

Application for a §1915(c) Home and Community-Based Services Waiver

PURPOSE OF THE HCBS WAIVER PROGRAM

The Medicaid Home and Community-Based Services (HCBS) waiver program is authorized in §1915(c) of the Social Security Act. The program permits a State to furnish an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. The State has broad discretion to design its waiver program to address the needs of the waiver's target population. Waiver services complement and/or supplement the services that are available to participants through the Medicaid State plan and other federal, state and local public programs as well as the supports that families and communities provide.

The Centers for Medicare & Medicaid Services (CMS) recognizes that the design and operational features of a waiver program will vary depending on the specific needs of the target population, the resources available to the State, service delivery system structure, State goals and objectives, and other factors. A State has the latitude to design a waiver program that is cost-effective and employs a variety of service delivery approaches, including participant direction of services.

Request for a Renewal to a §1915(c) Home and Community-Based Services Waiver

1. Major Changes

Describe any significant changes to the approved waiver that are being made in this renewal application:

The division within DHS responsible for operation of the waiver, Developmental Disabilities Services Division, has undergone a name change. The division is now officially Developmental Disabilities Services (DDS). This change has been made throughout the waiver.

Updated Intermediate Care Facilities for the Mentally Retarded (ICF/MR) to Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID). This change has been made throughout the waiver.

The Medicaid Agency Oversight of Operating Agency Performance section has been updated.

The Financial Accountability section has been updated.

Person Centered Planning and Service Delivery section updated.

Critical incident reporting updated.

Transition Plan updated.

Updates related to the use of seclusion and restraints.

Quality Improvement Strategy updated.

Unduplicated number of participants and reserved capacity numbers updated.

Cost data/estimates updated throughout Appendix J.

Transition Plan updated.

Specialized Medical Supplies and Assistive Technology service definition update which removes incontinent supplies as these supplies are now covered by SoonerCare.

Supported Employment Service added for members age 16 and above.

Prevocational Service added for members age 16 and above.

Supported Employment Service and Prevocational Service added to the Rate Determination Methods Section.

Application for a §1915(c) Home and Community-Based Services Waiver

1. Request Information (1 of 3)

A. The State of **Oklahoma** requests approval for a Medicaid home and community-based services (HCBS) waiver under the authority of §1915(c) of the Social Security Act (the Act).

B. **Program Title** (optional - this title will be used to locate this waiver in the finder):

In-Home Supports Waiver for Children

C. **Type of Request:** renewal

Requested Approval Period: (For new waivers requesting five year approval periods, the waiver must serve individuals who are dually eligible for Medicaid and Medicare.)

3 years 5 years

Original Base Waiver Number: OK.0351

Waiver Number: OK.0351.R04.00

Draft ID: OK.002.04.00

D. **Type of Waiver** (select only one):

Regular Waiver

E. **Proposed Effective Date:** (mm/dd/yy)

07/01/17

Approved Effective Date: 07/01/17

1. Request Information (2 of 3)

F. **Level(s) of Care.** This waiver is requested in order to provide home and community-based waiver services to individuals who, but for the provision of such services, would require the following level(s) of care, the costs of which would be reimbursed under the approved Medicaid State plan (check each that applies):

Hospital

Select applicable level of care

Hospital as defined in 42 CFR §440.10

If applicable, specify whether the State additionally limits the waiver to subcategories of the hospital level of care:

Inpatient psychiatric facility for individuals age 21 and under as provided in 42 CFR §440.160

Nursing Facility

Select applicable level of care

Nursing Facility as defined in 42 CFR §440.40 and 42 CFR §440.155

If applicable, specify whether the State additionally limits the waiver to subcategories of the nursing facility level of care:

Institution for Mental Disease for persons with mental illnesses aged 65 and older as provided in 42 CFR §440.140

Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) (as defined in 42 CFR §440.150)

If applicable, specify whether the State additionally limits the waiver to subcategories of the ICF/IID level of care:

1. Request Information (3 of 3)

G. Concurrent Operation with Other Programs. This waiver operates concurrently with another program (or programs) approved under the following authorities
Select one:

Not applicable

Applicable

Check the applicable authority or authorities:

Services furnished under the provisions of §1915(a)(1)(a) of the Act and described in Appendix I

Waiver(s) authorized under §1915(b) of the Act.

Specify the §1915(b) waiver program and indicate whether a §1915(b) waiver application has been submitted or previously approved:

Specify the §1915(b) authorities under which this program operates (check each that applies):

§1915(b)(1) (mandated enrollment to managed care)

§1915(b)(2) (central broker)

§1915(b)(3) (employ cost savings to furnish additional services)

§1915(b)(4) (selective contracting/limit number of providers)

A program operated under §1932(a) of the Act.

Specify the nature of the State Plan benefit and indicate whether the State Plan Amendment has been submitted or previously approved:

A program authorized under §1915(i) of the Act.

A program authorized under §1915(j) of the Act.

A program authorized under §1115 of the Act.

Specify the program:

H. Dual Eligibility for Medicaid and Medicare.

Check if applicable:

This waiver provides services for individuals who are eligible for both Medicare and Medicaid.

2. Brief Waiver Description

Brief Waiver Description. *In one page or less,* briefly describe the purpose of the waiver, including its goals, objectives, organizational structure (e.g., the roles of state, local and other entities), and service delivery methods.

The In-Home Supports Waiver for Children (IHSW-C) serves individuals age 3-17 through a combination of community resources, SoonerCare services such as the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program, and waiver services. DHS/DDS Case Managers help identify concerns and coordinate, locate and secure needed services. DHS/DDS Case Managers also help families recognize natural supports that may already be available.

The purpose of the IHSW-C is to assist members in their goal to lead healthy, independent, and productive lives to the fullest extent possible; promote the full exercise of their rights as citizens of their community, State, and Country; and promote the integrity and well-being of their families. Services are provided with the goal of promoting independence through the strengthening of the member's capacity for self-care and self-sufficiency. The IHSW-C is a service system centered on the needs and preferences of the members and supports the integration of members within their communities. In addition to other eligibility requirements, to be eligible for services funded through the IHSW-C a person must reside in the home of a family member or friend, his or her own home, and have critical support needs that can be met through a combination of non-paid, non-waiver, and State Plan resources available to the member, and with Home and Community-Based Services (HCBS) waiver resources that are within the annual limit.

The Developmental Disabilities Services (DDS) of the Oklahoma Department of Human Services (DHS), through an Interagency Agreement with the Oklahoma Health Care Authority (OHCA), the State's Single Medicaid Agency, operates the IHSW-C for individuals with an intellectual disability. This waiver provides services and payment for those services that are not otherwise covered through Oklahoma's Medicaid State Plan, hereinafter referred to as SoonerCare. In-Home Supports

Waiver for Children services, when used in conjunction with non-waiver SoonerCare services and other generic services and natural supports, provide for the health and developmental needs of members who otherwise would not be able to reside in a home or community-based setting. The Waiver is operated on a statewide basis. Case Management (CM) services are provided as Targeted Case Management by employees of DHS/DDS. DHS/DDS Case Managers are located in offices throughout the state. These Case Managers assure that members are assessed and their needs are identified and documented and also coordinate the Personal Support Team (Team), as described in Appendix D-1:c, for each member.

The services and supports provided are identified by the member, his/her legal representative or family member(s) and other members of the Team, as described in Appendix D-1:c, during the meeting to develop the Individual Plan. A DHS/DDS Case Manager develops a plan of care in accordance with the DHS Individual Plan policy, Oklahoma Administrative Code (OAC) 340:100-5-53. The Individual Plan contains descriptions of the services provided, documentation of the amount, frequency and duration of services, and the types of service providers. Services are authorized based on service authorization policy, OAC 340:100-3-33 and 33.1. Services are provided by qualified provider entities who have entered into Agreements with OHCA. The DHS/DDS Case Manager assists the member to select providers of their choice. The Case Manager also coordinates and monitors the provision of these services in accordance with the Individual Plan and makes necessary changes to assure the health and welfare of the member. Members are given the option of choosing to self direct some services. Members who choose this option develop an individualized budget, with the assistance of the DHS/DDS Case Manager, for services they self direct. Each member (or their personal representative) has both employment and budget authority over the self directed services.

The Quality Assurance Unit of DHS/DDS monitors quality of services provided and monitors the satisfaction of the persons served. The OHCA audits the plans of care to ensure services are being provided in the manner required by policy.

3. Components of the Waiver Request

The waiver application consists of the following components. *Note: Item 3-E must be completed.*

- A. Waiver Administration and Operation.** Appendix A specifies the administrative and operational structure of this waiver.
- B. Participant Access and Eligibility.** Appendix B specifies the target group(s) of individuals who are served in this waiver, the number of participants that the State expects to serve during each year that the waiver is in effect, applicable Medicaid eligibility and post-eligibility (if applicable) requirements, and procedures for the evaluation and reevaluation of level of care.
- C. Participant Services.** Appendix C specifies the home and community-based waiver services that are furnished through the waiver, including applicable limitations on such services.
- D. Participant-Centered Service Planning and Delivery.** Appendix D specifies the procedures and methods that the State uses to develop, implement and monitor the participant-centered service plan (of care).
- E. Participant-Direction of Services.** When the State provides for participant direction of services, Appendix E specifies the participant direction opportunities that are offered in the waiver and the supports that are available to participants who direct their services. (*Select one*):

- Yes. This waiver provides participant direction opportunities.** *Appendix E is required.*
 - No. This waiver does not provide participant direction opportunities.** *Appendix E is not required.*
- F. Participant Rights.** Appendix F specifies how the State informs participants of their Medicaid Fair Hearing rights and other procedures to address participant grievances and complaints.
- G. Participant Safeguards.** Appendix G describes the safeguards that the State has established to assure the health and welfare of waiver participants in specified areas.
- H. Quality Improvement Strategy.** Appendix H contains the Quality Improvement Strategy for this waiver.
- I. Financial Accountability.** Appendix I describes the methods by which the State makes payments for waiver services, ensures the integrity of these payments, and complies with applicable federal requirements concerning payments and federal financial participation.
- J. Cost-Neutrality Demonstration.** Appendix J contains the State's demonstration that the waiver is cost-neutral.

4. Waiver(s) Requested

- A. Comparability.** The State requests a waiver of the requirements contained in §1902(a)(10)(B) of the Act in order to provide the services specified in **Appendix C** that are not otherwise available under the approved Medicaid State plan to individuals who: (a) require the level(s) of care specified in Item 1.F and (b) meet the target group criteria specified in **Appendix B**.
- B. Income and Resources for the Medically Needy.** Indicate whether the State requests a waiver of §1902(a)(10)(C)(i) (III) of the Act in order to use institutional income and resource rules for the medically needy (*select one*):
- Not Applicable
- No
- Yes
- C. Statewide.** Indicate whether the State requests a waiver of the statewide requirements in §1902(a)(1) of the Act (*select one*):
- No
- Yes

If yes, specify the waiver of statewide that is requested (*check each that applies*):

- Geographic Limitation.** A waiver of statewide is requested in order to furnish services under this waiver only to individuals who reside in the following geographic areas or political subdivisions of the State. *Specify the areas to which this waiver applies and, as applicable, the phase-in schedule of the waiver by geographic area:*
-
- Limited Implementation of Participant-Direction.** A waiver of statewide is requested in order to make *participant-direction of services* as specified in **Appendix E** available only to individuals who reside in the following geographic areas or political subdivisions of the State. Participants who reside in these areas may elect to direct their services as provided by the State or receive comparable services through the service delivery methods that are in effect elsewhere in the State. *Specify the areas of the State affected by this waiver and, as applicable, the phase-in schedule of the waiver by geographic area:*
-

5. Assurances

In accordance with 42 CFR §441.302, the State provides the following assurances to CMS:

- A. Health & Welfare:** The State assures that necessary safeguards have been taken to protect the health and welfare of persons receiving services under this waiver. These safeguards include:
1. As specified in **Appendix C**, adequate standards for all types of providers that provide services under this waiver;
 2. Assurance that the standards of any State licensure or certification requirements specified in **Appendix C** are met for services or for individuals furnishing services that are provided under the waiver. The State assures that these requirements are met on the date that the services are furnished; and,
 3. Assurance that all facilities subject to §1616(e) of the Act where home and community-based waiver services are provided comply with the applicable State standards for board and care facilities as specified in **Appendix C**.
- B. Financial Accountability.** The State assures financial accountability for funds expended for home and community-based services and maintains and makes available to the Department of Health and Human Services (including the Office of the Inspector General), the Comptroller General, or other designees, appropriate financial records documenting the cost of services provided under the waiver. Methods of financial accountability are specified in **Appendix I**.
- C. Evaluation of Need:** The State assures that it provides for an initial evaluation (and periodic reevaluations, at least annually) of the need for a level of care specified for this waiver, when there is a reasonable indication that an individual

might need such services in the near future (one month or less) but for the receipt of home and community-based services under this waiver. The procedures for evaluation and reevaluation of level of care are specified in **Appendix B**.

- D. Choice of Alternatives:** The State assures that when an individual is determined to be likely to require the level of care specified for this waiver and is in a target group specified in **Appendix B**, the individual (or, legal representative, if applicable) is:
1. Informed of any feasible alternatives under the waiver; and,
 2. Given the choice of either institutional or home and community-based waiver services. **Appendix B** specifies the procedures that the State employs to ensure that individuals are informed of feasible alternatives under the waiver and given the choice of institutional or home and community-based waiver services.
- E. Average Per Capita Expenditures:** The State assures that, for any year that the waiver is in effect, the average per capita expenditures under the waiver will not exceed 100 percent of the average per capita expenditures that would have been made under the Medicaid State plan for the level(s) of care specified for this waiver had the waiver not been granted. Cost-neutrality is demonstrated in **Appendix J**.
- F. Actual Total Expenditures:** The State assures that the actual total expenditures for home and community-based waiver and other Medicaid services and its claim for FFP in expenditures for the services provided to individuals under the waiver will not, in any year of the waiver period, exceed 100 percent of the amount that would be incurred in the absence of the waiver by the State's Medicaid program for these individuals in the institutional setting(s) specified for this waiver.
- G. Institutionalization Absent Waiver:** The State assures that, absent the waiver, individuals served in the waiver would receive the appropriate type of Medicaid-funded institutional care for the level of care specified for this waiver.
- H. Reporting:** The State assures that annually it will provide CMS with information concerning the impact of the waiver on the type, amount and cost of services provided under the Medicaid State plan and on the health and welfare of waiver participants. This information will be consistent with a data collection plan designed by CMS.
- I. Habilitation Services.** The State assures that prevocational, educational, or supported employment services, or a combination of these services, if provided as habilitation services under the waiver are: (1) not otherwise available to the individual through a local educational agency under the Individuals with Disabilities Education Act (IDEA) or the Rehabilitation Act of 1973; and, (2) furnished as part of expanded habilitation services.
- J. Services for Individuals with Chronic Mental Illness.** The State assures that federal financial participation (FFP) will not be claimed in expenditures for waiver services including, but not limited to, day treatment or partial hospitalization, psychosocial rehabilitation services, and clinic services provided as home and community-based services to individuals with chronic mental illnesses if these individuals, in the absence of a waiver, would be placed in an IMD and are: (1) age 22 to 64; (2) age 65 and older and the State has not included the optional Medicaid benefit cited in 42 CFR §440.140; or (3) age 21 and under and the State has not included the optional Medicaid benefit cited in 42 CFR § 440.160.

6. Additional Requirements

Note: Item 6-I must be completed.

- A. Service Plan.** In accordance with 42 CFR §441.301(b)(1)(i), a participant-centered service plan (of care) is developed for each participant employing the procedures specified in **Appendix D**. All waiver services are furnished pursuant to the service plan. The service plan describes: (a) the waiver services that are furnished to the participant, their projected frequency and the type of provider that furnishes each service and (b) the other services (regardless of funding source, including State plan services) and informal supports that complement waiver services in meeting the needs of the participant. The service plan is subject to the approval of the Medicaid agency. Federal financial participation (FFP) is not claimed for waiver services furnished prior to the development of the service plan or for services that are not included in the service plan.
- B. Inpatients.** In accordance with 42 CFR §441.301(b)(1)(ii), waiver services are not furnished to individuals who are inpatients of a hospital, nursing facility or ICF/IID.
- C. Room and Board.** In accordance with 42 CFR §441.310(a)(2), FFP is not claimed for the cost of room and board except when: (a) provided as part of respite services in a facility approved by the State that is not a private residence or (b)

claimed as a portion of the rent and food that may be reasonably attributed to an unrelated caregiver who resides in the same household as the participant, as provided in **Appendix I**.

- D. Access to Services.** The State does not limit or restrict participant access to waiver services except as provided in **Appendix C**.
- E. Free Choice of Provider.** In accordance with 42 CFR §431.151, a participant may select any willing and qualified provider to furnish waiver services included in the service plan unless the State has received approval to limit the number of providers under the provisions of §1915(b) or another provision of the Act.
- F. FFP Limitation.** In accordance with 42 CFR §433 Subpart D, FFP is not claimed for services when another third-party (e.g., another third party health insurer or other federal or state program) is legally liable and responsible for the provision and payment of the service. FFP also may not be claimed for services that are available without charge, or as free care to the community. Services will not be considered to be without charge, or free care, when (1) the provider establishes a fee schedule for each service available and (2) collects insurance information from all those served (Medicaid, and non-Medicaid), and bills other legally liable third party insurers. Alternatively, if a provider certifies that a particular legally liable third party insurer does not pay for the service(s), the provider may not generate further bills for that insurer for that annual period.
- G. Fair Hearing:** The State provides the opportunity to request a Fair Hearing under 42 CFR §431 Subpart E, to individuals: (a) who are not given the choice of home and community-based waiver services as an alternative to institutional level of care specified for this waiver; (b) who are denied the service(s) of their choice or the provider(s) of their choice; or (c) whose services are denied, suspended, reduced or terminated. **Appendix F** specifies the State's procedures to provide individuals the opportunity to request a Fair Hearing, including providing notice of action as required in 42 CFR §431.210.
- H. Quality Improvement.** The State operates a formal, comprehensive system to ensure that the waiver meets the assurances and other requirements contained in this application. Through an ongoing process of discovery, remediation and improvement, the State assures the health and welfare of participants by monitoring: (a) level of care determinations; (b) individual plans and services delivery; (c) provider qualifications; (d) participant health and welfare; (e) financial oversight and (f) administrative oversight of the waiver. The State further assures that all problems identified through its discovery processes are addressed in an appropriate and timely manner, consistent with the severity and nature of the problem. During the period that the waiver is in effect, the State will implement the Quality Improvement Strategy specified in **Appendix H**.
- I. Public Input.** Describe how the State secures public input into the development of the waiver:
Information regarding the waiver renewal was provided at the OHCA Tribal Consultation meeting on 1/3/2017. There were no public comments received during the Tribal Consultation meeting; therefore, no comments were adopted. Also, the waiver renewal was posted on the OHCA web site for 30 days for public comment. There were no public comments received during input process, therefore no comments were adopted. The waiver was posted at <http://okhca.org/providers.aspx?id=12395> from 1/4/2017 to 2/4/2017. In order to fulfill the non-electronic requirements for public comment, the State posted written notices in all county offices to ensure meaningful opportunities for input for individuals served or eligible to be served in the waiver. The public notice contained a summary of the changes and where instruction where individuals could submit comments and request a full copy of the waiver. This comment period was open from 3/14/2017- 4/14/2017. There were no public comments received during the input process, therefore no comments were adopted. Additionally, the State extended the comment period for electronic comment submissions to coincide with the non-electronic comment period, comments were accepted from 3/14/2017 - 4/14/2017. There were no public comments received during the input process, therefore no comments were adopted.
- J. Notice to Tribal Governments.** The State assures that it has notified in writing all federally-recognized Tribal Governments that maintain a primary office and/or majority population within the State of the State's intent to submit a Medicaid waiver request or renewal request to CMS at least 60 days before the anticipated submission date is provided by Presidential Executive Order 13175 of November 6, 2000. Evidence of the applicable notice is available through the Medicaid Agency.
- K. Limited English Proficient Persons.** The State assures that it provides meaningful access to waiver services by Limited English Proficient persons in accordance with: (a) Presidential Executive Order 13166 of August 11, 2000 (65 FR 50121) and (b) Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003). **Appendix B** describes how the State assures meaningful access to waiver services by Limited English Proficient persons.

7. Contact Person(s)

A. The Medicaid agency representative with whom CMS should communicate regarding the waiver is:

Last Name:

Antwine

First Name:

LeKenya

Title:

Waiver Administration Coordinator

Agency:

Oklahoma Health Care Authority

Address:

4345 N. Lincoln Blvd.

Address 2:

City:

Oklahoma City

State:

Oklahoma

Zip:

73105

Phone:

(405) 522-7552 Ext: TTY

Fax:

(405) 530-3408

E-mail:

lekenya.antwine@okhca.org

B. If applicable, the State operating agency representative with whom CMS should communicate regarding the waiver is:

Last Name:

Hester

First Name:

Ray

Title:

Programs Manager II

Agency:

Oklahoma Department of Human Services

Address:

2400 N. Lincoln Blvd.

Address 2:

City:

Oklahoma City

State: **Oklahoma****Zip:**

73125

Phone:

(405) 521-4968

Ext: TTY**Fax:**

(405) 522-6775

E-mail:

ray.hester@okdhs.org

8. Authorizing Signature

This document, together with Appendices A through J, constitutes the State's request for a waiver under §1915(c) of the Social Security Act. The State assures that all materials referenced in this waiver application (including standards, licensure and certification requirements) are *readily* available in print or electronic form upon request to CMS through the Medicaid agency or, if applicable, from the operating agency specified in Appendix A. Any proposed changes to the waiver will be submitted by the Medicaid agency to CMS in the form of waiver amendments.

Upon approval by CMS, the waiver application serves as the State's authority to provide home and community-based waiver services to the specified target groups. The State attests that it will abide by all provisions of the approved waiver and will continuously operate the waiver in accordance with the assurances specified in Section 5 and the additional requirements specified in Section 6 of the request.

Signature:

BECKY PASTERNIK-IKARD

State Medicaid Director or Designee

Submission Date:

Jun 20, 2017

Note: The Signature and Submission Date fields will be automatically completed when the State Medicaid Director submits the application.

Last Name:

Pasternik-Ikard

First Name:

Rebecca

Title:

State Medicaid Director

Agency:

Oklahoma Health Care Authority

Address:

4345 N. Lincoln Blvd.

Address 2:**City:**

Oklahoma City

State:**Oklahoma****Zip:**

73105

Phone: Ext: TTY

Fax:

E-mail:

Attachments

Attachment #1: Transition Plan

Check the box next to any of the following changes from the current approved waiver. Check all boxes that apply.

- Replacing an approved waiver with this waiver.
- Combining waivers.
- Splitting one waiver into two waivers.
- Eliminating a service.
- Adding or decreasing an individual cost limit pertaining to eligibility.
- Adding or decreasing limits to a service or a set of services, as specified in Appendix C.
- Reducing the unduplicated count of participants (Factor C).
- Adding new, or decreasing, a limitation on the number of participants served at any point in time.
- Making any changes that could result in some participants losing eligibility or being transferred to another waiver under 1915(c) or another Medicaid authority.
- Making any changes that could result in reduced services to participants.

Specify the transition plan for the waiver:

Attachment #2: Home and Community-Based Settings Waiver Transition Plan

Specify the state's process to bring this waiver into compliance with federal home and community-based (HCB) settings requirements at 42 CFR 441.301(c)(4)-(5), and associated CMS guidance.

Consult with CMS for instructions before completing this item. This field describes the status of a transition process at the point in time of submission. Relevant information in the planning phase will differ from information required to describe attainment of milestones.

To the extent that the state has submitted a statewide HCB settings transition plan to CMS, the description in this field may reference that statewide plan. The narrative in this field must include enough information to demonstrate that this waiver complies with federal HCB settings requirements, including the compliance and transition requirements at 42 CFR 441.301(c)(6), and that this submission is consistent with the portions of the statewide HCB settings transition plan that are germane to this waiver. Quote or summarize germane portions of the statewide HCB settings transition plan as required.

Note that Appendix C-5 HCB Settings describes settings that do not require transition; the settings listed there meet federal HCB setting requirements as of the date of submission. Do not duplicate that information here.

Update this field and Appendix C-5 when submitting a renewal or amendment to this waiver for other purposes. It is not necessary for the state to amend the waiver solely for the purpose of updating this field and Appendix C-5. At the end of the state's HCB settings transition process for this waiver, when all waiver settings meet federal HCB setting requirements, enter "Completed" in this field, and include in Section C-5 the information on all HCB settings in the waiver.

Purpose

The Centers for Medicare and Medicaid Services (CMS) published its final rule related to Home and Community Based Services (HCBS) for Medicaid funded long-term services and supports provided in residential and non-residential home and community based settings. The final rule took effect March 17, 2014. States are required to submit transition plans to CMS within a year of the effective date indicating how they intend to comply with the new requirement within a reasonable time period. If states amend or renew any of their currently operating waivers or state plan amendments prior to the effective date, that action serves as a trigger for the state to submit a transition plan for all its waivers under 1915(c), as well as any state plan amendments under 1915(i) or 1915(k) within 120 days of the amendment/renewal submission.

Background

This document describes the Statewide Transition Plan (SWTP) of the Oklahoma Health Care Authority (OHCA), the single State Medicaid Agency, as required by the CMS final regulation related to new federal requirements for home and community

based (HCBS) settings. This SWTP includes the state's assessment of its regulations, standards, policies, licensing requirements, and other provider requirements to ensure settings comply with the new federal requirements. Additionally, the SWTP plan will describe action the state proposes to assure full and on-going compliance with the HCBS settings requirements.

Overview

Oklahoma administers/operates six 1915 (c) waivers. There are approximately 26,106 individuals served in the State of Oklahoma through one of these 1915 (c) waivers. Oklahoma does not currently offer services through the state plan under 1915 (i) or 1915 (k) authority. Oklahoma operates two waiver programs with a Nursing Facility level of care (NFLOC) designation and four waiver programs with an Intermediate Care Facility/Intellectual Disability (ICF/ID) level of care designation. Across the six waiver programs, there are eight distinct settings utilized among Home and Community Based Waiver members, that does not include the member owned or family owned home. This document summarizes the State's preliminary assessment activities and its proposed strategy for continuous monitoring and remediation of HCBS settings for both the aged and physically disabled (NFLOC) waivers and the developmental disabilities waivers (ICF/ID LOC).

Section A: Systemic Review

I. Review Methodology

This section details how the State approached the systemic review for the Statewide Transition Plan. The State utilized a three-pronged approach for the review. The review began with the State lead compiling and reviewing all related regulations, contracts, policies and procedures, and service definitions. It was the responsibility of the State lead, the State Medicaid agency, to compile this information, assess it, and define its consistency to the HCBS Final Rule. The second prong of the process was a review by the State leads' partner agencies. These partner agencies included the Oklahoma Department of Human and Services (DHS) Developmental Disabilities Services Division and the Aging Services Divisions (ASD). These partner agencies had the responsibility of reviewing the assessed regulation, policies and procedures, and service definitions. Partner Agencies were responsible for adding additional regulations and policies that were not previously identified. Partner Agencies made an assessment of each of the regulations and policies consistency/compliance with the HCBS final rule. Partner Agencies also proposed remediation and action plans for all of those regulations and policies that required such. The third prong of the systemic review process involved stakeholder groups. Stakeholders represented both the ICF/ID level of care waivers as well as the NFLOC waivers. The systemic assessment was sent to all stakeholder groups affiliated with the waivers. The stakeholder groups were charged with reviewing the systemic grid and providing feedback on the State leads and partner agencies determination of applicable regulations and policies and their consistency with the HCBS final rule. All feedback, comments, and suggestions were reviewed and incorporated as appropriate in the STWP and systemic assessment grids.

II. Compliance Analysis

Within the three-prong review process each group (State Lead, Partner Agencies, and Stakeholders) made an analysis of whether the identified relevant policies and regulations were consistent with the elements outlined the HCBS Final Rule. The analysis of the policies and regulations resulted in a determination of fully compliant, partially compliant, silent, or non-compliant with the elements of the HCBS Final Rule. The outcome was determined through an evaluation of the regulations and/or policies consistency and congruence with elements of the HCBS final rule. Regulation and policy language precisely consistent and congruent with the elements was determined to be fully compliant. Policies and/or regulations consistent with only part of the elements of the HCBS Final Rule were determined to be partially compliant. Inconsistent language or language opposing the elements of the HCBS final rule was determined to be non-compliant. Absent language was determined to be silent. DHS DDS adopted an overarching general provision administrative rule in order to ensure clarity, consistency, and compliance across all waiver program settings. The overarching general provision administrative rule precisely follows the elements detailed in the HCBS Final Rule. As a result, it was determined that all ICF/ID LOC settings are compliant with the HCBS Final Rule. The systemic grid also includes supporting regulation and policies that enhance the consistency of the regulations and policies that address the elements in the HCBS Final Rule. Aging Services plans to adopt a similar overarching general provision administrative rule that will assist in its settings becoming more compliant with the HCBS Final Rule. Much of the regulations and policy pertaining to the NFLOC settings specifically Adult Day Health setting, remained silent; therefore the adoption of an overarching administrative rule would more directly signify that settings must comply with the standards of the HCBS Final Rule.

III. Remediation Activities

NF LOC Waivers

Many of the current policy and regulations pertaining to settings in the NF LOC waivers were determined to remain silent or be partially compliant with the elements of the HCBS Final Rule. It has been determined that remediation is necessary in order to allow the settings to become compliant with the HCBS Final Rule. Remediation activities will consist of the development and addition of an overarching policy that will precisely follow language of the HCBS Final Rule that settings will have to abide by. The development of this standard for NF LOC waiver settings will go through the States permanent rule promulgation process. It is projected the proposed additional standards for NF LOC waiver settings will be effective 9/1/2017. A draft copy of the updated policy and language can be found in Appendix C.

ICF/ID LOC

The DHS DDS developed an overarching general provision standard that was made effective 9/1/2015. This standard pertains

to and must be followed by all settings in the ICF/ID waivers. This overarching general provision strictly follows the language in the HCBS Final Rule. There are minimal instances where remediation is needed, specifically where the state policy and the waiver language conflict such as the case with the policy surrounding restraints. DHS has supporting policy that will be updated as a means of enhancing compliance and having additional policy to directly correspond with the HCBS Final Rule. Proposed changes to specific language can be found in Appendix D.

IV. Alignment of Review

The State of Oklahoma, pursuant to House Bill 1566 which passed the Oklahoma Legislature and was signed by Governor Mary Fallin in April 2015, has issued a Request for Proposal (RFP). The RFP is for a care coordination model for the Aged, Blind, and Disabled populations (ABD). Throughout the process of the RFP development OHCA has worked with the State's contracted consultant group to verify all related managed care rules and how the proposed new service delivery model will ensure compliance with the HCBS Final Rule. The intent of the Legislation is to provide better access to care, improve quality and health outcomes, and control spending costs for the ABD populations. The State is working to gather all relevant information from federal statutes including the HCBS Final Rule, the newly proposed managed care rules, State policy, and stakeholder engagement.

Section B: NF LOC Waivers

Introduction

Oklahoma operates two 1915(c) waivers with a Nursing Facility level of care (NFLOC) designation serving approximately 21,000 individuals per month in community settings. The State conducted a review of all of its applicable State statutes, administrative rules, approved waivers, provider requirements, and service specifications pertaining to the HCBS settings. The results of the State's systemic review are located in Appendix A.

