



Department
of Health

Office of
Mental Health

Office of Addiction
Services and Supports

Office of Children
and Family Services

Office for People With
Developmental Disabilities

State Discussion with Children's Waiver HCBS Providers

February 2022

Purpose

- To have an open dialogue between the State and HCBS Providers to communicate issues and concerns.
- HCBS Providers to have the ability to discuss barriers and be a part of the problem-solving discussion.
- The State to have the ability to share upcoming changes, guidance, information, and to obtain feedback directly from the HCBS Providers.



Agenda

- ✓ Enhanced FMAP
- ✓ Waiver Renewal (effective 4/1/2022)
- ✓ Children's Services Capacity Tracker
- ✓ Case Review Waiver Year 21-22
- ✓ HCBS Provider Designation and Attestation
- ✓ Feedback regarding supports HCBS Providers need (policy/guidance, training, other requests, etc.)
- ✓ Future Meetings & Contact Information



Enhanced FMAP

February 2022

eFMAP Kid's Activities – Spend Plan Updates

- As mentioned, the American Rescue Act for the Public Emergency allows NYS to receive additional funding called “enhanced Federal Medical Assistance Percentages (eFMAP)”.
 - This additional funding is to enhance services and service delivery to children and families
- NYS will be increasing service rates retroactively for previous claimed services back to April 1, 2021, and continue funding until September 30, 2022, for HCBS.
 - HCBS rate increase have been approved, as has the Appendix K
 - Medicaid Managed Care Plans have been notified to ensure their systems are in place
 - Members that were/are Fee-for-Service, eMedNY will retro pay
 - Date of Service must be on or after April 1, 2021



eFMAP Kid's Activities – Spend Plan cont.

- Recently, the Spending Plan for 25% rate increase for CFTSS and 29-I was approved and additional approvals from CMS are being pursued.
- An announcement to Medicaid Managed Care Plans to establish their systems to pay the increase retroactive rates will be issued shortly.
 - Medicaid Managed Care Plans must be given 60 days to adjust their systems
- CFTSS retroactive 25% will begin April 1, 2021, through September 30, 2022.
- 29-I Core Services retroactive 25% will begin July 1, 2021, through September 30, 2022.
- Additionally, Workforce and IT Infrastructure Investments have also been approved in the Spending Plan and additional CMS approvals are being pursued.
 - Guidance regarding how these funds can be utilized will be issued as well as the reporting requirements
 - The State will be allowing for flexible use of the funds per Providers needs



eFMAP Kid's Activities – Rate Enhancements

Proposal	Rate Adjustment	Targeted Providers	Effective Dates	Authority/Status
Support the Transition to Article 29-I Health Facility Core Limited Health Related Services	25% Rate Increase	Article 29-I Health Facilities	4/1/21 - 9/30/22	Emergency SPA pending approval by CMS
CFTSS Rate Adjustments	14% Rate Increase and 25% Rate Increase	CFTSS Providers	4/1/21 - 3/31/22 And 4/1/22 - 9/30/22	Emergency SPA and additional SPA pending approval by CMS
Children's Waiver HCBS Rate Adjustments	25% Rate Increase	Children's HCBS Providers	4/1/21 - 9/30/22	Appendix K has been approved by CMS



Children's Services Enhancement

Examples Included in the eFMAP Rates, Workforce, and Infrastructure

Enhanced rates for all services

Assist with student loan repayment or employee benefits

Assist with Evidence Based Practice – maintenance of training and certification

Technology enhancement

Reimbursement for IT, EVV equipment, billing vendors, etc.

Hiring bonuses

Longevity Pay



Waiver Renewal

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Children's Waiver Renewal

- The Children's Waiver Renewal was submitted to CMS in December 2021 without any substantial changes.
- Changes and/or addition of services within the Children's Waiver will be made outside the renewal and within the eFMAP.
- NYS' goal is to implement changes by obtaining the increased funding while evaluating the outcomes.
 - Successful services and any additional changes to the Children's Waiver Renewal will occur in an Amendment during the summer 2022
 - Rate adjustments beyond the September 30, 2022, eFMAP are also being assessed for implementation

More information about the Children's Waiver Renewal can be found here:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1915c_waiver_renewal.htm



Potential 1915(c) Waiver Changes

Changes Being Considered within the eFMAP and then Future Amendments

Addition of Goods and Services

Medical Respite

Transitional Care Coordination – targeting children who have been in institutions long term

Transitional Services – allowing one-time support to pay for basic need and care items

HHs designation re: modifications

Rates and guidance for face-to-face based on risk, not acuity

Higher rates for providers in rural areas

Note: These items are being included in the eFMAP so they can be fully reviewed for incorporation into the Children's Waiver future amendment – giving time for further adjustments as needed.



