complex physical, behavioral, or social needs. Under this initiative, California counties and other local entities were provided the opportunity to develop and implement their own Whole Person Care pilot programs within certain parameters established by the waiver and state guidelines. The pilots are designed to coordinate physical health, behavioral health, and social services (e.g., housing supports) for one or more of the designated target populations, which include high utilizers with two or more chronic conditions, individuals who are homeless or at risk of homelessness, or individuals with a behavioral health condition or substance use disorder.
- *Global Payment Program (GPP) & Safety Net Care Pool*: Although the expansion of Medi-Cal significantly reduced the state’s uninsured rate, nine percent of the state’s population remained uninsured in 2015. To support and improve ongoing care for the uninsured, California received authority in the Medi-Cal 2020 waiver to establish the Global Payment Program (GPP). Through the GPP, the state has been able to make value-based payments to California’s public health care systems (PHCS) that are designed to further two aims. First, the payments offset some of the losses the PHCSs sustain in providing medically necessary services to California’s remaining uninsured population. Second, the payments are structured to spur improvements in the quality and value of the care provided by PHCSs by, for example, rewarding care that is appropriately provided in less intensive and less expensive outpatient settings, rather than in the emergency room or hospital inpatient setting.
- *Coverage of Low-Income Pregnant Women*: Under the Medi-Cal 2020 waiver, the state received authority to cover pregnant women with incomes from 109 percent of the FPL



up to and including 138 percent of the FPL (including all benefits that would otherwise be covered for women with incomes below 109 percent of the FPL).

- *Dental Transformation Initiative (DTI)*: Under the Dental Transformation Initiative (DTI), the state developed a critical new mechanism for improving dental health for Medi-Cal children by focusing on high-value care, improved access, and utilization of performance measures to drive delivery system reform.

### **Amendments**

In addition to the programs authorized under the initial Medi-Cal 2020 waiver, CMS approved several amendments to the waiver during the demonstration period that have contributed to achievement of the state's goals. Key amendments authorized the following new initiatives:

- *Health Homes Program (HHP)*: Federal authority for California's HHP was provided through an amendment to the state Medicaid plan, as well as an amendment to the Medi-Cal 2020 waiver, both of which were approved on December 19, 2017. The combination of these two approvals enabled the state to provide HHP services to managed care enrolled beneficiaries residing in the counties participating in the HHP. Eligibility for the HHP is limited to individuals who are: (1) enrolled in a Medi-Cal managed care organization (MCO) and residing in participant county; (2) have certain chronic health or mental health conditions, such as diabetes, asthma, SUD, or serious mental illness, among others; and (3) meet certain acuity/complexity criteria, one of which is chronic homelessness. As of March 2020, more than 27,000 people have enrolled in HHP across 12 counties.
- *Coverage of Out-of-State Former Foster Youth*: On August 18, 2017, CMS approved an amendment to the Medi-Cal 2020 waiver that authorized California to provide Medicaid state plan coverage to former foster care youth under age 26 who were in foster care under the responsibility of another state or tribe from any state when they "aged out" of foster care at age 18 (or such higher age as elected by the state) and were enrolled in Medicaid at that time.
- *Global Payment Program Extension*: On August 3, 2020, CMS approved a waiver amendment to allow DHCS to operate the Global Payment Program (GPP) for an additional six-month period, from July 1, 2020 to December 31, 2020.
- *Program for All Inclusive Care for the Elderly (PACE)*: On August 3, 2020, CMS approved a waiver amendment to allow, effective July 1, 2020, Medi-Cal beneficiaries in Orange County, at their election, to be disenrolled from CalOptima, a county-organized health system (COHS) including CalOptima PACE, to be enrolled in a Program of All Inclusive Care for the Elderly (PACE) organization not affiliated with CalOptima, if eligible.

### **Section 3 – Medi-Cal 2020 Extension Request**



As described above, the COVID-19 emergency has prevented the State of California and its local health care delivery system partners from being able to work with Medi-Cal managed care plans, county public health agencies, and other key stakeholders to prepare for implementation of the CalAIM initiative by December 31, 2020. Therefore, the state is requesting a 12-month extension – to December 31, 2021 – of the existing Medi-Cal 2020 waiver demonstration in order to bridge the gap and keep the current delivery system intact. Following are the elements of the Medi-Cal 2020 demonstration that are proposed to continue under the 12-month extension:

- **Managed Care Delivery System** – The Medi-Cal managed care delivery system provides high-quality, accessible, integrated, and cost-effective care for beneficiaries, and is the core delivery system for most services. As of March 2020, approximately 80% of the state’s Medi-Cal beneficiaries across 58 counties received their health care through managed care.
- **Whole Person Care (WPC) pilots** – There are 25 WPC pilots in operation across the state. As discussed in more detail in below, a 2019 study by UCLA evaluating the effectiveness of the WPC pilots found that they have made significant progress in establishing essential care coordination processes and delivering cross-sector care coordination services.
- **Health Homes Program** – While the Health Homes Program is authorized under a Medicaid state plan amendment, the state also received a Section 1115 waiver amendment to provide a waiver of statewideness in order to implement HHP on a phased-in basis. The state is requesting continued authority to waive statewideness under the waiver through December 31, 2021.
- **Global Payment Program (GPP) and Safety Net Care Pool** – The GPP plays a vital role in sustaining and improving care for the uninsured, and its continuation is critical to achieving California’s goal of increasing population health. The GPP established a statewide pool of funding for California’s remaining uninsured by allocating over \$2 billion of combined federal Disproportionate Share Hospital (DSH) and uncompensated care funding to Public Health Care Systems (PHCSs). These funds support PHCS’ efforts to provide health care for the uninsured and promotes the delivery of more cost-effective and higher-value care. This amendment is necessary to continue GPP payments, using the federal DSH allotment funds for the relevant time period and a continued Uncompensated Care Pool, to eligible PHCSs through an additional 12 months of the Medi-Cal 2020 Demonstration period.
- **Drug Medi-Cal Organized Delivery System (DMC-ODS)** – Authority for the state to continue to authorize participant counties to provide the expanded continuum of DMC-ODS benefits, including residential SUD treatment services in settings that are



considered IMDs. DMC-ODS is now available in 37 counties, providing access to 96% of the Medi-Cal population.

- **Low-Income Pregnant Women** – The state requests authority to continue to provide coverage to pregnant women with incomes from 109 percent up to and including 138 percent of the FPL (including all benefits that would otherwise be covered for women with incomes below 109 percent of the FPL).
- **Out-of-State Former Foster Care Youth** – The Medi-Cal 2020 waiver authorizes Medi-Cal coverage for former foster care youth under age 26, who were in foster care under the responsibility of another state or a tribe when they aged out.
- **Community-Based Adult Services (CBAS)** – CBAS offers services to eligible older adults and adults with disabilities in an outpatient facility-based setting in order to restore or maintain their optimal capacity for self-care and delay or prevent inappropriate or personally undesirable institutionalization.
- **Coordinated Care Initiative (CCI)** – As previously approved by CMS, the state will continue CCI until December 31, 2022 to align with the Section 1115A extension for Cal MediConnect. The state intends to fully transition all dual-eligible beneficiaries into Medi-Cal managed care statewide in 2023.
- **Dental Transformation Initiative (DTI)** – This initiative is designed to improve dental health for children by focusing on high-value care, improved access, and utilization of performance measures to drive delivery system reform.
- **Tribal Uncompensated Care (TUCCWA)** – The proposed extension would permit DHCS to continue to make uncompensated care payments for certain optional services previously eliminated from the Medi-Cal state plan that are provided by Indian Health Service (IHS) tribal health programs operating under the authority of Indian Self-Determination and Education Assistance Act (ISDEAA) to IHS-eligible Medi-Cal beneficiaries.
- **Rady Children’s Hospital of San Diego California Children’s Services (CCS) Pilot** – The 12-month extension would permit the state to continue to test this effective health care delivery model for children with complex medical needs.
- **Program of All-Inclusive Care for the Elderly (PACE)** – PACE is a fully integrated Medicare and Medicaid delivery model that coordinates and provides all needed preventive, primary, acute and long-term care services for eligible participants to continue living in the community. Counties that provide Medi-Cal services through a County Organized Health System (COHS) are the sole source for Medi-Cal services in that county. In order to operate a third party PACE organization in a COHS county, the PACE organization must seek county Board of Supervisor, DHCS and CMS approval, as



approved through the 1115 waiver. DHCS currently has approval through the 1115 waiver for PACE in two COHS counties, Humboldt and Orange.

Following are detailed descriptions of the programs listed above, along with the rationale for including each of them in the 12-month 1115 waiver extension request.

### Section 3.1 – Managed Care Delivery System

The Medi-Cal managed care delivery system provides high-quality, accessible, integrated, and cost-effective care for beneficiaries, and is the core delivery system for most services. As of March 2020, approximately 80% of the state’s Medi-Cal beneficiaries across 58 counties received their health care through managed care.

#### Extension Request

During the extension year, DHCS proposes to maintain the existing waiver authorities, managed care models and mandatory populations in Medi-Cal managed care as provided under the Medi-Cal 2020 demonstration, except as specified herein. DHCS will seek technical amendments to update the “Capitated Benefits” attachment to the Special Terms and Conditions for the extension period to reflect the transition of pharmacy benefits to the fee-for-service delivery system effective January 1, 2021.