The following are the approved NFLOC Waiver Programs.

Medically Fragile – Serves individuals 19 years of age and older who meet hospital and/or skilled nursing level of care. The purpose of the waiver is to provide assistance for families who require long-term supports and services to maintain the medically fragile member in the family home while meeting their unique medical needs. Daily operation of this waiver is performed by the Oklahoma Health Care Authority.

ADvantage – Serves frail elderly individuals age 65 or older and adults age 21 to 64 with physical disabilities or other disabilities, without cognitive impairment that would otherwise require placement in a nursing facility. Daily operation of this waiver is the responsibility of the Department of Human Services Aging Services (DHS-AS). The Oklahoma Health Care Authority retains administrative oversight of the waiver.

I. Assessment Methodology & Continued Monitoring

The DHS – Aging Services, Medicaid Services Unit, (MSU), Quality Assurance/Improvement (QAI) department Provider Audit team has begun formally conducting annual on-site provider agency reviews in all NFLOC settings. Settings include Assisted Living (AL), and Adult Day Health (ADH) Onsite reviews were conducted in SFY17 (July 1, 2016 – June 30, 2017) and will continue annually after the transition plan period. The Provider Audit team has been conducting annual on-site reviews for Home Care (HC) and Case Management (CM) providers since 2000, and will continue these reviews, in accordance to the ADvantage Waiver performance measure requirements. Reviews are completed by DHS-AS MSU-QAI for providers and HCB settings annually, extending beyond the transition period (March 15, 2019). In accordance to the ADvantage Waiver, Raosoft is used to obtain a representative sample of case records of Members receiving services in each provider type reviewed, including ADH and/or Members who reside in an AL facility. Included in each review is a survey of Member perception. Member Perception contacts are made with Members who were randomly selected for provider review in their ADH/AL setting, in the Member's home, or via telephone. ADvantage does not currently have a Provider utilizing more than one setting type. If a provider had multiple types of settings, each setting would be reviewed separately. Providers with multiple locations have separate reviews for each location.

In SFY 2015, the State conducted baseline provider self-assessment surveys. By the end of SFY16, DHS-AS completed follow-up onsite reviews of Assisted Living facilities. In SFY16, DHS-AS also worked with DHS, Developmental Disabilities Services (DDS), to complete Adult Day site visit reports at the Adult Day Centers. During these preliminary follow-up reviews, DHS-AS found 71% of the seven AL providers reviewed were in full compliance while the other two AL settings and all 29 ADH settings were not in compliance but could be with modifications. Examples of reasons a setting did not comply include the lack of community outing opportunities; unclear opportunities to provide change in Member needs and preferences; secure places for personal belongings; removal of gates, locked doors or other barriers to allow access to areas to the same degree of those not receiving HCBS; providing members with information regarding how to update or change services and/or providers. Providers received feedback directly regarding agency specific findings. In addition, a statewide overview of common findings and pertinent training reminders was provided at the Fall 2016 Regional Provider Trainings to assure 100% compliance.

DHS-AS Medicaid Services Unit has developed Adult Day Health (ADH) and Assisted Living (AL) Consumer-Focused Quality Care Review (C-FQCR) tools using exploratory questions as a guide for the HCB settings section of the C-FQCR tool. A C-FQCR tool was used to review Assisted Living provider settings in SFY16, while an Adult Day site visit report was used for ADH provider settings in SFY16. Updates to the Assisted Living C-FQCR tool have been made and an Adult Day Health C-FQCR tool was developed for use in SFY17 and subsequent review years. The C-FQCR tools are based on the ADvantage Program contractual documents, Oklahoma Administrative Code (OAC), Oklahoma statutes, and HCBS Final Rules. The tools

are designed to measure provider compliance with defined standards and adherence to the waiver requirements, including Member choice of services and provider, training, compliance with delivery of services as authorized. As a measure to further validate findings, the tool will also survey the member's perception of service delivery performance and support to integrate into the greater community. Each SFY17 review will include a remediation plan of correction that the agency completes, as well as progress reports if there were any non-compliance issues with any of the requirements. The provider review team is responsible for monitoring and tracking the provider's progress in complying with the performance measures, HCB settings requirements, and any necessary remediation. MSU-QAI staff has received trainings provided by CMS through various webinars. Annual and ongoing review staff training will be provided on the usage of the C-FQCR tool, user instructive material, policy, and CMS rules. Seasoned reviewers participate at least yearly in interrater reliability demonstration training; new reviewers are assessed more frequently at milestones in orientation training through interrater reliability activities with various reviewers.

Compliance Determination

During SFY 16, HCB settings compliance was determined using a site visit report for Adult Day Health Centers and a C-FQCR tool for Assisted Living Centers. In order to be considered fully compliant, the HCB settings score had to be 100% on the respective tool. HCB settings scores below 100% were reviewed to designate whether the setting could comply with modifications. Non-compliance was defined as an agency that could not comply with modifications. All ADvantage agencies scoring below 100% were determined to be able to comply with minor modifications.

Individual, Private Home

The Department of Human Services Social Worker and Long Term Care (LTC) Nurse complete both financial and medical criteria, respectively, to evaluate eligibility for the ADvantage Program. A Uniform Comprehensive Assessment (UCAT Part III) is completed, in the home of each applicant by the LTC Nurse initially and annually by the individual's Case Manager. Using the UCAT III as a tool in the home to evaluate health and safety, the LTC Nurse and Case Manager obtain information relevant in the assessment of compliance with Home and Community Based (HCB) settings requirements including setting choice and access to the greater community including a section that asks "if you could not continue to live in your present location, do you have any ideas about where you would live?" The tool is designed to ask probing questions regarding activities of daily living (ADLs) and instrumental activities of daily living (IADLs) to aid in the development of the member driven person-centered service plan. During this initial assessment, the member chooses their desired providers and offers input to the services in their person-centered service plan. The LTC Nurse and Case Manager use the UCAT Assessor Manual to complete the form. Additionally, case management training is a requirement for ADvantage Case Management certification. A full day is devoted to the UCAT which requires the assessor to review the Member's physical and mental health, functional abilities, social supports, and physical environment documenting safety and accessibility concerns. The assessment is extensive and allows the assessor to document all observations and professional determinations regarding the appropriateness of home and community based services and settings assuring that any setting even the private home overcomes the presumptions of compliance. If the member or applicant is in a setting that does not comply, the member or applicant will be advised of options of remediation, relocation to another setting, or other program options.

Population: All members with service plans active during the reporting period

Sample Size/Methodology: Random cumulative sample selected according to the percentage of members served by a single ADH/AL provider as a proportion of the total number of members served receiving ADH/AL services on the Waiver. The sample size is validated utilizing Raosoft Survey Design.

II. Assessment Process

Aging Services (AS), Quality Assurance and Improvement (QAI) staff review all applicable rules, provider contractual documents, lease agreements, as well as any other pertinent documentation before the on-site provider agency review. During the on-site provider agency review, AS-QAI staff review member charts, personnel records, other agency documentation, conduct observational review of the facility, interview members identified via random sampling procedure and evaluate this information in the context of appropriate and applicable contract standards, state, and federal rules. The Consumer-Focused Quality Care Review (C-FQCR) tool is utilized during the provider agency review. The tool has been revised to specifically address requirements for home and community based settings. After compiling the findings from the provider agency review, the AS-MSU QAI lead reviewer conducts an Exit conference with the provider agency presenting the findings and the preliminary provider report. The provider is given an opportunity to provide refuting documentation at that time. Any refuting documentation is considered and the provider is provided a Final Review Letter with the Final Review Report and instruction for completing any required remedial action.

III. Remediation Strategy

Remediation

Any provider who scored below 100% on these HCB settings compliance reviews will be required to complete a plan of correction developed by the review team, complete two progress reports over a 6-month period and receive a follow-up visit. The plan of correction includes the identification and cause of the problem, the proposed action/intervention, a monitoring plan, the person accountable, the implementation and projected completion dates and the expected outcome. The progress reports include the status of implementation, what data has been collected, the collection date and the person accountable. The plan of correction is submitted within 30 days from the date that the final reports are mailed to the agency and the progress reports are due every 30 days after the plan of correction is approved by the Programs Assistant Administrator of the Quality

Assurance/Improvement department or designee. The follow-up review is completed during the month following the final progress report and includes only those conditions that require a plan of correction. All annual AL and ADH reviews for SFY18 must be completed by June 30, 2018, and remediation for HCB settings requirements and follow-up confirmation of full compliance must be confirmed by November 30, 2018 for AL and December 31, 2018 for ADH allowing appropriate time for relocation activities as necessary. Remediation will continue as a regular part of the methodology for continuous monitoring for quality assurance and improvement as outlined above.

Improvement

Full compliance is requested for all HCB setting requirements, as well as other performance measures to be evaluated during the review. During the transition period DHS Aging Services staff will work with providers to come into full compliance on all HCB settings by December 31, 2018 in accordance with the timeline for relocation below. Trainings have been conducted with providers, including separate trainings with ADH and AL Providers during the fall of 2015 to explain the monitoring method and answer any questions. Regional Provider Trainings were held throughout the state during the month of September 2016. Trainings were held on September 7, 2016 in Tulsa, September 8, 2016 in McAlester, September 14, 2016 in Norman, and September 15, 2016 in Lawton. The Regional Trainings provided continual education on this review process and devoted much focus to requirements of the final rule. Providers continue to receive training at least annually regarding Quality Assurance and Improvement changes and reminders.

Plan for Relocation

1. Each Member has an individualized person-centered service plan, prepared by the ADvantage Case Manager in conjunction with the Interdisciplinary Team (IDT), completed during each service plan year or when living arrangements are modified. One section of the service plan is life transition planning. In this area, contingency plans list choices by the member if they can no longer stay at the assisted living and the supports available to assist with this transition.
2. Each Member has an individualized person-centered services backup plan crafted by the ADvantage Case Manager in conjunction with the IDT team completed during each service plan year or when living arrangements are modified. This services backup plan includes contingency plans for direct care assistance, critical health and supportive services, equipment repair or replacement, medications, DME supplies, transportation, etc. First, second, and third tier designated backups are also listed on the plan. The plan is signed by the member, ADvantage Case Manager and any witnesses, if applicable.
3. Should the setting fail to meet compliance, members, ADvantage Case Managers and the IDT will strategize utilizing the contingency plans included in the person-centered service plan as a basis for identifying possible living options available in the community. Immediate coordination with the ADvantage Case Manager and all other IDT members requested by the member are critical in evaluating the wishes of the Member and the options available to them. Some of the options available would be as follows:

Assisted Living

- Transferring to another certified ADvantage Assisted Living Center
- Home with HCB services and informal supports
- Home with Adult Day Health services
- Explore all assistance and living arrangements with family, friends
- Nursing facility placement (if necessary)

Adult Day Health

- Transferring to another Adult Day Health facility
- Remaining in the home with PCA services in place, in conjunction with informal supports
- Move to a certified ADvantage Assisted Living Center
- Explore all assistance and living arrangements with family, friends.
- Nursing facility placement (if necessary)

IV. Plan of Action

The proposed plan of action is contingent upon CMS approval of the plan.

SFY Start Date End Date Milestone Plan of Action

SFY 15 August 2014 March 2015 All Baseline Data Collected The State will obtain baseline data using provider performance self-assessments. Baseline provider self-assessments were completed utilizing the exploratory questions from the CMS Rule toolkit.

SFY 15 March 2015 March 2015 Public Meeting The State hosted its first public meeting regarding the requirements of the Final Rule and the Statewide Transition Plan process.

SFY 15 April 2015 April 2015 Public Meeting The State hosted its second public meeting to discuss the draft version of the State's initial Statewide Transition Plan.

SFY 15 May 2015 May 2015 Submission of Initial SWTP The State submitted its first version of the Statewide Transition Plan

SFY 16 August 2015 August 2015 Provider HCB Settings Compliance Training The State (DHS Aging Services and DHS Developmental Disabilities Services) met with Adult Day Health Providers, reviewed the Final Rule, and the On-Site Visit Report that would be used to assess compliance with HCB Settings. Allowed providers opportunities for Questions and Answers.

SFY 16 October 2015 October 2015 Provider HCB Settings Compliance Training The State (DHS Aging Services) met with

Assisted Living Providers, reviewed the Final Rule, and the Consumer-Focused Quality Care Review (C-FQCR) tool that would be used to assess compliance with HCB Settings and other contractual requirements. Allowed providers opportunities for Questions and Answers.

SFY 16 December 2015 December 2015 Public Meeting The State hosted its third public meeting to inform stakeholders and the public of the feedback garnered from the CMIA letter and begin the development of a plan to amend the initial Statewide Transition Plan.

SFY 16 April 2016 April 2016 Follow-up/Preliminary Site Review (Assisted Living Settings) The State assessed all Assisted Living Providers during on-site monitoring visits and through the annual provider review process. Data was collected and analyzed to further determine compliance with the Final Rule.

SFY17 September 2016 September 2016 Regional Provider Training The State (DHS Aging Services) met with all interested ADvantage providers, reviewed the Final Rule, and the Consumer-Focused Quality Care Review (C-FQCR) tools for Assisted Living and Adult Day Health providers that would be used to assess compliance with HCB Settings. The State also reemphasized Person-Centered Planning and its impact and every phase of service delivery.

SFY 17

October 2016 October 2016 Follow-up/Preliminary Site Review (Adult Day Health Settings) The State assessed all Adult Day Health Providers during on-site monitoring visits and through the annual provider review process. Data was collected and analyzed to further determine compliance with the Final Rule.

SFY 17 November 2016 November 2016 Submission of Revised Statewide Transition Plan (Initial Approval) The state submitted its revisions to the Systemic Assessment portions of the Statewide Transition Plan for initial approval.

SFY 17 January 2017 January 2017 Public Meeting The State hosted a public meeting in January to discuss and garner feedback from Stakeholders pertaining to the latest version of the SWTP.

SFY 17 February 2017 February 2017 Submission of Revised Statewide Transition Plan (Final Approval)

SFY 17 July 2016 June 2017 New Tool Developed The State will be utilizing a new tool in July 2016 for Adult Day Health and an amended tool for Assisted Living for the purpose of ongoing monitoring. These new/amended tools will include a review of provider agency contractual documents. Oklahoma Administrative Code (OAC), Oklahoma statutes, and HCBS Final Rule. The State will work with providers to identify ways to achieve compliance within required timeframes. The State will provide ongoing training and consultation to providers to ensure providers are working toward successful methods for achieving compliance.

[SFY 18] July 2017 June 2018 Completion of Annual Reviews (All Settings Types) The State will continue to monitor providers' compliance through the provider performance review process. Any provider that scores below 100% on the provider review will be required to complete a plan of correction.

SFY 19 November 2018 November 2018 Remediation of non-compliance complete (Assisted Living) All remediation for non-compliance with HCB settings requirement including Plan of Correction, Progress Reporting and Follow-up visits completed by this date for Assisted Living providers

SFY 19 December 2018 December 2018 Remediation of non-compliance complete (Adult Day Health) All remediation for non-compliance with HCB Settings requirement including Plan of Correction, Progress Reporting and Follow-up visits completed by this date for Adult Day Health providers

SFY 19 December 2018 December 2018 Notifications of Decertification Sent (Assisted Living) Notices will be sent advising of the decertification of the Assisted Living contract with the MSU-AA, in conjunction with the Oklahoma Health Care Authority.

SFY 19 January 2019 January 2019 Notifications of Decertification Sent (Adult Day Health) Notices will be sent advising of the decertification of the Adult Day Health contract with the MSU-AA, in conjunction with the Oklahoma Health Care Authority.

SFY 2019 March 2019 March 2019 Relocation Completed All settings that are not fully compliant with the HCB settings regulation will be identified and individuals receiving HCBS in those setting will be relocated to a compliant setting. Ongoing Education Trainings, provider education, and technical assistance was provided throughout the SWTP process beginning in FY15 and beyond. It will continue throughout the transition period and after the transition period has ended.

V. Baseline Assessment Process and Results

Baseline assessments were completed from August 2014 to March 2015. Providers received a survey via electronic mail and follow-up phone calls. The survey consisted of questions from the CMS Final Rule Exploratory Questions document. Follow-up calls were made to ensure that providers completed the survey in the allotted timeframe. Surveys were sent to the entire NFLOC waiver settings locations. There was an 80% response rate on the survey. The State did reach out to those providers that did not respond to the survey. It was estimated based on the baseline provider self-assessments that at least 75% of all settings comply with the HCBS Final Rule and 25% are non-compliant. A more detailed overview of the baseline provider self-assessment survey results can be found in Appendix E. In an effort to validate the baseline findings, the State conducted a follow-up assessment that included all providers in the AL and ADH settings. The State assessed these individuals during on-site monitoring visits and through the annual provider review process discussed in Section B.I that includes a site visit and

Member perception survey. The C-FQCR tool was used to review Assisted Living provider settings in SFY16, while an Adult Day site visit report was used for ADH provider settings in SFY16. The findings from the follow-up review indicated that most providers need minor adjustments to become fully compliant with the HCBS final rule. Further details concerning the results of the assessment can be found in Appendix E.

During annual reviews, if a setting is found to not fully comply and unable to complete remediation activities within required timeframe, the state will implement the relocation plan with the above referenced timeline.

VI. NFLOC Heightened Scrutiny

DHS-AS MSU-AA QAI team used the Final Rule and exploratory questions for residential and non-residential settings to identify settings that are presumed not a home and community based setting. The facilities identified for heightened scrutiny are listed in Appendix F with the reason for heightened scrutiny. The assessments developed using the CMS exploratory questions, in Appendix F demonstrate the State's evidence for each setting meeting the qualities of home and community based settings. Detailed reports of heightened scrutiny finding can be found in Appendix F. All ADvantage Assisted Living and Adult Day Health providers were reviewed using CMS guidelines for facilities to Not be or Presumed Not to be HCB Settings. All ADvantage providers were determined to be a HCB setting. Those identified with the CMS guidelines for facilities that are Presumed Not to be HCB Settings were further reviewed line by line with the exploratory questions by the DHS-AS MSU-AA QAI team and evidence was submitted demonstrating the setting had qualities of an HCB setting and did NOT have institutional qualities.

Section C: ICF/ID Waivers

Introduction

Oklahoma operates four home and community based waivers which require an ICF/ID level of care. Average monthly enrollment in these waivers is approximately 5,382. In accordance with Title 340 Chapter 100 of the Oklahoma Administrative Code (OAC), the ICF/ID level of care is mutually exclusive from the nursing facility levels of care, which are necessary for enrollment in the waivers administered and operated by DHS DDS. The State conducted a review of all of its applicable State statutes, administrative rules, approved waivers, provider requirements, and service specifications. The results of the State's systemic review are located in Appendix B.

The following are the approved ICF/ID Waiver Programs. Daily operation of each of these waivers is the function of the Oklahoma Department of Human Services – Developmental Disabilities Services.

Community – Serves individuals who are 3 years of age and older who have intellectual disabilities and certain persons with related conditions who would otherwise require placement in an ICF/ID.

Homeward Bound – Serves individuals who are 18 years of age and older who have intellectual disabilities and certain persons with related conditions who (1) would otherwise require placement in an ICF/ID; and (2) have been certified by the U.S.

District Court for the Northern District of Oklahoma as being members of the plaintiff class in Homeward Bound et al. v. The Hissom Memorial Center et al., Case No. 85-C-437-e.

In-Home Supports Waiver for Adults – Serves the needs of individuals 18 years of age and older with intellectual disabilities who would otherwise require placement in an ICF/ID.

In-Home Supports Wavier for Children – Serves the needs of children ages 3 through 17 years with intellectual disabilities who would otherwise require placement in an ICF/ID

I. Assessment Methodology & Continued Monitoring

The Oklahoma Department of Human Services (DHS), Developmental Disabilities Services Division (DDS), Quality Assurance department conducts an annual on-site performance survey with all agencies providing services through the ICF/ID Home and Community Based Waivers. Performance surveys are conducted to assess compliance with all relevant rules and policies. Performance surveys are conducted each fiscal year. The performance survey includes an evaluation of information obtained from observations, interviews with both members and providers, and records reviewed in the context of appropriate and applicable contract standards, state, and federal rules. In accordance with current ICF/ID waiver renewal language, Raosoft is used to obtain the appropriate sample size. Once the sample size is ascertained this information is sent to the DHS Office of Planning, Research, and Statistics to select the random sample of waiver members. Utilizing Statistical Package for the Social Science (SPSS) SPSS software, individual waiver members are randomly selected. The Quality Assurance department then identifies all provider agencies and setting types that coincides with the waiver member sample. Notification is given to provider agencies of when the performance survey will be completed. The Quality Assurance department completes all performance surveys via on-site visits. The on-site visits are conducted at the individual settings where the member receives their HCB services. Individual locations are reviewed by the Quality Assurance department, thereby accounting for the providers who have more than one setting. Performance surveys are completed on an annual basis; however the survey has only recently been updated to reflect the settings requirements in the HCBS Final Rule. In SFY 16, the Quality Assurance department collected the baseline data pertaining to the HCBS settings requirements. The Quality Assurance department will continue to assess settings requirements in provider surveys on an annual basis hereafter.

The Developmental Disability, Quality Assurance department, also conducts an Area survey and has designed a Case Management Survey in an effort to further validate the Performance Survey conducted annually. The Area survey is conducted utilizing the same representative sample reviewed for the Performance surveys. The Area survey review compliance of the HCBS settings rules as it pertains to person centered planning. Data is analyzed to reflect compliance data received and reviewed during the provider performance survey process. The Quality Assurance department has designed a new Case

Management review tool that will be used annually to assess 100% of members served in the four ICF/ID waivers. The data will be used to validate the results of the performance surveys, as they will be focused on member perception and experience with services received. The DDS Quality Assurance staff also plan to utilize the NCI data as a means of statistical validation. The staff will compare the results of this data with data gathered from the performance survey. Any statistically relevant discrepancies will be further investigated. All new Quality Assurance staff is required to complete 60 hours of classroom training and 180 hours of on the job training that includes shadowing a senior quality assurance staff member. After the initial 180 hours of on the job training is completed, quality assurance staff participates in 8 hours of additional training with his or her supervisor. Quality assurance staff is provided quarterly training on policy and procedural updates. An annual performance survey is conducted with agencies providing services through a Home and Community Based Waiver, to assess compliance with expectations defined in the agency's contract. A random sample is selected by DHS Office of Planning, Research and Statistics utilizing SPSS software. Surveys are conducted during each state fiscal year with providers of residential, vocational, or non-medical home supports. A representative sample of service recipients from each of the four waivers is selected and then organized by provider agency who serves each service recipient included in the random sample. Notification is given to providers in the survey sample of when the survey will be completed. Surveys are completed through on-site visits.

Individual, Private Home

Members who reside in individual, private homes are included in the provider survey sample universe. Based on the data collected in SFY 16 and the data collected thus far in SFY 17, it reveals that individual residences are in compliance with the HCBS Final Rule on settings. There are currently no potentials for heightened scrutiny.

Population: Members with active service plans during the reporting period (All waiver members, in all waivers)

Sample Size/Methodology: Random cumulative sample selected according to the percentage of Members served in each of the ICF/ID waivers. Sample size will be validated utilizing Raosoft Survey Design.

II. Assessment Process

Developmental Disabilities Services (DDS) Quality Assurance staff review all applicable rules and provider contracts before the site visit. During the site visit, DDS Quality Assurance staff observes and conducts interviews with service recipients and staff involved in each type of service provided by the agency. Observations and interviews occur during various times of service delivery. Quality Assurance staff members evaluate information obtained from observations, interviews, and records reviewed in the context of appropriate and applicable contract standards, state, and federal rules. The survey tools utilized by the Quality Assurance team have been revised to specifically address requirements for home and community based settings. Once the site visit is complete, the DDS Quality Assurance team conducts an Exit conference with the provider agency, where the findings of the review are presented. The proposed action steps and timelines for the SWTP are outlined below in the Plan of Action Section.

III. Remediation Strategy

Provider agencies surveyed by DDS Quality Assurance Staff are given two weeks after the exit conference to send the Quality Assurance Staff a written response that identifies a date by which the agency will comply with cited requirements. The projected resolution date must be within two months of the exit conference. During SFY 17 Provider agencies that receive citations for non-compliance will be re-surveyed to assess resolution of identified contract and rule deficiencies. Each agency is re-reviewed 60 days after the original survey. DDS staff will continue to work with individual providers to achieve compliance until compliance is reached. During SFY 18, if provider agencies receive citations for non-compliance, sanctions will be imposed, and the process of relocating waiver members will commence.

Plan for Relocation

Each Member has an individualized person-centered service plan, prepared by the Case Manager in conjunction with the Interdisciplinary Team (IDT), completed during each service plan year or when living arrangements are modified. Waiver members may not remain in a non-compliant setting. Immediate coordination with the Case Manager, the IDT Team members, and the member will be critical in determining the options available. Choices of other compliant settings will be made available to the member. The member will have the opportunity to visit each of his or her choosing and will make a final selection. Waiver member will be relocated prior to March 17, 2019. Options available to the member include continuing to receive the same supports in another setting that is fully compliant with the HCBS settings or changing the supports he or she receives based on the person-centered plan. Oklahoma DDS staff will follow person-centered planning in the transition process. Individuals will have choice among qualified providers, settings and be provided opportunities to visit several settings and given information to help them understand the various options available. Individuals will be relocated as necessary by March 15, 2019.

IV. Plan of Action

The proposed plan of action is contingent upon CMS approval of the plan.

SFY Start Date End Date Milestone Plan of Action

SFY 14 - 15 April 2014 June 2016 Training & Education Participated in several Final Rule trainings and survey development meetings.

SFY 15 March 2015 March 2015 Public Meeting The State hosted its first public meeting regarding the requirements of the Final Rule and the Statewide Transition Plan process.

SFY 15 April 2015 April 2015 Public Meeting The State hosted its second public meeting to discuss the draft version of the

State's initial Statewide Transition Plan.

SFY 15 May 2015 May 2015 Submission of Initial SWTP The State submitted its first version of the Statewide Transition Plan

SFY 16 July 2015 September 2015 Collected the first quarter of Baseline Data The State obtained the first quarter of baseline data utilizing settings requirements in the provider performance surveys

SFY 16 July 2015 June 2016 All Baseline Data Collected The State obtained baseline data utilizing the updated survey to include settings requirements.

SFY 16 December 2015 December 2015 Public Meeting The State hosted its third public meeting to inform stakeholders and the public of the feedback garnered from the CMIA letter and begin the development of a plan to amend the initial Statewide Transition Plan.

SFY 17 July 2016 June 2017 Provider Performance Survey Assessments & an remediation necessary Completed The State continues to collect data and monitor compliance on settings requirements.

SFY 17 July 2016 June 2017 Case Management Review Assessments Completed. The State will utilize newly developed case management review assessments to validate the provider surveys.

SFY 17 October 2016 October 2016 Follow-up/Preliminary Site Review (Adult Day Health Settings) (in conjunction with Aging) The State assessed all Adult Day Health Providers during on-site monitoring visits and through the annual provider review process. Data was collected and analyzed to further determine compliance with the Final Rule.

SFY 17 November 2016 November 2016 Submission of Revised Statewide Transition Plan (Initial Approval) The state submitted its revisions to the Systematic Assessment portions of the Statewide Transition Plan for initial approval.

SFY 17 January 2017 January 2017 Public Meeting The State hosted a public meeting in January to discuss and garner feedback from Stakeholders pertaining to the latest version of the SWTP.

SFY 17 February 2017 February 2017 Submission of Revised Statewide Transition Plan (Final Approval)

SFY 18 July 2017 June 2018 Provider Survey Assessments & an remediation necessary Completed The State will continue to collect data and monitor compliance on settings requirements.

SFY 18 July 2017 June 2018 Case Management Review Assessments Completed. The State will utilize newly developed case management review assessments to validate the provider surveys.

SFY 18 July 2017 June 2018 Completion of Adult Day Health Reviews (in conjunction with Aging) The State will continue to monitor providers compliance through the provider performance review process. Any provider that scores below 100% of the provider survey will be required to complete a plan of correction.

SFY 19 September 2018 March 2019 Sanctions imposed for non-compliant settings The State will impose sanctions on settings that remain non-compliant according to contractual agreements.

SFY 19 September 2018 March 2019 Relocation from non-compliant settings. All settings that are not fully compliant with the HCBS settings regulation will be identified and individuals receiving HCBS in those setting will be relocated to a compliant setting.

SFY 19 November 2018 November 2018 Remediation of non-compliance complete (Adult Day Health) All remediation for non-compliance with HCB Settings requirement including Plan of Correction, Progress Reporting and Follow-up visits completed by this date for Adult Day Health facilities

SFY 19 January 2019 January 2019 Notifications of Decertification Sent (Adult Day Health) Notices will be sent advising of the decertification of the Adult Day Health contract with the DDS - QA, in conjunction with the Oklahoma Health Care Authority.

V. Baseline Assessment Process & Results

First quarter provider surveys conducted during the period of July 2015 to September 2015 are being used for baseline information. This baseline assessment information was compiled utilizing the process outlined in the Assessment Methodology and Assessment Process Section above. The baseline information included the portion of the annual representative sample served by the provider agencies surveyed, which comprised 207 service recipients and 213 different settings Assessment results indicate that 86% of settings assessed comply with the HCBS Final Rule and 14% do not comply. Since the submission of the amended Statewide Transition Plan (January 2016), the entire baseline provider surveys have been completed. The updated results can be found in Appendix G. According to the completed baseline data 94% of all settings are compliant and 6% of all setting could comply with modifications. For example, a member receiving employment supports considered to be isolating requires modification. The member must be provided opportunities for community inclusion and competitive employment. The employment provider is required to implement a plan to offer the member opportunities to seek employment and work in competitive integrated settings. Settings are found to be non-compliant when only one setting is found to not meet the HCBS settings. For example, during the performance survey if 60 settings were reviewed and one setting was found to have not met the setting standard. The performance standard for this measure would be found as "Condition not Met." therefore not compliant with the settings standard. For those settings that were found to be non-compliant, the State will take the steps listed above in the Remediation Section to ensure compliance by March 2019. We estimate based on the baseline assessments that at least 85% of all settings comply with the HCBS Final Rule and 15% are non-compliant. Assessments are conducted to each provider on an annual basis, throughout the year, results are reported quarterly. A more detailed overview of the survey and the survey results can be found in Appendix G.

VI. ICF/ID LOC Heightened Scrutiny

Developmental Disabilities staff completed on site visits for all HCBS settings. Each setting was reviewed to ensure the setting was not in a public or privately operated facility that provides inpatient institutional treatment; and that the setting was not in a building on the grounds of, or adjacent to, a public institution. Each setting was also reviewed to determine if it isolated the member from the broader community. If the setting was determined to not be integrated and did not support the members full access to the greater community, the review team ensured that the modifications were and continue to be supported by a specific, assessed need, and justified in the person-centered plan.

Section D: Public Input

Oklahoma hosted meetings to include representatives from advocacy and stakeholder groups as well as the state agencies involved in operating its 1915(c) waivers. The purpose of the meetings was to plan the State's response to the new CMS rule for home and community based settings and to develop its approach to this statewide transition plan.

The Oklahoma Health Care Authority (OHCA) held a public meeting on March 10, 2015 to educate providers and stakeholders about the federal rules and the transition planning process, as well as to discuss preliminary survey results and answer questions. Final results of the surveys and transition plan was presented at the second public meeting on April 28, 2015.