Children's Services Capacity Tracker

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Capacity Tracker

- The Capacity Tracker went live on January 31st, 2022.
- DOH held a webinar on January 26th, 2022, for HCBS Providers.
 - The webinar slides, FAQ, and the Children's Service Capacity Tracker User Guide have all been posted to the DOH website
 - The webinar recording will be posted shortly

The materials related to the Capacity Tracker can be found here:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/irams.htm



Purpose of the Capacity Tracker

- Report waitlist by services, by county, and by provider at a member level.
- Show availability of providers by service and by county.
- Provider availability information will be linked to the current public facing Map on the NYS DOH website.
- Indicate to providers if they have the same child/youth waiting for services.
- Notify providers if a child/youth was removed from a waitlist and reason why.
- Assist with the coordination of service delivery.

The Public Facing Map can be found here:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/provider_design.htm



Capacity Tracker Requirements

- It's required that HCBS providers report their capacity of HCBS by county, service and waitlist.
 - HCBS Providers will submit a capacity survey and their waitlist information through the Children's Services Capacity Tracker at minimum every **three (3) weeks** on Friday by 11:59pm
- CFTSS providers can access the Tracker but not currently required.
 - CFTS Services are available to report within the Tracker
 - HCBS Providers who are also CFTSS Providers are encourage to report capacity for both sets of services
- The Children's Services Capacity Tracker will already be populated with the HCBS and CFTSS agency information and services in which the provider is designated.
 - There is a relationship between the OMH Application/Designation Portal and the Children's Services Capacity Tracker
 - If the provider does not find all their designated services or concerns with information in the system, or has questions, reach out to BH.Transition@health.ny.gov
 - Please make sure your agency contact information for where referrals should be received is correct and updated with OMH: OMH-Childrens-Designation@omh.ny.gov
 - You can check your information by viewing the public facing map: https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/provider_design.htm



Capacity Tracker Requirements – cont.

- As mentioned, information entered within the Children’s Services Capacity Tracker will then assist in populating service availability to the Public Facing Map.
- Additionally, this information will be utilized by the State to collaborate with Plans, Providers, and Health Homes to identify gaps in services and assist in building capacity for services.
- It is the responsibility of Providers to ensure that capacity reports are submitted on time and have internal processes in place for the Children’s Services Capacity Tracker.
 - Children’s HCBS Providers must develop a policy to ensure complete and timely submissions of reporting
- The Department will extract reports of the Children’s Services Survey every **three (3) weeks** to monitor compliance and to share information with lead Health Homes and Medicaid Managed Care Plans.

If your agency staff are having difficulties accessing the system or reporting, please reach out to the Commerce Account Management Unit (CAMU) at camusupp@health.ny.gov



Case Review Waiver Year 21-22

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HCBS Case Review and Audit for Waiver Year 21-22

- The HCBS Children's Waiver requires meeting certain performance measures and metrics annually, as outlined in the Waiver.
- This is completed through a case review, fiscal audit, and data collections/comparison.
- For Waiver Year (WY) 2019-2020 and 2020-2021, the case reviews were completed at a Health Home and C-YES level.
- For WY 2021-2022 (4/1/21 – 3/31/22) the case review will be completed with the HCBS Providers, as well as Health Homes and C-YES.
- Any performance measure below 85% and metric below 100% requires a corrective action plan (CAP) to NYS from CMS, therefore case reviews with HCBS Providers will also receive CAP, where necessary.
- Case Reviews will begin in June of 2022 and more information will be forthcoming.



HCBS Provider Designation and Attestation

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HCBS Provider Designation and Attestation

- It is a requirement of the Children's Waiver that HCBS Providers are designated for the services they provide and obtain re-designation every three (3) years.
- At the end of 2021, NYS DOH reissued designation attestations to designated HCBS Providers to sign per their commitment to provide HCBS according to the Children's Waiver and all policies, guidance, and procedures.
- Some HCBS Providers and/or the services they were designated to provide, were de-designated due to not actively providing the service(s). NYS is trying to ensure that the public facing map with designated providers is as accurate as possible for ease to know the Providers and services available.
 - Please make sure your agency contact information for where referrals should be received is correct and updated with OMH: OMH-Childrens-Designation@omh.ny.gov
 - You can check your information by viewing the public facing map: https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/provider_design.htm
- Re-designation for a Provider or service can be completed at any time, once a Provider is ready to provide the service.



HCBS Provider Feedback & Future Meetings

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HCBS Provider Feedback

- Please provide feedback on the supports that are needed (policy/guidance, training, other requests, etc.).
- Feedback can be provided verbally or in the chat.
- If other ideas and feedback come to your mind after this meeting, please reach out to us at the BH.Transition@health.ny.gov mailbox or 518.473.5569.



Future Meetings & Agenda

- Monthly Meetings Scheduled:
 - March 16th, 2022 from 1 – 2:30pm
 - April 13th, 2022 from 1 – 2:30pm
- **Register for all these monthly meetings here:**
<https://attendee.gotowebinar.com/rt/6285227798939622667>
- NYS would like to discuss topics of interest to the HCBS providers and also hear suggestions and ideas for improvement.
- Please submit your agenda requests, suggestions, or questions to BH.Transition@health.ny.gov.



All Children's Waiver HCBS questions and concerns, should be directed to the NYS Department of Health at BH.Transition@health.ny.gov mailbox or 518.473.5569

Questions regarding the HCBS Settings Final Rule can be directed to ChildrensWaiverHCBSFinalRule@health.ny.gov



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