### Section 3.2 – Whole Person Care Pilots

Under the Whole Person Care pilot program, California counties and other local entities have developed and implemented programs tailored to their communities’ needs, within certain parameters established by the waiver and state guidelines. The WPC pilots are designed to coordinate physical health, behavioral health, and social services (e.g., housing supports, food assistance) for one or more of the designated target populations, which include high utilizers with two or more chronic conditions, individuals who are homeless or at risk of homelessness, or individuals with a behavioral health condition or substance use disorder.

Each WPC pilot determined the services that were appropriate for its target populations, which could include services not otherwise covered by Medi-Cal such as medical respite, recuperative care, sobering center services, and mobile or street-based services. Pilots were able to use program funds to develop program infrastructure, collaborate with community partners, and improve data sharing between entities. Payments to the pilots can be fee-for-service, per-member-per-month (PMPM) capitation, and/or incentives based on numbers enrolled, services provided, and milestones achieved.

Each pilot developed its own payment structure based on its selected services and goals. For example, some WPC pilots receive PMPM payments for providing “bundles” of care coordination or supportive housing services. Others receive FFS payments for services provided to enrollees at respite centers, separate funding to build data sharing infrastructure, and incentive payments for achieving pilot-specific outcomes or milestones. Currently, there are 25 pilots in operation across 26 counties in the state. As discussed in more detail in Section 4 below, a 2019 study by UCLA evaluating the WPC pilots found that they have made significant





progress in establishing essential care coordination processes and delivering cross-sector care coordination services.

#### Extension Request

Under this 12-month extension request, the WPC pilots would continue as currently structured. Additional federal Medicaid matching funds in the amount of \$300 million would be needed in order to sustain the program at the current expenditure level for the extension period. In addition, given the COVID-19 emergency, the state proposes continuing the inclusion of individuals and populations disproportionately impacted by COVID-19 as a target populations and specifically incentivizing WPC pilots to address disparities. DHCS also proposes that the WPC pilots be permitted to modify their budgets in response to COVID-19, and requests that the pilots be permitted to opt out of participating in this 12-month extension in the event of budget constraints or other extenuating circumstances.

### Section 3.3 – Health Homes Program

While the Health Homes Program is authorized under a Medicaid state plan amendment, the state also received a Section 1115 demonstration amendment to provide a waiver of statewideness in order to implement HHP on a phased-in basis.

#### Extension Request

The state is requesting continued authority to waive statewideness under the waiver extension through December 31, 2021.

### Section 3.4 – Supporting California’s Safety Net – The Global Payment Program

California has a long history of providing services to Medi-Cal beneficiaries and uninsured individuals through its Public Health Care Systems (PHCSs), which consist of 15 county-owned and operated health care systems and five University of California Medical Centers. California’s PHCSs are committed to delivering high-quality care to those in need, regardless of ability to pay or insurance status. The PHCSs include only six percent of California’s hospitals but provide more than 40 percent of the hospital care delivered to California’s remaining uninsured.

Prior to GPP, many of California’s remaining uninsured received most of their care in emergency departments or other hospital settings. Moreover, the funding programs previously available to PHCSs to provide compensation for care to the uninsured, while important, were not designed to promote value-based care or delivery system reform. In addition, the funding formulas associated with these pre-GPP programs made it difficult for the PHCS to predict how much funding they would receive, making long-term financial planning and investments more difficult.

In line with evidence that suggests that improvements in access to outpatient services, including primary care, can reduce health care costs and improve health outcomes, the GPP established a new method of compensating participating PHCSs for caring for the uninsured that promotes



delivery system reform in care for the uninsured and incentivizes value, not volume, in the provision of services.

The stated goals of the GPP are to:

- Move away from payments restricted to hospital settings;
- Encourage the use of primary and preventive services and create access to services like telehealth, group visits, and health coaching by expanding the settings in which PHCSs can receive payments;
- Emphasize coordinated care and care provided outside of the hospital and emergency room; and
- Recognize the value of services that have not typically been reimbursable through Medicaid, but that substitute or compliment services that are reimbursable.

The GPP achieves these goals by compensating PHCSs through a value-based methodology that awards points based on services provided and is designed to encourage primary and preventive care and the delivery of care in appropriate settings. Over the course of the waiver, the points attributed to high-value services, such as primary or preventive care delivered in an outpatient setting, has increased relative to the points attributed to services provided in an emergency room or inpatient setting.

Importantly, the GPP also provides PHCSs with federal matching funds for additional low-cost high-value services such as visits to a health coach, nutrition education, and email provider consultations. In addition, under the GPP, PHCSs benefit from the greater predictability of funding, and a quarterly payment schedule, both of which are designed to facilitate PHCS planning for service delivery reform and other infrastructure investments.

#### [Extension Request](#)

As discussed in Section 4 below, an independent evaluation of the GPP found that it has been successful in rewarding and incentivizing value-based cost-effective care, rather than volume of services. For this reason, the state seeks federal approval to continue the GPP and the Safety Net Care Pool to December 31, 2021 as currently structured, to preserve and build on the delivery-system improvements achieved in the expiring waiver period. The program would continue the modification to the point values as outlined in Attachment FF of the Medi-Cal 2020 Special Terms and Conditions. Point thresholds would be established dependent on the final budget amounts.



### Section 3.5 – Advancing the DMC-ODS Program

Medi-Cal has long provided coverage for some substance use disorder (SUD) treatment benefits through the state plan authorized Drug Medi-Cal program that the counties administered, but services were limited and quality was variable. To improve its SUD delivery system, the state created the Drug Medi-Cal Organized Delivery System (DMC-ODS) program under Section 1115 waiver authority to expand access to treatment and provide a greater continuum of high-quality, evidenced-based SUD treatment services. Since the DMC-ODS pilot program began in 2015, California counties have had the opportunity to provide their resident Medi-Cal beneficiaries with a range of evidence-based SUD treatment services not available under the Medi-Cal state plan. To date, 37 of California’s 58 counties have implemented DMC-ODS, providing access to 96 percent of the Medi-Cal population statewide. Although the program is not yet offered statewide, it has significantly expanded the availability of SUD services to the vast majority of the state’s residents. DHCS intends to provide counties another opportunity to opt-in to participate in the DMC-ODS in hopes of promoting statewideness and providing access to the remaining 4% of the state’s residents.

As described in Section 4 below, UCLA’s most recent evaluation of DMC-ODS revealed that the program has been successful in improving access, quality, and coordination of care for SUD services in implementing counties.

#### Delivery System

Counties that wish to participate in DMC-ODS must submit an implementation plan to the state and participate in a readiness review. After the state approves the implementation plan and concludes that the county is ready to proceed, the state and county execute an intergovernmental agreement (IA) governing the county’s participation in DMC-ODS. Under the IA, the county agrees to provide or reimburse Drug Medi-Cal certified providers for providing DMC-ODS services through a Prepaid Inpatient Health Plan (PIHP) as defined in 42 CFR § 438.2. Counties may contract with a managed care plan to arrange for the provision of services. Counties can also request state approval to develop regional delivery systems for one or more of the DMC-ODS modalities or receive additional flexibility in delivery system design. Importantly, under the program, counties are not required to offer providers state plan rates.

#### Eligibility and Enrollment

In order to receive services through the DMC-ODS program, individuals must be enrolled in Medi-Cal, reside in a participating county, and have at least one diagnosis from the Diagnostic and Statistical Manual of Mental Disorders (DSM) for Substance-Related and Addictive Disorders, with the exception of Tobacco-Related Disorders and Non-Substance-Related Disorders, or have received such a diagnosis prior to being incarcerated.



Any determination that the DMC-ODS program medical necessity criteria has been satisfied must be based on a face-to-face or telehealth encounter with a medical director, licensed physician, or licensed practitioner of the healing arts (LPHA). If a qualifying diagnosis is established or confirmed, the ASAM Criteria is applied to determine the appropriate level of services.

The medical necessity qualification for ongoing receipt of DMC-ODS is determined at least every six months through the reauthorization process; except for the Narcotic Treatment Program (NTP) which requires annual reauthorization.

Beneficiaries may receive a referral to treatment under DMC-ODS from any source, including a physical or mental health care provider, law enforcement agency, school, other county department, or family member. Individuals may also self-refer to the DMC-ODS Program. Participating counties must have a toll-free number available for beneficiaries to call 24 hours a day, seven days a week, to access DMC-ODS services. Oral language interpretation must be available.

#### Covered Services

In the standard Drug Medi-Cal program, benefits include outpatient and intensive outpatient SUD services, perinatal residential SUD treatment (limited to facilities with 16 beds or fewer), and narcotic (opioid) treatment programs. DMC-ODS benefits include all the standard services plus case management, multiple levels of residential SUD treatment (not limited to perinatal or to facilities with 16 beds or fewer), withdrawal management, recovery services, physician consultation, and, if the county chooses, additional medication-assisted treatment (MAT) and partial hospitalization. Tables displaying all the services currently covered under DMC-ODS are provided below.

#### Extension Request

To enable DMC-ODS to continue to grow and mature, the state is requesting an extension of the Section 1115 expenditure authority to provide residential SUD treatment for individuals in IMDs, and to extend other DMC-ODS settings and services authorized under the waiver (see Table 1). As noted above, the program has been successful over the past five years, but the opioid crisis continues to persist and DHCS requests this extension to continue its efforts to expand access to life-saving treatment and prevention services.