OHCA held another public meeting on December 7, 2015 in an effort to make the public aware of the response letter from CMS concerning the Statewide Transition Plan, and the States process for making revisions and submitting the revised plan back to CMS. Stakeholders were made aware of the meeting through newspaper advertisements and the OHCA public website. The Public Meeting Notice was included in the 5 major Oklahoma Newspapers. The State did not receive any comments at the public meeting held on December 7, 2015. The option to submit a written comment in a non-electronic format was made available by the State on the State website (<http://www.okhca.org/individuals.aspx?id=16904>). The revised SWTP was posted to the OHCA website on December 15, 2015. There were no comments received.

As a means of garnering more public input for the SWTP, the State and its partner agencies reached out to the established stakeholder groups and community to participate in the development of the revised SWTP. The State sent information to over 100 stakeholders, requesting their participation in the development and review of the revised plan. The state also hosted a training of over 300 providers where the SWTP was an agenda item. The State solicited feedback from the providers in attendance at the training. The majority of the comments received were related to HB 1566, the proposal of implementing managed long term care in the State. Other comments received requested clarification on the determination of compliance for certain State policies. The State added language in the SWTP that clarifies the relationship of the HCBS Final rule with the proposed managed care implementation. The State also revised the systemic assessment grid to clarify the appropriate compliance determination for the State policy in question. The revised SWTP was posted to the OHCA website on October 5, 2016. The revised SWTP was posted from October 5, 2016 to November 7, 2016. The current SWTP and each iteration of the SWTP can be found at <http://okhca.org/xPolicyChange.aspx?id=19561&blogid=68505>. The State provided an avenue to submit comments via electronic and non-electronic means. Written comments are accepted and can be sent directly to the Oklahoma Health Care Authority via postal mail. A non-electronic version of the posting can also be requested by phone or mail and sent via postal mail.

Stakeholders were sent a notification of invite to the public posting. OHCA also sends an automatic notification of any new postings requiring public comment to all those who are signed up to receive notification. Each of the State partner agencies has also worked to inform individuals and providers about the public posting during meetings, trainings, and conferences.

Members and providers are knowledgeable of the option to receive a non-electronic version of the SWTP as well as provide comments in a non-electronic format. The State received four comments from the 30 day posting for public comments on October 5, 2016. The SWTP was updated to include the comments received and the States responses to those comments. Modifications were made to the SWTP and other changes will be made in the submission of the SWTP for final approval based on the comments received. The comments and responses can be found in Appendix I. To summarize, the comments expressed concerns with the SWTP and the current service system delivery structure and methodology, in particular with the lack of clarity regarding how expectations, pertaining to employment and community integration will impact the individual's right to choose services and settings. Additional comments viewed the current living arrangements of service recipients to already allow for choice, but had questions about the oversight and the process of how the determination is made concerning an individuals' experience of that choice. The comments for the most part support the intent of the HCBS final rule, on the choice and integration of individuals; yet would like the State to account for the idea that community integration for some is difficult to accomplish and unwanted. Comments also expressed the need for additional time and resources to explore community integration of the non- verbal autistic population. As a means of providing more understanding and clarification of the purpose and intent of the Final Rule, the OHCA developed a webinar to be posted on the Statewide Transition Plan website that can be viewed at the leisure of individuals desiring more education and training about the rule. The SWTP will also be updated to reflect further clarifications about the issues raised in the comments received.

The State posted its Revised Statewide Transition Plan for Final Approval for public comment from December 22, 2016 to January 23, 2017. The State published information concerning the posting and public meeting to be held regarding the posting in all five major Oklahoma Newspapers. The option to submit a written comment in a non-electronic format was made available by the State. A public meeting regarding the Revised Statewide Transition Plan was held January 11, 2017. Those individuals that could not attend in person, were given the opportunity to participate via webinar. There was a total attendance

of 71 participants. The State received 10 public comments. Comments reflected the providers desire to have more feedback regarding how many outings are required, to comply with the guidance to offer frequent and routine community integration as well whether there will be provider rate increase to help providers comply with the elements in the Final Rule. The State has made all of the comments received available in Appendix I. The State has responded to each comment received.

Additional Needed Information (Optional)

Provide additional needed information for the waiver (optional):

Appendix A: Waiver Administration and Operation

1. State Line of Authority for Waiver Operation. Specify the state line of authority for the operation of the waiver (*select one*):

- The waiver is operated by the State Medicaid agency.**

Specify the Medicaid agency division/unit that has line authority for the operation of the waiver program (*select one*):

- The Medical Assistance Unit.**

Specify the unit name:

(Do not complete item A-2)

- Another division/unit within the State Medicaid agency that is separate from the Medical Assistance Unit.**

Specify the division/unit name. This includes administrations/divisions under the umbrella agency that has been identified as the Single State Medicaid Agency.

(Complete item A-2-a).

- The waiver is operated by a separate agency of the State that is not a division/unit of the Medicaid agency.**

Specify the division/unit name:

Oklahoma Department of Human Services, Developmental Disabilities Services

In accordance with 42 CFR §431.10, the Medicaid agency exercises administrative discretion in the administration and supervision of the waiver and issues policies, rules and regulations related to the waiver. The interagency agreement or memorandum of understanding that sets forth the authority and arrangements for this policy is available through the Medicaid agency to CMS upon request. (*Complete item A-2-b*).

Appendix A: Waiver Administration and Operation

2. Oversight of Performance.

- a. Medicaid Director Oversight of Performance When the Waiver is Operated by another Division/Unit within the State Medicaid Agency.** When the waiver is operated by another division/administration within the umbrella agency designated as the Single State Medicaid Agency. Specify (a) the functions performed by that division/administration (i.e., the Developmental Disabilities Administration within the Single State Medicaid Agency), (b) the document utilized to outline the roles and responsibilities related to waiver operation, and (c) the methods that are employed by the designated State Medicaid Director (in some instances, the head of umbrella agency) in the oversight of these activities:

As indicated in section 1 of this appendix, the waiver is not operated by another division/unit within the State Medicaid agency. Thus this section does not need to be completed.

- b. Medicaid Agency Oversight of Operating Agency Performance.** When the waiver is not operated by the Medicaid agency, specify the functions that are expressly delegated through a memorandum of understanding (MOU) or other written document, and indicate the frequency of review and update for that document. Specify the methods that the Medicaid agency uses to ensure that the operating agency performs its assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify the frequency of Medicaid agency assessment of operating agency performance:

The single State Medicaid Agency, OHCA, and the operating agency, DHS, have entered into an Interagency Agreement to assure cooperation and collaboration in performance of their respective duties in the provision of waiver services. The purpose of this Agreement is to satisfy State and Federal requirements regarding the role of OHCA and DHS, to outline financial obligations and arrangements between these agencies, and to define the roles of each agency. OHCA performs continuous monitoring of DHS following a monthly reporting schedule. However, additional monitoring, if required, occurs on an as needed basis.

The Interagency Agreement between OHCA and DHS is reviewed at least annually. Amendments can be executed as warranted at any time.

Responsibilities afforded to OHCA as related to fiscal matters are outlined in Oklahoma Administrative Code (OAC) 317:30. OHCA works with DHS to establish rates for waiver services. The OHCA Board of Directors has final approval of all proposed rates and rate changes. OHCA monitors waiver expenditures and enrollment monthly using data in the MMIS.

The OHCA Level of Care Evaluation Unit (LOCEU) conducts the initial screening/evaluation to determine or confirm a member's level of care, including verifying a diagnosis of intellectual disability, and approves/denies waiver eligibility. DHS/DDS Case Management Supervisors perform re-evaluations unless a significant change occurs which questions the qualifying diagnosis of a member. When a significant change affecting the member's qualifying diagnosis is suspected, Case Managers gather necessary documentation and submit to OHCA LOCEU to determine level of care.

DHS/DDS conducts an audit which specifically includes a review of re-evaluations and reports findings to OHCA. OHCA representatives meet regularly with staff of DDS. DDS provides regular summary reports reviewing discovery and remediation activities for the indicators in the Quality Improvement Strategy including those for the level of care and end of year summary data for all quality indicators. Discussion of any identified issues or trends and suggestions for systems or other remediation or improvements are shared.

DHS/DDS gathers information to verify non-licensed provider applications meet provider qualifications prior to submission to OHCA for final provider Agreement approval.

OHCA enters into Agreements with providers and verifies provider qualifications upon enrollment into the waiver program. Oklahoma has numerous Boards or agencies that license certain health practitioners. OHCA's provider Agreement requires providers to notify OHCA if their license is, "...suspended, revoked or any other way modified..." by the licensing Board/agency. Additionally, on a monthly basis, OHCA Provider Enrollment staff receive a file from the Centers for Medicare & Medicaid Services (CMS) that lists sanctioned providers. This listing is compared against OHCA's master provider file, and sanctioned providers are removed from participation in the waiver program as of the effective date of the sanction. All new providers wishing to participate in the waiver program are also checked against this listing.

In accordance with the Interagency Agreement, OHCA and DHS/DDS coordinate policy issues related to the operation of the waiver program including changes in policy and procedures. All proposed rules are reviewed and approved by the Advisory Committee on Services to Persons with Developmental Disabilities (ACSPDD), of which OHCA is a participating member. The ACSPDD reviews all policies of DHS/DDS and makes recommendations to the Director of Human Services. Statutory authority of the ACSPDD is Section 1412 of Title 10 of the Oklahoma Statutes. All proposed rules are also reviewed and approved by the OHCA Medical Advisory Committee; and the OHCA Board prior to submission to the Governor for final approval.

DHS/DDS monitors non-licensed providers for compliance and provides results to OHCA. OHCA is notified when Administrative Inquiries and follow-ups as well as annual performance reviews and

follow-ups are completed. DHS/DDS Quality Assurance Unit also monitors the performance of DHS/DDS by conducting performance reviews of DHS/DDS member records to ensure member services are provided in an amount, duration and frequency which supports member Plans. Results of DHS/DDS Case manager reviews are sent by email to OHCA. DHS/DDS Quality Assurance provider documents are posted to a web-based system upon completion. The web-based system may be accessed by OHCA at any time. OHCA representatives are provided summary reports to review quality indicators on a regular basis. Follow-ups are sent to OHCA as they are completed.

The Area Survey monitoring process is a record review of the DHS/DDS Case Manager record, based on a statistically significant random sample of members receiving supports through the waiver. One quarter of the representative sample is monitored each quarter. This results in a complete representative sample being reviewed each year. The record reviews include a review of service plans to assure: all member needs are addressed and preferences considered; they are developed according to policy and updated/revised as needed ensuring an interim meeting was held within 30 days of identification or notification of the need for change in authorization of waiver services; services are delivered in accordance with the service plan including the type, scope, amount and frequency specified in the service plan; and that members are afforded choice between waiver services and institutional care and between/among waiver services and providers. The Area Survey record reviews provide a process for monitoring the health and welfare of members, assuring Case Managers: conduct face-to-face visits as required; address issues that could put the member's health or welfare at risk; and provide follow-up on issues identified in incident reports. The results of the Area Survey monitoring process are shared with OHCA and included in summary reports.

The Performance Survey is an annual monitoring site visit in which all provider agencies participate, providing data based on an aggregated statistically significant sample of members receiving waiver services and an aggregated statistically significant sample of provider agency staff. The Performance Survey includes all waivers for which the provider agency contracts. Monitoring of service plan development and implementation includes: a review of provider agency records for a random sample of waiver members; and home visits and interviews with waiver members and other pertinent people, for those sampled. The annual monitoring of nonlicensed/

non-certified provider staff includes a review of personnel records for a sampling of staff assigned to provide supports, to ensure all required employment background checks have been obtained and all required training has taken place. The Performance Survey process provides for a sampling of financial records to ensure compliance with provider Agreements. DHS/DDS policy provides the expectation that all identified barriers to performance consistent with the expectation of regulatory policy and contracts are resolved no later than 60 days

following the completion of the annual Performance Survey. Failure to correct identified barriers could result in administrative sanctions. The results of Performance Surveys are summarized and shared with OHCA in regular reports.

Appendix A: Waiver Administration and Operation

3. Use of Contracted Entities. Specify whether contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable) (*select one*):

- Yes. Contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or operating agency (if applicable).**

Specify the types of contracted entities and briefly describe the functions that they perform. *Complete Items A-5 and A-6.*

DHS/DDS serves as a Financial Management Service (FMS) in a Government Fiscal Employer Agent (FEA) model and also operates as an Organized Health Care Delivery System (OHCDS) using a subagent. The subagent has entered into an Agreement with DHS/DDS and also OHCA to perform billing transactions on behalf of DHS/DDS. DHS/DDS has entered into an Interagency Agreement with OHCA.

- No. Contracted entities do not perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable).**

Appendix A: Waiver Administration and Operation

4. Role of Local/Regional Non-State Entities. Indicate whether local or regional non-state entities perform waiver operational and administrative functions and, if so, specify the type of entity (*Select One*):

- Not applicable**
- Applicable** - Local/regional non-state agencies perform waiver operational and administrative functions. Check each that applies:
- Local/Regional non-state public agencies** perform waiver operational and administrative functions at the local or regional level. There is an **interagency agreement or memorandum of understanding** between the State and these agencies that sets forth responsibilities and performance requirements for these agencies that is available through the Medicaid agency.

Specify the nature of these agencies and complete items A-5 and A-6:

- Local/Regional non-governmental non-state entities** conduct waiver operational and administrative functions at the local or regional level. There is a contract between the Medicaid agency and/or the operating agency (when authorized by the Medicaid agency) and each local/regional non-state entity that sets forth the responsibilities and performance requirements of the local/regional entity. The **contract(s)** under which private entities conduct waiver operational functions are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Specify the nature of these entities and complete items A-5 and A-6:

Appendix A: Waiver Administration and Operation

- 5. Responsibility for Assessment of Performance of Contracted and/or Local/Regional Non-State Entities.** Specify the state agency or agencies responsible for assessing the performance of contracted and/or local/regional non-state entities in conducting waiver operational and administrative functions: DHS/DDS is responsible for assessment of performance of the Financial Management Service (FMS) subagent as identified in Appendix A.3. The FMS subagent is also subject to monitoring and oversight by the Oklahoma Health Care Authority (OHCA), the State's Medicaid agency.

Appendix A: Waiver Administration and Operation

- 6. Assessment Methods and Frequency.** Describe the methods that are used to assess the performance of contracted and/or local/regional non-state entities to ensure that they perform assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify how frequently the performance of contracted and/or local/regional non-state entities is assessed: The Financial Management Service (FMS) subagent maintains adequate and separate accounting and fiscal records and accounts for all funds provided by any source to pay the cost of the project and permit audit and/or examination of all such records, procedures and accounts at any reasonable time by authorized personnel of the U.S. Department of Health and Human Services or other pertinent Federal agencies and authorized personnel of the Oklahoma Department of Human Services, State Auditor and Inspector and other appropriate State entities. Furthermore, such personnel have the right of access to any books, records, documents, accounting procedures, practices or any other items of the service provider that are pertinent to the performance or payment of the contract in order to audit, examine and make excerpts of records. Contractor is required to maintain all records for six years after the Department makes final payment and all other pending matters are closed. DHS/DDS will be responsible for assessment of performance of the FMS subagent. The FMS subagent is required to submit a monthly report to the DHS/DDS Contract Monitor for the FMS subagent. The report includes the names of all members served. The report is compared with DHS/DDS records of authorization and upon completion of review is submitted to the DHS Finance Division. The report is shared with OHCA upon request. In addition, a monthly report is available via the web with a login and password to members and DHS/DDS by the FMS subagent which includes statement period, member name, name and address used to mail the statement, a listing of all active accounts, total amount of money FMS subagent has received via authorization, spending via statement period, total amount of spending and the balance of account. The FMS subagent is also subject to monitoring and oversight by the Oklahoma Health Care Authority (OHCA), the State's Medicaid agency. Reports are due monthly and more frequently upon request.

Appendix A: Waiver Administration and Operation

7. Distribution of Waiver Operational and Administrative Functions. In the following table, specify the entity or entities that have responsibility for conducting each of the waiver operational and administrative functions listed (*check each that applies*):

In accordance with 42 CFR §431.10, when the Medicaid agency does not directly conduct a function, it supervises the performance of the function and establishes and/or approves policies that affect the function. All functions not performed directly by the Medicaid agency must be delegated in writing and monitored by the Medicaid Agency. *Note: More than one box may be checked per item. Ensure that Medicaid is checked when the Single State Medicaid Agency (1) conducts the function directly; (2) supervises the delegated function; and/or (3) establishes and/or approves policies related to the function.*

Function	Medicaid Agency	Other State Operating Agency	Contracted Entity
Participant waiver enrollment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waiver enrollment managed against approved limits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waiver expenditures managed against approved levels	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Level of care evaluation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Review of Participant service plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prior authorization of waiver services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Utilization management	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Qualified provider enrollment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Execution of Medicaid provider agreements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Establishment of a statewide rate methodology	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rules, policies, procedures and information development governing the waiver program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality assurance and quality improvement activities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix A: Waiver Administration and Operation

Quality Improvement: Administrative Authority of the Single State Medicaid Agency

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Administrative Authority

The Medicaid Agency retains ultimate administrative authority and responsibility for the operation of the waiver program by exercising oversight of the performance of waiver functions by other state and local/regional non-state agencies (if appropriate) and contracted entities.

i. Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Performance measures for administrative authority should not duplicate measures found in other appendices of the waiver application. As necessary and applicable, performance measures should focus on:

- Uniformity of development/execution of provider agreements throughout all geographic areas covered by the waiver
- Equitable distribution of waiver openings in all geographic areas covered by the waiver
- Compliance with HCB settings requirements and other new regulatory components (for waiver actions submitted on or after March 17, 2014)

Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of provider Agreement applications for licensed providers approved and reviewed by OHCA (denominator) for which DHS/DDS verified appropriate licensure/certificate in accordance with the State law and waiver provider qualifications prior to verification by OHCA and initiation of provider Agreement (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

DHS/DDS report

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Annually

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
Specify: <input type="text"/>	
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of monthly enrollment reports (denominator) submitted to and reviewed by OHCA that are within approved levels (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Responsible Party for data collection/generation(check each that applies):	Frequency of data collection/generation(check each that applies):	Sampling Approach(check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of monthly prior authorizations (denominator) submitted to and reviewed by OHCA that are within approved levels (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Responsible Party for data collection/generation(check each that applies):	Frequency of data collection/generation(check each that applies):	Sampling Approach(check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of required provider performance monitoring reviews (denominator) conducted by DHS/DDS and reported to and reviewed by OHCA (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

DHS/DDS report

Responsible Party for data collection/generation(check each that applies):	Frequency of data collection/generation(check each that applies):	Sampling Approach(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of provider Agreement applications for non-licensed providers approved and reviewed by OHCA (denominator) for which DHS/DDS verified provider information prior to verification by OHCA and initiation of provider Agreement (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

DHS/DDS report

Responsible Party for data collection/generation(check each that applies):	Frequency of data collection/generation(check each that applies):	Sampling Approach(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other	

	Specify:	
	<input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of administrative reports (denominator) furnished within 45 working days of the close of the quarter to the State Medicaid Director and Waiver Administration Unit (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

Report prepared by DHS/DDS

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>

	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of fixed service rates submitted to OHCA (denominator) and approved for DHS/DDS by the OHCA Board of Directors (numerator).

Data Source (Select one):

Program logs

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>

	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of policy pertaining to DHS/DDS waiver members submitted to (denominator) and approved by OHCA (numerator).

Data Source (Select one):

Program logs

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group:

	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.

OHCA's Long Term Care Administration (LTCA) dedicated waiver staff are responsible for program monitoring and oversight and will address individual problems as they are discovered with regard to operations and administrative functions that are performed by all contracted entities. LTCA dedicated waiver staff will maintain administrative authority through the use of an electronic database designed for storing information received related to problems identified and resolution of these matters. The LTCA Contract Monitor will be directly responsible for mediating any individual problems pertaining to administrative authority. The LTCA Contract Monitor will work with the designated Contractor Point of Contact to resolve any problems in a timely manner. The LTCA Contract Monitor will have the use of penalties and sanctions in accordance with the terms of the contract. Problems requiring additional OHCA staff will be addressed in workgroups involving appropriate personnel to resolve issues timely and effectively.

- ii. **Remediation Data Aggregation**
Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Administrative Authority that are currently non-operational.

- No
- Yes

Please provide a detailed strategy for assuring Administrative Authority, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix B: Participant Access and Eligibility

B-1: Specification of the Waiver Target Group(s)

- a. Target Group(s).** Under the waiver of Section 1902(a)(10)(B) of the Act, the State limits waiver services to one or more groups or subgroups of individuals. Please see the instruction manual for specifics regarding age limits. *In accordance with 42 CFR §441.301(b)(6), select one or more waiver target groups, check each of the subgroups in the selected target group(s) that may receive services under the waiver, and specify the minimum and maximum (if any) age of individuals served in each subgroup:*

Target Group	Included	Target SubGroup	Minimum Age	Maximum Age	
				Maximum Age Limit	No Maximum Age Limit
<input type="checkbox"/> Aged or Disabled, or Both - General					
	<input type="checkbox"/>	Aged			<input type="checkbox"/>
	<input type="checkbox"/>	Disabled (Physical)			
	<input type="checkbox"/>	Disabled (Other)			
<input type="checkbox"/> Aged or Disabled, or Both - Specific Recognized Subgroups					
	<input type="checkbox"/>	Brain Injury			<input type="checkbox"/>
	<input type="checkbox"/>	HIV/AIDS			<input type="checkbox"/>
	<input type="checkbox"/>	Medically Fragile			<input type="checkbox"/>
	<input type="checkbox"/>	Technology Dependent			<input type="checkbox"/>
<input checked="" type="checkbox"/> Intellectual Disability or Developmental Disability, or Both					
	<input type="checkbox"/>	Autism			<input type="checkbox"/>

Target Group	Included	Target SubGroup	Minimum Age	Maximum Age	
				Maximum Age Limit	No Maximum Age Limit
	<input type="checkbox"/>	Developmental Disability			<input type="checkbox"/>
	<input checked="" type="checkbox"/>	Intellectual Disability	3	17	<input type="checkbox"/>
<input type="checkbox"/> Mental Illness					
	<input type="checkbox"/>	Mental Illness			
	<input type="checkbox"/>	Serious Emotional Disturbance			

b. **Additional Criteria.** The State further specifies its target group(s) as follows:

c. **Transition of Individuals Affected by Maximum Age Limitation.** When there is a maximum age limit that applies to individuals who may be served in the waiver, describe the transition planning procedures that are undertaken on behalf of participants affected by the age limit (*select one*):

- Not applicable. There is no maximum age limit
- The following transition planning procedures are employed for participants who will reach the waiver's maximum age limit.

Specify:

When a service member reaches age 18, the service member is disenrolled from the IHSW-C and automatically enrolled in the State's In-Home Supports Waiver for Adults (IHSW-A) in accordance with OAC 317:40-1-1. Service members transitioning from the IHSW-C to the IHSW-A are not subject to the waiting list.

Appendix B: Participant Access and Eligibility

B-2: Individual Cost Limit (1 of 2)

a. **Individual Cost Limit.** The following individual cost limit applies when determining whether to deny home and community-based services or entrance to the waiver to an otherwise eligible individual (*select one*). Please note that a State may have only ONE individual cost limit for the purposes of determining eligibility for the waiver:

- No Cost Limit.** The State does not apply an individual cost limit. *Do not complete Item B-2-b or item B-2-c.*
- Cost Limit in Excess of Institutional Costs.** The State refuses entrance to the waiver to any otherwise eligible individual when the State reasonably expects that the cost of the home and community-based services furnished to that individual would exceed the cost of a level of care specified for the waiver up to an amount specified by the State. *Complete Items B-2-b and B-2-c.*

The limit specified by the State is (*select one*)

- A level higher than 100% of the institutional average.**

Specify the percentage:

- Other**

Specify:

- Institutional Cost Limit.** Pursuant to 42 CFR 441.301(a)(3), the State refuses entrance to the waiver to any otherwise eligible individual when the State reasonably expects that the cost of the home and community-based

services furnished to that individual would exceed 100% of the cost of the level of care specified for the waiver.
Complete Items B-2-b and B-2-c.

- Cost Limit Lower Than Institutional Costs.** The State refuses entrance to the waiver to any otherwise qualified individual when the State reasonably expects that the cost of home and community-based services furnished to that individual would exceed the following amount specified by the State that is less than the cost of a level of care specified for the waiver.

Specify the basis of the limit, including evidence that the limit is sufficient to assure the health and welfare of waiver participants. Complete Items B-2-b and B-2-c.

The In-Home Supports Waiver for Children (IHSW-C) serves individuals who live with family, friends or in their own home. The IHSW-C relies heavily on the use of natural and generic resources and supports. The support needs of the member must be able to be met through a combination of non-paid, non-waiver, SoonerCare resources available to the member, and with HCBS waiver resources that are within the annual limit.

The IHSW-C annual cost limit was first determined by an analysis of the costs of similarly situated members when the Waiver was initiated in State Fiscal Year (SFY) 1999. In subsequent operating years (Annual Reporting Periods), the annual cost limit was adjusted in conjunction with rate increases paid to service providers to ensure its continued relevance. The basis of the limit is based on historical use of EPSDT by children with an ICF-IID level of care combined with estimates of expected utilization of waiver services. The cost limit may be increased in the event of a service rate increase.

The cost limit specified by the State is (select one):

- The following dollar amount:**

Specify dollar amount:

The dollar amount (select one)

- Is adjusted each year that the waiver is in effect by applying the following formula:**

Specify the formula:

- May be adjusted during the period the waiver is in effect. The State will submit a waiver amendment to CMS to adjust the dollar amount.**

- The following percentage that is less than 100% of the institutional average:**

Specify percent:

- Other:**

Specify:

Appendix B: Participant Access and Eligibility

B-2: Individual Cost Limit (2 of 2)

- b. Method of Implementation of the Individual Cost Limit.** When an individual cost limit is specified in Item B-2-a, specify the procedures that are followed to determine in advance of waiver entrance that the individual's health and welfare can be assured within the cost limit:

Prior to entrance to the waiver, DHS/DDS Intake Staff meet with the potential member, his/her family and/or legal representative(s) and any other person(s) chosen by the potential member. During the meeting, Intake Staff gather

information about the potential member's strengths and needs and natural and generic supports and services available to determine the waiver services required by the potential member. The Individual Plan is completed at the meeting and is based on the principals of Person-Centered Planning. The Plan specifically identifies the needs of the potential member along with the available resources identified to meet those needs. In the event the waiver service needs of the potential member are greater than the annual cost limit of the IHSW-C, the potential member is referred for entrance to the Community Waiver, a waiver without an individual cost limit also administered by DHS/DDS, for individuals with an intellectual disability. If enrollment is denied, A Notice of Action form is mailed notifying the individual enrollment has been denied. The notice includes information regarding the right to request a Fair Hearing. In addition, the individual receives a pamphlet related to the Fair Hearing process during the Intake and eligibility process.

c. **Participant Safeguards.** When the State specifies an individual cost limit in Item B-2-a and there is a change in the participant's condition or circumstances post-entrance to the waiver that requires the provision of services in an amount that exceeds the cost limit in order to assure the participant's health and welfare, the State has established the following safeguards to avoid an adverse impact on the participant (*check each that applies*):

- The participant is referred to another waiver that can accommodate the individual's needs.**
- Additional services in excess of the individual cost limit may be authorized.**

Specify the procedures for authorizing additional services, including the amount that may be authorized:

The Annual Limit may be increased for the following:

1. In the event of provider service rate increases occurring during a plan of care year resulting in individual plans of care exceeding the annual limit. The annual limit may be increased for that plan of care year by the impact of the rate increases. The annual limit may be increased for the subsequent plan of care year by the impact of the rate increases when necessary while a waiver amendment is pending. The State submits an amendment to increase the individual cost limit when a rate increase occurs.
2. When Assistive Technology Services or Environmental Accessibility Services were ordered under a previous year's plan but not delivered or completed until the current plan of care year. The current plan of care may exceed the annual limit by the cost of the previously-authorized Assistive Technology Services or Environmental Accessibility Services.
3. To allow for major purchases in excess of \$2,500 of Assistive Technology Services or Environmental Accessibility Services, but not to exceed \$10,000 in any five year period.
4. To allow services authorized by the Oklahoma Department of Human Services (DHS) DDS State Office to resolve time-limited emergency situations after all other resources have been exhausted.

When services are needed beyond the scope identified above, the person is referred for entrance to the Community Waiver in accordance with Oklahoma Administrative Code (OAC) 317:40-1-1.

Other safeguard(s)

Specify:

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (1 of 4)

a. **Unduplicated Number of Participants.** The following table specifies the maximum number of unduplicated participants who are served in each year that the waiver is in effect. The State will submit a waiver amendment to CMS to modify the number of participants specified for any year(s), including when a modification is necessary due to legislative appropriation or another reason. The number of unduplicated participants specified in this table is basis for the cost-neutrality calculations in Appendix J:

Table: B-3-a

Waiver Year	Unduplicated Number of Participants
Year 1	250

Waiver Year	Unduplicated Number of Participants
Year 2	250
Year 3	250
Year 4	250
Year 5	250

b. **Limitation on the Number of Participants Served at Any Point in Time.** Consistent with the unduplicated number of participants specified in Item B-3-a, the State may limit to a lesser number the number of participants who will be served at any point in time during a waiver year. Indicate whether the State limits the number of participants in this way: (*select one*):

- The State does not limit the number of participants that it serves at any point in time during a waiver year.**
- The State limits the number of participants that it serves at any point in time during a waiver year.**

The limit that applies to each year of the waiver period is specified in the following table:

Table: B-3-b

Waiver Year	Maximum Number of Participants Served At Any Point During the Year
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (2 of 4)

c. **Reserved Waiver Capacity.** The State may reserve a portion of the participant capacity of the waiver for specified purposes (e.g., provide for the community transition of institutionalized persons or furnish waiver services to individuals experiencing a crisis) subject to CMS review and approval. The State (*select one*):

- Not applicable. The state does not reserve capacity.**
- The State reserves capacity for the following purpose(s).**

Purpose(s) the State reserves capacity for:

Purposes
Furnish waiver services to children experiencing crisis, as described in policy OAC 317:40-1-1

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (2 of 4)

Purpose (*provide a title or short description to use for lookup*):

Furnish waiver services to children experiencing crisis, as described in policy OAC 317:40-1-1

Purpose (*describe*):

Waiver services are made available for children experiencing crisis that pose risk to health and/or safety, as described in policy OAC 317:40-1-1.

Describe how the amount of reserved capacity was determined:

Reserved capacity is based on the number of children in crisis added to the waiver during the previous 12 months.

The capacity that the State reserves in each waiver year is specified in the following table:

Waiver Year	Capacity Reserved
Year 1	15
Year 2	15
Year 3	15
Year 4	15
Year 5	15

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served (3 of 4)

d. Scheduled Phase-In or Phase-Out. Within a waiver year, the State may make the number of participants who are served subject to a phase-in or phase-out schedule (*select one*):

- The waiver is not subject to a phase-in or a phase-out schedule.**
- The waiver is subject to a phase-in or phase-out schedule that is included in Attachment #1 to Appendix B-3. This schedule constitutes an intra-year limitation on the number of participants who are served in the waiver.**

e. Allocation of Waiver Capacity.

Select one:

- Waiver capacity is allocated/managed on a statewide basis.**
- Waiver capacity is allocated to local/regional non-state entities.**

Specify: (a) the entities to which waiver capacity is allocated; (b) the methodology that is used to allocate capacity and how often the methodology is reevaluated; and, (c) policies for the reallocation of unused capacity among local/regional non-state entities:

f. Selection of Entrants to the Waiver. Specify the policies that apply to the selection of individuals for entrance to the waiver:

In accordance with OAC 317:40-1-1, initiation of services occurs in chronological order from the waiting list based on the date of receipt of a written request for services. The individual must meet the financial and medical eligibility criteria and have critical support needs that can be met by the IHSW-C. Exceptions to the chronological requirement may be made when an emergency exists.

Appendix B: Participant Access and Eligibility

B-3: Number of Individuals Served - Attachment #1 (4 of 4)

Answers provided in Appendix B-3-d indicate that you do not need to complete this section.

Appendix B: Participant Access and Eligibility

B-4: Eligibility Groups Served in the Waiver

a.

1. **State Classification.** The State is a (*select one*):

- §1634 State
 SSI Criteria State
 209(b) State

2. **Miller Trust State.**

Indicate whether the State is a Miller Trust State (*select one*):

- No
 Yes

b. **Medicaid Eligibility Groups Served in the Waiver.** Individuals who receive services under this waiver are eligible under the following eligibility groups contained in the State plan. The State applies all applicable federal financial participation limits under the plan. *Check all that apply:*

Eligibility Groups Served in the Waiver (excluding the special home and community-based waiver group under 42 CFR §435.217)

- Low income families with children as provided in §1931 of the Act
 SSI recipients
 Aged, blind or disabled in 209(b) states who are eligible under 42 CFR §435.121
 Optional State supplement recipients
 Optional categorically needy aged and/or disabled individuals who have income at:

Select one:

- 100% of the Federal poverty level (FPL)
 % of FPL, which is lower than 100% of FPL.

Specify percentage:

- Working individuals with disabilities who buy into Medicaid (BBA working disabled group as provided in §1902(a)(10)(A)(ii)(XIII) of the Act)
 Working individuals with disabilities who buy into Medicaid (TWWIIA Basic Coverage Group as provided in §1902(a)(10)(A)(ii)(XV) of the Act)
 Working individuals with disabilities who buy into Medicaid (TWWIIA Medical Improvement Coverage Group as provided in §1902(a)(10)(A)(ii)(XVI) of the Act)
 Disabled individuals age 18 or younger who would require an institutional level of care (TEFRA 134 eligibility group as provided in §1902(e)(3) of the Act)
 Medically needy in 209(b) States (42 CFR §435.330)
 Medically needy in 1634 States and SSI Criteria States (42 CFR §435.320, §435.322 and §435.324)
 Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the State plan that may receive services under this waiver)

Specify:

Special home and community-based waiver group under 42 CFR §435.217 Note: When the special home and community-based waiver group under 42 CFR §435.217 is included, Appendix B-5 must be completed

- No. The State does not furnish waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217. Appendix B-5 is not submitted.
 Yes. The State furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217.

Select one and complete Appendix B-5.

- All individuals in the special home and community-based waiver group under 42 CFR §435.217
- Only the following groups of individuals in the special home and community-based waiver group under 42 CFR §435.217

Check each that applies:

- A special income level equal to:

Select one:

- 300% of the SSI Federal Benefit Rate (FBR)
- A percentage of FBR, which is lower than 300% (42 CFR §435.236)

Specify percentage:

- A dollar amount which is lower than 300%.

Specify dollar amount:

- Aged, blind and disabled individuals who meet requirements that are more restrictive than the SSI program (42 CFR §435.121)
- Medically needy without spenddown in States which also provide Medicaid to recipients of SSI (42 CFR §435.320, §435.322 and §435.324)
- Medically needy without spend down in 209(b) States (42 CFR §435.330)
- Aged and disabled individuals who have income at:

Select one:

- 100% of FPL
- % of FPL, which is lower than 100%.

Specify percentage amount:

- Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the State plan that may receive services under this waiver)

Specify:

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (1 of 7)

In accordance with 42 CFR §441.303(e), Appendix B-5 must be completed when the State furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217, as indicated in Appendix B-4. Post-eligibility applies only to the 42 CFR §435.217 group.

- a. Use of Spousal Impoverishment Rules.** Indicate whether spousal impoverishment rules are used to determine eligibility for the special home and community-based waiver group under 42 CFR §435.217:

Note: For the five-year period beginning January 1, 2014, the following instructions are mandatory. The following box should be checked for all waivers that furnish waiver services to the 42 CFR §435.217 group effective at any point during this time period.

- Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group. In the case of a participant with a community spouse, the State uses spousal post-eligibility rules under §1924 of the Act.

Complete Items B-5-e (if the selection for B-4-a-i is SSI State or §1634) or B-5-f (if the selection for B-4-a-i is 209b State) and Item B-5-g unless the state indicates that it also uses spousal post-eligibility rules for the time periods before January 1, 2014 or after December 31, 2018.

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018 (select one).

- Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group.**

In the case of a participant with a community spouse, the State elects to (select one):

- Use spousal post-eligibility rules under §1924 of the Act.**
(Complete Item B-5-b (SSI State) and Item B-5-d)
- Use regular post-eligibility rules under 42 CFR §435.726 (SSI State) or under §435.735 (209b State)**
(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)
- Spousal impoverishment rules under §1924 of the Act are not used to determine eligibility of individuals with a community spouse for the special home and community-based waiver group. The State uses regular post-eligibility rules for individuals with a community spouse.**
(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (2 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

b. Regular Post-Eligibility Treatment of Income: SSI State.

The State uses the post-eligibility rules at 42 CFR 435.726 for individuals who do not have a spouse or have a spouse who is not a community spouse as specified in §1924 of the Act. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following allowances and expenses from the waiver participant's income:

i. Allowance for the needs of the waiver participant (select one):

- The following standard included under the State plan**

Select one:

- SSI standard**
- Optional State supplement standard**
- Medically needy income standard**
- The special income level for institutionalized persons**

(select one):

- 300% of the SSI Federal Benefit Rate (FBR)**
- A percentage of the FBR, which is less than 300%**

Specify the percentage:

- A dollar amount which is less than 300%.**

Specify dollar amount:

- A percentage of the Federal poverty level**

Specify percentage:

- Other standard included under the State Plan**

Specify:

- The following dollar amount**

Specify dollar amount: If this amount changes, this item will be revised.

- The following formula is used to determine the needs allowance:**

Specify:

- Other**

Specify:

ii. Allowance for the spouse only (select one):

- Not Applicable**

- The state provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided:**

Specify:

Specify the amount of the allowance (select one):

- SSI standard**
 Optional State supplement standard
 Medically needy income standard
 The following dollar amount:

Specify dollar amount: If this amount changes, this item will be revised.

- The amount is determined using the following formula:**

Specify:

iii. Allowance for the family (select one):

- Not Applicable (see instructions)**
 AFDC need standard
 Medically needy income standard
 The following dollar amount:

Specify dollar amount: The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the State's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.

- The amount is determined using the following formula:**

Specify:

Other

Specify:

iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 §CFR 435.726:

- a. Health insurance premiums, deductibles and co-insurance charges
- b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses.

Select one:

- Not Applicable (see instructions)***Note: If the State protects the maximum amount for the waiver participant, not applicable must be selected.*
- The State does not establish reasonable limits.**
- The State establishes the following reasonable limits**

Specify:

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (3 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

c. Regular Post-Eligibility Treatment of Income: 209(B) State.

Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (4 of 7)

Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.

d. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules

The State uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care if it determines the individual's eligibility under §1924 of the Act. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the State Medicaid Plan. The State must also protect amounts for incurred expenses for medical or remedial care (as specified below).

i. Allowance for the personal needs of the waiver participant

(select one):

- SSI standard**

- Optional State supplement standard
 Medically needy income standard
 The special income level for institutionalized persons
 A percentage of the Federal poverty level

Specify percentage:

- The following dollar amount:

Specify dollar amount: If this amount changes, this item will be revised

- The following formula is used to determine the needs allowance:

Specify formula:

- Other

Specify:

- ii. If the allowance for the personal needs of a waiver participant with a community spouse is different from the amount used for the individual's maintenance allowance under 42 CFR §435.726 or 42 CFR §435.735, explain why this amount is reasonable to meet the individual's maintenance needs in the community.

Select one:

- Allowance is the same
 Allowance is different.

Explanation of difference:

- iii. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR §435.726:

- a. Health insurance premiums, deductibles and co-insurance charges
 b. Necessary medical or remedial care expenses recognized under State law but not covered under the State's Medicaid plan, subject to reasonable limits that the State may establish on the amounts of these expenses.

Select one:

- Not Applicable (see instructions) *Note: If the State protects the maximum amount for the waiver participant, not applicable must be selected.*
 The State does not establish reasonable limits.
 The State uses the same reasonable limits as are used for regular (non-spousal) post-eligibility.

Appendix B: Participant Access and Eligibility

B-5: Post-Eligibility Treatment of Income (5 of 7)

Note: The following selections apply for the five-year period beginning January 1, 2014.

e. Regular Post-Eligibility Treatment of Income: SSI State - 2014 through 2018.

Answers provided in Appendix B-5-a indicate the selections in B-5-b also apply to B-5-e.

Appendix B: Participant Access and Eligibility**B-5: Post-Eligibility Treatment of Income (6 of 7)**

Note: The following selections apply for the five-year period beginning January 1, 2014.

f. Regular Post-Eligibility Treatment of Income: 209(B) State - 2014 through 2018.

Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.

Appendix B: Participant Access and Eligibility**B-5: Post-Eligibility Treatment of Income (7 of 7)**

Note: The following selections apply for the five-year period beginning January 1, 2014.

g. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules - 2014 through 2018.

The State uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the State Medicaid Plan. The State must also protect amounts for incurred expenses for medical or remedial care (as specified below).

Answers provided in Appendix B-5-a indicate the selections in B-5-d also apply to B-5-g.

Appendix B: Participant Access and Eligibility**B-6: Evaluation/Reevaluation of Level of Care**

As specified in 42 CFR §441.302(c), the State provides for an evaluation (and periodic reevaluations) of the need for the level (s) of care specified for this waiver, when there is a reasonable indication that an individual may need such services in the near future (one month or less), but for the availability of home and community-based waiver services.

- a. Reasonable Indication of Need for Services.** In order for an individual to be determined to need waiver services, an individual must require: (a) the provision of at least one waiver service, as documented in the service plan, and (b) the provision of waiver services at least monthly or, if the need for services is less than monthly, the participant requires regular monthly monitoring which must be documented in the service plan. Specify the State's policies concerning the reasonable indication of the need for services:

i. Minimum number of services.

The minimum number of waiver services (one or more) that an individual must require in order to be determined to need waiver services is:

- ii. Frequency of services.** The State requires (select one):

- The provision of waiver services at least monthly
- Monthly monitoring of the individual when services are furnished on a less than monthly basis

If the State also requires a minimum frequency for the provision of waiver services other than monthly (e.g., quarterly), specify the frequency:

No minimum frequency

- b. Responsibility for Performing Evaluations and Reevaluations.** Level of care evaluations and reevaluations are performed (select one):

- Directly by the Medicaid agency

- By the operating agency specified in Appendix A**
- By an entity under contract with the Medicaid agency.**

Specify the entity:

- Other**

Specify:

The OHCA' Level of Care Evaluation Unit (LOCEU) performs all initial evaluations and reevaluations where there appears to be a significant change which questions a member's qualifying diagnosis. Annual reevaluations are conducted by DHS/DDS Level of Care Reviewers.

- c. Qualifications of Individuals Performing Initial Evaluation:** Per 42 CFR §441.303(c)(1), specify the educational/professional qualifications of individuals who perform the initial evaluation of level of care for waiver applicants:

A person must be a Qualified Intellectual Disability Professional (QIDP) to perform initial evaluations of level of care for waiver applicants. To qualify as a QIDP a person must have a Baccalaureate Degree in a social science, behavioral science or human services field and have at least one year of experience working directly with persons with an intellectual disability or other developmental disabilities.

- d. Level of Care Criteria.** Fully specify the level of care criteria that are used to evaluate and reevaluate whether an individual needs services through the waiver and that serve as the basis of the State's level of care instrument/tool. Specify the level of care instrument/tool that is employed. State laws, regulations, and policies concerning level of care criteria and the level of care instrument/tool are available to CMS upon request through the Medicaid agency or the operating agency (if applicable), including the instrument/tool utilized.

Information used to conduct an initial evaluation is submitted to OHCA by the DHS/DDS Intake Case Manager. This information includes a psychological evaluation that includes a full scale functional and/or adaptive assessment and a statement of age of onset of the disability and intelligence testing that yields a full scale intelligence quotient; a social service summary current within 12 months of requested waiver approval date that includes a developmental history; a medical evaluation current within 90 days of requested waiver approval date; a completed ICF-ID Level of Care Assessment form; and proof of disability according to Social Security Administration (SSA) guidelines. If a disability determination has not been made by SSA, OHCA may make a disability determination using the same guidelines as SSA. Annual reevaluations are conducted by DHS/DDS Level of Care Reviewers unless a significant change has occurred which questions a member's qualifying diagnosis. In those cases, the same, but current, information used for the initial evaluation is submitted to OHCA for reevaluation. Relevant policy may be found at OAC 317:40-1-1.

- e. Level of Care Instrument(s).** Per 42 CFR §441.303(c)(2), indicate whether the instrument/tool used to evaluate level of care for the waiver differs from the instrument/tool used to evaluate institutional level of care (*select one*):

- The same instrument is used in determining the level of care for the waiver and for institutional care under the State Plan.**
- A different instrument is used to determine the level of care for the waiver than for institutional care under the State plan.**

Describe how and why this instrument differs from the form used to evaluate institutional level of care and explain how the outcome of the determination is reliable, valid, and fully comparable.

- f. Process for Level of Care Evaluation/Reevaluation:** Per 42 CFR §441.303(c)(1), describe the process for evaluating waiver applicants for their need for the level of care under the waiver. If the reevaluation process differs from the evaluation process, describe the differences:

The same process is used for reevaluation as the initial evaluation except the DHS/DDS Level of Care Reviewer is responsible for conducting routine evaluations. The OHCA LOCEU conducts initial evaluations and reevaluations that question the qualifying diagnosis.

- g. Reevaluation Schedule.** Per 42 CFR §441.303(c)(4), reevaluations of the level of care required by a participant are conducted no less frequently than annually according to the following schedule (*select one*):

- Every three months**

- Every six months
 Every twelve months
 Other schedule
 Specify the other schedule:

h. Qualifications of Individuals Who Perform Reevaluations. Specify the qualifications of individuals who perform reevaluations (*select one*):

- The qualifications of individuals who perform reevaluations are the same as individuals who perform initial evaluations.
 The qualifications are different.
 Specify the qualifications:

OHCA Level of Care Evaluation Unit staff must be a Qualified Intellectual Disability Professional (QIDP) to perform initial evaluations of level of care for waiver applicants. To qualify as a QIDP a person must have a Baccalaureate Degree in a social science, behavioral science or human services field and have at least one year of experience working directly with persons with intellectual disability or other developmental disability.

Annual reevaluations may be conducted by DHS/DDS Level of Care Reviewers. Requirements for an DHS/DDS Level of Care Reviewer consist of a Bachelor's Degree in a human services field and one year of experience working directly with individuals with developmental disabilities; or possession of a valid permanent Oklahoma license as approved by the Oklahoma Board of Nursing to practice professional nursing and one year working directly with individuals with developmental disabilities.

i. Procedures to Ensure Timely Reevaluations. Per 42 CFR §441.303(c)(4), specify the procedures that the State employs to ensure timely reevaluations of level of care (*specify*):

DHS/DDS generates a monthly report listing the names of members whose reevaluation is due in 120 days. These reports are provided to appropriate Level of Care Reviewers and Case Managers for follow-up action. Case Managers also use a tickler file system to assure timely reevaluations are conducted. Additionally, the training for and practice of DHS/DDS Case Managers is to prepare for reevaluations approximately 90 days prior to a member's annual Team, as described in Appendix D-1:c, meeting.

j. Maintenance of Evaluation/Reevaluation Records. Per 42 CFR §441.303(c)(3), the State assures that written and/or electronically retrievable documentation of all evaluations and reevaluations are maintained for a minimum period of 3 years as required in 45 CFR §92.42. Specify the location(s) where records of evaluations and reevaluations of level of care are maintained:

The DHS/DDS Case Manager maintains these records electronically in the case management information system.

Appendix B: Evaluation/Reevaluation of Level of Care

Quality Improvement: Level of Care

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Level of Care Assurance/Sub-assurances

The state demonstrates that it implements the processes and instrument(s) specified in its approved waiver for evaluating/reevaluating an applicant's/waiver participant's level of care consistent with level of care provided in a hospital, NF or ICF/IID.

i. Sub-Assurances:

- a. *Sub-assurance: An evaluation for LOC is provided to all applicants for whom there is reasonable indication that services may be needed in the future.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of applicants (denominator) who had a level of care indicating the need for ICF/IID level of care prior to the receipt of services (numerator).

Data Source (Select one):

Record reviews, off-site

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- b. **Sub-assurance: The levels of care of enrolled participants are reevaluated at least annually or as specified in the approved waiver.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

- c. **Sub-assurance: The processes and instruments described in the approved waiver are applied appropriately and according to the approved description to determine participant level of care.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of initial level of care evaluations (denominator) that are accurately completed by a QMRP (numerator).

Data Source (Select one):

Record reviews, off-site

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	

		<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's initial level of care evaluations (denominator) where required forms/instruments were completely and accurately completed by the State (numerator).

Data Source (Select one):

Record reviews, off-site

If 'Other' is selected, specify:

Responsible Party for data		Sampling Approach (check each that applies):
-----------------------------------	--	---

collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of initial level of care evaluations (denominator) where level of care criteria was accurately applied (numerator).

Data Source (Select one):

Record reviews, off-site

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.
The operating agency follows up on each identified problem to ensure it is corrected. This may include directing case management to complete or gather required forms, ensuring the level of care was completed by a qualified person and following up to ensure the issue is corrected. Documents to support correction are maintained electronically in the DDS case management database. Data is analyzed to determine whether there are trends or common issues which need to be addressed systemically.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Level of Care that are currently non-operational.

- No**
- Yes**

Please provide a detailed strategy for assuring Level of Care, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix B: Participant Access and Eligibility

B-7: Freedom of Choice

Freedom of Choice. As provided in 42 CFR §441.302(d), when an individual is determined to be likely to require a level of care for this waiver, the individual or his or her legal representative is:

- i. informed of any feasible alternatives under the waiver; and
- ii. given the choice of either institutional or home and community-based services.

- a. Procedures.** Specify the State's procedures for informing eligible individuals (or their legal representatives) of the feasible alternatives available under the waiver and allowing these individuals to choose either institutional or waiver services. Identify the form(s) that are employed to document freedom of choice. The form or forms are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

When the DHS/DDS determines an individual may require ICF-ID level of care, the individual or legal representative is informed of any feasible alternatives under the waiver and is given the choice to receive those services in an institution or through a HCBS Waiver. Evidence of this choice is documented initially and annually thereafter using the "Documentation of Consumer Choice" form that is provided to and signed by the individual or legal representative. This form gives the individual the choice between institutional care and HCBS and outlines the freedom to choose from any available provider of waiver services. DHS/DDS Intake Staff inform potential members of the services available through the waiver and routinely provide this information through verbal communication and by providing informational pamphlets to potential members and their legal representatives. The DHS/DDS Case Manager provides a detailed explanation of the process for the authorization of waiver services and the Team, as described in Appendix D-1:c, process and is responsible for ensuring completion of the "Documentation of Consumer Choice" form. Additionally, OHCA policy, OAC 317:30-3-14, assures that any individual eligible for SoonerCare may obtain services from any institution, agency, pharmacy, person or organization that is qualified to perform the services.

- b. Maintenance of Forms.** Per 45 CFR §92.42, written copies or electronically retrievable facsimiles of Freedom of Choice forms are maintained for a minimum of three years. Specify the locations where copies of these forms are maintained.

The DHS/DDS Case Manager maintains these forms and a copy is maintained electronically in the DHS/DDS case management information system.

Appendix B: Participant Access and Eligibility

B-8: Access to Services by Limited English Proficiency Persons

Access to Services by Limited English Proficient Persons. Specify the methods that the State uses to provide meaningful access to the waiver by Limited English Proficient persons in accordance with the Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003):

The State has entered into a statewide Agreement for interpreter services to include services for Limited English Proficiency (LEP) persons as well as individuals who are deaf.

DHS/DDS employs bilingual Case Managers and DHS forms and pamphlets are available in Spanish.

Appendix C: Participant Services

C-1: Summary of Services Covered (1 of 2)

- a. Waiver Services Summary.** List the services that are furnished under the waiver in the following table. If case management is not a service under the waiver, complete items C-1-b and C-1-c:

Service Type	Service
Statutory Service	Habilitation Training Specialist Services
Statutory Service	Prevocational Services
Statutory Service	Respite
Statutory Service	Supported Employment
Other Service	Environmental Accessibility Adaptations and Architectural Modification
Other Service	Family Training
Other Service	Occupational and Physical Therapy
Other Service	Self Directed Goods and Services (SD-GS)
Other Service	Specialized Medical Supplies and Assistive Technology

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Statutory Service ▼

Service:

Habilitation ▼

Alternate Service Title (if any):

Habilitation Training Specialist Services

HCBS Taxonomy:

Category 1:

08 Home-Based Services

Sub-Category 1:

08010 home-based habilitation ▼

Category 2:

04 Day Services

Sub-Category 2:

04070 community integration ▼

Category 3:

08 Home-Based Services

Sub-Category 3:

08030 personal care ▼

Category 4:

▼

Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**
- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

This includes services to support the service member's self care, daily living, adaptive and leisure skills needed to reside successfully in the community. Services are provided in community-based settings in a manner that contributes to a member's independence, self-sufficiency, community inclusion and well-being. Payment does not include room and board or maintenance, upkeep and improvement of the member's or family's residence.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Payment will not be made for routine care and supervision that is normally provided by family or for services furnished to a member by a person who is legally responsible per Oklahoma Administrative Code 340:100-3-33-2.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E**
- Provider managed**

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person**
- Relative**
- Legal Guardian**

Provider Specifications:

Provider Category	Provider Type Title
Agency	Habilitation Training Specialist Agency
Individual	Habilitation Training Specialist

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Statutory Service****Service Name: Habilitation Training Specialist Services****Provider Category:**Agency **Provider Type:**

Habilitation Training Specialist Agency

Provider Qualifications**License (specify):**


Certificate (specify):


Other Standard (specify):

Current SoonerCare Provider Agreement with OHCA to provide Habilitation Training Specialist services to OKDHS/DDSD HCBS waiver members.

Providers must complete the DHS/DDS sanctioned training curriculum. Habilitation providers are at least 18 years old, specifically trained to meet the unique needs of the waiver member, successfully complete all required background checks in accordance with 56 O.S. § 1025.2 and receive supervision, guidance and oversight from a contracted agency staff with a minimum of four years of any combination of college level education and/or "full-time equivalent" experience in serving people with disabilities.

Family members who provide HTS services must meet the same standards as providers who are unrelated to the member.

Verification of Provider Qualifications**Entity Responsible for Verification:**

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Statutory Service****Service Name: Habilitation Training Specialist Services****Provider Category:**Individual **Provider Type:**

Habilitation Training Specialist

Provider Qualifications**License (specify):**



Certificate (specify):

Other Standard (specify):

Current SoonerCare Provider Agreement with OHCA to provide Habilitation Training Specialist services to OKDHS/DDS HCBS waiver members.

Providers must complete the DHS/DDS sanctioned training curriculum. Habilitation providers are at least 18 years old, specifically trained to meet the unique needs of the waiver member, successfully complete all required background checks in accordance with 56 O.S. § 1025.2 and receive supervision, guidance and oversight from a contracted agency staff with a minimum of four years of any combination of college level education and/or "full-time equivalent" experience in serving people with disabilities.

Family members who provide HTS services must meet the same standards as providers who are unrelated to the member.

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Service:

Alternate Service Title (if any):

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.
- Service is included in approved waiver. The service specifications have been modified.
- Service is not included in the approved waiver.

Service Definition (Scope):

These services not available under a program funded under section 110 of the Rehabilitation Act of 1973 or section 602(16) and (1710 of the Individuals with Disabilities Education Act (20 U.S.. 1401(16 and 17)). Prevocational services provide learning and work experiences where the individual can develop general, non-job-task specific strengths and skills that contribute to employability in paid employment in integrated community settings. Services include teaching such concepts as the ability to communicate effectively with supervisors, attendance, task completion, problem solving, stamina building and workplace safety. Community based opportunities provide work experiences including volunteer work, adult learning and training in a variety of locations in the community.

Activities included in this service are not primarily directed at teaching specific job skills, but at underlying, habilitative goals, such as attention span and motor skills. All prevocational services will be reflected in the member's Individual Plan (Plan) as reflected in the person centered planning process. Documentation will be maintained in the file of each member receiving this service that: The service is not otherwise available under a program funded under the Rehabilitation Act of 1973 or P.L. 94-142.

Each provider agency assesses each member in maximizing employment options. Supplemental or enhanced supports provide assistance addressing behavioral needs related to a dangerous behavior or personal care. Assessments are updated and reviewed annually in the member's Team process. It is the responsibility of each provider to ensure services are provided in the most integrated setting appropriate to meet the member's needs.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

This service is available to members age 16 and above. All Prevocational Services and Supported Employment services combined may not exceed the In Home Supports Waiver capitated amount. The Case Manager assists the member to plan in the Team process to meet their needs within the annual limit. If unable to do so, the Case Manager would assist the member to develop an alternative plan to meet their needs.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E
- Provider managed

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person
- Relative
- Legal Guardian

Provider Specifications:

Provider Category	Provider Type Title
Agency	Workshops and other Prevocational Agencies

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Prevocational Services

Provider Category:

Agency

Provider Type:

Workshops and other Prevocational Agencies

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Current SoonerCare Provider Agreement with OHCA to provide employment services to DHS/DDS HCBS waiver members.

Prevocational service providers must:

- be at least 18 years of age;
- have completed the DHS/DDS sanctioned training curriculum;
- have not been convicted of, pled guilty, or pled nolo contendere to misdemeanor assault and battery or a felony per 56 O.S. § 1025.2, unless a waiver is granted per 56 O.S. § 1025.2; and
- receive supervision and oversight by a person with a minimum of four years of any combination of college level education or full-time equivalent experience in serving persons with disabilities.

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Service:

Alternate Service Title (if any):

HCBS Taxonomy:

Category 1:

09 Caregiver Support

Sub-Category 1:

0011 respite, out-of-home

Category 2:

09 Caregiver Support

Sub-Category 2:

0012 respite, in-home

Category 3:**Sub-Category 3:**

Category 4:**Sub-Category 4:**

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**
- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

Respite Services are provided to service members unable to care for themselves; furnished on a short-term basis because of the absence or need for relief of those persons normally providing the care. Respite Services will be provided in the following locations: service member's home or place of residence or approved community site, foster home, Medicaid Certified ICF-IID or a group home.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Limited to 30 days or 720 hours annually per member, except as approved by the DHS/DDS Director and authorized in the member's Individual Plan.

Respite Care may not be billed simultaneously with Agency Companion and/or Habilitation Training Specialist services.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E**
- Provider managed**

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person**
- Relative**
- Legal Guardian**

Provider Specifications:

Provider Category	Provider Type Title
Agency	Respite Care Provider
Individual	Specialized Foster Care
Agency	Medicaid Certified ICF-ID
Agency	Agency Companion
Agency	Group Home

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Statutory Service****Service Name: Respite****Provider Category:**

Provider Type:

Respite Care Provider

Provider Qualifications**License (specify):**

Certificate (*specify*):

Other Standard (*specify*):

Current SoonerCare Provider Agreement with OHCA to provide Respite to DHS/DDS HCBS waiver members.

Providers must complete the DHS/DDS sanctioned training curriculum. Providers must successfully complete all required background checks in accordance with 56 O.S. § 1025.2, must be specifically trained to meet the unique needs of members and be at least 18 years of age.

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Respite

Provider Category:

Individual

Provider Type:

Specialized Foster Care

Provider Qualifications

License (*specify*):

Certificate (*specify*):

DHS/DDS certification

Other Standard (*specify*):

Current SoonerCare Provider Agreement with OHCA to provide Respite to DHS/DDS HCBS waiver members.

Complete the DHS/DDS sanctioned training curriculum. Providers must successfully complete all required background checks in accordance with 56 O.S. § 1025.2, be specifically trained to meet the unique needs of the member, and be at least 18 years of age.

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Background checks verified annually.

Training verified bi-annually, at minimum.

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Respite

Provider Category:

Agency **Provider Type:**

Medicaid Certified ICF-ID

Provider Qualifications**License (specify):**

Current license by the Oklahoma State Department of Health according to Title 63 O.S. Supp. 1998, § 1-1901 et seq.

Certificate (specify):

Medicaid certification by the Oklahoma Health Care Authority

Other Standard (specify):

Enter into a Medicaid agreement with Oklahoma Health Care Authority for this service.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Oklahoma Health Care Authority

Frequency of Verification:

Annually

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Statutory Service
Service Name: Respite

Provider Category:Agency **Provider Type:**

Agency Companion

Provider Qualifications**License (specify):**



Certificate (specify):



Other Standard (specify):

Current SoonerCare Provider Agreement with OHCA to provide Respite to DHS/DDS HCBS waiver members.

Providers must complete the DHS/DDS sanctioned training curriculum. Habilitation providers are at least 18 years old, specifically trained to meet the unique needs of the waiver member, successfully complete all required background checks in accordance with 56 O.S. § 1025.2 and receive supervision, guidance and oversight from a contracted agency staff with a minimum of four years of any combination of college level education and/or "full-time equivalent" experience in serving people with disabilities.

Verification of Provider Qualifications**Entity Responsible for Verification:**

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service**

Service Type: Statutory Service
Service Name: Respite

Provider Category:

Agency 

Provider Type:

Group Home

Provider Qualifications

License (specify):

Current license by the Oklahoma Department of Human Services per 10 O.S. Supp 2000, 1430.1 et seq.

Certificate (specify):

Other Standard (specify):

Current SoonerCare Provider Agreement with OHCA to provide Respite services to DHS/DDS HCBS waiver members.

Training requirements per OAC 340:100-3-38

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Statutory Service 

Service:

Supported Employment 

Alternate Service Title (if any):

HCBS Taxonomy:

Category 1:

Sub-Category 1:

03 Supported Employment 03010 job development 

Category 2:

Sub-Category 2:

03 Supported Employment 03021 ongoing supported employment, individual 

Category 3:

Sub-Category 3:

03 Supported Employment 03022 ongoing supported employment, group 

Category 4:

Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**
- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

Supported employment is conducted in a variety of settings, particularly work sites, in which persons without disabilities are employed. Supported employment includes activities that are outcome based and needed to sustain paid employment at or above the minimum wage in an integrated setting in the general workforce, in a job that meets personal and career goals. When supported employment services are provided at a work site in which persons without disabilities are employed, services may include job analysis, adaptations, training and systematic instruction required by members, and will not include payment for the supervisory activities rendered as a normal part of the business setting. Supported employment consists of job development, assessment, benefits planning, supportive assistance and job coaching up to 100% of on-site intervention. Stabilization or ongoing support is available for those requiring less than 20% on-site intervention. Supported employment in an individual placement promotes the member's capacity to secure and maintain integrated employment at a job of the member's choice paying at or more than minimum wage. Supported employment in an individual placement may be provided by a co-worker or other job site personnel. The job coach meets qualifications for providers of service.