Given the 12-month extension request, DHCS requests authority to make several technical changes to the current DMC-ODS program that will increase efficiency, improve access, and align more closely with CMS policy regarding SUD waivers. These changes, which are outlined in more detail later in this proposal, are intended to be a part of the transition to a future five-year CalAIM term and will not have a budget neutrality impact for the federal government:

- Remove the limitation on the number of residential treatment episodes that can be reimbursed in a one-year period;



- Clarify that reimbursement is available for SUD assessment and appropriate treatment even before a definitive diagnosis is determined;
- Clarify the recovery services benefit;
- Expand access to MAT; and
- Increase access to SUD treatment for American Indians and Alaska Natives.

**Table 1 – DMC-ODS Benefits**

ASAM Level of Care	Service	Service Definition	Provider Type	Current Coverage Authority
0.5	Early Intervention	Screening, Brief Intervention, and Referral to Treatment	Managed Care Plans and Fee-For-Service Providers	State Plan
1	Outpatient Services	Counseling services for recovery or motivational enhancement therapies/strategies	DHCS Certified Outpatient Facilities	State Plan / 1115 waiver
2.1	Intensive Outpatient Services	Counseling services to treat multidimensional instability	DHCS Certified Intensive Outpatient Facilities	State Plan / 1115 waiver
2.5	Partial Hospitalization Services	Services for multidimensional instability not requiring 24-hour care	DHCS Certified Intensive Outpatient Facilities	1115 waiver
3.1	Clinically Managed Low-Intensity residential Services	24-hour structure with available trained personnel; 20 hours of care with at least 5 hours of clinical service/week and prepare for outpatient treatment.	ASAM Designated Residential Providers, Chemical Dependency Recovery Hospitals, Freestanding Acute Psychiatric Hospitals	1115 waiver
3.3	Clinically Managed Population-Specific High Intensity Residential Services	24-hour care with trained counselors to stabilize multidimensional imminent danger. Less intense milieu and group treatment for those with cognitive impairments.	DHCS Residential Providers, Chemical Dependency Recovery Hospitals, Freestanding Acute Psychiatric Hospitals	1115 waiver



ASAM Level of Care	Service	Service Definition	Provider Type	Current Coverage Authority
3.5	Clinically Managed High Intensity Residential Services	24-hour care with trained counselors to stabilize multidimensional imminent danger and prepare for outpatient treatment. Able to tolerate and use full milieu or therapeutic community	ASAM Designated Residential Providers, Chemical Dependency Recovery Hospitals, Freestanding Acute Psychiatric Hospitals	1115 waiver
3.7	Medically Monitored Intensive Inpatient Services	24-hour nursing care with physician availability for significant problems in Dimensions 1, 2, or 3. 16 hour/day counselor availability	Chemical Dependency Recovery Hospitals; Hospital, Freestanding Acute Psychiatric Hospitals	1115 waiver
4.0	Medically Managed Intensive Inpatient Services	24-hour nursing care and daily physician care for severe, unstable problems in Dimensions 1, 2, or 3. Counseling available to engage patient in treatment	Chemical Dependency Recovery Hospitals, Hospital; Freestanding Acute Psychiatric Hospitals	1115 waiver
OTP	Opioid Treatment Program	Daily or several times weekly opioid agonist medication and counseling available to maintain multidimensional stability for those with severe opioid use disorder	DHCS Licensed Narcotic Treatment Programs	State Plan / 1115 waiver
1-WM	Ambulatory withdrawal management without extended on-site monitoring	Mild withdrawal with daily or less than daily outpatient supervision.	DHCS Certified Outpatient Facility with Detox Certification; Physician, Licensed Prescriber; or OTP for Opioids.	1115 waiver
2-WM	Ambulatory withdrawal management with extended	Moderate withdrawal with all day withdrawal management and support and supervision; at night	DHCS Certified Outpatient Facility with Detox Certification; Physician; Licensed Prescriber; or	1115 waiver



ASAM Level of Care	Service	Service Definition	Provider Type	Current Coverage Authority
	on-site monitoring	has supportive family or living situation.	OTP.	
3.2-WM	Clinically managed residential withdrawal management	Moderate withdrawal but needs 24-hour support to complete withdrawal management and increase likelihood of continuing treatment or recovery.	DHCS Licensed Residential Facility with Detox Services; Chemical Dependency Recovery Hospitals; Freestanding Acute Psychiatric Hospitals; Physician; or Licensed Prescriber.	1115 waiver
3.7-WM	Medically Managed Inpatient Withdrawal Management	Severe withdrawal, needs 24-hour nursing care and physician visits; unlikely to complete withdrawal management without medical monitoring.	General Acute Care Hospital; Chemical Dependency Recovery Hospitals; Freestanding Acute Psychiatric Hospitals	1115 waiver
4-WM	Medically managed intensive inpatient withdrawal management	Severe, unstable withdrawal and needs 24-hour nursing care and daily physician visits to modify withdrawal management regimen and manage medical instability.	General Acute Care Hospital, Chemical Dependency Recovery Hospitals; Freestanding Acute Psychiatric Hospitals	1115 waiver
Other	Physician Consultation	Consultation services to assist DMC clinicians with seeking expert advice on designing treatment plans for DMC-ODS beneficiaries.	DHCS Certified Physicians consulting with Addiction Medicine Physicians, Addiction Psychiatrists, or Clinical Pharmacists.	1115 Waiver
Other	Case Management	Coordination of SUD care, including assisting the beneficiary to access needed medical, educational, social, prevocational, vocational,	DHCS Certified Providers	1115 Waiver



ASAM Level of Care	Service	Service Definition	Provider Type	Current Coverage Authority
		rehabilitative, and other community services.		
Other	Additional MAT	Ordering, prescribing, administering, and monitoring of all medications for SUDs not covered under the State Plan.	DHCS Certified Providers	1115 Waiver
Other	Recovery Services	Services provided after completing treatment based on self-assessment or provider assessment of relapse.	DHCS Certified Providers	1115 Waiver

### Model of Care

The DMC-ODS Program uses a continuum of care modeled after the ASAM Criteria. These criteria, first developed in 1991, are the most widely used set of guidelines for assessing SUD patient needs and are used to create comprehensive, individualized patient treatment plans. The ASAM Criteria provide a matrix for matching severity and level of function with type and intensity of treatment needs.

DMC-ODS Pilot Program counties must require their network providers to implement at least two evidence-based treatment practices per service modality. Currently, the state recognizes the following five evidence-based practices: motivational interviewing, cognitive behavioral therapy, relapse prevention, trauma-informed treatment, and psycho-educational groups. Under the IA, counties must ensure that providers have effectively implemented the required evidence-based practices. The state additionally ensures provider compliance with these standards through its monitoring and review process.

### Proposed Changes to the DMC-ODS Program

The state seeks federal approval for the following technical, no cost changes to the DMC-ODS program as part of this 12-month extension request.

**1. Remove the limitation on the number of residential treatment episodes that can be reimbursed in a one-year period**

Under current Program rules, a maximum of two non-continuous residential stays may be reimbursed in a one-year period. California proposes to revise this policy to remove the limitation on the number of treatment episodes that can be reimbursed in a one-





year period. In accordance with CMS State Medicaid Director Letter #17-0003, California will aim for a statewide average length of stay of 30 days. Counties will adhere to the monitoring requirements set forth by DHCS and the performance measure(s) set by the external quality review organization.

**2. Clarify that reimbursement is available for SUD assessment and appropriate treatment even before a definitive diagnosis is determined**

The state seeks to clarify that reimbursement is available for SUD assessment and appropriate treatment before a definitive diagnosis is determined, even if requiring multiple visits. This includes services for beneficiaries under age 21 pursuant to the terms of the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) requirement. Beneficiaries under the age of 21 are entitled to any medically necessary services coverable under a Medicaid state plan to correct or ameliorate identified conditions, even if they do not meet criteria for a SUD, including treatment for risky substance use. The state also seeks to make other, technical clarifications to how medical necessity for DMC-ODS services is determined, including the role of various staff, the use of telehealth, and others.

**3. Clarify the recovery services benefit**

California proposes to clarify: (1) the allowable components of recovery services (e.g., individual, group, recovery focused events and activities, alumni groups, education sessions, and assessment); (2) when and how beneficiaries, including justice-involved individuals, may access recovery services; and (3) the availability of recovery services to individuals receiving MAT. This change is requested to clarify the current language, which has been inconsistently interpreted in different counties. In addition, some counties have interpreted that justice-involved patients or patients on opioid maintenance treatments are not eligible for recovery services.

**4. Expand access to MAT**

California proposes to require counties to mandate that all DMC-ODS providers, at all levels of care, demonstrate that they either directly offer, or have effective referral mechanisms to, MAT. The state also seeks to maintain the option for counties to elect to cover additional MAT services, including ordering, prescribing, administering, and monitoring of MAT. Additionally, California proposes to add naltrexone in the Narcotic Treatment Program setting to align with the pending State Plan Amendment and clarify that this benefit can be utilized for all medication assisted treatment not covered under the State Plan.

**5. Increase access to SUD treatment for American Indians and Alaska Natives**

California has prepared an Information Notice to counties to provide guidance regarding their current obligations pursuant to existing contractual requirements towards Indian



Health Care Providers for Tribal and Urban Health Clinics as established in Title 42, Code of Federal Regulations, Section 438.14.

Additionally, the state proposes to take a number of actions to increase access to SUD treatment for American Indians and Alaska Natives, including:

- Providing an allowance for specific cultural practices for Tribal 638 and Urban clinics, reimbursement and definitions of scope of practice for the workforce of traditional healers and natural helpers, and culturally specific evidence-based practices.
- Requiring Indian health care providers to use at least two evidence-based practices as defined in the DMC-ODS and/or from a list developed by DHCS in consultation with Tribal and Urban partners.

These changes are requested to ensure American Indians and Alaska Natives have access to culturally appropriate and evidence-based SUD treatment.

#### Complimentary State Efforts to Address SUDs

The DMC-ODS Program is one critical element of a larger state strategy for treating and preventing substance use disorders. In addition to piloting the DMC-ODS Program, the state is also implementing two grants from SAMHSA, a State Targeted Response (STR) Grant and State Opioid Response (SOR) Grant, which are designed to expand access to SUD treatment and in particular, MAT.

Through the STR, California received \$89.4 million from FY 2017 to FY 2018 (\$44.7 million in each year) to implement the Hub and Spoke System, piloted in Vermont. The Hub and Spoke System consists of central “Hubs,” which are dedicated SUD treatment programs with expertise in treating SUD and, around them, “Spokes,” or office-based treatment settings that provide ongoing care and maintenance treatment. The California Hub and Spoke System is composed of 18 Hub and Spoke networks and over 200 Spoke locations. California also used its STR funding to establish the Tribal MAT Project, which promotes opioid safety, improves the availability and provision of MAT, and facilitates wider access to naloxone for the Tribal and Urban Indian populations.

In FY 2018 and 2019, California received an SOR grant, totaling \$176 million over two years. The state used this grant to further support the Hub and Spoke System and Tribal MAT Project, and to develop more than 30 new projects to expand access to and the quality of SUD treatment. Many of these projects focused on improving access to and the quality of SUD treatment in SUD-specific treatment programs, clinical settings, and county and state criminal justice systems. A full list of the state’s STR and SOR-funded projects is available [here](#).

California has seen promising outcomes from the STR and SOR projects. So far, more than 22,000 individuals have received treatment for opioid use disorder with MAT. Through the naloxone distribution project, more than 12,000 overdose reversals have been reported. More



than 2,000 providers have received training on MAT as a result of the project. In addition, the project has expanded the number of locations statewide where individuals can access treatment. In addition to traditional MAT settings like opioid treatment programs, provider offices and federally qualified health centers, MAT is now available in hospital emergency rooms and county jails. The STR and SOR grants have provided California the funding to expand access to MAT statewide, while training providers and educating the public about the importance of treatment and recovery. With the extension of the DMC-ODS, California can continue and sustain this important work.

### Section 3.6 – Low-Income Pregnant Women

Numerous studies have demonstrated the positive impact on health outcomes for mothers and children of providing pregnant women with medically necessary care, including prenatal care. To expand access to prenatal care for low-income women, the state sought and received authority under the Medi-Cal 2020 waiver to cover pregnant women with incomes from 109 percent up to and including 138 percent of the FPL (including all benefits that would otherwise be covered for women with incomes below 109 percent of the FPL). Eligible pregnant women are required to enroll in a Medi-Cal managed care plan unless they opt to remain with their physician in fee-for-service throughout their pregnancy and postpartum period.

#### Extension Request

In this extension application, the state seeks authority to extend this important coverage initiative to continue to provide necessary health benefits to low-income pregnant women.

### Section 3.7 – Out-of-State Former Foster Care Youth

Young adults who have “aged out” of foster care often present with complex medical, behavioral, oral and developmental health problems rooted in a history of childhood trauma and adverse childhood experiences. To ensure access to medically necessary care for such adults, in 2017 California sought to amend the Medi-Cal 2020 waiver to provide Medicaid State Plan coverage to former foster care youth under age 26 who were in foster care under the responsibility of another state or tribe from any state when they “aged out” of foster care at age 18 (or such higher age as elected by the state) and were enrolled in Medicaid at that time. CMS approved the amendment on August 18, 2017, and authority for coverage was effective as of that date.

#### Extension Request

In this extension application, California seeks authority to extend coverage of this population for an additional 12 months and through December 31, 2021.

### Section 3.8 – Community-Based Adult Services

Through an amendment to the California Bridge to Reform demonstration approved on March 30, 2012, California established the Community-Based Adult Services (CBAS) Program, which offers services to eligible older adults and adults with disabilities in an outpatient facility-based



setting in order to restore or maintain their optimal capacity for self-care and delay or prevent inappropriate or personally undesirable institutionalization. CBAS services include an individual assessment; professional nursing services; physical, occupational, and speech therapies; mental health services; personal care; nutritional counseling; and transportation, among others. The CBAS waiver amendment was renewed on November 28, 2014 and was included in the Medi-Cal 2020 demonstration.

### Extension Request

The state requests that the authority for the CBAS program be extended along with the other elements of the Medi-Cal 2020 demonstration.

### Section 3.9 – The Coordinated Care Initiative (including Cal MediConnect)

The Coordinated Care Initiative (CCI) began on April 1, 2014 as part of the CMS Federal Alignment Initiative. The CCI was designed to provide integrated care across delivery systems and rebalance service delivery away from institutional care and into the home and community. It has been implemented in seven counties and is comprised of two parts: (1) Cal MediConnect, a Section 1115A demonstration project that combines acute, primary, institutional, and home and community-based services into a single benefit package for individuals who are fully or partially eligible for Medicare and Medicaid; and (2) mandatory Medi-Cal managed care enrollment for dual eligible for all Medi-Cal benefits under the Section 1115 demonstration, including managed long-term services and supports.

The CCI has been an important initiative in providing integrated, coordinated care for elderly and disabled beneficiaries through Medi-Cal managed care. More than 107,000 dually eligible Californians are enrolled in Cal MediConnect and have access to the care coordination and enhanced services provided through CMC and the CCI. A 2018 study showed that 90 percent of CMC enrollees were satisfied with their health coverage and 83 percent of enrollees found the quality of their care to be good or excellent.

The federal authority for CMC has been extended multiple times and is scheduled to expire on December 31, 2022.

### Section 3.10 – Dental Transformation Initiative

Under the Dental Transformation Initiative (DTI), the state developed a critical new mechanism for improving oral health for Medi-Cal children by focusing on high-value care, improved access, and utilization of performance measures to drive delivery system reform. The state proposes to continue the DTI, Domains 1-3, for an additional 12 months.

- **Domain 1** has exceeded its annual utilization goals to date, as well as increased the number of enrolled Medi-Cal service office locations available to provide dental services, resulting in additional spending authority to apply to DTI efforts.
- **Domain 2** had underperformed prior to expanding to additional, more populous – provider and population – counties. However, since expansion implementation as of



January 1, 2019, the number of participating providers as well as the number of preventive services provided to children who also received a caries risk assessment, compared to children who did not, has increased significantly.

- **Domain 3** has also demonstrated success, as there have been large numbers of Medi-Cal children returning to the same dental office, establishing continuity of care, over the duration of the demonstration. The Department anticipates ongoing success in this Domain in future PY reports, especially with the inclusion of the January 1, 2019 county expansions and increased incentive payment data.
- **Domain 4** was designed to test innovative local dental pilot projects (LDPPs) to support and further the goals of Domains 1 -3, with the ultimate goal of identifying projects for potential statewide implementation. However, the 13 approved LDPPs had difficulty becoming operational due to staff turnover, delayed contract execution with partners and/or subcontractors, and issues developing partnerships. These setbacks prevented many of the LDPPs from meeting their self-selected performance metrics during the first two years of operation – and many did not become operational until mid-2018.

These challenges were echoed in surveys conducted by the Department’s independent evaluator. While many LDPPs have emphasized the value of grassroots-level knowledge and culturally adept dental personnel, the results to date have not demonstrated a positive return on investment. This is further evidenced by the fact that the LDPPs have only leveraged approximately half of the funds allocated for Domain 4. Due to lack of data, DHCS has not been able to adequately measure the effectiveness of the LDPPs’ work or to demonstrate the fiscal viability of Domain 4. DHCS has determined that the state will not continue Domain 4 in the 12-month waiver extension.

#### Extension Request

To fully fund an additional program year in support of Domains 1-3, the state is requesting:

- A one year extension of the Designated State Health Programs funding authority as outlined in STC 34 of the Medi-Cal 2020 demonstration;
- An additional year of DTI annual funding. Under STC 109, the DTI is funded at \$148 million annually. This same funding amount is being requested for the extension year; and
- In accordance with STC 109, the ability to use rollover federal funds available from the DTI program Years (PY) 1-5 to fund PY 6 for Domains 1-3 in the extension year.



### Section 3.11 – Tribal Uncompensated Care Waiver Amendment (TUCWA)

#### Extension Request

DHCS is requesting a one year extension of the TUCWA. The proposed extension would permit DHCS to continue to make uncompensated care payments for certain optional services previously eliminated from the Medi-Cal state plan provided by Indian Health Service (IHS) tribal health programs operating under the authority of Indian Self-Determination and Education Assistance Act (ISDEAA) to IHS-eligible Medi-Cal beneficiaries. This proposal is similar to the current section 1115 Waiver amendment approved by the Centers for Medicare and Medicaid Services in 2015. The extension would continue the arrangement for uncompensated care payments to be administered through a contract with the California Rural Indian Health Board, Inc. (CRIHB).