Stabilization and extended services are ongoing supported employment services needed to support and maintain a member with severe disabilities in an integrated competitive employment site. The service includes regular contacts with the member to determine needs, as well as to offer encouragement and advice. These services are provided when the job coach intervention time required at the job site is 20% or less of the member's total work hours. This service is provided to members who need ongoing intermittent support to maintain employment. Typically this is provided at the work site. Stabilization must identify the supports needed in the member's Individual Plan (Plan) and specify in a measurable manner, the services to be provided to meet the need. Group placement supports in supported employment are two to eight members receiving continuous support in an integrated work site. Services promote participation in paid employment paying at or more than minimum wage or working to achieve minimum wage. Services promote integration into the workplace and interaction with people without disabilities.

The outcome of supported employment is sustained paid employment at or above minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities in an integrated setting in the general workforce, in a job that meets personal and career goals. Supported employment services furnished under the waiver are not available under a program funded by the Rehabilitation Act of 1973 or the IDEA (20 U.S.C 1401 et seq.). Documentation will be maintained in the file of each member receiving this service that the service is not otherwise available under a program funded through the Rehabilitation Act of 1973, or IDEA (20 U.S.C 1401 et seq.). FFP will not be claimed for incentive payments, subsidies or unrelated vocational training expenses such as the following:

-Incentive payments made to an employer to encourage or subsidize the employer's participation in a supported employment program;

-Payments that are passed through to users of supported employment programs; or

-Payments for vocational training not directly related to a member's supported employment program.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

This service is available to members age 16 and above. All Prevocational Service and Supported Employment Services combined may not exceed the In Home Supports Waiver capitated amount. The Case Manager assists the member to plan in the Team process to meet their need within the annual limit. If they are unable to do so, due to an unexpected change, the Case manager would assist the member to develop an alternative plan to meet their needs.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E**

Provider managed

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person**
 Relative
 Legal Guardian

Provider Specifications:

Provider Category	Provider Type Title
Agency	Employment Services

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Statutory Service

Service Name: Supported Employment

Provider Category:

Agency

Provider Type:

Employment Services

Provider Qualifications

License (specify):

Certificate (specify):

Other Standard (specify):

Current SoonerCare Provider Agreement with OHCA to provide Employment Services to DHS/DDS HCBS waiver members.

Providers must complete the DHS/DDS sanctioned training curriculum. Providers must successfully complete all required background checks in accordance with 56 O.S. § 1025.2, be specifically trained to meet the unique needs of the waiver member, be 18 years of age and be supervised by an individual with a minimum of four years of any combination of college level education and/or full-time equivalent experience in serving people with developmental disabilities.

Verification of Provider Qualifications

Entity Responsible for Verification:

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Environmental Accessibility Adaptations and Architectural Modification

HCBS Taxonomy:

Category 1:

Sub-Category 1:

14 Equipment, Technology, and Modifications

14020 home and/or vehicle accessibility adaptations

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.
- Service is included in approved waiver. The service specifications have been modified.
- Service is not included in the approved waiver.

Service Definition (Scope):

Those architectural and environmental modifications and adaptations to the home, required by the member's Plan, which are necessary to ensure the health, welfare and safety of the member or which enable the member to function with greater independence in the home. Such modifications or adaptations include the installation of ramps, grab-bars, widening of doorways, modification of a bathroom or kitchen facilities, specialized safety adaptations such as scald protection devices, stove guards and modifications required for the installation of specialized equipment which are necessary to ensure the health, welfare and safety of the member or that enable the member to function with greater independence in the home. Vehicle adaptations are included in Environmental Accessibility Adaptations and Architectural Modification to ensure safe transfer and greater community involvement of the member.

Excluded are those adaptations or improvements to the home which are of general utility, and are not of direct medical or remedial benefit to the member, construction, reconstruction, or remodeling of any existing construction in the home such as floors, sub-floors, foundation work, roof or major plumbing. All services shall be provided in accordance with applicable Federal, State or local building codes.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

No more than two different residences modified in a seven year period. Exceptions may be approved by the Division Administrator in extenuating circumstances.

Vehicles must be owned by the member or his or her family. Vehicle modifications are limited to one modification in a ten year period. Requests for more than one vehicle modification per ten years must be approved by the DHS/DDS Division Administrator or designee.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E
- Provider managed

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person
 Relative
 Legal Guardian

Provider Specifications:

Provider Category	Provider Type Title
Individual	Building Contractor

Appendix C: Participant Services**C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Environmental Accessibility Adaptations and Architectural Modification****Provider Category:**

Individual ▾

Provider Type:

Building Contractor

Provider Qualifications**License (specify):**

Certificate (specify):

Other Standard (specify):

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Architectural Modification services to DHS/DDS HCBS waiver members.

Provider must meet International Code Council (ICC) requirements for building, electrical, plumbing and mechanical inspections. All providers must meet applicable state and local requirements and provide evidence of liability insurance, vehicle insurance and worker's compensation insurance or affidavit of exemption.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Oklahoma Department of Central Services and DHS/DDS

Frequency of Verification:

Ongoing through the authorization process

Appendix C: Participant Services**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service ▾

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Family Training

HCBS Taxonomy:

Category 1:

Sub-Category 1:

09 Caregiver Support 0020 caregiver counseling and/or training ▼

Category 2:

Sub-Category 2:

10 Other Mental Health and Behavioral Services 1030 crisis intervention ▼

Category 3:

Sub-Category 3:

10 Other Mental Health and Behavioral Services 1060 counseling ▼

Category 4:

Sub-Category 4:

▼

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**
- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

Family Training services include instruction in skills and knowledge pertaining to the support and assistance of members. Services are intended to allow families to become more proficient in meeting the needs of members; provided in any community setting; provided in either group or individual formats; for members served through an DHS/DDS HCBS waiver and their families. For the purpose of this service, family is defined as any person who lives with or provides care to a member served on the waiver; included in the member's Individual Plan (Plan) and arranged through the member's Case Manager; and intended to yield outcomes as defined in the member's Plan.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

The cost of Family Training services may not exceed \$5500.00 per the member's plan of care year for individual Family Training services and \$5500.00 per the member's plan of care year for Family Training group services. Members may be authorized for Family Training services on an individual basis, as part of a group or they may receive a combination of group and individual training services. The total cost of both individual Family Training and group Family Training may not exceed \$11,000.00 per the member's plan of care year. The Case Manager assists the member to identify other alternatives to meet identified needs above the limit.

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E**
- Provider managed**

Specify whether the service may be provided by (check each that applies):

- Legally Responsible Person**
- Relative**
- Legal Guardian**

Provider Specifications:

Provider Category	Provider Type Title
Agency	Family Training Agency or Business
Individual	Qualified Individual

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service
Service Name: Family Training

Provider Category:Agency **Provider Type:**

Family Training Agency or Business

Provider Qualifications**License (specify):**


Certificate (specify):


Other Standard (specify):

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Family Training to DHS/DDS HCBS waiver members.

DHS/DDS Family Training provider application and training curriculum approved by DHS/DDS.

Provider must have current license, certification or a Bachelors Degree in a human service field related to the DHS/DDS approved Family Training curriculum.

Verification of Provider Qualifications**Entity Responsible for Verification:**

DHS/DDS

Frequency of Verification:

Ongoing

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service
Service Name: Family Training

Provider Category:Individual **Provider Type:**

Qualified Individual

Provider Qualifications**License (specify):**


Certificate (specify):


Other Standard (specify):

Current SoonerCare Provider Agreement with Oklahoma Health Care Authority to provide Family Training to DHS/DDS HCBS waiver members.

Current license, certification or Bachelors Degree in a human service field related to DHS/DDS approved curriculum.

DHS/DDS Family Training application and training curriculum approved by DHS/DDS.

Verification of Provider Qualifications**Entity Responsible for Verification:**

DHS/DDS

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service 

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Occupational and Physical Therapy

HCBS Taxonomy:

Category 1:

Sub-Category 1:

11 Other Health and Therapeutic Services  020 health assessment 

Category 2:

Sub-Category 2:



Category 3:

Sub-Category 3:



Category 4:

Sub-Category 4:



Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**
- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

Assessment service for the purpose of architectural modification specific to the member's need for architectural or home modifications. This service is an on-site assessment of the member's home that is not included in most routine Occupational Therapy (OT) or Physical Therapy (PT) evaluations. If the existing OT or PT evaluation or assessment includes architectural modification needs and assessment, a second home/architectural modification assessment would not be required or authorized. These assessments address modifications such as roll-in showers, door widening, modification of kitchens, etc.

Therapy services are not available through this waiver and should be accessed under provisions of the Medicaid State Plan EPSDT.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:



Service Delivery Method (*check each that applies*):

- Participant-directed as specified in Appendix E
 Provider managed

Specify whether the service may be provided by (*check each that applies*):

- Legally Responsible Person
 Relative
 Legal Guardian

Provider Specifications:

Provider Category	Provider Type Title
Individual	Occupational Therapist
Individual	Physical Therapist

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Occupational and Physical Therapy

Provider Category:

Individual ▾

Provider Type:

Occupational Therapist

Provider Qualifications

License (*specify*):

Non-restrictive licensure by the Oklahoma State Board of Medical Licensure and Supervision as an Occupational Therapist, 59 O.S. Supp 2000, Section 888.1. When services are provided in a state adjacent to Oklahoma, provider must hold current licensure to practice Occupational Therapy in the adjacent state.

Certificate (*specify*):

Other Standard (*specify*):

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Occupational Therapy services to DHS/DDS HCBS waiver members

Current SoonerCare General Provider Agreement - Special Provisions for Occupational Therapists, with Oklahoma Health Care Authority

Verification of Provider Qualifications

Entity Responsible for Verification:

Oklahoma Health Care Authority

Frequency of Verification:

Ongoing through the claims process

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Occupational and Physical Therapy

Provider Category:

Individual ▾

Provider Type:

Physical Therapist

Provider Qualifications

License (specify):

Non-restrictive licensure as a Physical Therapist with the Oklahoma State Board of Medical Licensure and Supervision, 59 O.S. Supp 2000, Section 887. When services are provided in a state adjacent to Oklahoma, provider must hold current licensure to practice Physical Therapy in the adjacent state.

Certificate (specify):

Other Standard (specify):

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Physical Therapy services to DHS/DDS HCBS waiver members.

Current SoonerCare General Provider Agreement - Special Provisions for Physical Therapists, with Oklahoma Health Care Authority

Verification of Provider Qualifications

Entity Responsible for Verification:

Oklahoma Health Care Authority

Frequency of Verification:

Ongoing through the claims process

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Self Directed Goods and Services (SD-GS)

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.**

- Service is included in approved waiver. The service specifications have been modified.**
- Service is not included in the approved waiver.**

Service Definition (Scope):

Self Directed Goods and Services (SD-GS) are incidental, non-routine goods and services that promote the member's self-care, daily living, adaptive functioning, general household activity, meal preparation and leisure skills needed to reside successfully in the community and do not duplicate other services authorized in the member's plan of care. These goods and services are purchased from the self directed budget. Goods or services must meet the following requirements:

- The item or service is designed to meet the member's functional, social or medical needs, advance the desired outcome of the Self Directed Services Support Plan and is included in the member's plan of care.
- The item or service is justified by a recommendation from a licensed professional and is approved on the plan of care.
- The item or service is not prohibited by Federal and State statutes and regulations.
- One or more of the following additional criteria are met:
 - * the item or service would increase the member's functioning related to the disability;
 - * the item or service would increase the member's safety in the home environment; or
 - * the item or service would decrease dependence on other Medicaid-funded services.
- The item or service is not available through Medicaid State Plan services or another source.
- The service does not include experimental goods and services.
- Goods and services purchased under this coverage may not circumvent other restrictions on the claiming of Federal Financial Participation (FFP) for waiver services.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Service Delivery Method (*check each that applies*):

- Participant-directed as specified in Appendix E**
- Provider managed**

Specify whether the service may be provided by (*check each that applies*):

- Legally Responsible Person**
- Relative**
- Legal Guardian**

Provider Specifications:

Provider Category	Provider Type Title
Individual	Typical vendor in the community, according to goods and services needed

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Self Directed Goods and Services (SD-GS)

Provider Category:

Individual ▼

Provider Type:

Typical vendor in the community, according to goods and services needed

Provider Qualifications

License (specify):

Not required

Certificate (specify):

Not required

Other Standard (specify):

Services, supports and goods can be purchased from typical vendors in the community

Verification of Provider Qualifications

Entity Responsible for Verification:

Member / Confirmed by Financial Management Service (FMS)

Frequency of Verification:

Upon purchase and annually at planning meeting

Appendix C: Participant Services

C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Service Type:

Other Service 

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

Service Title:

Specialized Medical Supplies and Assistive Technology

HCBS Taxonomy:**Category 1:**

14 Equipment, Technology, and Modifications

Sub-Category 1:

14032 supplies 

Category 2:

14 Equipment, Technology, and Modifications

Sub-Category 2:

14031 equipment and technology 

Category 3:



Sub-Category 3:**Category 4:**



Sub-Category 4:

Complete this part for a renewal application or a new waiver that replaces an existing waiver. Select one :

- Service is included in approved waiver. There is no change in service specifications.
- Service is included in approved waiver. The service specifications have been modified.
- Service is not included in the approved waiver.

Service Definition (Scope):

Specialized Medical Supplies include supplies specified in the plan of care which enable members to increase their abilities to perform activities of daily living. This service also includes the purchase of ancillary supplies not available under SoonerCare. Items reimbursed with HCBS waiver funds are in addition to any supplies furnished under SoonerCare and exclude those items which are not of direct medical or remedial benefit to the member. All items meet applicable standards of manufacture, design and installation.

Supplies include the following:

- nutritional supplements;
- supplies needed for health conditions;
- supplies for respirator/ventilator care;
- supplies for decubitus care;
- supplies for catheterization.

Specialized Medical Supplies are available to children through the waiver above and beyond that which is covered by SoonerCare, EPSDT. Specialized Medical Supplies available to children through the waiver include nutritional supplements in certain cases.

Assistive Technology includes devices, controls and appliances specified in the member's Individual Plan (Plan) which enable members to increase their abilities to perform activities of daily living or to perceive, control or communicate with the environment in which they live. This service also includes the purchase or limited rental of items necessary for life support and equipment necessary to the proper functioning of such items including durable and non-durable medical equipment not available under SoonerCare. Items reimbursed with HCBS waiver funds are in addition to any medical equipment and supplies furnished under SoonerCare and exclude those items that are not of direct medical or remedial benefit to the member. All items must meet applicable standards of manufacture, design and installation. All devices identified in the Oklahoma Elevator Safety Law must comply with OAC 380:70. Services include fees associated with installation, labor, inspection and operation.

Assistive Technology services include:

- assessment for the need of assistive technology/auxiliary aids;
- training the member/provider in the use and maintenance of equipment/auxiliary aids;
- repair of adaptive devices.

Equipment provided includes:

- Assistive devices for members who are deaf or hard of hearing. Examples include visual alarms, telecommunication devices (TDD's), telephone amplifying devices and other devices for protection of health and safety.
- Assistive devices for members who are blind or visually impaired. Examples include tape recorders, talking calculators, lamps, magnifiers, Braille writers, paper and talking computerized devices and other devices for protection of health and safety.
- Augmentative/alternative communication and learning aids such as language boards, electronic communication devices and competence based cause and effect systems.
- Mobility positioning devices such as wheelchairs, travel chairs, walkers, positioning systems, ramps, seating systems, lifts, bathing equipment, specialized beds and specialized chairs.
- Orthotic and prosthetic devices such as braces and prescribed modified shoes.
- Environmental controls such as devices to operate appliances, use telephones or open doors.

Specify applicable (if any) limits on the amount, frequency, or duration of this service:

Service Delivery Method (check each that applies):

- Participant-directed as specified in Appendix E**

Provider managed

Specify whether the service may be provided by (*check each that applies*):

- Legally Responsible Person**
 Relative
 Legal Guardian

Provider Specifications:

Provider Category	Provider Type Title
Individual	Durable Medical Equipment and/or Medical Supplies Dealer
Agency	Durable Medical Equipment and/or Medical Supplies Dealer

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Specialized Medical Supplies and Assistive Technology

Provider Category:

Individual 

Provider Type:

Durable Medical Equipment and/or Medical Supplies Dealer

Provider Qualifications

License (*specify*):

Certificate (*specify*):

Other Standard (*specify*):

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Durable Medical Equipment and/or Specialized Medical Supplies and comply with all applicable State and Federal laws.

Company, corporation or individual must have registered their intention to do business in the state of Oklahoma with the Secretary of State.

Provider guarantees equipment, work and materials for one year and supplies necessary follow-up evaluation to ensure optimum usability. Provider ensures a licensed Occupational Therapist, Physical Therapist, Speech/Language Pathologist or Rehabilitation Engineer evaluates need and individually customizes any equipment as needed.

Verification of Provider Qualifications

Entity Responsible for Verification:

Oklahoma Health Care Authority

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1/C-3: Provider Specifications for Service

Service Type: Other Service

Service Name: Specialized Medical Supplies and Assistive Technology

Provider Category:

Agency **Provider Type:**

Durable Medical Equipment and/or Medical Supplies Dealer

Provider Qualifications**License (specify):****Certificate (specify):****Other Standard (specify):**

Current SoonerCare Provider Agreement with the Oklahoma Health Care Authority to provide Durable Medical Equipment and/or Specialized Medical Supplies and comply with all applicable State and Federal laws.

Company, corporation or individual must have registered their intention to do business in the state of Oklahoma with the Secretary of State.

Provider guarantees equipment, work and materials for one year and supplies necessary follow-up evaluation to ensure optimum usability. Provider ensures a licensed Occupational Therapist, Physical Therapist, Speech/Language Pathologist or Rehabilitation Engineer evaluates need and individually customizes any equipment as needed.

Verification of Provider Qualifications**Entity Responsible for Verification:**

Oklahoma Health Care Authority

Frequency of Verification:

Annually

Appendix C: Participant Services

C-1: Summary of Services Covered (2 of 2)

b. Provision of Case Management Services to Waiver Participants. Indicate how case management is furnished to waiver participants (*select one*):

Not applicable - Case management is not furnished as a distinct activity to waiver participants.

Applicable - Case management is furnished as a distinct activity to waiver participants.

Check each that applies:

As a waiver service defined in Appendix C-3. Do not complete item C-1-c.

As a Medicaid State plan service under §1915(i) of the Act (HCBS as a State Plan Option). Complete item C-1-c.

As a Medicaid State plan service under §1915(g)(1) of the Act (Targeted Case Management). Complete item C-1-c.

As an administrative activity. Complete item C-1-c.

c. Delivery of Case Management Services. Specify the entity or entities that conduct case management functions on behalf of waiver participants:

The Oklahoma Department of Human Services Developmental Disabilities Services (DHS/DDS), the operating agency, conducts case management functions on behalf of waiver service members.

Appendix C: Participant Services

C-2: General Service Specifications (1 of 3)

a. Criminal History and/or Background Investigations. Specify the State's policies concerning the conduct of criminal history and/or background investigations of individuals who provide waiver services (select one):

- No. Criminal history and/or background investigations are not required.**
- Yes. Criminal history and/or background investigations are required.**

Specify: (a) the types of positions (e.g., personal assistants, attendants) for which such investigations must be conducted; (b) the scope of such investigations (e.g., state, national); and, (c) the process for ensuring that mandatory investigations have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid or the operating agency (if applicable):

(a) A criminal history record search is required by statute and policy prior to an offer to employ a community services worker. (Title 56 OS Sec. 1025.1 et seq.: OAC 340:100-3-39). Any potential employee or volunteer who is not a licensed health professional, including supervisory, management or administrative positions, if the applicant is to provide, on a full time or part time basis, supportive assistance, health related services or training to a person(s) with developmental disabilities or intellectual disability. (b) Each provider requests a statewide criminal records check from the Oklahoma State Bureau of Investigation (OSBI). (c) DDS Quality Assurance Unit annually reviews a sample of the records of each provider to assure that the required documentation is on file for all applicable employees.

All applicants for licensure or renewal of licensure as a health professional in Oklahoma must report arrests, criminal charges, and disciplinary acts on any health-related license or certificate. The applicable licensing Board, such as the Oklahoma Board of Nursing or the Oklahoma Medical Board, enforces licensing rules, monitors for accuracy of information submitted for licensure or renewal of licensure, and performs investigations and provides disciplinary actions to licensed health professionals per applicable Oklahoma practice acts.

Agencies contracted to provide professional health services to DDS waiver members are required to perform criminal background checks with the Oklahoma State Bureau of Investigation (OSBI) as part of the employment screening for licensed staff employed by that agency.

b. Abuse Registry Screening. Specify whether the State requires the screening of individuals who provide waiver services through a State-maintained abuse registry (select one):

- No. The State does not conduct abuse registry screening.**
- Yes. The State maintains an abuse registry and requires the screening of individuals through this registry.**

Specify: (a) the entity (entities) responsible for maintaining the abuse registry; (b) the types of positions for which abuse registry screenings must be conducted; and, (c) the process for ensuring that mandatory screenings have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

(a) The abuse registry is maintained by the DHS; (b) any potential employee or volunteer who is not a licensed health professional, including supervisory, management or administrative positions, if the applicant is to provide, on a full time or part time basis, supportive assistance, health-related services or training to a person(s) with developmental disabilities or intellectual disability, must receive a community services registry check as required by statute and policy prior to an offer to employ. (Title 56 OS Sec. 1025.1 et seq.: OAC 340:100-3-39); (c) provider agencies are required to conduct the pre-employment registry check. Quality Assurance Unit annually reviews a sample of the records of each provider to assure that the required documentation is on file for all applicable employees.

Section 1025.1 et seq. or Title 56 of the Oklahoma Statutes requires Oklahoma Department of Human Services (DHS) to establish and maintain a registry listing the names of community services workers against whom a final investigative finding of maltreatment involving a member, has been made by DHS or an administrative law judge. Requirements contained in statute and in administrative regulations apply to all community services providers who contract with, or are licensed or funded by DHS or who contract with Oklahoma Health Care Authority (OHCA) to provide residential or employment services to members through DHS/DDS HCBS waivers. Community services workers include persons who have entered into Agreements with OHCA to provide specialized foster care, habilitation training specialist services, or homemaker services to persons with

developmental disabilities as well as persons employed by or under contract with a community services provider to provide HCBS waiver services. Licensed health professional are regulated by their respective licensing boards and are not subject to inclusion on the community services worker registry.

DHS is the investigative authority for allegations of maltreatment involving vulnerable adults. In addition to sending investigation reports to the appropriate District Attorney, reports in which a confirmation of maltreatment (as defined in state statute) is made against a licensed health professional are sent to the licensed professional's respective licensure Board.

Appendix C: Participant Services

C-2: General Service Specifications (2 of 3)

c. Services in Facilities Subject to §1616(e) of the Social Security Act. *Select one:*

- No. Home and community-based services under this waiver are not provided in facilities subject to §1616(e) of the Act.**
- Yes. Home and community-based services are provided in facilities subject to §1616(e) of the Act. The standards that apply to each type of facility where waiver services are provided are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).**

Appendix C: Participant Services

C-2: General Service Specifications (3 of 3)

d. Provision of Personal Care or Similar Services by Legally Responsible Individuals. A legally responsible individual is any person who has a duty under State law to care for another person and typically includes: (a) the parent (biological or adoptive) of a minor child or the guardian of a minor child who must provide care to the child or (b) a spouse of a waiver participant. Except at the option of the State and under extraordinary circumstances specified by the State, payment may not be made to a legally responsible individual for the provision of personal care or similar services that the legally responsible individual would ordinarily perform or be responsible to perform on behalf of a waiver participant. *Select one:*

- No. The State does not make payment to legally responsible individuals for furnishing personal care or similar services.**
- Yes. The State makes payment to legally responsible individuals for furnishing personal care or similar services when they are qualified to provide the services.**

Specify: (a) the legally responsible individuals who may be paid to furnish such services and the services they may provide; (b) State policies that specify the circumstances when payment may be authorized for the provision of *extraordinary care* by a legally responsible individual and how the State ensures that the provision of services by a legally responsible individual is in the best interest of the participant; and, (c) the controls that are employed to ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 the personal care or similar services for which payment may be made to legally responsible individuals under the State policies specified here.*

e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians. Specify State policies concerning making payment to relatives/legal guardians for the provision of waiver services over and above the policies addressed in Item C-2-d. *Select one:*

- The State does not make payment to relatives/legal guardians for furnishing waiver services.**
- The State makes payment to relatives/legal guardians under specific circumstances and only when the relative/guardian is qualified to furnish services.**

Specify the specific circumstances under which payment is made, the types of relatives/legal guardians to whom payment may be made, and the services for which payment may be made. Specify the controls that are employed to

ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 each waiver service for which payment may be made to relatives/legal guardians.*

Legally-responsible individuals, parents of minor children (biological or adoptive), guardian of a minor child or the spouse of a member are not allowed to provide waiver services to a person for whom they are legally responsible.

Relatives/legal guardians who are legally responsible for the member are prohibited from being paid as direct contract providers of waiver services except when they are the only available provider of covered services due to geographical remoteness or they are uniquely qualified to provide such services due to considerations such as language. Any non-legally responsible relative/legal guardian who serves as paid provider must be qualified to provide the service and meet licensure/certification requirements. The term non-legally responsible relative includes a mother and father of an adult, brother, sister or child including those of in-law and step relationship.

Provider agencies may hire non-legally responsible relatives/legal guardians to provide waiver services when the relative/legal guardian is qualified to provide the service. Provider agencies must provide supervision and oversight of employees and ensure that claims are submitted only for services rendered. Members participating in self direction provide supervision and oversight of employees and ensure that claims are submitted only for services rendered. The Financial Management Service (FMS) subagent ensures that claims are submitted only for services authorized in the self directed plan of care.

Services relatives/legal guardians may provide include: Respite, Habilitation Training Specialist and Self Directed Habilitation Training Specialist services.

The OHCA is responsible for Surveillance and Utilization Review (SUR). The OHCA Provider Audits Unit conducts ongoing monitoring of services to ensure Medicaid guidelines are followed. Any indication that Medicaid guidelines are not being met leads to an investigation that may result in recoupment of payments made to the provider. On a regular basis, DHS/DDS compares a file of paid claims provided by OHCA to services authorized on plans of care to determine if services are being used as authorized. Discrepancy reports are prepared for review and necessary action taken. DHS/DDS Quality Assurance Unit (QA) is involved in a continuous process for review and oversight of waiver participation and services. Quality Assurance Performance Reviews are conducted annually and written summaries are prepared informing the contracted provider agency of any deficiency. DHS/DDS Case Management provides additional oversight and review. Case Managers act as the lead person in monitoring the plan of care through quarterly contacts that result in appropriate follow-up action.

All claims are processed through the Medicaid Management Information System (MMIS) and are subject to post-payment validation. When problems with service validation are identified on a post-payment review, erroneous or invalidated claims are voided from the claims payment system and the previous payment recouped from the provider.

- Relatives/legal guardians may be paid for providing waiver services whenever the relative/legal guardian is qualified to provide services as specified in Appendix C-1/C-3.**

Specify the controls that are employed to ensure that payments are made only for services rendered.

- Other policy.**

Specify:

- f. Open Enrollment of Providers.** Specify the processes that are employed to assure that all willing and qualified providers have the opportunity to enroll as waiver service providers as provided in 42 CFR §431.51:

Through OHCA's website, providers have ready access to information requirements and procedures to qualify, and the timeframes established for qualifying and enrolling in the program. OHCA provides for continuous, open enrollment of waiver service providers. To participate in SoonerCare, providers must have an agreement on file with the

OHCA. The OHCA Provider Enrollment Unit is responsible for validating that any provider meets all of the requirements of participation. The rules applicable to these provisions are found at 317:30-2 and 317:10-1-19. Providers interested in becoming a SoonerCare provider may request a SoonerCare enrollment packet by downloading the required forms, contacting Provider Enrollment by phone, or sending a request in writing by mail to OHCA. DHS/DDS staff assists potential providers by providing applications, and technical assistance, reviewing information to assure the provider qualifications are met and submitting them to OHCA for processing. Once a provider agreement is approved, the agreement remains in effect until the expiration date indicated on the agreement. In the absence of a "Notice of Termination" by either party, the agreement is renewed every three years as cited in the renewal section of the contract. Whenever a change of ownership occurs, a new provider agreement must be signed. After reviewing the application, certification criteria, and verifying appropriate licensure, certification, etc., OHCA assigns a 10-digit provider number to the new provider. Providers receive written notification of their provider number and the agreement certification effective and expiration date. The provider also receives a PIN letter informing the provider of their PIN to access the OHCA secure website. Hewlett-Packard (HP), the MMIS support vendor, mails out a welcome packet and contacts the provider within ten working days to offer training. Renewal notices are sent to each provider 75 days prior to the expiration date of their contract. A reminder is sent 45 days prior for those that have not been updated. If the renewal is not returned to OHCA, no payments for dates of service after the agreement expiration date are made.

Appendix C: Participant Services

Quality Improvement: Qualified Providers

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Qualified Providers

The state demonstrates that it has designed and implemented an adequate system for assuring that all waiver services are provided by qualified providers.

i. Sub-Assurances:

- a. *Sub-Assurance: The State verifies that providers initially and continually meet required licensure and/or certification standards and adhere to other standards prior to their furnishing waiver services.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of new provider applications (denominator) for which the provider obtained appropriate licensure/certificate in accordance with state law and waiver provider qualifications prior to service provision (numerator).

Data Source (Select one):

Program logs

If 'Other' is selected, specify:

Provider performance monitoring (6030)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review

<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of providers (denominator) continuing to meet applicable licensure/certification following initial enrollment (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

Oklahoma Board of Medical Licensure and Supervision

Responsible Party for data		Sampling Approach (check each that applies):
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collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

b. **Sub-Assurance:** *The State monitors non-licensed/non-certified providers to assure adherence to waiver requirements.*

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of direct support agency providers (denominator) providing required supervision, guidance and oversight of paraprofessional staff providing direct service (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (2328) (4121) (4301) (5141)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of non-licensed/non-certified provider (denominator), by provider type, who meet initial waiver provider qualifications (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

Provider applications

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of direct support agency providers (denominators) who direct support staff had timely criminal background checks (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6030)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify:	

	<input type="text"/>
--	----------------------

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of direct support agency providers (denominator) whose direct support staff had timely registry checks (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6031)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>

	<input type="checkbox"/> Other Specify:	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify:	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify:

- c. **Sub-Assurance: The State implements its policies and procedures for verifying that provider training is conducted in accordance with state requirements and the approved waiver.**

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of direct support agency providers (denominator) meeting annual training requirements (12 hours of the required re-certification classes in First Aid, CPR and Medication Administration Training, if medications are administered) (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6042)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):

<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of direct support agency providers (denominator) meeting basic training requirements (Foundation Training, Effective Teaching Course, First Aid, CPR, and Medication Administration Training, if medications are administered) (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6037)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.