CRIHB is a tribal organization contracting under the ISDEAA that provides medical assistance as a facility of the IHS through a subcontracting process with seven Tribal health programs. Additionally, CRIHB serves as the central administrator for the Tribal Medicaid Administrative Activities program through contracts with 11 Tribal health programs and for 20 Tribal health programs participating in the current 1115 TUCWA.

The proposed extension would include a new requirement for CRIHB to contract with any willing and qualified Tribal health program enrolled in Medi-Cal.

### Section 3.12 – Rady’s California Children’s Services Pilot

In 2016, Rady Children’s Hospital of San Diego (RCHSD) and its affiliated physicians, in collaboration with the county CCS Program, establish an ACO that is jointly designed, implemented, and managed. The target population for the ACO model includes children with chronic medical conditions, anticipated to last twelve (12) months or more, and whose needs are best met by hospital-based outpatient Special Care Centers. The program is known as California Kids Care. Children and youth residing in the designated geographic service area, who have a CCS medical condition eligible for the ACO and who meet all of the CCS Program eligibility requirements are enrolled into the ACO. Additionally, children and youth who develop a CCS medical condition eligible for the ACO can be referred to the health care organization for care and be enrolled into the ACO. The medical conditions for RCHSD include: Cystic Fibrosis, Hemophilia, Sickle Cell, Acute Lymphoblastic Leukemia; and Diabetes Types I and II (ages 1 – 10 years of age). The program has capacity to serve 600 children in San Diego county.

#### Extension Request

DHCS is requesting continued Section 1115 waiver expenditure authority to operate The Rady’s California Children’s Services Pilot through December 31, 2021.

### Section 3.13 – Program of All-Inclusive Care for the Elderly

The Program of All-Inclusive Care for the Elderly (PACE) is a fully integrated Medicare and Medicaid delivery model that coordinates and provides all needed preventive, primary, acute



and long-term care services for eligible participants to continue living in the community. There are 22 PACE programs in operation across California. The PACE model of care is designed to provide a comprehensive medical/social service delivery system using an interdisciplinary team approach in a PACE Center that provides and coordinates all needed preventive, primary, acute and long-term care services. Counties that provide Medi-Cal services through a County Organized Health System (COHS) are the sole source for Medi-Cal services in that county. In order for a PACE organizations to operate a third party PACE organization in a COHS county, the PACE organization must seek county board of supervisor, DHCS and CMS approval, as approved through the 1115 waiver. DHCS currently has two PACE organizations approved to operate in Humboldt and Orange Counties and seeks to extend that authority in this request.

#### **Section 4 – Demonstration Evaluation Results to Date**

As required under the terms and conditions of the Medi-Cal 2020 Waiver, California engaged independent research organizations to evaluate the performance of a number of Medi-Cal 2020 programs, including PRIME, WPC, the GPP, DMC-ODS, Out-of-State Former Foster Care youth, SPD, DTI, and CCS. The overall results of these evaluations demonstrate that Medi-Cal 2020 has experienced significant success in achieving its stated aims, including driving delivery system reform, and improving access and quality of care, particularly for high-need beneficiaries.

##### **PRIME and WPC**

An interim evaluation of the PRIME Program, conducted by the UCLA Center for Health Policy Research and published in August 2019, found that during the demonstration period, hospitals participating in PRIME achieved advancements in reporting on their quality improvement metrics across the board. In addition, they achieved success in administrative capacity and personnel, electronic health record (EHR) content and functioning, use of tools such as registries and telehealth to manage patients and increase access, coordination with external providers, and synergies with other initiatives and programs that were concurrently implemented, such as WPC.

The state engaged the UCLA Center for Health Policy to conduct an evaluation of the WPC program as well. In an interim evaluation, published in September 2019, the researchers found that in the two years since the Program’s inception in January 2017, the WPC Pilots had already made progress in improving data sharing infrastructure, including implementing tools to coordinate care in real time and maintain a shared care plan, accessible to multiple service providers. Due to effective outreach, communication, and service delivery, Pilots saw significant growth in WPC enrollment with limited churn and high levels of retention of enrollees. Between January 1, 2017 and December 2018, Pilots collectively enrolled 108,667 unique individuals and experienced limited churn, with nearly half (49 percent) of enrollees staying continuously enrolled and only 7 percent of enrollees enrolling and disenrolling multiple times.

There were positive findings with respect to service delivery as well: all the Pilots provided care coordination and housing services and the researchers found that the services delivered by the Pilots were frequently aligned with the needs of the target population. To deliver care



coordination, the Pilots had successfully formed care coordination teams, standardized protocols to foster consistency in care coordination activities, and at times, incorporated financial incentives to promote a high level of performance from external partners. Most importantly, the researchers found that the services the Pilots delivered were positively impacting care for enrollees, as evidenced by improved rates of follow-up after hospitalization for mental illness, initiation and engagement in alcohol and SUD treatment, timely provision of comprehensive care plans, and use of suicide risk assessments.

The positive results from the PRIME and WPC interim evaluations suggest that providing the core benefits of PRIME and WPC—including intensive care coordination, case management, and linkage to social supports—on a statewide basis through integration on the enhanced care management and in lieu of services benefits into the managed care delivery system, as the State proposes under CalAIM, is likely to improve care and health outcomes for beneficiaries, particularly those with complex physical, behavioral, and social needs.

### GPP Evaluation

As required under California’s Medi-Cal 2020 Demonstration, DHCS engaged an independent evaluator (the Rand Corporation) to conduct a midpoint and final evaluation of the GPP in accordance with the CMS-approved evaluation plan.

In its final evaluation report, released in 2019, the Rand Corporation found that the GPP has been successful in incentivizing a shift toward more value-based cost-effective care for the uninsured.

Key findings include:

- *Improvements in infrastructure.* Since the commencement of the GPP, PHCSs reported implementing a range of the Program’s designated improvement strategies to enhance their system infrastructures to achieve Program goals. All 49 health system improvement strategies were used by at least one PHCS and most PHCSs implemented at least one improvement strategy from each of the seven domains. The report noted that the GPP’s quarterly payment schedule has provided greater predictability for PHCSs, enabling the delivery system and infrastructure investments the researchers observed.
- *Shift toward high-value care.* Trends in utilization show that over the demonstration, PHCSs shifted care from inpatient medical and surgical services and emergency room visits toward outpatient non-emergent services. For non-behavioral health services, there was an increase in points earned for outpatient non-emergent services overall (12% increase) and for nine of the twelve PHCSs individually. There was a concomitant decrease in points earned for both inpatient medical and surgical services (15% decrease overall and for seven of the twelve PHCSs individually) and emergency room visits (14% decrease overall and for eight of the twelve PHCSs individually). The researchers found unexpected changes in utilization of behavioral health services—





specifically a 4% decrease in outpatient mental health and SUD treatment services and a 21% increase in inpatient behavioral health—but also a favorable decrease of 14% in the use of mental health emergency room and crisis stabilization services.

- *Increases in care for the uninsured.* There was a more than six-percent increase in the number of uninsured patients served by the PHCSs, suggesting that the GPP is increasing access to care for the uninsured.
- *PHCSs report progress.* The PHCSs reported that their participation in the GPP has led to improvements in patient experience, care coordination, tailoring of patient care to the clinically appropriate setting, and wise allocation of resources. In addition, PHCS leaders were consistent in reporting a moderate to substantial association between strategy use and the third assessed outcome, “now being a part of your overall culture,” across six of the seven health strategy domains.

Overall, the researchers found that the GPP is a promising and sustainable program that has been effective in promoting value-based cost-effective care for the uninsured in California.

### DMC-ODS Evaluation

As required under California’s Medi-Cal 2020 demonstration, DHCS also engaged the UCLA Integrated Substance Abuse Programs to assess the DMC-ODS Program in accordance with the CMS-approved evaluation plan. The evaluation report was issued on September 16, 2019 based on data collected in 2018 and early 2019, with earlier periods used for comparison purposes where available.

In the report, the UCLA researchers find that the DMC-ODS Program has increased access to and improved the quality of SUD treatment services in implementing counties and in Calendar Year 2018, more than 107,000 patients accessed DMC-ODS services. In the first five months after counties launched their DMC-ODS programs, the number of patients accessing DMC-ODS services increased on average by 20 percent (after standardizing by county implementation date). More than 80 percent of county administrators reported the DMC-ODS waiver increased access to SUD services in their county. The change in the number of patients accessing services varied by county and while some counties showed little change, 12 of the 19 counties included in the UCLA evaluation had clear increases—doubling the number of patients accessing services in one county.

With respect to quality, DMC-ODS patients rated the quality of services as high and county administrators reported that implementing the evidence-based criteria associated with DMC-ODS was getting easier over time and that the DMC-ODS had positively impacted quality improvement efforts. The researchers found that most patients (84.7 percent) were referred to the level of care indicated by their ASAM criteria screenings or assessments, and most of the referred patients (72.3 percent) went on to receive treatment at the providers to which they were referred within 30 days of their initial screening or assessment. Both providers (78.2 percent) and patients (87.2 percent) suggested that patients participated in the development of



their treatment plans and goals, indicating that the Program is achieving its goal of providing patient-centered care.

County administrators reported that the DMC-ODS Program has improved collaboration and communication across the physical, mental health, and SUD treatment systems. That said, their survey responses indicated that integration was occurring only “somewhat well,” indicating an opportunity for further progress in this area. DHCS expects that during the next demonstration period, county programs will continue to build on the progress they made in cross-system integration during the expiring waiver period. As described in Section 7 below, DHCS has developed a robust plan for monitoring performance in this area and will continue to support county pilots in their efforts to increase cost-system collaboration.

In addition to cross-system integration, the report identified a number of areas to target for improvement going forward including continuing to increase the pool of qualified SUD treatment providers, addressing provider difficulties in billing and receiving payment for prescribing MAT, and expanding youth treatment and withdrawal management services. As part of CalAIM, DHCS has developed a strategy for driving improvements in these areas that will include:

- The provision of additional billing guidance to providers, including guidance related to billing for MAT services;
- Minor fixes to the program, described above (and proposed to be amended in the year-long waiver extension period);
- New initiatives designed to expand youth treatment and withdrawal management services; and
- Broad system reforms, including payment reform, streamlining medical necessity criteria and behavioral health integration for specialty mental health and substance use disorder treatment.

## DTI Evaluation

As required under California’s Medi-Cal 2020 Demonstration, DHCS engaged an independent evaluator (Mathematica) to conduct a midpoint and final evaluation of the DTI in accordance with the CMS-approved evaluation plan. Due to unanticipated delays, the Mathematica contract was executed August 2018 instead of late 2017. The scope of the evaluation centered around conducting qualitative interviews as well as collecting DHCS provided survey data from Medi-Cal dental providers, beneficiaries, and stakeholders, as well as providing impact analyses on program metrics.

Mathematica submitted its interim report in September 2019 which was published in January 2020. It contained interviews conducted with stakeholders in Spring 2019 as well as DHCS datasets covering January 2017 – June 2019. Data findings were incomplete due to the expansion of Domain 2 and Domain 3 to additional pilot counties effective January 1, 2019, as



well as delays in Domain 4 implementation. Some of the preliminary evaluation findings include:

- Domain 1, a statewide initiative, had 12 counties where no payments were made in Program Year (PY) 2. There were two counties where payments were less than \$2,000.
- Domain 2 had lower than anticipated provider participation, with 163 total opt-in providers with the majority of providers operating in three counties.
- Domain 3 had 70 percent of dental offices earning incentive payments for approximately 260,000 beneficiaries.

The second part of the interim evaluation involved obtaining perceptions and experiences of stakeholders and providers, which yielded mixed results. Mathematica was challenged with locating participating providers for the survey despite a DHCS sponsored letter and managed to secure only 10 providers of the desired 47 during the data collection timeframe. Researchers used standardized interview protocols that were primarily open-ended questions, specifically tailored for the varied roles within the dental space such as providers, provider associations, the state, Dental Managed Care plans, and other stakeholders.

The feedback was varied, with some of the constructive feedback echoing past sentiments such as low reimbursement rates, administrative burdens, and lack of cultural education on oral health as well as socioeconomic factors. The encouraging feedback cited parallel initiatives such as various incentive payment programs that supplement base payments and encourage provider enrollment as well as Smile, California and Local Oral Health Programs. Furthermore, stakeholders appreciated the focused approach on children's preventive services, citing how mandatory procedures for specific domains such as nutritional and motivational counseling was critical to change behaviors.

As an overall policy, Mathematica noted that stakeholders interviewed during the period leading up to the interim report viewed DTI as a promising valued-based model, however, cited areas needing improvement including expanding focused statewide outreach and program administration. Stakeholders voiced that the state could benefit from partnering with medical providers and other organizations to help with outreach efforts as well having targeted outreach to families, specifically pregnant women, to immediately foster parent/child awareness. Stakeholders also voiced concerns regarding administrative burdens associated with provider enrollment applications and treatment authorization request requirements.

While the evaluation work to date was completed before the increased utilization that occurred as a result of the expansion of Domains 2 and 3 and the implementation of Domain 4, Mathematica's final evaluation report will provide a thorough analysis on all-encompassing DTI data, including an analysis of the 13 LDPPs in Domain 4. Mathematica will use Medi-Cal administrative data to conduct a multivariate analysis on the early impacts of DTI by analyzing trends in utilization of preventive services among the target population.

## Other Evaluations



Because the many waiver programs included in California’s 1115 demonstration have different timeframes, structures, and funding streams, the evaluation designs and timelines for the programs also vary. There are a number of programs for which the Interim Evaluation Reports have been provided, but the majority are still in the evaluation design phase, so the ability to identify and synthesize outcomes and results is limited. All of the state’s evaluation materials are available on the DHCS website.

## **Section 5 – Medi-Cal 2020 Demonstration Extension Evaluation**

The state proposes to continue its current evaluation of the Medi-Cal 2020 1115 waiver demonstration into the 12-month extension period and extend the deadline for the final evaluation to December 31, 2022. This includes the ongoing evaluations for all program components, including DMC-ODS. Adjustments will be made to the DMC-ODS evaluation design to comport with more recent CMS guidance released after California’s evaluation design was complete at the conclusion of the extension period. The state is not requesting to extend the evaluation period for Seniors and Persons with Disabilities (SPD) or PRIME, as those programs are being discontinued.

## **Section 6 – Demonstration Financing and Budget Neutrality**

### **Whole Person Care Pilot Funding**

In order to sustain the WPC program at current levels, \$300 million in federal matching funds would be needed for the 12 month extension period. In addition, DHCS requests the authority to retain the right to distribute rollover funds among the WPC pilots for an additional 12 months.

### **GPP Funding**

The state’s existing DSH allotment is predominantly allocated under GPP to make payments to participating PHCSs that provide services to the uninsured. During the additional GPP extension year, the state is requesting that FFP be available for the GPP up to the amount equal to the state’s entire DSH allotment as set forth in section 1923(f) of the Social Security Act and adjusted as described in subparagraphs (a) and (b) below (“Adjusted DSH”). In order to align DSH amounts with each SFY, the state’s DSH allotment for the federal fiscal year that commences in the SFY will be used.

- (a) A portion of California’s DSH allotment shall be set aside for those California DSH facilities that do not participate in the GPP. The methodology for the set aside is identified in Attachment NN (DSH Coordination Methodology).
- (b) If reductions to California’s DSH allotment are required by section 1923(f)(7) of the Social Security Act, the amount of the DSH allotment attributable to GPP in the additional PY shall be reduced consistent with CMS guidelines.

The total computable annual limits for GPP PYs 6B & 6C payments will not exceed the limit set forth below:



- GPP PY 6B (CY 2021) – Adjusted DSH = approximately \$2.5 billion

### GPP Budget Neutrality

GPP is currently funded by the Adjusted DSH methodology and uncompensated care Safety Net Care Pool funding outlined in Attachment NN and STC 170. DHCS is proposing to continue to fund GPP in the extension with using the Adjusted DSH methodology and uncompensated care Safety Net Care Pool funding. To maintain budget neutrality, the state will not make DSH payments to hospitals authorized to participate in the GPP.

### DMC-ODS Financing Structure

Financing for the DMC-ODS Program is currently governed by a certified public expenditure (CPE) protocol approved under California's Medi-Cal 2020 waiver.

### DTI Continuation

The state is requesting an extension of the Designated State Health Programs (DSHP) authority in order to continue operation of domains 1, 2, and 3 of the Dental Transformation Initiative for an additional 12 months.

### Budget Neutrality Calculation

The current budget neutrality reporting requirements and eligibility groups for reporting are defined in STC 182 and rules around budget neutrality reporting, including categories that are not subject to the budget neutrality cap are contained within STCs 183-193. The budget neutrality calculation is defined in STCs 194-203 and Attachment K.

DHCS is proposing to continue to exempt the current categories that are not subject to the budget neutrality calculation as stated as hypothetical populations in STCs 182, 183, and 197. This includes, CBAS, the new adult group, DMC-ODS, Health Homes, and Out-of-State Former Foster Youth. DHCS also seeks to continue the removal of the Private Hospital Directed Payment and Hospital Quality Assurance Fee pass-through payments from the budget neutrality calculation.

DHCS is proposing to continue the growth trends in the without waiver calculation stated in STC 197(a)(v.) for purposes of the budget neutrality calculation and continuing the Limit B Total Computable IP Unspent Public Hospital amount of \$863,054,068 defined in STC 197(b) for an additional year. DHCS also proposes to freeze the savings phase-out percentages at the levels they were in DY 5 stated in STC 197(f) and the authority to rollover any unspent allocation from WPC, GPP, DTI/DSHP, and IHS uncompensated care from DYs 1-5 to the extension year.

DHCS also requests additional changes to the budget neutrality calculation for the extension period. DHCS requests not to be subject to the Duals Demo Savings reduction defined in STC 198. DHCS also requests to be able to remove expenditures from DY 1-5 and continue in the extension year related to costs for other approved managed care directed payments that were not included in the original 1115 Waiver STCs since they were not established until after waiver



approval and these expenditures are captured in the with waiver budget neutrality calculation. This will allow directed payments to be treated as pass-throughs and not subject to budget neutrality.

## **Section 7 – List of Proposed Waivers and Expenditure Authorities**

For the duration of the proposed one-year extension, DHCS intends to maintain the relevant waiver and expenditure authorities approved under the Med-Cal 2020 demonstration (last updated December 22, 2017), as described below. Please note that the expenditure authority for the PRIME program has been removed based on the proposed changes described herein, effective July 1, 2020.