An annual survey is completed for each provider agency. Each citation is followed up individually and a resurvey with a new sample is completed to ensure the provider agency does not have systemic issues. All citations must be remediated and if they are not within 60 days, the Performance Review Committee will review the citations and determine if sanctions against the agency are necessary. Quality Assurance staff continue to follow-up until deficiencies are corrected. If issues appear to be systemic, agencies are requested to take advantage of training that is made available through DDS. If, after sanctions and follow-up, a provider remains non-compliant, DHS/DDS recommends Agreement termination action to OHCA.

- ii. **Remediation Data Aggregation**

Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Qualified Providers that are currently non-operational.

- No**
- Yes**

Please provide a detailed strategy for assuring Qualified Providers, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix C: Participant Services

C-3: Waiver Services Specifications

Section C-3 'Service Specifications' is incorporated into Section C-1 'Waiver Services.'

Appendix C: Participant Services

C-4: Additional Limits on Amount of Waiver Services

a. Additional Limits on Amount of Waiver Services. Indicate whether the waiver employs any of the following additional limits on the amount of waiver services (*select one*).

- Not applicable-** The State does not impose a limit on the amount of waiver services except as provided in Appendix C-3.
- Applicable -** The State imposes additional limits on the amount of waiver services.

When a limit is employed, specify: (a) the waiver services to which the limit applies; (b) the basis of the limit, including its basis in historical expenditure/utilization patterns and, as applicable, the processes and methodologies that are used to determine the amount of the limit to which a participant's services are subject; (c) how the limit will be adjusted over the course of the waiver period; (d) provisions for adjusting or making exceptions to the limit based on participant health and welfare needs or other factors specified by the state; (e) the safeguards that are in effect when the amount of the limit is insufficient to meet a participant's needs; (f) how participants are notified of the amount of the limit. (*check each that applies*)

- Limit(s) on Set(s) of Services.** There is a limit on the maximum dollar amount of waiver services that is authorized for one or more sets of services offered under the waiver.
Furnish the information specified above.

- Prospective Individual Budget Amount.** There is a limit on the maximum dollar amount of waiver services authorized for each specific participant.
Furnish the information specified above.

- Budget Limits by Level of Support.** Based on an assessment process and/or other factors, participants are assigned to funding levels that are limits on the maximum dollar amount of waiver services.
Furnish the information specified above.

- Other Type of Limit.** The State employs another type of limit.
Describe the limit and furnish the information specified above.

Appendix C: Participant Services

C-5: Home and Community-Based Settings

Explain how residential and non-residential settings in this waiver comply with federal HCB Settings requirements at 42 CFR 441.301(c)(4)-(5) and associated CMS guidance. Include:

1. Description of the settings and how they meet federal HCB Settings requirements, at the time of submission and in the future.
2. Description of the means by which the state Medicaid agency ascertains that all waiver settings meet federal HCB Setting requirements, at the time of this submission and ongoing.

Note instructions at Module 1, Attachment #2, HCBS Settings Waiver Transition Plan for description of settings that do not meet requirements at the time of submission. Do not duplicate that information here.

Refer to Main, Attachment, #2

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (1 of 8)

State Participant-Centered Service Plan Title:

Individual Support Plan (Plan)

- a. Responsibility for Service Plan Development.** Per 42 CFR §441.301(b)(2), specify who is responsible for the development of the service plan and the qualifications of these individuals (*select each that applies*):

- Registered nurse, licensed to practice in the State
- Licensed practical or vocational nurse, acting within the scope of practice under State law
- Licensed physician (M.D. or D.O)
- Case Manager (qualifications specified in Appendix C-1/C-3)
- Case Manager (qualifications not specified in Appendix C-1/C-3).

Specify qualifications:

Requirements for an DHS/DDS Case Manager consist of a Bachelor's Degree in a human service field and one year experience working directly with individuals with developmental disabilities; or possession of a valid permanent Oklahoma license as approved by the Oklahoma Board of Nursing to practice professional nursing and one year working directly with individuals with developmental disabilities.

- Social Worker

Specify qualifications:

- Other

Specify the individuals and their qualifications:

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (2 of 8)

- b. Service Plan Development Safeguards.** *Select one:*

- Entities and/or individuals that have responsibility for service plan development may not provide other direct waiver services to the participant.
- Entities and/or individuals that have responsibility for service plan development may provide other direct waiver services to the participant.

The State has established the following safeguards to ensure that service plan development is conducted in the best interests of the participant. *Specify:*

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (3 of 8)

- c. Supporting the Participant in Service Plan Development.** Specify: (a) the supports and information that are made available to the participant (and/or family or legal representative, as appropriate) to direct and be actively engaged in the service plan development process and (b) the participant's authority to determine who is included in the process.

The Personal Support Team (Team) meets at least annually to develop the Individual Plan (Plan). The purpose of the meeting is to discuss the member's preferences, goals and desires for the next year and guide the direction and course of the Plan/plan of care. The member identifies whom he/she desires to participate in the development of the Plan. A

discussion of the member's needs and options available to meet those needs is included. Options include the freedom to self direct some services. The Case Manager explains the opportunities, responsibilities, potential liabilities and risks of self direction and also explains that some services available through self direction are not available as traditional waiver services. The member and/or their representative is informed that if the Team determines a need for a particular service that is only available through the self directed option, the service will only be authorized for members who elect to self direct the service.

Using the person-centered planning approach, the Plan is developed by the Team, representation in which includes the member, his or her Case Manager and the member's legal guardian and/or the member's choice of an advocate if there is one. Others may be included depending on the member's needs and preferences. The Team is composed of individuals selected by the member who know and work with the member or whose participation is necessary to achieve the outcomes desired by the member. The member and his/her representative are informed of freedom of choice of provider and given assistance if needed in locating a qualified service provider. The planning process reflects the member's cultural considerations, is provided in plain language, in an accessible manner and provides needed language services or aids. The member and their Guardian participate in development of the Plan and provide informed consent for implementation of the Plan in writing.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (4 of 8)

- d. Service Plan Development Process.** In four pages or less, describe the process that is used to develop the participant-centered service plan, including: (a) who develops the plan, who participates in the process, and the timing of the plan; (b) the types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals, and health status; (c) how the participant is informed of the services that are available under the waiver; (d) how the plan development process ensures that the service plan addresses participant goals, needs (including health care needs), and preferences; (e) how waiver and other services are coordinated; (f) how the plan development process provides for the assignment of responsibilities to implement and monitor the plan; and, (g) how and when the plan is updated, including when the participant's needs change. State laws, regulations, and policies cited that affect the service plan development process are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

The Individual Plan (Plan) process assures that members have access to quality services and supports which foster: independence, learning, and growth; choices in everyday life; meaningful relationships with family, friends, and neighbors; presence and participation in their communities; dignity and respect; positive approaches aimed at skill enhancement; and health and safety.

DHS/DDS employs a service planning, implementation, and monitoring process that focuses on the needs, desires, and choices of the member. The Personal Support Team (Team), as described in Appendix D-1:c, is led by the DHS/DDS Case Manager and the member and/or his or her guardian, family member or advocate, develops the service plan. The Case Manager develops a plan of care consistent with the Plan.

At its core, the Team, as described in Appendix D-1:c, includes the member, his or her Case Manager, the legal guardian, and the member's advocate(s), if there is one, who may be a parent, a family member, a friend, or another who knows the member well. The member is assured the opportunity to select an individual to serve as an advocate.

Depending on the needs of the member and the issues to be addressed, the Team, as described in Appendix D-1:c, may include others. The selection of these additional Team, as described in Appendix D-1:c, members reflects the choices of the member. The Case Manager identifies service providers for selection by the member or legal guardian.

To respect the dignity and privacy of the member, the Team, as described in Appendix D-1:c, is no larger than is necessary to plan for and implement the services needed to achieve the member's desired outcomes. The Team, as described in Appendix D-1:c, is large enough to possess the expertise and capacity necessary to address the member's needs, but not so large as to intimidate the member or to stifle participation on the part of the member or his or her representatives.

Prior to the initial and each annual Team meeting, the Case Manager consults with the member and the member's advocate or legal guardian, if there is one, to review the individual situation, including the member's desired vision and progress in attaining the vision. The Case Manager also gathers information regarding services received in addition to those that may be provided by the waiver. This information is provided to the Team by the Case Manager. This

information also becomes part of the Individual Plan, which is monitored by the Case Manager. At this time, the member and the member's advocate or legal guardian are informed of services available under the waiver and of other sources of services in the community and under the State Plan. Among the questions explored are whether the member is satisfied with the results of the Plan and whether outcomes need to be revised based on the progress achieved or on changing circumstances in the member's life. This review provides a clear agenda for the Team meeting and assures the member's input and participation.

The Case Manager and other Team, as described in Appendix D-1:c, members assure early intervention and prevention by the Team, as described in Appendix D-1:c, when changes occur. Events such as the loss of a loved one, change in roommates, staff, schedules, health changes, or the loss of a job prompt a re-assessment of needs, services, and supports.

An individual assessment process forms the basis for developing a Plan. Psychological, medical, social, and functional assessments are completed prior to the development of a Plan. The medical, social, and functional assessments are reviewed and updated at least annually. Consistent with a person-centered focus, the Case Manager assures completion of a review and update at least annually of necessary assessments to support the need for services, as well as assessment of the skills, supports, and needs of the member.

Assessments address the member's needs and choices for supports and services related to: personal relationships; home; employment, education, transportation; health and safety; leisure; social skills; and communication. The Team, as described in Appendix D-1:c, identifies potential areas in which the member's safety is at risk and develops plans to address these risks as part of the Plan.

Planning focuses on the needs and outcomes the member wishes to achieve. The Team, as described in Appendix D-1:c, considers the preferences of the member first and family, friends, and advocates secondarily.

The Plan is a written document that describes the outcomes desired by the member and prescribes the services and supports necessary to achieve those outcomes. Each Plan includes:

- (1) basic demographic information, including emergency information and health and safety concerns;
- (2) assessment information;
- (3) description of services and supports prescribed by the Team, as described in Appendix D-1:c,;
- (4) outcomes to be achieved;
- (5) action steps or methods to achieve the outcomes, including:
 - (A) the means to assess progress;
 - (B) the names of persons or the agency positions responsible for implementing each part of the Plan; and
 - (C) target dates by which each segment of the Plan is to be completed or evaluated for possible revision;
- (6) methods to address health risks and needs;
- (7) community participation strategies and activities;
- (8) identification of all needed staff training, with required time lines for completion, in accordance with OAC 340:100-3-38; and
- (9) medication support plan, as explained in OAC 340:100-5-32.

Team, as described in Appendix D-1:c, members implement responsibilities identified in the Plan or in DHS/DDS or OHCA policy. Implementation of the Plan may only be delegated to persons who are appropriately qualified and trained.

The Case Manager ensures the Team, as described in Appendix D-1:c, makes maximum use of services which are available to all citizens and assures the Team, as described in Appendix D-1:c, identifies all needed services and supports.

The Case Manager assures the services and supports developed by the Team, as described in Appendix D-1:c, support the member's own network of personal resources. The willing efforts of family members or friends to support areas of the member's life are not replaced with paid supports.

Each member served has a single, unified Plan. All services and supports, both waiver and non-waiver, are an integral part of the Plan. The DHS/DDS Case Manager is responsible for coordinating and monitoring services, both waiver and non-waiver. Health care needs are an integral part of the planning process. Programs involving professional and

specialized services are jointly developed to assure integration of service outcomes. The Team, as described in Appendix D-1:c, ensures that services and supports: are integrated into the member's daily activities; take advantage of every opportunity for social inclusion; reflect positive approaches aimed at skill enhancement; and make use of the least intrusive and least restrictive options. Providers responsible for carrying out the Plan sign the Plan's signature sheet.

Each Team, as described in Appendix D-1:c, member responsible for services identified in the Plan sends a quarterly summary of progress on assigned outcomes to the member's Case Manager. At the request of the member, or the legal guardian, or if the performance of a Team, as described in Appendix D-1:c, member reveals a course of action which is not in the best interest of the member, which is destructive towards the collaborative process of the Team, as described in Appendix D-1:c, or which violates OKDHS policy or accepted standards of professional practice, the Case Manager notifies that Team, as described in Appendix D-1:c, member by letter that his or her services on the Team, as described in Appendix D-1:c, are no longer required.

The DHS/DDS Case Manager monitors all aspects of the Plan's implementation. The DHS/DDS case management electronic database, Client Contact Manager (CCM), reflects the Case Manager's review of the progress.

The Case Manager routinely asks the member and his or her family, guardian, or advocate about their satisfaction with services and supports, and initiates appropriate action to identify and resolve barriers to consumer satisfaction. The Plan is updated as required by ongoing assessment of progress and needs. It is also updated in anticipation of foreseeable life events.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (5 of 8)

- e. Risk Assessment and Mitigation.** Specify how potential risks to the participant are assessed during the service plan development process and how strategies to mitigate risk are incorporated into the service plan, subject to participant needs and preferences. In addition, describe how the service plan development process addresses backup plans and the arrangements that are used for backup.

The Personal Support Team (Team) identifies potential areas in which the member's safety is at risk including physical, emotional, medical, financial, or legal risks, or risk to community participation; how often, when and where the risk to safety may occur. The Plan also describes the positive approaches, supports services and actions needed or being used to reduce or eliminate the risk. Back-up plans are developed on an individual basis. The back-up plan identifies who is responsible for ensuring back-up services are available and who is responsible for responding to emergencies. The back-up plan must be reviewed and updated as changes occur or as needed. The back-up plan addresses services and supports needed to prevent or reduce risk. Case Managers are responsible for ongoing monitoring and oversight of the member's Individual Plan including back-up plans. Case Managers are required to make revisions and modifications, as appropriate, to the member's Individual Plan to ensure the health and safety of the member.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (6 of 8)

- f. Informed Choice of Providers.** Describe how participants are assisted in obtaining information about and selecting from among qualified providers of the waiver services in the service plan.

At least annually, members are informed of and acknowledge their right to freedom of choice in providers. DHS/DDS Case Managers ensure members have information about qualified waiver providers. The Case Manager identifies available providers and provides available information regarding the provider's performance. They may assist the member in contacting and interviewing potential providers. They also assist members when they wish to change providers. The assistance provided is based on the needs and choices of the member.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (7 of 8)

- g. Process for Making Service Plan Subject to the Approval of the Medicaid Agency.** Describe the process by which the service plan is made subject to the approval of the Medicaid agency in accordance with 42 CFR §441.301(b)(1)(i):

For individuals determined eligible for the waiver, a plan of care is developed, directed by the member/family/guardian and assisted by the DHS/DDS Case Manager. All initial plans of care are submitted to the OHCA Level of Care Evaluation Unit for review and confirmation of a diagnosis of mental retardation, that the MR diagnosis was made before the member's 18th birthday and that the proposed delivery of services is consistent with the member's level of care need. Once this process has been completed the initial eligibility determination is approved by OHCA. A diagnosis

of borderline intellectual functioning would constitute a denial by OHCA. Any errors or service discrepancies are directed to the Case Manager for correction. All waiver plans of care are subject to review and approval by both DHS/DDS (the operating agency) and the Waiver Administration and Development department of the OHCA (the Medicaid agency). OHCA does not review and approve all plans of care prior to implementation; however, all are subject to the Medicaid Agency's approval. DHS/DDS does review a sampling of member charts which includes the plan of care. Reviewed plans of care are compared to policy guidelines, the functional assessment, and the narrative written detailing the member's living environment, physical and mental limitations and overall needs. All plans of care are subject to the approval of the Medicaid Agency and are made available by the operating agency upon request. OHCA randomly reviews plans of care through several authorities within the Medicaid Agency, such as Program Integrity and Accountability, Quality Assurance/Improvement and Claims/Coding and Integrity Units. In the event provider billing practices are suspect, all pertinent information is forwarded to the OHCA Program Integrity and Accountability department.

Appendix D: Participant-Centered Planning and Service Delivery

D-1: Service Plan Development (8 of 8)

- h. Service Plan Review and Update.** The service plan is subject to at least annual periodic review and update to assess the appropriateness and adequacy of the services as participant needs change. Specify the minimum schedule for the review and update of the service plan:

- Every three months or more frequently when necessary
- Every six months or more frequently when necessary
- Every twelve months or more frequently when necessary
- Other schedule

Specify the other schedule:

- i. Maintenance of Service Plan Forms.** Written copies or electronic facsimiles of service plans are maintained for a minimum period of 3 years as required by 45 CFR §92.42. Service plans are maintained by the following (*check each that applies*):

- Medicaid agency
- Operating agency
- Case manager
- Other

Specify:

Appendix D: Participant-Centered Planning and Service Delivery

D-2: Service Plan Implementation and Monitoring

- a. Service Plan Implementation and Monitoring.** Specify: (a) the entity (entities) responsible for monitoring the implementation of the service plan and participant health and welfare; (b) the monitoring and follow-up method(s) that are used; and, (c) the frequency with which monitoring is performed.

The DHS/DDS Case Manager, who is an employee of the State, monitors implementation of the member's service plan to determine the plan's effectiveness in meeting the needs of the member, to ensure the member's free choice of providers and to ensure the health and welfare of the member is protected. Case Managers assess services rendered to

each member at least quarterly. A face-to-face contact occurs at least twice annually. The annual review process includes a discussion of the needs of the member and confirmation that all identified needs are addressed by waiver, non-waiver, or natural supports. The annual review process includes a discussion of the member's back-up plan, whether it was necessary to implement the back-up plan and if so whether the back-up plan was effective; any necessary changes are made to the back-up plan and included in the member's Individual Plan. Back-up plans address back-up housing plans and back-up staffing arrangements.

The operating agency performance monitoring process is a record review of the DHS/DDS Case Manager record, based on a statistically significant random sample of members receiving supports through the waiver. One quarter of the representative sample is monitored each quarter. This results in a complete representative sample being reviewed each year. The record reviews include a review of service plans to assure: all member needs are addressed and preferences considered, by waiver, non-waiver, or natural supports; they are developed according to policy and updated/revised as needed ensuring an interim meeting was held within 30 days of identification or notification of the need for change in authorization of waiver services; services are delivered in accordance with the service plan including the type, scope, amount and frequency specified in the service plan; and that members are afforded choice between waiver services and institutional care and between/among waiver services and providers. The record review process includes a discussion of the member's back-up plan, whether it was necessary to implement the back-up plan and if so whether the back-up plan was effective; any necessary charges are made to the back-up plan and included in the member's individual plan. Deficiencies are recorded and reported to DHS/DDS Community Services Unit for correction.

The operating agency performance monitoring process is conducted by the DHS/DDS Quality Assurance Unit. CMS waiver assurances have been identified for monitoring and the record review process provides the evidence of compliance. DHS/DDS Quality Assurance staff reviews are based on CMS waiver assurances. The results of these reviews are recorded on monitoring reports, resulting in the creation of data. Review results are entered into a data base and reported to the respective DHS/DDS Area office for remediation. An annual report and other reports as needed are generated for the Quality Management Committee, of which OHCA is a member. OHCA also has access to all performance monitoring activities via a web based system.

If at any time the Case Manager believes that the member is at risk of harm, the Case Manager takes immediate steps necessary to protect the member. Case Managers also receive periodic progress reports from persons who are designated responsible to implement the member's service plan. If the Case Manager determines that services are not effectively addressing the needs or preferences of the member, the Case Manager reconvenes the member's Personal Support Team (Team) to make necessary changes. If it is determined the provider is not implementing the Plan as required or the provider does not meet contractual responsibilities or policies, the Case Manager consults with the relevant provider to secure a commitment for necessary service changes within an agreed upon timeframe. If necessary changes are not accomplished within the specified time frame, the DHS/DDS Case Management Supervisor intervenes to secure commitments from the provider for necessary change. If the service deficiency is still not resolved as a result of the intervention, a referral for an Administrative Inquiry by the DHS/DDS Quality Assurance Unit is initiated, which may result in provider sanction.

Each Individual Plan includes a back-up plan. The back-up plan identifies who will provide necessary supports if the provider does not as well as housing alternatives should a member's home be unavailable for some reason.

b. Monitoring Safeguards. *Select one:*

- Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may not provide other direct waiver services to the participant.**
- Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may provide other direct waiver services to the participant.**

The State has established the following safeguards to ensure that monitoring is conducted in the best interests of the participant. *Specify:*

Appendix D: Participant-Centered Planning and Service Delivery

Quality Improvement: Service Plan

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Service Plan Assurance/Sub-assurances

The state demonstrates it has designed and implemented an effective system for reviewing the adequacy of service plans for waiver participants.

i. Sub-Assurances:

- a. *Sub-assurance: Service plans address all participants' assessed needs (including health and safety risk factors) and personal goals, either by the provision of waiver services or through other means.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) who had Individual Plans that included a back-up plan (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q3a)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

	<input type="text"/>
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Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member records reviewed (denominator) who had Individual Plans that contain methods to address safety and health risks and needs (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q7c)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
		<input type="checkbox"/> Other

	<input type="checkbox"/> Continuously and Ongoing	Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator), using tools and checklists developed by DHS/DDS Quality Assurance Unit, who had Individual Plans that were adequate and appropriate to their needs and personal goals as indicated in the assessments(s) (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q3)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error

<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) who had Individual Plans that included a description of each of the services and supports included in the member's plan of care, including the amount, duration and frequency of service (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q7b)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review

<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

b. Sub-assurance: The State monitors service plan development in accordance with its policies and procedures.

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

- c. **Sub-assurance: Service plans are updated/revised at least annually or when warranted by changes in the waiver participant's needs.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) who had a quarterly summary of progress on assigned outcomes submitted by the provider agency as specified by policy (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider agency performance monitoring (6002)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) who had service plans updated/reviewed within 40 days of the notification of the change in the waiver member's needs (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q1b)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify:	

	<input type="text"/>
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Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator), using tools and checklists developed by DHS/DDS Quality Assurance Unit, with a situation identified in which a Team (as described in Appendix D-1:c) meeting was held within 30 days of the identification or notification of the need for a change (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q2)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>

	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) who had a review of progress by the Case Manager as required by policy ensuring implementation of the Individual Plan (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q5a)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error

<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) whose Individual Plan meeting was held on or before the date of the plan of care expiration (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q1)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review

<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) who had service plans updated/reviewed at least annually (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q1a)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):

<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- d. **Sub-assurance:** Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) who received the type, amount, duration, scope and frequency of the services identified in the Individual Plan (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q5)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin or error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Annually

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
Specify: <input type="text"/>	
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) who received from the direct support provider agency the type, amount, duration, scope and frequency of the services identified in the Individual Plan (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6003)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

e. Sub-assurance: Participants are afforded choice: Between/among waiver services and providers.

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of waiver member records reviewed (denominator) with an appropriately completed and signed freedom of choice form that specified choice was offered between/among waiver services and providers (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q8)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error

<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

The "Operating Agency Performance Monitoring" Data Source is based on a proportionate representative sample.

Reference to "Q" numbers or numbers 1000-5000 in the Data Source field represent the OKDHS/DDSD performance tool identifier.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.

Individual problems are identified by area surveys or provider performance monitoring. State Office staff monitor each individual citation to ensure corrections have been completed. Any survey questions that do not meet the 86% threshold established by CMS are considered to indicate the need for development of further training review processes. State Office staff meet with providers to remediate individual issues/citations. State Office staff meet with field staff to discuss the development of new methodologies to enhance accurate and

timely performance. Follow-up on operating agency performance monitoring is completed by DHS/DDS program staff quarterly to ensure 100% correction of identified problems. Program staff maintain documents to verify correction.

Follow-up on provider performance monitoring is completed by DHS/DDS Quality Assurance Unit staff to ensure 100% correction. Follow-up survey documents are completed to verify correction. Provider agencies are required to correct deficiencies within 60 days. Failure to do so results in review by the DHS/DDS Performance Review Committee which may impose additional sanctions such as vendor hold. If, after sanctions and follow-up, a provider remains non-compliant, DHS/DDS recommends Agreement termination action to OHCA.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Service Plans that are currently non-operational.

- No
- Yes

Please provide a detailed strategy for assuring Service Plans, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix E: Participant Direction of Services

Applicability *(from Application Section 3, Components of the Waiver Request):*

- Yes. This waiver provides participant direction opportunities.** Complete the remainder of the Appendix.
- No. This waiver does not provide participant direction opportunities.** Do not complete the remainder of the Appendix.

CMS urges states to afford all waiver participants the opportunity to direct their services. Participant direction of services includes the participant exercising decision-making authority over workers who provide services, a participant-managed budget or both. CMS will confer the Independence Plus designation when the waiver evidences a strong commitment to participant direction.

Indicate whether Independence Plus designation is requested *(select one):*

- Yes. The State requests that this waiver be considered for Independence Plus designation.
- No. Independence Plus designation is not requested.

Appendix E: Participant Direction of Services

E-1: Overview (1 of 13)

- a. Description of Participant Direction.** In no more than two pages, provide an overview of the opportunities for participant direction in the waiver, including: (a) the nature of the opportunities afforded to participants; (b) how participants may take advantage of these opportunities; (c) the entities that support individuals who direct their services and the supports that they provide; and, (d) other relevant information about the waiver's approach to participant direction.

Once a plan of care is developed for a member, an DHS/DDS Case Manager will offer the options of self direction or traditional waiver services for the portion of the plan of care allocated for Habilitation Training Specialist (HTS) services. In addition, the DHS/DDS Case Manager explains that services may be provided through a combination of community resources, SoonerCare services such as the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program, as well as waiver services. DHS/DDS Case Managers help identify concerns and coordinate, locate and secure needed services. DHS/DDS Case Managers also help families recognize natural supports that may already be available. A member may have all self-directed services, no provider-managed services or a combination of self-directed and provider managed services. The opportunity to choose self-direction is offered during each annual Team, as described in Appendix D-1:c, meeting. The DHS/DDS Case Manager will provide information regarding options and the member's responsibilities and potential liabilities. Training related to SDS is conducted by DHS/DDS, to include a component related to potential liabilities. In addition, the member receives a manual describing SDS services, responsibilities as well as potential liabilities. Members who choose to participate in the Self Directed Services (SDS) option may self direct the portion allocated for HTS. This amount will be used to establish a budget which will then be developed to specify Self Directed Habilitation Training Specialist (SD-HTS) services and/or Self Directed Goods and Services (SD-GS).

Members who opt for SDS will develop an individualized budget for services which they will self direct. The individualized budget for self direction will be no higher than the cost of meeting needs with HTS, Homemaker, Respite Care, Specialized Medical Supplies and Assistive Technology if traditional services were used. DHS/DDS Case Managers will assist the member to explore options and develop a self directed budget. Each member (or their personal representative) will have both the employment and budget authority over the self directed services.

DHS/DDS will serve as the Financial Management Service (FMS) in a Government Fiscal Employer Agent (FEA) model. DHS/DDS will also operate as an Organized Health Care Delivery System (OHCDS) and use a subagent in accordance with Section 3504 of the IRS code and Revenue Procedure 80-4 and Notice 2003-70. Based on the member's Plan and budget, the subagent sets up an individual account, makes payments that follow the authorized budget, handles all payroll functions on behalf of the member who hires service providers and other support personnel, provides the member with a monthly report of expenditures and budget status, answers inquiries, solves related problems, and provides DHS/DDS Case Managers with documentation of expenditures. DHS/DDS has an Interagency Agreement with the State's Medicaid agency.

Appendix E: Participant Direction of Services

E-1: Overview (2 of 13)

- b. Participant Direction Opportunities.** Specify the participant direction opportunities that are available in the waiver.
Select one:

- Participant: Employer Authority.** As specified in *Appendix E-2, Item a*, the participant (or the participant's representative) has decision-making authority over workers who provide waiver services. The participant may function as the common law employer or the co-employer of workers. Supports and protections are available for participants who exercise this authority.
- Participant: Budget Authority.** As specified in *Appendix E-2, Item b*, the participant (or the participant's representative) has decision-making authority over a budget for waiver services. Supports and protections are available for participants who have authority over a budget.

- Both Authorities.** The waiver provides for both participant direction opportunities as specified in *Appendix E-2*. Supports and protections are available for participants who exercise these authorities.

c. Availability of Participant Direction by Type of Living Arrangement. *Check each that applies:*

- Participant direction opportunities are available to participants who live in their own private residence or the home of a family member.**
- Participant direction opportunities are available to individuals who reside in other living arrangements where services (regardless of funding source) are furnished to fewer than four persons unrelated to the proprietor.**
- The participant direction opportunities are available to persons in the following other living arrangements**

Specify these living arrangements:

Appendix E: Participant Direction of Services

E-1: Overview (3 of 13)

d. Election of Participant Direction. Election of participant direction is subject to the following policy (*select one*):

- Waiver is designed to support only individuals who want to direct their services.**
- The waiver is designed to afford every participant (or the participant's representative) the opportunity to elect to direct waiver services. Alternate service delivery methods are available for participants who decide not to direct their services.**
- The waiver is designed to offer participants (or their representatives) the opportunity to direct some or all of their services, subject to the following criteria specified by the State. Alternate service delivery methods are available for participants who decide not to direct their services or do not meet the criteria.**

Specify the criteria

Appendix E: Participant Direction of Services

E-1: Overview (4 of 13)

- e. Information Furnished to Participant.** Specify: (a) the information about participant direction opportunities (e.g., the benefits of participant direction, participant responsibilities, and potential liabilities) that is provided to the participant (or the participant's representative) to inform decision-making concerning the election of participant direction; (b) the entity or entities responsible for furnishing this information; and, (c) how and when this information is provided on a timely basis.

Once a plan of care is developed for a member, an DHS/DDS Case Manager will offer the options of self direction or traditional waiver services for the portion of the plan of care allocated for Habilitation Training Specialist (HTS) services. This amount will be used to establish a budget which will then be developed to specify Self Directed Habilitation Training Specialist (SD-HTS) services and/or Self Directed Goods and Services (SD-GS). The DHS/DDS Case Manager will provide information regarding options and the member's responsibilities and potential liabilities. In addition, the DHS/DDS Case Manager explains that services may be provided through a combination of community resources, SoonerCare services such as the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program, as well as waiver services. DHS/DDS Case Managers help identify concerns and coordinate, locate and secure needed services. DHS/DDS Case Managers also help families recognize natural supports that may already be available. Members who choose to participate in the Self Directed Services (SDS) option may self direct the portion allocated for HTS.

Once a member elects to self direct his/her services and supports, the member or their representative must enroll and complete a 4-6 hour course in self-direction prior to implementation of self directed services. This training addresses:

- staff recruitment;
- hire staff common law employer;
- orient and instruct staff in duties consistent with approved service specifications;
- supervise staff including scheduling of staff and services;
- evaluate staff performance;
- discharge staff (common law employer);
- philosophy and history of self direction;
- OHCA policy governing self direction in Oklahoma;
- individual budgeting including determining staff wages and benefits subject to State limits and the amount paid for services within State limits;
- developing a self directed support plan;
- cultural diversity; and
- rights, risks and responsibilities.

Training also includes an overview of the roles and responsibilities of the DHS/DDS Case Manager, FMS subagent and the member.

The FMS subagent will provide a packet of information and instructions on forms, timesheets, timeframes for completion of forms, payment calculation sheets for the SD-HTS, vendor payment forms, worker compensation information, reporting individual account information and budgeting tips to self-direction participants.