### **Waiver Authorities**

Under the authority of Section 1115(a)(1) of the Social Security Act (the Act), the following waivers shall enable California to continue operating the Medi-Cal 2020 demonstration through December 31, 2021.

#### **1. Freedom of Choice – Section 1902(a)(23)(A)**

To enable the state to require participants to receive benefits through certain providers and to permit the State to require that individuals receive benefits through managed care providers who could not otherwise be required to enroll in managed care.

To enable the state to require that individuals who elect to receive Health Home Program (HHP) services (under the state plan) are restricted to the Medi-Cal managed care plan offered by the HHP provider to receive covered services other than family planning services.

No waiver of freedom of choice is authorized for family planning providers.

#### **2. Disproportionate Share Hospital (DSH) requirements – Section 1902(a)(13)(A) (insofar as it incorporates Section 1923)**

To exempt the State from making DSH payments, in accordance with Section 1923, to a hospital which qualifies as a disproportionate share hospital during any year for which the Public Health Care System with which the disproportionate share hospital is affiliated receives payment pursuant to the Global Payment Program.

#### **3. Statewideness – Section 1902(a)(1)**

To enable the state to operate the demonstration on a county-by-county basis and to provide managed care plans only in certain geographic areas.

To enable the state to provide Drug Medi-Cal Organized Delivery System (DMC-ODS) services to individuals on a geographically limited basis.

To enable the state to authorize Whole Person Care (WPC) pilots and to provide WPC services to individuals on a geographically limited basis.



To enable the state to authorize the Health Homes Program and to provide HHP services to individuals on a geographically limited basis.

To enable the state to authorize Dental Transformation Incentive (DTI) program pilots and to provide DTI services to individuals on a geographically limited basis.

#### 4. Amount, Duration, and Scope of Services and Comparability – Section 1902(a)(10)(B)

To enable the state to provide different benefits for low-income pregnant women between 109 percent up to and including 138 percent of the Federal Poverty Level, as compared to other pregnant women in the same eligibility group.

To enable the state to authorize WPC pilots which may make available certain services, supports or interventions to certain high-risk, vulnerable populations targeted under an approved WPC pilot program that are not otherwise available to all beneficiaries in the same eligibility group.

To enable the state to provide certain services, supports and other interventions to eligible individuals with substance use disorders under the DMC-ODS program that are not otherwise available to all beneficiaries in the same eligibility group.

To enable the state to provide certain services, supports and other interventions to eligible individuals under the DTI program that are not otherwise available to all beneficiaries in the same eligibility group.

#### Expenditure Authorities

Under the authority of section 1115(a)(2) of the Act, expenditures made by California for the items identified below, which are not otherwise included as expenditures under section 1903 of the Act shall, for the period of this demonstration extension, be regarded as expenditures under the state's title XIX plan. The expenditure authority period of this demonstration extension is from the effective date identified in the extension approval letter through December 31, 2021.

The expenditure authorities listed below promote the objectives of title XIX in the following ways:

- Expenditure authorities 1, 2, 3, and 4 promote the objectives of title XIX by increasing access to, stabilizing, and strengthening providers and provider networks available to serve Medicaid and low-income populations in the state.
- Expenditure authorities 1 and 4 promote the objectives of title XIX by increasing efficiency and quality of care through initiatives to transform service delivery networks to support better integration, improved health outcomes, and increased access to health care services.



- Expenditure authorities 3, 4, 5, 6, 7, and 8 promote the objectives of title XIX by improving health outcomes for Medicaid and other low-income populations in the state.

The following expenditure authorities shall enable California to implement the one-year extension of the Medi-Cal 2020 Demonstration. All Medicaid requirements apply to expenditure authority 4, 5, 6, and 7 (except as inconsistent with those authorities or except as provided herein or as set forth in the extension STCs).

#### 1. Global Payment Program for Public Health Care Systems.

Expenditures for payments to eligible PHCSs, subject to the annual expenditure limits set forth in the STCs, to support participating providers that provide care for the uninsured under the value-based global budget structure set forth in the STCs.

#### 2. Designated State Health Care Programs (DSHP).

Expenditures for costs of designated programs which are otherwise state-funded, subject to the terms and limitations set forth in the STCs for the following programs:

- AIDS Drug Assistance Program (ADAP)
- Breast & Cervical Cancer Treatment Program (BCCTP)
- California Children Services (CCS)
- Department of Developmental Services (DDS)
- Genetically Handicapped Persons Program (GHPP)
- Medically Indigent Adult Long Term Care (MIA-LTC)
- Prostate Cancer Treatment Program (PCTP)
- Song Brown Health Care Workforce Training
- Mental Health Loan Assumption Program (MHLAP)
- Steven M. Thompson Physician Corps Loan Repayment Program (STLRP)

#### 3. Uncompensated Care for Indian Health Service (IHS) and tribal facilities.

Expenditures for supplemental payments to support participating IHS and tribal facilities that incur uncompensated care costs associated with services for which Medi-Cal coverage was eliminated by SPA 09-001 that are furnished by these providers to individuals enrolled in the Medi-Cal program.

#### 4. Delivery System Transformation and Alignment Payments.

Expenditures for the following payments for Delivery System Transformation and Alignment.

- A. **Whole Person Care (WPC) Pilots.** Expenditures for payments to entities operating an approved WPC pilot program. Such expenditures may include payments for services,





supports, infrastructure and interventions, which may not be recognized as medical assistance under Section 1905(a) or may not otherwise be reimbursable under Section 1903, to the extent such services, supports, infrastructure and interventions are authorized as part of an approved WPC pilot program.

- B. **Dental Transformation Incentive Program.** Expenditures for incentive payments to eligible dental providers that achieve dental transformation objectives set forth in the STCs for Domain 1-3.

#### 5. Expenditures Related to Community Based Adult Services (CBAS).

Expenditures for CBAS services furnished to individuals who meet the level of care or other qualifying criteria.

#### 6. Expenditures Related to Low Income Pregnant Women.

Expenditures to provide post-partum benefits for pregnant women with incomes between 109 percent up to and including 138 percent of the Federal Poverty Level (FPL), that includes all benefits that would otherwise be covered for women with incomes below 109 percent of the FPL.

#### 7. Expenditures Related to the Drug Medi-Cal Organized Delivery System (DMC-ODS).

Expenditures for services not otherwise covered that are furnished to otherwise eligible individuals who are DMC-ODS beneficiaries, including services for individuals who are short-term residents in facilities that meet the definition of an Institution for Mental Disease. These facilities include, but are not limited to, Free Standing Psychiatric treatment centers, Chemical Dependency Recovery Hospitals, and DHCS licensed residential facilities for residential treatment, and withdrawal management services.

#### 8. Expenditures Related to Out-of-State Foster Care Youth.

Expenditures to extend eligibility for full Medicaid state plan benefits to former foster care youth who are under age 26, were in foster care under the responsibility of another state or tribe in such state on the date of attaining 18 years of age or such higher age as the state has elected and were enrolled in Medicaid on that date.



## Section 8 – Stakeholder Engagement and Public Notice

In accordance with the requirements of 42 C.F.R. § 431.408, DHCS [released](#) its draft Medi-Cal 2020 Section 1115 waiver demonstration extension request and [posted](#) a public notice and [tribal notice](#) on July 22, 2020. The required 30-day public comment period ran from July 22-August 21, 2020. DHCS also posted an [abbreviated notice](#) in the California Regulatory Notice Register on July 31, 2020.

During the public comment period, DHCS hosted several virtual engagements to enable stakeholders to provide input on the state’s 12-month waiver extension request. On July 29, DHCS hosted a webinar for tribal and Indian health program designees with 88 attendees. Due to restrictions on public gatherings caused by the COVID-19 public health emergency, DHCS hosted the two required public hearings, via webinar, on August 7 and August 10, 2020. DHCS complied with all accessibility requirements for enabling individuals with disabilities to participate in the public hearings. Four hundred and thirty-two members of the public attended the August 7 meeting and 368 members of the public attended the August 10 meeting. Members of the public were encouraged to submit comments in writing to a dedicated email inbox and through the mail, in order to more fully capture feedback on the proposal.

Between all venues, DHCS received 291 unduplicated public comments on the state’s Medi-Cal 2020 Section 1115 waiver extension request. Below is a summary table providing a quantitative analysis of comments submitted, followed by a narrative summary of the issues that were raised, and a brief statement on DHCS’ response to the comments. The summary table includes duplication, as some commenters covered multiple topics.