Members may contact the DHS/DDS Case Manager or FMS subagent at any time for problem resolution, technical assistance or guidance.

Appendix E: Participant Direction of Services

E-1: Overview (5 of 13)

f. Participant Direction by a Representative. Specify the State's policy concerning the direction of waiver services by a representative (*select one*):

- The State does not provide for the direction of waiver services by a representative.**
- The State provides for the direction of waiver services by representatives.**

Specify the representatives who may direct waiver services: (*check each that applies*):

- Waiver services may be directed by a legal representative of the participant.**
- Waiver services may be directed by a non-legal representative freely chosen by an adult participant.**

Specify the policies that apply regarding the direction of waiver services by participant-appointed representatives, including safeguards to ensure that the representative functions in the best interest of the participant:

A legal representative or non-legal representative of the member may direct self directed waiver services. Members may appoint a family member, another relative or a friend to direct waiver services on their behalf. A legal guardian of a member may self direct services on the member's behalf.

An appointed representative must:

- be 18 years of age or older;
- be approved by the member or legal guardian to act in the capacity of a representative;
- demonstrate knowledge and understanding of the member's needs and preferences;
- comply with self-directed services responsibilities and policy;
- sign the Self-Directed Services Agreement with the FMS subagent and member in which the appointed representative agrees to assist the member in participating in the program. The agreement includes conditions related to assistance with fiscal management, training requirements, critical incident reporting,

- etc.; and
- complete the required SDS training.

Safeguards:

- The member or the member's legal representative, DHS/DDS Case Manager and FMS subagent will monitor use of allotted budget to assure only approved services are provided and compensated.
- The FMS subagent will require receipts for all prior authorized purchases in which the member or their representative submit a vendor request form for reimbursement.
- Members choosing to self-direct are included in the random sample for monitoring conducted by DHS/DDS Quality Assurance Unit. Additionally, case management monitoring, including progress report reviews, serve to ensure the best interest of the member.

Appendix E: Participant Direction of Services

E-1: Overview (6 of 13)

- g. Participant-Directed Services.** Specify the participant direction opportunity (or opportunities) available for each waiver service that is specified as participant-directed in Appendix C-1/C-3.

Waiver Service	Employer Authority	Budget Authority
Self Directed Goods and Services (SD-GS)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Habilitation Training Specialist Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Appendix E: Participant Direction of Services

E-1: Overview (7 of 13)

- h. Financial Management Services.** Except in certain circumstances, financial management services are mandatory and integral to participant direction. A governmental entity and/or another third-party entity must perform necessary financial transactions on behalf of the waiver participant. *Select one:*

- Yes. Financial Management Services are furnished through a third party entity.** (Complete item E-1-i).

Specify whether governmental and/or private entities furnish these services. *Check each that applies:*

Governmental entities

Private entities

- No. Financial Management Services are not furnished. Standard Medicaid payment mechanisms are used.**
Do not complete Item E-1-i.

Appendix E: Participant Direction of Services

E-1: Overview (8 of 13)

- i. Provision of Financial Management Services.** Financial management services (FMS) may be furnished as a waiver service or as an administrative activity. *Select one:*

- FMS are covered as the waiver service specified in Appendix C-1/C-3**

The waiver service entitled:

- FMS are provided as an administrative activity.**

Provide the following information

- i. Types of Entities:** Specify the types of entities that furnish FMS and the method of procuring these services:

DHS/DDS serves as a Financial Management Service (FMS) in a Government Fiscal Employer Agent (FEA) model and also operates as an Organized Health Care Delivery System (OHCDS) using a subagent. A Request For Proposal (RFP) was initiated by the State for a subagent in order to procure an entity in compliance with general Oklahoma Department of Central Services contracting and purchasing rules and State purchasing law including but not limited to 74 O.S. 85 et. seq. and 74 O.S. 4243. The entity was required to have a minimum of five years experience working with self directed service budgets and payroll. The entity has entered into an Agreement with DHS/DDS to serve as a subagent and has also signed an Agreement with the State's Medicaid agency, Oklahoma Health Care Authority (OHCA), to perform billing transactions on behalf of DHS/DDS. DHS/DDS has an Interagency Agreement with OHCA.

- ii. Payment for FMS.** Specify how FMS entities are compensated for the administrative activities that they perform:

Payment will be established during the contracting process. The subagent will receive an administrative fee. Services are paid as a flat monthly charge per member.

- iii. Scope of FMS.** Specify the scope of the supports that FMS entities provide (*check each that applies*):

Supports furnished when the participant is the employer of direct support workers:

- Assist participant in verifying support worker citizenship status**
- Collect and process timesheets of support workers**
- Process payroll, withholding, filing and payment of applicable federal, state and local employment-related taxes and insurance**
- Other**

Specify:

Obtains criminal background check and completes required registry checks.

Supports furnished when the participant exercises budget authority:

- Maintain a separate account for each participant's participant-directed budget**
- Track and report participant funds, disbursements and the balance of participant funds**
- Process and pay invoices for goods and services approved in the service plan**
- Provide participant with periodic reports of expenditures and the status of the participant-directed budget**
- Other services and supports**

Specify:

Additional functions/activities:

- Execute and hold Medicaid provider agreements as authorized under a written agreement with the Medicaid agency**
- Receive and disburse funds for the payment of participant-directed services under an agreement with the Medicaid agency or operating agency**
- Provide other entities specified by the State with periodic reports of expenditures and the status of the participant-directed budget**
- Other**

Specify:

Executes and holds OHCDS provider agreements as authorized.

- iv. Oversight of FMS Entities.** Specify the methods that are employed to: (a) monitor and assess the performance of FMS entities, including ensuring the integrity of the financial transactions that they perform; (b) the entity (or entities) responsible for this monitoring; and, (c) how frequently performance is assessed.

DHS/DDS reviews reports, invoices or other valid indications of performance to assure all contract terms and conditions of contract with the subagent are met. The subagent is required to be bonded and/or have sufficient liability insurance to protect members and the State against loss of funds, fraud or mismanagement. The subagent is required to provide an annual audit as well as monthly reports. (b) DHS/DDS, Oklahoma Department of Central Services and OHCA. OHCA randomly reviews plans of care through several authorities within the Medicaid Agency, such as Program Integrity and Accountability, Quality Assurance/Improvement and Claims/Coding and Integrity Units. The DDS Program Manager for self directed services is responsible for actual monitoring of all programmatic aspects of the contract including Consumer Satisfaction Surveys. (c) Monthly and more frequently upon request.

Appendix E: Participant Direction of Services

E-1: Overview (9 of 13)

j. Information and Assistance in Support of Participant Direction. In addition to financial management services, participant direction is facilitated when information and assistance are available to support participants in managing their services. These supports may be furnished by one or more entities, provided that there is no duplication. Specify the payment authority (or authorities) under which these supports are furnished and, where required, provide the additional information requested (*check each that applies*):

- Case Management Activity.** Information and assistance in support of participant direction are furnished as an element of Medicaid case management services.

Specify in detail the information and assistance that are furnished through case management for each participant direction opportunity under the waiver:

The Case Manager provides the following information and assistance to the member in support of self direction:

- develop the plan of care with the member;
- ensures that services are initiated within required time frames;
- facilitate the development of and review the status of the member's self directed services budget;
- conduct ongoing monitoring of the implementation of the plan of care and member health and welfare;
- arrange alternative emergency back-up services as necessary in the event that the emergency back-up plan provided for in the plan of care cannot be employed;
- specify additional staff qualifications in the Individual Plan (IP) based on member needs and preferences so long as such qualifications are consistent with approved qualifications;
- specify additional service provider qualifications consistent with approved qualifications;
- in the IP, specifies how services are provided, consistent with approved service specifications; and
- refers providers to the Financial Management Service (FMS) subagent for enrollment.

The Case Manager also may assist in locating and securing services and other community resources that promote community integration, community membership and independence, as provided in the member's plan. The Case Manager will be provided training regarding self direction including their roles and responsibilities in facilitating the development and review of the self directed budget, arranging back-up services and the roles and activities related to self direction.

- Waiver Service Coverage.** Information and assistance in support of participant direction are provided through the following waiver service coverage(s) specified in Appendix C-1/C-3 (*check each that applies*):

Participant-Directed Waiver Service	Information and Assistance Provided through this Waiver Service Coverage
Family Training	<input type="checkbox"/>
Supported Employment	<input type="checkbox"/>
Occupational and Physical Therapy	<input type="checkbox"/>
Self Directed Goods and Services (SD-GS)	<input type="checkbox"/>
Habilitation Training Specialist Services	<input type="checkbox"/>
Prevocational Services	<input type="checkbox"/>
	<input type="checkbox"/>

Participant-Directed Waiver Service	Information and Assistance Provided through this Waiver Service Coverage
Environmental Accessibility Adaptations and Architectural Modification	
Respite	<input type="checkbox"/>
Specialized Medical Supplies and Assistive Technology	<input type="checkbox"/>

- Administrative Activity.** Information and assistance in support of participant direction are furnished as an administrative activity.

Specify (a) the types of entities that furnish these supports; (b) how the supports are procured and compensated; (c) describe in detail the supports that are furnished for each participant direction opportunity under the waiver; (d) the methods and frequency of assessing the performance of the entities that furnish these supports; and, (e) the entity or entities responsible for assessing performance:

Appendix E: Participant Direction of Services

E-1: Overview (10 of 13)

k. Independent Advocacy *(select one)*.

- No. Arrangements have not been made for independent advocacy.**
- Yes. Independent advocacy is available to participants who direct their services.**

Describe the nature of this independent advocacy and how participants may access this advocacy:

Appendix E: Participant Direction of Services

E-1: Overview (11 of 13)

i. Voluntary Termination of Participant Direction.

Describe how the State accommodates a participant who voluntarily terminates participant direction in order to receive services through an alternate service delivery method, including how the State assures continuity of services and participant health and welfare during the transition from participant direction:

Members who decide to discontinue self directing their services may return to traditional waiver services. Their DHS/DDS Case Manager assists them in returning to traditional waiver services including assistance with free choice of any willing and qualified provider. The DHS/DDS Case Manager assists in developing a revised plan for traditional waiver services and the funding will follow them back to traditional waiver services. Since the option to self direct is covered under the same waiver, there is no disruption of services. Members continue to self direct until traditional waiver services are in place.

Appendix E: Participant Direction of Services

E-1: Overview (12 of 13)

m. Involuntary Termination of Participant Direction.

Specify the circumstances when the State will involuntarily terminate the use of participant direction and require the participant to receive provider-managed services instead, including how continuity of services and participant health and welfare is assured during the transition.

Members may be terminated involuntarily from self direction and offered traditional waiver services under the following circumstances:

- immediate health and safety risks associated with self-direction;
- intentional misuse of funds following technical assistance and support from the DHS/DDS Case Manager, FMS and it's subagent;
- fraud; and
- when a member or their representative continues to violate SDS waiver policies and procedures even after training and technical assistance by DHS/DDS. Some examples would be: not providing receipts with vendor request forms to the FMS subagent, failure to submit timesheets to the FMS subagent in a timely manner, failure to provide reports to the DHS/DDS Case Manager, failure to report critical incidents or refusal to follow outcome related activities.

When action is taken to terminate the member from self directed services involuntarily, the DHS/DDS Case Manager assists the member in accessing needed and appropriate services through traditional waiver services, ensuring that no lapse in necessary services occurs for which the member is eligible. The Fair Hearing process and notice apply when any action is taken to involuntarily terminate self directed services.

Appendix E: Participant Direction of Services

E-1: Overview (13 of 13)

- n. Goals for Participant Direction.** In the following table, provide the State's goals for each year that the waiver is in effect for the unduplicated number of waiver participants who are expected to elect each applicable participant direction opportunity. Annually, the State will report to CMS the number of participants who elect to direct their waiver services.

Table E-1-n

Waiver Year	Employer Authority Only	Budget Authority Only or Budget Authority in Combination with Employer Authority
	Number of Participants	Number of Participants
Year 1	<input type="text"/>	72 <input type="text"/>
Year 2	<input type="text"/>	80 <input type="text"/>
Year 3	<input type="text"/>	88 <input type="text"/>
Year 4	<input type="text"/>	96 <input type="text"/>
Year 5	<input type="text"/>	104 <input type="text"/>

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant Direction (1 of 6)

- a. Participant - Employer Authority Complete when the waiver offers the employer authority opportunity as indicated in Item E-1-b:**

- i. Participant Employer Status.** Specify the participant's employer status under the waiver. *Select one or both:*

- Participant/Co-Employer.** The participant (or the participant's representative) functions as the co-employer (managing employer) of workers who provide waiver services. An agency is the common law employer of participant-selected/recruited staff and performs necessary payroll and human resources functions. Supports are available to assist the participant in conducting employer-related functions.

Specify the types of agencies (a.k.a., agencies with choice) that serve as co-employers of participant-selected staff:

- Participant/Common Law Employer.** The participant (or the participant's representative) is the common law employer of workers who provide waiver services. An IRS-approved Fiscal/Employer Agent functions as the participant's agent in performing payroll and other employer responsibilities that are required by federal and state law. Supports are available to assist the participant in conducting employer-related functions.

- ii. Participant Decision Making Authority.** The participant (or the participant's representative) has decision making authority over workers who provide waiver services. *Select one or more decision making authorities that participants exercise:*

- Recruit staff**
- Refer staff to agency for hiring (co-employer)**
- Select staff from worker registry**
- Hire staff common law employer**
- Verify staff qualifications**
- Obtain criminal history and/or background investigation of staff**

Specify how the costs of such investigations are compensated:

The cost is paid by the member out of the IHSW-C self directed budget.

- Specify additional staff qualifications based on participant needs and preferences so long as such qualifications are consistent with the qualifications specified in Appendix C-1/C-3.**
- Determine staff duties consistent with the service specifications in Appendix C-1/C-3.**
- Determine staff wages and benefits subject to State limits**
- Schedule staff**
- Orient and instruct staff in duties**
- Supervise staff**
- Evaluate staff performance**
- Verify time worked by staff and approve time sheets**
- Discharge staff (common law employer)**
- Discharge staff from providing services (co-employer)**
- Other**

Specify:

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (2 of 6)

- b. Participant - Budget Authority** Complete when the waiver offers the budget authority opportunity as indicated in Item E-1-b:

- i. Participant Decision Making Authority.** When the participant has budget authority, indicate the decision-making authority that the participant may exercise over the budget. *Select one or more:*

- Reallocate funds among services included in the budget**
- Determine the amount paid for services within the State's established limits**
- Substitute service providers**
- Schedule the provision of services**
- Specify additional service provider qualifications consistent with the qualifications specified in Appendix C-1/C-3**
- Specify how services are provided, consistent with the service specifications contained in Appendix C-1/C-3**
- Identify service providers and refer for provider enrollment**
- Authorize payment for waiver goods and services**
- Review and approve provider invoices for services rendered**
- Other**

Specify:

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (3 of 6)

b. Participant - Budget Authority

- ii. Participant-Directed Budget** Describe in detail the method(s) that are used to establish the amount of the participant-directed budget for waiver goods and services over which the participant has authority, including how the method makes use of reliable cost estimating information and is applied consistently to each participant. Information about these method(s) must be made publicly available.

The amount of the individual budget is based on the amount authorized in the plan of care for the services the member has elected to direct and cannot exceed the cost limit described in section B-2:a of this application. Each member has a unique individual budget based on the needs of the member as determined by the member and Personal Support Team, as described in Appendix D-1:c. Policy related to self-directed services, to include budget methodology, can be found on the DHS/DDS website. The web site address is listed in the Helpful Web Sites section of the self-directed services manual provided to members. The DHS/DDS Case Manager assists the member in updating the budget during the plan of care year as necessary. The member's individualized budget accounts for the actual cost of administrative activities performed by the FMS subagent such as obtaining criminal history and/or background investigations of staff, completion of required registry checks, processing payroll, etc. Individualized budget methodology is described in OHCA policy and available for public viewing via the web at any time.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (4 of 6)

b. Participant - Budget Authority

- iii. Informing Participant of Budget Amount.** Describe how the State informs each participant of the amount of the participant-directed budget and the procedures by which the participant may request an adjustment in the budget amount.

The DHS/DDS Case Manager informs the member of the budget amount, in accordance with approved rules, during the annual plan of care meeting. Members are advised by the DHS/DDS Case Manager of their right to request a Fair Hearing and informed of the procedure for doing so during the planning process.

During Personal Support Team (Team) meetings, as described in Appendix D-1:c, DHS/DDS Case Managers inform members and member representatives of their right to request a Team, as described in Appendix D-1:c, meeting, which may include a request for an adjustment to the budget/service plan, at any time.

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (5 of 6)

b. Participant - Budget Authority

- iv. Participant Exercise of Budget Flexibility.** *Select one:*

- Modifications to the participant directed budget must be preceded by a change in the service plan.**
- The participant has the authority to modify the services included in the participant directed budget without prior approval.**

Specify how changes in the participant-directed budget are documented, including updating the service plan. When prior review of changes is required in certain circumstances, describe the circumstances and specify the entity that reviews the proposed change:

Appendix E: Participant Direction of Services

E-2: Opportunities for Participant-Direction (6 of 6)

b. Participant - Budget Authority

- v. **Expenditure Safeguards.** Describe the safeguards that have been established for the timely prevention of the premature depletion of the participant-directed budget or to address potential service delivery problems that may be associated with budget underutilization and the entity (or entities) responsible for implementing these safeguards:

The FMS subagent and DHS/DDS Case Manager work with the member to ensure the budget is utilized according to the authorized budget and SDS Support Plan. When problems are identified, the FMS subagent and DHS/DDS Case Manager work together with the member to find solutions and make changes as needed. The FMS subagent sets up an individual account, based on the member's approved budget, makes expenditures that follow the authorized budget, provides the member with a monthly report of expenditures and budget status, and provides the DHS/DDS Case Manager with access to the member's individual account information. The DHS/DDS Case Manager utilizes the information provided to monitor expenditures. The FMS subagent also provides DDS State Office staff with a monthly report of expenditures. In addition, members are issued a login identification number and password which may be used to view account information via the FMS subagent web site. These methods are used to prevent premature depletion of the individual budget as well as budget underutilization.

Appendix F: Participant Rights

Appendix F-1: Opportunity to Request a Fair Hearing

The State provides an opportunity to request a Fair Hearing under 42 CFR Part 431, Subpart E to individuals: (a) who are not given the choice of home and community-based services as an alternative to the institutional care specified in Item 1-F of the request; (b) are denied the service(s) of their choice or the provider(s) of their choice; or, (c) whose services are denied, suspended, reduced or terminated. The State provides notice of action as required in 42 CFR §431.210.

Procedures for Offering Opportunity to Request a Fair Hearing. Describe how the individual (or his/her legal representative) is informed of the opportunity to request a fair hearing under 42 CFR Part 431, Subpart E. Specify the notice(s) that are used to offer individuals the opportunity to request a Fair Hearing. State laws, regulations, policies and notices referenced in the description are available to CMS upon request through the operating or Medicaid agency.

The "Documentation of Consumer Choice" form explains the right to a Fair Hearing and provides information regarding the process for requesting a Fair Hearing. The form also includes a section requiring the choice between Home and Community-Based Services (HCBS) under the Waiver and institutional care and acknowledges the freedom of choice of providers. This form is reviewed annually and a copy is maintained electronically in the case management information system. The member and/or his/her representative are informed of all changes in service provision (denial, reduction, suspension or termination of services) through a written notice. These notices are generated automatically by the authorization system or, in the case of denial or termination, by the DHS. This notice includes the information regarding the method of requesting a Fair Hearing. In addition, any adverse action relating to SoonerCare eligibility generates a notice from the Information Management System (IMS) which includes information relating to requesting a Fair Hearing. The DHS/DDS Case Manager assists the member or their representative in requesting and preparing for a Fair Hearing. The notice specifies that services may continue pending the outcome of the appeal, if requested. The Hearing process and other information regarding this process is explained in OAC 340:2-5 and based on Section 168 of Title 56 of the Oklahoma Statutes and applicable Federal regulations.

Appendix F: Participant-Rights

Appendix F-2: Additional Dispute Resolution Process

- a. Availability of Additional Dispute Resolution Process.** Indicate whether the State operates another dispute resolution process that offers participants the opportunity to appeal decisions that adversely affect their services while preserving their right to a Fair Hearing. *Select one:*
- No. This Appendix does not apply**
 - Yes. The State operates an additional dispute resolution process**
- b. Description of Additional Dispute Resolution Process.** Describe the additional dispute resolution process, including: (a) the State agency that operates the process; (b) the nature of the process (i.e., procedures and timeframes), including the types of disputes addressed through the process; and, (c) how the right to a Medicaid Fair Hearing is preserved when a participant elects to make use of the process: State laws, regulations, and policies referenced in the description are available to CMS upon request through the operating or Medicaid agency.

Appendix F: Participant-Rights

Appendix F-3: State Grievance/Complaint System

- a. Operation of Grievance/Complaint System.** *Select one:*
- No. This Appendix does not apply**
 - Yes. The State operates a grievance/complaint system that affords participants the opportunity to register grievances or complaints concerning the provision of services under this waiver**
- b. Operational Responsibility.** Specify the State agency that is responsible for the operation of the grievance/complaint system:
- The DHS Office of Client Advocacy (OCA) is responsible for the operation of the grievance system.
- c. Description of System.** Describe the grievance/complaint system, including: (a) the types of grievances/complaints that participants may register; (b) the process and timelines for addressing grievances/complaints; and, (c) the mechanisms that are used to resolve grievances/complaints. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

The DHS grievance system is a multi-tiered system that affords members the opportunity to have their concerns heard and addressed beginning at the local level and continuing, through an appeals process, to the Director of the DHS.

The DHS Office of Client Advocacy's (OCA) administrative rules set forth the procedures to be followed as well as the timelines for each stage of the process (OAC 340:2-3-45). Notice of the member's right to file a grievance is provided upon initiation of services and annually thereafter. Timelines for response range from five working days for first level resolution to 15 days for the DHS Director's review of an appealed grievance. Each Developmental Disabilities Services (DHS/DDS) Area office designates a staff person to serve as the Local Grievance Coordinator (LGC). The LGC assists members at every stage of the process and monitors each grievance filed to ensure timely and adequate response.

Grievances may be filed by any person receiving services from DHS/DDS or by anyone interested in the welfare of a member. The subject matter of the grievance may be about any policy, rule, decision, behavior, action or condition made or permitted by the DHS, its employees or other persons authorized to provide care including contract provider agencies and their employees.

DHS/DDS contract provider agencies are required by policy to establish a grievance process that must be approved by OCA. The process must include, at a minimum, notice of the member's right to file a grievance and to a reasonable response, timelines for response, right to appeal and the designation of an LGC who is responsible for implementation of the agency's grievance process. Timelines for response to grievances range from five working days for first level resolution to ten working days for the agency's Board of Directors (or appeals committee designated by the Board).

The OCA ensures the quality of grievance systems by establishing minimum standards and through an ongoing monitoring program. The Advocate General and OCA staff have immediate and unlimited access to members, staff

and provider agency files, records and documents relating to grievance procedures and practices.

The OCA grievance system in no way undermines the member's right to request a Fair Hearing. DHS policy provides that DHS/DDS waiver members are granted Hearings if the application for services is denied; when resources are sufficient for initiation of Home and Community-Based Waiver services (HCBW) and action is not taken within 45 days; or the client, family, or guardian is aggrieved because of DHS actions to suspend, terminate or reduce services. All other complaints or grievances are made to OCA and are addressed in accordance with OCA policies and procedures (OAC 340:2-5-61). Case Managers assure that members understand that filing a grievance or making a complaint is not a pre-requisite or substitute for a Fair Hearing. Case Managers provide the information annually to the members, their advocates and guardians regarding both processes. They are also available to assist in requesting a Fair Hearing or filing a grievance.

DHS/DDS Quality Assurance staff evaluate all service-related complaints received. The type of complaint is not limited. The QA staff establishes a reasonable timeframe, not to exceed 60 days for correction, and informs individuals responsible for making or overseeing the necessary corrections of actions needed to facilitate change or correction. These may include problem solving or other more extensive oversight or change. The DHS/DDS QA Administrator may authorize an Administrative Inquiry (AI) in response to a complaint regarding support services made by members or any interested person (OAC 340-100-3-27.1). An Administrative Inquiry does not affect a member's right to a Fair Hearing, rather, it provides an opportunity to determine if the member's rights are being protected.

Appendix G: Participant Safeguards

Appendix G-1: Response to Critical Events or Incidents

- a. Critical Event or Incident Reporting and Management Process.** Indicate whether the State operates Critical Event or Incident Reporting and Management Process that enables the State to collect information on sentinel events occurring in the waiver program. *Select one:*

- Yes. The State operates a Critical Event or Incident Reporting and Management Process** (*complete Items b through e*)
- No. This Appendix does not apply** (*do not complete Items b through e*)
- If the State does not operate a Critical Event or Incident Reporting and Management Process, describe the process that the State uses to elicit information on the health and welfare of individuals served through the program.

- b. State Critical Event or Incident Reporting Requirements.** Specify the types of critical events or incidents (including alleged abuse, neglect and exploitation) that the State requires to be reported for review and follow-up action by an appropriate authority, the individuals and/or entities that are required to report such events and incidents and the timelines for reporting. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Critical Incident Reporting Requirements: DHS policy directs providers who have entered into Agreements with OHCA to provide waiver services as well as DHS/DDS staff to report critical and non-critical incidents involving the health and welfare of any person receiving DHS/DDS In-Home Support Services. Contract provider staff report critical and non-critical incidents electronically via the DHS/DDS Provider Reporting System. The DHS/DDS Case Manager is notified immediately when there is a critical incident. If the incident occurs outside regular working hours, the DHS/DDS Case Manager is notified the next working day. Critical incidents include: 1) suspected maltreatment (abuse, neglect, sexual abuse or sexual exploitation) of a member; 2) threatened or attempted suicide by a member; 3) death of a member; 4) an unplanned hospital admission of a member; 5) a medication event resulting in emergency medical treatment for a member; 6) law enforcement involvement in a situation concerning a member; 7) property loss of more than \$500.00; 8) a member is missing; and 9) a highly restrictive procedure is used with a member. In addition to the immediate notification requirement, the contract provider or DHS/DDS staff who witnessed or has knowledge of the incident completes an Incident Report. The service provider agency program coordination staff submit the incident report electronically to DDS.

NON-CRITICAL INCIDENT REPORTING REQUIREMENTS: The procedures for reporting incidents considered as non-critical are identical to those described for critical incidents except that immediate notification is not

required. Incidents Reports must be provided to DHS/DDS case management within three business days of the incident. Incident Reports are required under the following circumstances: an injury to a member; an unplanned health related event involving a member; physical aggression by a member; fire setting by a member; deliberate harm to an animal by a member; property loss of less than \$500 involving a member; a vehicle accident involving a member; the suspension, termination or removal of a member's program including employment, and a medication event involving a member. DHS/DDS Case Management staff are responsible for reviewing each Incident Report and taking further action when necessary. With respect to medication events, the DHS/DDS Case Manager may notify the DHS/DDS Registered Nurse if the Case Manager believes the medication error caused harm or if the Case Manager needs technical assistance on appropriate follow-up activities.

- c. Participant Training and Education.** Describe how training and/or information is provided to participants (and/or families or legal representatives, as appropriate) concerning protections from abuse, neglect, and exploitation, including how participants (and/or families or legal representatives, as appropriate) can notify appropriate authorities or entities when the participant may have experienced abuse, neglect or exploitation.

The DHS/DDS Case Manager provides information and education along with written materials to the member and his/her legal guardian or advocate regarding member rights, responsibilities, the grievance process and procedures, pertinent phone number(s) and how to report maltreatment during the meeting to develop the Individual Plan. Thereafter, information and materials are available upon request by the member, family and/or legal guardian and routinely provided during annual reevaluation. Case Managers are responsible for ongoing monitoring of the health and welfare of members and providing necessary education and intervention related to the reporting of maltreatment of members. In the event of a change in Case Manager or Case Management Supervisor, new names and phone numbers are provided.

- d. Responsibility for Review of and Response to Critical Events or Incidents.** Specify the entity (or entities) that receives reports of critical events or incidents specified in item G-1-a, the methods that are employed to evaluate such reports, and the processes and time-frames for responding to critical events or incidents, including conducting investigations.

Reports are submitted to DHS. Within DHS, four divisions are responsible for receipt, evaluation and response to critical incidents. The divisions responsible are Child Protective Services (CPS)(maltreatment of children), Office of Client Advocacy (OCA)(maltreatment of children in out of home living arrangements other than foster care as well as maltreatment of vulnerable adults by caregivers who have entered into Agreements with DHS), Adult Protective Services (APS)(maltreatment of vulnerable adults and self neglect)and Developmental Disabilities Services (DDS) (incidents identified in Appendix G-1-a that do not constitute maltreatment).

DHS maintains a statewide toll free hotline for receipt of reports of maltreatment of children and adults. The hotline operates 24 hours a day, seven days a week and is staffed by Children and Family Services (CFS) personnel who are trained in APS and OCA procedures.

Within the DHS, OCA is responsible for evaluating and investigating allegations of maltreatment of children receiving in-home supports. OCA Intake determines, from available information, whether the situation presents a serious risk that requires immediate action. If an emergency response appears indicated, OCA arranges for an investigator, a law enforcement officer or an OCA advocate to personally visit with the alleged victim immediately and no later than within 24 hours.

OCA administrative rules specify extensive procedures for the conduct of investigations. The OCA investigator conducts an interview with the alleged victim within 5 working days of assignment. A separate, private interview is conducted with each alleged victim, witnesses to the alleged maltreatment, persons allegedly directly or indirectly involved in the allegation, persons with knowledge of relevant information, and each caretaker accused of the maltreatment. All interviews are tape-recorded and interpreter services are provided for persons with hearing impairments.

If the investigator becomes aware of a significant health or safety concern requiring immediate attention, he/she promptly informs appropriate DHS/DDS or Child Protective Services staff. Other persons or entities are notified as warranted. The investigator remains with the member until safety can be assured.

All cases are assigned within one working day of receipt of a referral. Investigation is commenced immediately upon receipt of a referral deemed urgent. Within 30 calendar days of disposition, the investigative process is completed and

appropriate administrators notified. Within 60 calendar days from the assignment of an investigation, the OCA written investigative report is completed. OCA supervisors monitor timely completion of investigation reports and oversee completion of reports that are pending over 30 days.

When the finding does not confirm an allegation or the finding is confirmed but the accused caretaker is not a community services worker, OCA sends a copy of the report to the provider agency administrator, the DHS/DDS Director, and the applicable district attorney. When the finding confirms an allegation against a caretaker who is a community services worker, OCA submits a copy of the report to the applicable District Attorney and processes the report per the due process requirements for inclusion of the caretaker's name on the Community Services Worker Registry. When due process procedures relating to the registry have been completed, OCA sends a copy of the report to the provider agency administrator and the DHS/DDS Director. The provider agency administrator is responsible for notifying the participant or the participant's legal representative of the OCA finding. The investigative findings are approved within 30 to 60 calendar days of disposition of a referral to be investigated. Investigations resulting in confirmation against a caretaker who is a Community Services Worker are not considered final until the due process procedures relating to the Community Services Worker Registry have been completed. The timeframes for notification of the member or member's legal representative in these cases vary.

During executive session of the monthly Commission meeting, the DHS Director and members of DHS Commission review information regarding confirmed findings and the corresponding disciplinary actions taken.