**Public Comment Summary Table**

Subject	Details
General support for Medi-Cal 2020 Section 1115 Waiver Extension	DHCS received nearly 200 letters of support for the 12-month extension. Many of the letters noted support for specific programs, including the Whole Person Care (WPC) pilots and Global Payment Program (GPP).
Dental Transformation Initiative (DTI)	DTI received strong support. DHCS received nearly two hundred comments in support of DTI. These same commenters also asked for the state not to discontinue Domain 4 in order to provide more time to assess the effectiveness of the initiative.
Drug Medi-Cal Organized Delivery System (DMC-ODS)	Letters commenting on DMC-ODS supported the program and offered the following feedback:



Subject	Details
	<ul style="list-style-type: none"> <li>• Strong support for removing the limitation on the number of residential treatment episodes that can be reimbursed in a one-year period, with one commenter raising concerns with this change;</li> <li>• Considerations and concerns regarding the 30-day average length of stay goal for residential treatment; and</li> <li>• Implementation considerations regarding reimbursement for services rendered prior to diagnosis, including requests for clarification of state documentation and claiming protocols.</li> <li>• Recommendation to mandate adoption of DMC-ODS in all counties.</li> </ul>
Full Scope Medi-Cal for Low-Income Pregnant Women	<p>Two letters provided specific comments related to this topic, offering the following feedback:</p> <ul style="list-style-type: none"> <li>• Suggestion to streamline county-by-county structure for consistency in service delivery;</li> <li>• Clarify that the waiver extends eligibility for Full-Scope Medi-Cal under the adult expansion category to pregnant women with income over 109% through 138%; and</li> <li>• Confirm that to preserve continuity of care, the Department allows pregnant and postpartum women to remain with an established fee-for-service provider through the end of the month in which 90 days postpartum occurs, if the woman so chooses</li> </ul>
MCO Pharmacy Benefit	One commenter objected to the state’s plan to carve-out the pharmacy benefit
Opposed to the waiver extension	One commenter opposed the waiver extension, particularly for DMC-ODS.

### General Support for 12-Month Extension of Medi-Cal 2020

The 12-month Section 1115 waiver extension proposal received overwhelming support from California’s stakeholder and provider communities. The state’s ongoing public health emergency has caused a significant and sustained disruption to California’s overall health care delivery system, as well as its economy, and commenters uniformly supported the state’s



request to delay major program changes. Providers have not been able to prepare for CalAIM implementation given the focus and attention needed to respond to the COVID-19 emergency. In addition, the economic impact of the stay-at-home order in California and other states has been significant.

Many of the commenters mentioned strong support for the continuation of particular programs including the Whole Person Care Pilots, the Global Payment Program, and the Dental Transformation Initiative.

Whole Person Care Pilots. Many commenters specifically noted their support of the Whole Person Care (WPC) pilot program. WPC has enabled over 177,000 individuals, many of whom experience homelessness, involvement in the criminal justice system, and multiple chronic conditions, access to coordinated care and social services. Additionally, during the COVID-19 public health emergency, WPC pilots quickly shifted gears to support the state's COVID-19 response, including ensuring access to rapid testing and access to hotel rooms for homeless and sheltered individuals who had or were exposed to COVID-19. Finally, through the extension, DHCS believes that WPC pilots have a unique opportunity to focus on and proactively address populations who have been disproportionately affected by the public health emergency

Global Payment Program (GPP). The GPP has enabled health systems to shift toward primary and preventive care and away from emergency departments, providing access to services for the uninsured, increasing individuals' access to care through non-traditional services, and supporting telehealth. These critical services are more important than ever given the public health emergency.

- **DHCS Response:** The state appreciates the support for these critical programs and will continue to include them in the 12-month extension request.

### Drug Medi-Cal Organized Delivery System (DMC-ODS)

Five years after the DMC-ODS demonstration was approved by CMS, California has made tremendous progress in building a comprehensive organized delivery system for Medi-Cal beneficiaries struggling with addiction. Thirty-seven counties currently participate in DMC-ODS providing access to SUD treatment services for 96% of the state's Medi-Cal population. But there is still more work to be done to ensure that beneficiaries have access to the full continuum of care needed to support long-term recovery.

Multiple commenters expressed their strong support for removing the limitation on the number of residential treatment episodes that can be reimbursed in a one-year period. Stakeholders also submitted considerations and concerns regarding the 30-day average length of stay goal for residential treatment. In particular, several commenters asserted that longer stays in residential treatment are associated with better outcomes for beneficiaries and that the length of stay should be determined by each clients' unique clinical needs. Alternatively, one commenter expressed concerns with this proposed change, asserting that removing the



two episode per year limitation on residential treatment will incentivize inappropriate use of residential treatment, including when community-based services are more appropriate.

Additionally, a few commenters submitted questions and technical considerations for implementation of the proposed change to clarify that reimbursement is available for SUD assessment and treatment before a definitive diagnosis is determined. This includes providing state-level guidance to clarify required documentation and claiming protocols and assure alignment with existing state regulations related to medical necessity determination and treatment planning.

Finally, at least one commenter recommended that DHCS mandate adoption of DMC-ODS in all counties, which would represent a shift from the current approach to the pilot where counties meeting readiness standards have the opportunity to participate on an optional basis.

- **DHCS Response:** No changes have been made to the proposed policies included in this waiver extension request regarding residential treatment limitations. DHCS acknowledges the strong support for removing the limitation on the number of residential treatment episodes that can be reimbursed in a one-year period. DHCS appreciates the considerations and concerns raised related to the goal of a 30-day average length of stay and recognizes that some beneficiaries may need longer stays in order to meet their unique treatment needs based on their individualized treatment plan. The DMC-ODS program requires the use of nationally recognized ASAM placement criteria to assess and determine the appropriate level of care needed to treat an individual's SUD. DHCS is committed to working with counties, evaluators, and quality oversight monitors to track progress towards this goal while assuring beneficiary access to necessary treatment based on the ASAM Criteria. DHCS believes that this policy change to remove the two episode limitation will better allow counties and providers to authorize and deliver treatment based on the ASAM placement criteria that accounts for each beneficiary's individual risks, strengths, skills, and resources. In regard to the concern raised that removing the two episode limitation could incentivize inappropriate use of residential treatment, DHCS believes that both the use of the ASAM placement criteria and also the program's utilization management structure requiring prior authorization for residential treatment adequately addresses this concern related to inappropriate utilization.

In regard to the considerations related to state and local implementation of the proposed change to clarify that reimbursement is available for SUD assessment and treatment before a definitive diagnosis is determined, DHCS plans to continue to engage with stakeholders to develop and disseminate guidance and clarify state law, as necessary. The state also seeks to make other, technical clarifications to how medical necessity for DMC-ODS services is determined, including the role of various staff, the use of telehealth, and others, to support effective local implementation.



Finally, regarding mandating statewide adoption of DMC-ODS, no changes are proposed at this time. DHCS believes that a phased approach to pilot implementation properly reflects the relative level of county authority in the Drug Medi-Cal setting, accounts for issues of individual county readiness, and also allows lessons learned from early adopters to inform continuous program improvement. DHCS will continue to work with counties not yet participating to explore opportunities for participation in the future. DHCS intends to provide counties another opportunity to opt-in to participate in the DMC-ODS in hopes of promoting statewideness and providing access to the remaining 4% of the state's residents.

### Dental Transformation Initiative (DTI) – Domain 4

DHCS received nearly 200 comments supporting the extension of the DTI and challenging the state's initial proposal to discontinue the work under Domain 4 of the initiative. LDPPs and the counties and providers that support them request that Domain 4 be included in the waiver extension request in order to allow more time to evaluate the effectiveness of the programs. LDPPs contended that they got off to a late start but were picking up momentum in early 2020 until their work was disrupted by the COVID-19 public health emergency. Commenters also noted that throughout the public health emergency, some LDPPs found ways to continue to provide care to populations especially impacted by COVID-19.

**DHCS Response:** DHCS acknowledges there was a significant response in support of DTI and specifically for continuing Domain 4. However, after a great deal of consideration, DHCS has determined not to include Domain 4 in this 12-month waiver extension request. DHCS reached this difficult decision based, in part, on LDPPs not being able to meet self-developed metrics and having significant amounts of unexpended contract allocations. In addition, DHCS has determined that it lacks sufficient projected DSHP expenditures in the extension year to fully fund all four DTI domains. DHCS is prioritizing the finite DSHP funding authority for the continuation of Domains 1-3.

### Full Scope Medicaid for Low-Income Pregnant Women

One commenter suggested clarifications in the proposal language regarding full scope Medi-Cal for Low-Income Pregnant Women. The commenter asked that the state clarify that the waiver extends eligibility for Full-Scope Medi-Cal under the adult expansion category to pregnant applicants with income over 109% through 138% in order to avoid changes in eligibility and delivery system after a pregnancy is reported and thus to preserve continuity of care during pregnancy and the postpartum period to avoid the implication that without the waiver low-income pregnant women would be uninsured. The commenter also asked for the state to clarify that the state allows pregnant and postpartum women to remain with an established fee-for-



service provider through the end of the month in which 90 days postpartum occurs, if the woman so chooses.

- **DHCS Response:** The Section 1115 waiver language clearly states that eligibility extends to applicants with incomes over 109% through 138% of the FPL in order to avoid changes in eligibility and delivery system after a pregnancy is reported. Additionally, this coverage group is not under the adult expansion category, rather the state sought to align the income ceiling for this population with that of the adult expansion coverage group. Also, the waiver clearly states that eligible pregnant women are required to enroll in a Medi-Cal managed care plan unless they opt to remain with their physician in fee-for-service throughout their pregnancy and postpartum period. In accordance with both state and federal requirements, benefit continuation is 60 days post-partum for enrolled women in pregnancy only coverage. No changes have been made to this proposal.

### MCO Pharmacy Benefit Carve-Out

One commenter objected to the state's proposed carve-out of the pharmacy benefit, arguing that it will not lead to the savings noted in the extension request and that the carve-out will negatively impact FQHCs that rely on the savings they retain from the 340B program.

- **DHCS Response:** For purposes of the extension and the impending pharmacy carve out from managed care to fee-for-service, effective January 1, 2021, DHCS must remove pharmacy services from the managed care list of capitated covered benefits within the waiver. Further, DHCS has removed the impact of the pharmacy carve out on budget neutrality from the extension request.