Critical incidents that do not constitute maltreatment are reviewed and evaluated by DHS/DDS. All deaths, regardless of circumstance, are reported immediately to the DHS/DDS Director or designee. The member's family member(s) or legal guardian is notified by DHS/DDS case management staff or by the respective provider agency. The member's Team, as described in Appendix D-1:c, and HRC review all critical incidents involving the use of an intrusive procedure or emergency intervention, other than medication previously approved per OAC 340:100-5-26.1, to ensure the use was reasonable, necessary, and consistent with the PIP or an emergency intervention, as defined in OAC 340:155-5-57(f). Critical incidents involving the use of intrusive procedures or emergency interventions are reported electronically to DHS/DDS case management and DHS/DDS Positive Field Support staff within three business days of the incident. The member's Team, as described in Appendix D-1:c, meets within 5 days of receipt of the written report to review the incident. Case management prepares a monthly summary of all restrictive or intrusive procedures, PRN psychotropic medication usage, or emergency interventions reported. The monthly summary identifies system concerns, recommendations, and planned interventions. The monthly summary is forwarded to the DHS/DDS Director of Psychological and Behavioral supports who reviews and takes any necessary action.

All other critical incidents are reported immediately to DHS/DDS case management. If the incident occurs outside regular working hours, DHS/DDS on-call staff are notified immediately. Providers who have entered into Agreements with OHCA to provide waiver services submit an electronic report of all critical incidents to the DHS/DDS Case Manager and DHS/DDS State Office staff within three business days after the incident occurs.

- e. Responsibility for Oversight of Critical Incidents and Events.** Identify the State agency (or agencies) responsible for overseeing the reporting of and response to critical incidents or events that affect waiver participants, how this oversight is conducted, and how frequently.

The Oklahoma Department of Human Services (DHS) is the entity to which reports are submitted. Within DHS, three divisions are responsible for receipt, evaluation and response to critical incidents. The divisions responsible are Child Protective Services (CPS)(maltreatment of children), Office of Client Advocacy (OCA)(maltreatment of children in out of home living arrangements other than foster care as well as maltreatment of vulnerable adults by caregivers who have entered into Agreements with DHS), and Developmental Disabilities Services (DDS)(incidents identified in Appendix G-1-a that do not constitute maltreatment).

CPS and OCA report their findings related to abuse, neglect, and exploitation of any member to DDS. Provider agencies are required by policy to report critical incidents, immediately, to the DDS, using the approved format. Further, to promote good communication, coordination of services and to ensure the health and welfare of members, DHS routinely conducts case staffings to address significant member issues such as abuse, neglect or exploitation. Multiple DHS divisions are commonly represented at case staffings and, assigned CPS workers for member's in the custody of the DHS, are members of the Personal Support Team.

Oversight activities are continuous and ongoing. Issues related to abuse, neglect, and exploitation or member health and safety are first addressed individually for immediate resolution. Critical incident information from all sources is entered into a database. On a monthly basis, the database information is compiled into various reports and provided to

the DDS Critical Incidents Committee for analysis, to identify trends, and make recommendations. In the event the Critical Incidents Committee notices a trend or pattern of multiple incidents, the member would be monitored closely and individual intervention initiated if necessary. Individual intervention is used to prevent recurrence of critical incidents or events. When patterns are identified, policy and training changes occur. A web-based system for reporting and managing critical incidents is used.

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (1 of 3)

- a. Use of Restraints.** *(Select one): (For waiver actions submitted before March 2014, responses in Appendix G-2-a will display information for both restraints and seclusion. For most waiver actions submitted after March 2014, responses regarding seclusion appear in Appendix G-2-c.)*

- The State does not permit or prohibits the use of restraints**

Specify the State agency (or agencies) responsible for detecting the unauthorized use of restraints and how this oversight is conducted and its frequency:

- The use of restraints is permitted during the course of the delivery of waiver services.** Complete Items G-2-a-i and G-2-a-ii.

- i. Safeguards Concerning the Use of Restraints.** Specify the safeguards that the State has established concerning the use of each type of restraint (i.e., personal restraints, drugs used as restraints, mechanical restraints). State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Individual Planning policies include a foundation for planning individual, person-centered services and supports which emphasize positive approaches aimed at skill enhancement and make use of the least intrusive and least restrictive options. The planning process includes individual assessment that identifies the member's needs and choices for supports and services related to personal relationships, home, employment, education, transportation, health, safety, leisure, social skills, and communication. There is also a focus on early intervention and prevention by the Team when changes occur and assessing and addressing areas in which the member's safety is at risk including physical, emotional, medical, financial, or legal risks or risks to community participation. When behavioral risks are identified, the member's Individual Plan (Plan) must include protective intervention planning which describes the preventive supports, services, and actions to be taken to reduce or eliminate risks. This includes, as needed, identifying requirements or changes in the member's environment, program and service requirements, instruction and procedures to be used by staff or Team members during a situation that places the safety of the member or others at risk, education components, staff training requirements, and methods and timelines to evaluate the effectiveness of the Plan.

If the member's Team determines that personal restraint, drugs used as restraints or mechanical restraints are essential for safety because of challenging behaviors that create risk of physical injury or harm to the member or others, risk of involvement in civil or criminal processes, or places at serious risk the member's physical safety, environment, relationships, or community participation, a Protective Intervention Protocol (PIP) must be developed and overseen by the member's Team and an appropriately licensed professional or family trainer. The PIP must include sufficient justification for the use of the restraint and include instructions to staff on positive, pro-active steps to prevent incidents from occurring, how to calm the member during dangerous or disruptive episodes, how and when to take appropriate action to protect the member, staff, and others when the member's behavior is dangerous, who to call for assistance when necessary and ways to prevent the misuse of the restraint procedures. The PIP must also include fading criteria for the reduction and/or elimination of the restraint.

Use of restraint procedures is regulated by OAC 340:100-5-26, OAC 340:100-5-26.1, and OAC 340:100-5-51 through 340:100-5-58. Seclusion and facedown physical restraint are prohibited. Mechanical restraints are prohibited except when absolutely necessary to promote healing or prevent injury during or following a medical procedure. Medical mechanical restraints are prescribed by a Physician and time-limited to no more than 12 hours unless the Physician specifies a longer period of use.

Physical Management (personal restraint), per OAC 340:100-5-57, is used only to prevent physical injury. Any PIP that includes a personal restraint component requires the Team to identify whether the member has any health concerns related to the use of physical management; ask the member's physician or The Developmental Disabilities Services Director of Pharmacy Services to assess whether the current medication regimen would pose any risk for the member under the stress of the physical management procedure and include in the planning sessions a trainer of physical management procedures. The trainer makes recommendations about the effectiveness and safety of the physical management procedure in particular environments; assists the Team in identifying alternative approaches when standard procedures do not appear appropriate for the member or the situation; and identifies existing physical obstacles to the implementation of a procedure for particular staff. The Team includes the trainer's recommendations, identifying any situation in which physical management procedures cannot be used as such use would be unsafe or ineffective.

Personal restraint is used only to prevent physical injury and ensure physical safety. Any use of restraint not included in a PIP is considered an emergency intervention. Emergency intervention is used for no longer than is necessary to eliminate the clear and present danger of serious physical harm to the member or others. Personal restraint must be terminated as soon as the person is calm or the threat has ended and release must be attempted every two minutes. When responding to an emergency, the amount of force can never exceed that which is reasonable and necessary under the circumstances to protect the person or others. An incident report must be completed and submitted to the DHS/DDS Case Manager for Team review within one business day.

After the first use of an emergency restraint procedure, if the Team determines that the use of a restraint procedure must be continued to ensure the safety of the member or others, the DDS Director of Psychological and Behavioral Supports or designee may provide temporary immediate approval of continued use of restrictive or intrusive procedures. Temporary approval of use of emergency interventions lasts no longer than 60 days. The request must provide sufficient information to demonstrate that positive supports were attempted, and the danger of severe harm still exists. At a minimum, required information includes all incident reports from the last three months with details on the harm caused and other indications of severity as well as a description of existing positive supports and services. To continue using the temporarily approved procedure, the Team must submit a plan that incorporates the requested procedures. If the submitted plan does not receive committee approval, the committee may extend the expedited approval if the committee determines that conditions warrant extension for a maximum of 45 additional days.

The Case Manager reviews the incident reports and ensures the Team meets within five days of the use of any emergency restraint intervention.

Completion of an approved behavior support course is required for direct support staff serving persons with PIP's that include physical restraint to restrict movement. Staff must also complete an approved physical management course before using any technique of physical management contained in a PIP. Only staff and their supervisors who provide support to the member are trained on the use of a physical management procedure. Staff who have been formally trained to use physical management procedures do not use those techniques with other members, except in emergencies as defined in OAC 340:100-5-57. Staff must complete an annual retraining on the specific physical management procedures in the PIP.

The Team must submit each behavioral protective intervention protocol containing restraints to the Statewide Human Rights and Behavior Review Committee per OAC 340:100-3-14. The committee is

established to review each behavioral PIP with restrictive or intrusive procedures. Members are appointed by the Director of DDS. The committee includes at least three professional members with expertise in areas relating to the duties of the committee including: positive behavior supports and educational methodologies; issues involving human rights; and related medical or psychiatric issues. Other members include at least two individuals who receive DDS services or are a family member, Guardian, or Advocate of a member.

The committee ensures that each PIP complies with requirements found in OAC 340:100-5-57 and that the PIP focuses on: prevention; education; skill development; staff training and conduct; and other positive approaches. Whenever restraint procedures are requested, the committee ensures: that due process is afforded; the restrictive or intrusive procedure is the least restrictive alternative; and that educational procedures are in place to assist the member in restoring the restricted right(s).

The committee is the final approval authority for PIP's that include a restrictive or intrusive procedure (s). The committee sends a copy of the PIP review summary to the DHS/DDS Case Manager. The review summary specifies whether the PIP is:

- approved;
- conditionally approved, with required information or changes to be provided within a time period specified by the committee; or
- not approved, with required information or changes to be provided within a time period specified by the committee. The DHS/DDS Case Manager convenes the Team within ten days of receipt of the committee minutes and summary for review and necessary modifications to the PIP.

PIP's must be modified to accommodate the recommendations of the committee and approved prior to implementing the proposed restrictive or intrusive procedure(s). Approval is for no longer than one year and must be renewed annually as long as the restrictive or intrusive procedure is in place.

- ii. State Oversight Responsibility.** Specify the State agency (or agencies) responsible for overseeing the use of restraints and ensuring that State safeguards concerning their use are followed and how such oversight is conducted and its frequency:

DDS oversight activities relating to restraints are ongoing.

When a restraint procedure is used, other than medication previously approved in accordance with OAC 340:100-5-26.1, an Incident Report form is prepared by the person of the provider agency who initiated the procedure in accordance with OAC 340:100-5-57.1. The Incident Report includes, at a minimum, a description of: the circumstances leading to the use of the intrusive procedure(s) or emergency intervention (s), including all procedures attempted prior to using the intrusive procedure or emergency intervention; the intrusive procedure or emergency intervention procedure(s) used; and the outcome of the incident, including any physical harm or damage caused.

Provider agency program coordination staff review the Incident Report and complete a written review which indicates whether: the intrusive procedure(s) was implemented according to the PIP or the emergency intervention(s); the intervention complied with the requirements of subsection (f) of OAC 340:100-5057; the use of intrusive procedure(s) or emergency intervention was reasonable and necessary; and includes recommendations and a description of actions taken. Provider agency program coordination staff submit the incident report electronically to DDS.

The DHS/DDS Case Manager ensures the Team, as described in Appendix D-1:c, meets within five days of receipt of the Incident Report documenting use of physical management or emergency intervention. The Team, as described in Appendix D-1:c, reviews the particulars of the incident to insure use was reasonable and the least restrictive alternative available. The Team, as described in Appendix D-1:c, takes necessary action to address any identified issues, describes any systems concerns, addresses any further recommendations, and/or planned interventions.

A data base captures information related to the use of restrictive/intrusive procedures by member served, agency providing services, location of intervention and time of use. The DHS/DDS Director of

Psychological and Behavioral Supports and the Positive Support Field Specialist review Incident Reports including highly restrictive procedures on a monthly basis.

- If it appears that use of restrictive or intrusive procedures or emergency intervention has occurred in violation of policy requirements, approval for use of physical management or emergency intervention may be suspended by the DHS/DDS Director of Psychological and Behavioral Supports pending review by the Statewide Behavior Review Committee (SBRC) in accordance with OAC 340:100-3-14.

- If it appears that abuse or neglect has occurred, the authorities charged by law with the investigation of alleged abuse are notified.

- The DHS/DDS Director of Psychological and Behavioral Supports may require additional staff training or supports.

- The Positive Support Field Specialist may be assigned to provide assistance to the Team, as described in Appendix D-1:c.

- If problems are noted, an Administrative Inquiry in accordance with OAC 340:100-3-27.1 may be requested.

In addition to review by the DHS/DDS Director of Psychological and Behavioral Supports, a Critical Incident Committee reviews all critical incidents, including but not limited to, those involving the use of restraint procedures. The Committee meets regularly to review reports generated from a data base containing data collected from Incident Reports. The Committee is charged with analyzing the reports to identify systems issues, trends, and patterns and makes findings and recommendations to support continuous quality improvement and prevent recurrence. Reports of the Committee's findings and recommendations are included in the summary reports provided regularly to OHCA.

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (2 of 3)

b. Use of Restrictive Interventions. *(Select one):*

- The State does not permit or prohibits the use of restrictive interventions**

Specify the State agency (or agencies) responsible for detecting the unauthorized use of restrictive interventions and how this oversight is conducted and its frequency:

- The use of restrictive interventions is permitted during the course of the delivery of waiver services** Complete Items G-2-b-i and G-2-b-ii.

- i. Safeguards Concerning the Use of Restrictive Interventions.** Specify the safeguards that the State has in effect concerning the use of interventions that restrict participant movement, participant access to other individuals, locations or activities, restrict participant rights or employ aversive methods (not including restraints or seclusion) to modify behavior. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency.

Restrictive procedures are defined in DHS policy as those which result in the limitation of the member's rights including their communication with others, access to leisure activities, money or personal property, goods or services, movement at home or the community or any direct observational procedures specified as

a result of challenging behavior during times or places which would otherwise be considered private. Use of restrictive procedures is regulated by OAC 340:100-5-50 through 340:100-5-58. Aversive conditioning procedures, withholding meals, breaks, sleep or the ability to maintain personal hygiene, involuntary forfeiture of money or personal property, corporal punishment and the use of exclusionary time-out or timeout

rooms are all prohibited. Restrictive intervention must be reported via an incident report and critical incident reporting procedure followed. DHS/DDS Case Managers as well as the Critical Incident Committee review cases to detect unauthorized use of restraint. DHS/DDS Case Managers and Quality Assurance monitoring is also in place to detect any unreported use of restraints.

The member's Team is required by policy to complete a risk assessment which identifies potential areas in which the member's safety is at risk, including physical, emotional, medical, financial, or legal risks, or risk to community participation. This assessment identifies the frequency and degree of potential harm to the member or others; and why, when, where, and how the risk to safety may occur. The Team identifies places, conditions, early signs or other indicators of potential safety risks. The Team also identifies the member's skills or lack thereof, which impact the safety risks. Such skills include communication skills, coping skills, social skills, leisure skills and vocational skills. The risk assessment takes into account the member's past experience, any medical, psychiatric or pharmacological issues, recent changes in the member's life and identification of previous supports which have been effective or ineffective in preventing or reducing the risks.

When risk or the potential for risk is present, the elements of the risk assessment must be addressed as part of a Protective Intervention Plan (PIP). Policy requires that a PIP focus on positive, preventative supports and actions to reduce or eliminate safety risks. These positive supports include, but are not limited to:

making changes in the member's environment; providing trained, consistent staffing and oversight of staff; ensuring adequate communication and coordination between Team members as well as adequate and appropriate communication with the member; providing the member with appropriate and meaningful daily activities and eliminating or managing medical, psychiatric or physical conditions which may be impacting risk. These positive supports are required to be developed based on the member's unique needs and used prior to any use of restrictive interventions.

When there is the possibility of imminent risk or dangerous behavior, expedited approval of the use of restrictive procedures for 60 days can be requested using form 06MP042E, while the Team develops a PIP. This form requires the Team to identify all less restrictive, positive approaches already attempted and to identify positive approaches which are to be attempted or explored prior to using a restrictive procedure during the 60 day approval period. These positive approaches, just like those in the previous paragraph, include addressing medical issues, restructuring the environment, skill development, improving communication, retraining staff, relationship building, etc.

Individual planning policies include a foundation for planning individual, person-centered services and supports which foster positive approaches aimed at skill enhancement and make use of the least intrusive and least restrictive options. The planning process includes individual assessment that identifies the member's needs and choices for supports and services related to personal relationships, home, employment, education, transportation, health, safety, leisure, social skills, and communication. There is also a focus on early intervention and prevention by the Team when changes occur and assessing and addressing areas in which the member's safety is at risk including physical, emotional, medical, financial, or legal risks or risks to community participation.

The Plan must include protective intervention planning which describes the preventive supports, services, and actions to be taken to reduce or eliminate risks. This includes, as needed, identifying requirements or changes in the member's environment, program and service requirements, instruction and procedures to be taken by staff or Team members during a situation that places the safety of the member or others at risk, education components, staff training requirements, and methods and timelines to evaluate the effectiveness of the plan. The PIP must treat the member with dignity and be reasonable, humane, practical, not controlling and the least restrictive alternative. If the Team determines that restrictive procedures are essential for safety, the protective intervention planning must include sufficient justification for their use. The PIP must also explain documentation requirements for the use of restrictive procedures. An incident report is required each time a restrictive procedure is used. All incident reports are submitted to the DHS/DDS Case Manager and critical incident reports, which include those involving restrictive

procedures, are also sent to DHS/DDS. Each PIP includes documentation requirements with instructions regarding how data will be captured on all elements of the Plan, including restrictive procedures. The Plan must be approved by the Statewide Human Rights and Behavior Review Committee. Policies relating to the composition, functions and record-keeping of this Committee is found at 340:100-3-14.

DHS/DDS Case Managers, who facilitate Team meetings, complete required training courses and in-service including training on rights issues, use of restrictive procedures and the process for approval of restrictive procedures. Direct support staff responsible for day-to-day implementation of restrictive procedures, and their supervisors, complete training which includes Foundation Training and individual-specific in-service on the PIP. Residential staff also complete a Residential Ethical and Legal training course. Provider staff applying restraints are the same as those who would apply restrictive procedures. All staff complete the same basic training courses and are required to be trained on the individual-specific components of the PIP, which would include restraint/restrictive procedures. Provider staff who would apply personal restraints also complete an approved physical management course.

The committee is established to review each PIP with restrictive procedures. The Director of DHS/DDS appoints committee members. The committee includes at least three professional members with expertise in areas relating to the duties of the Committee including: positive behavior supports and educational methodologies; issues involving human rights; and related medical or psychiatric issues. Other members include at least two individuals who receive DHS/DDS services or are a family member, Guardian, or Advocate of a member.

The committee ensures that each PIP complies with requirements found in OAC 340:100-5-57 and that the PIP focuses on: prevention; education; skill development; staff training and conduct; and other positive approaches. Whenever restraint procedures are requested, the committee ensures: that due process is afforded; the restrictive or intrusive procedure is the least restrictive alternative; and that educational procedures are in place to assist the member in restoring the restricted right(s).

The committee is the final approval authority for PIP's that include a restrictive or intrusive procedure (s). The committee sends a copy of the PIP review summary to the DHS/DDS Case Manager. The review summary specifies whether the PIP is:

- approved;
- conditionally approved, with required information or changes to be provided within a time period specified by the committee;
- conditionally approved with required educational supports or staff training as specified; or
- not approved, with required information or changes to be provided within a time period specified by the committee. The Case Manager convenes the Team within ten days of receipt of the committee minutes and summary for review and necessary modifications to the PIP.

PIP's must be modified to accommodate the recommendations of the committee and approved prior to implementing the proposed restrictive or intrusive procedure(s). Committee approval is for no longer than one year and must be renewed annually as long as the restrictive or intrusive procedure is in place.

Case Managers monitor the provision of services, including restrictive procedures, through observation, record review and provider incident and progress reports.

The Positive Support Field Specialists review all critical incident reports involving the use of highly restrictive procedures on a monthly basis. DHS/DDS policy defines highly restrictive procedures as use of a p.r.n. medication for behavioral control; and the use of a physical hold. Upon review of the monthly incident reports, Positive Support Field Specialist takes further action, as needed, to ensure that requirements governing the use of restrictive/intrusive procedures are followed.

- Positive Support Field Specialist may be assigned to provide assistance to the Team.

- If problems are noted, an DHS/DDS Quality Assurance Unit Administrative Inquiry in accordance with OAC 340:100-3-27.1 may be requested.

- If it appears that abuse or neglect has occurred, the authorities charged by law with the investigation of alleged abuse are notified.

Data base information, as described in Appendix G-2-b.ii. is analyzed to identify trends and/or patterns related to increased use of restrictive/intrusive procedures by members, agency providing services, location of intervention(s), duration of restrictive/intrusive procedure(s) used including total time of physical restraint usage, and staff initiating the restrictive/intrusive procedure(s). Identified trends and/or patterns of usage will be addressed via specified improvement strategies, which may include additional training, monitoring, or oversight.

ii. State Oversight Responsibility. Specify the State agency (or agencies) responsible for monitoring and overseeing the use of restrictive interventions and how this oversight is conducted and its frequency:

DHS/DDS is responsible for the oversight and monitoring of the use of restrictive interventions and for ensuring that safeguards are followed and in accordance with OAC 340:100-5-57.1.

A Critical Incident Committee reviews critical incidents and other quality management reports including but not limited to those involving the use of restrictive or intrusive procedures. The Committee meets monthly and reviews reports generated from a database containing data collected from individual incident reports. The Committee is charged with analyzing the reports to identify systems issues, trends, and patterns and makes findings and recommendations to support continuous quality improvement and prevent recurrence. Reports of the Committee's findings and recommendations are summarized in regular reports to OHCA.

Appendix G: Participant Safeguards

Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (3 of 3)

c. Use of Seclusion. *(Select one): (This section will be blank for waivers submitted before Appendix G-2-c was added to WMS in March 2014, and responses for seclusion will display in Appendix G-2-a combined with information on restraints.)*

The State does not permit or prohibits the use of seclusion

Specify the State agency (or agencies) responsible for detecting the unauthorized use of seclusion and how this oversight is conducted and its frequency:

The operating agency is responsible for detecting the unauthorized use of seclusion. Case Managers are responsible for ongoing monitoring of the health and welfare of the member. This is accomplished through review of quality progress reports and at least quarterly face-to-face contact with the member. Case Managers also review incident reports on an ongoing basis to detect unauthorized use of seclusion.

The use of seclusion is permitted during the course of the delivery of waiver services. Complete Items G-2-c-i and G-2-c-ii.

i. Safeguards Concerning the Use of Seclusion. Specify the safeguards that the State has established concerning the use of each type of seclusion. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

- ii. **State Oversight Responsibility.** Specify the State agency (or agencies) responsible for overseeing the use of seclusion and ensuring that State safeguards concerning their use are followed and how such oversight is conducted and its frequency:

Appendix G: Participant Safeguards

Appendix G-3: Medication Management and Administration (1 of 2)

This Appendix must be completed when waiver services are furnished to participants who are served in licensed or unlicensed living arrangements where a provider has round-the-clock responsibility for the health and welfare of residents. The Appendix does not need to be completed when waiver participants are served exclusively in their own personal residences or in the home of a family member.

- a. **Applicability.** Select one:

- No. This Appendix is not applicable** (do not complete the remaining items)
 Yes. This Appendix applies (complete the remaining items)

- b. **Medication Management and Follow-Up**

- i. **Responsibility.** Specify the entity (or entities) that have ongoing responsibility for monitoring participant medication regimens, the methods for conducting monitoring, and the frequency of monitoring.

- ii. **Methods of State Oversight and Follow-Up.** Describe: (a) the method(s) that the State uses to ensure that participant medications are managed appropriately, including: (a) the identification of potentially harmful practices (e.g., the concurrent use of contraindicated medications); (b) the method(s) for following up on potentially harmful practices; and, (c) the State agency (or agencies) that is responsible for follow-up and oversight.

Appendix G: Participant Safeguards

Appendix G-3: Medication Management and Administration (2 of 2)

- c. **Medication Administration by Waiver Providers**

Answers provided in G-3-a indicate you do not need to complete this section

- i. **Provider Administration of Medications.** Select one:

- Not applicable.** (do not complete the remaining items)
 Waiver providers are responsible for the administration of medications to waiver participants who cannot self-administer and/or have responsibility to oversee participant self-administration of medications. (complete the remaining items)

- ii. **State Policy.** Summarize the State policies that apply to the administration of medications by waiver providers or waiver provider responsibilities when participants self-administer medications, including (if applicable) policies concerning medication administration by non-medical waiver provider personnel. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

iii. Medication Error Reporting. *Select one of the following:*

- Providers that are responsible for medication administration are required to both record and report medication errors to a State agency (or agencies).**

Complete the following three items:

(a) Specify State agency (or agencies) to which errors are reported:

(b) Specify the types of medication errors that providers are required to *record*:

(c) Specify the types of medication errors that providers must *report* to the State:

- Providers responsible for medication administration are required to record medication errors but make information about medication errors available only when requested by the State.**

Specify the types of medication errors that providers are required to record:

iv. State Oversight Responsibility. Specify the State agency (or agencies) responsible for monitoring the performance of waiver providers in the administration of medications to waiver participants and how monitoring is performed and its frequency.

Appendix G: Participant Safeguards

Quality Improvement: Health and Welfare

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Health and Welfare

The state demonstrates it has designed and implemented an effective system for assuring waiver participant health and welfare. (For waiver actions submitted before June 1, 2014, this assurance read "The State, on an ongoing basis, identifies, addresses, and seeks to prevent the occurrence of abuse, neglect and exploitation.")

i. Sub-Assurances:

- a. Sub-assurance:** ***The state demonstrates on an ongoing basis that it identifies, addresses and seeks to prevent instances of abuse, neglect, exploitation and unexplained death. (Performance measures in this sub-assurance include all Appendix G performance measures for waiver actions submitted before June 1, 2014.)***

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) where the member (and/or family, legal guardian, provider staff) received information/education/training about how to report abuse, neglect, exploitation and other critical incidents as specified in the approved waiver (numerator) (Individual Plans completed after 07-01-10).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q12)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:
Number and percent of unexplained deaths (denominator) for which preventable causes were not found (numerator).

Data Source (Select one):

Mortality reviews

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of Critical Incident Reports that identify abuse, neglect, or exploitation (denominator) for which follow-up was completed by the team to prevent recurrence of these incidents (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify:	

	<input type="text"/>
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Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of unexplained deaths (denominator) for which mortality reviews were completed in order to address and prevent future incidents (numerator).

Data Source (Select one):

Mortality reviews

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>

	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

- b. *Sub-assurance: The state demonstrates that an incident management system is in place that effectively resolves those incidents and prevents further similar incidents to the extent possible.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed where case management intervention was required (denominator) and occurred to address issues related to incident reports and health and welfare risks if necessary (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q10)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):

<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of critical incidents (denominator) that were reported within required timeframes as specified in the approved waiver (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

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Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed where the provider was required (denominator) and acted immediately to remedy any situation which

posed a risk to the health, well-being, safety or provision of specified service (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6010)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
	Specify: <input type="text"/>

Performance Measure:
Number and percent of member's records reviewed (denominator) for whom the provider completed required critical incident reports (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6012)

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin or error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number of medication errors (denominator) that did not result in emergency medical treatment out of the total number of medication errors (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of critical incidents (denominator) for which follow-up was completed by case management staff as required by the State (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of critical incidents (denominator) that were reviewed by the Critical Incident Committee to ensure proper action was taken to prevent further incidents (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other	

	Specify:	
	<input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of medication errors (denominator) reviewed by case management staff as required by the State (numerator).

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>

		<input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of reviewed medication errors (denominator) where follow-up was completed as required to ensure resolution and prevention of future errors (numerator)

Data Source (Select one):

Critical events and incident reports

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify:	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group:

	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (<i>check each that applies</i>):	Frequency of data aggregation and analysis (<i>check each that applies</i>):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- c. **Sub-assurance: The state policies and procedures for the use or prohibition of restrictive interventions (including restraints and seclusion) are followed.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) that were free from the use of prohibited behavior management procedures including restraints and seclusion (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6009)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- d. **Sub-assurance: The state establishes overall health care standards and monitors those standards based on the responsibility of the service provider as stated in the approved waiver.**

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of member's records reviewed (denominator) that had an annual medical report (numerator).

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of member's records reviewed (denominator) for whom the provider was required by policy to identify an appropriately trained health care coordinator to ensure implementation and coordination of health care services for members (numerator).

Data Source (Select one):

Record reviews, on-site

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify:	

	<input style="width: 90%; height: 20px;" type="text"/>
--	--

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input style="width: 90%; height: 20px;" type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input style="width: 90%; height: 20px;" type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.
Reference to "Q" numbers or numbers in the 1000-5000 series in the Data Source field represent the OKDHS/DDSD performance tool identifier.

Operating agency performance monitoring is based on a proportionate representative sample.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.
Follow-up on operating agency performance monitoring is completed by DHS/DDS program staff quarterly to ensure 100% correction of identified problems. Program staff maintain documents to verify correction.

Follow-up on provider performance monitoring is completed by DHS/DDS Quality Assurance Unit staff to ensure 100% correction. Follow-up survey documents are completed to verify correction. Provider agencies are required to correct deficiencies within 60 days. Failure to do so results in review by the DHS/DDS Performance Review Committee which may impose additional sanctions such as vendor hold. If, after sanctions and follow-up, a provider remains non-compliant, DHS/DDS recommends Agreement termination action to OHCA.

ii. Remediation Data Aggregation

Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party(check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Health and Welfare that are currently non-operational.

- No**
- Yes**

Please provide a detailed strategy for assuring Health and Welfare, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix H: Quality Improvement Strategy (1 of 2)

Under §1915(c) of the Social Security Act and 42 CFR §441.302, the approval of an HCBS waiver requires that CMS determine that the State has made satisfactory assurances concerning the protection of participant health and welfare, financial accountability and other elements of waiver operations. Renewal of an existing waiver is contingent upon review by CMS and a finding by CMS that the assurances have been met. By completing the HCBS waiver application, the State specifies how it has designed the waiver’s critical processes, structures and operational features in order to meet these assurances.

- Quality Improvement is a critical operational feature that an organization employs to continually determine whether it operates in accordance with the approved design of its program, meets statutory and regulatory assurances and requirements, achieves desired outcomes, and identifies opportunities for improvement.

CMS recognizes that a state’s waiver Quality Improvement Strategy may vary depending on the nature of the waiver target population, the services offered, and the waiver’s relationship to other public programs, and will extend beyond regulatory requirements. However, for the purpose of this application, the State is expected to have, at the minimum, systems in place to measure and improve its own performance in meeting six specific waiver assurances and requirements.

It may be more efficient and effective for a Quality Improvement Strategy to span multiple waivers and other long-term care services. CMS recognizes the value of this approach and will ask the state to identify other waiver programs and long-term care services that are addressed in the Quality Improvement Strategy.

Quality Improvement Strategy: Minimum Components

The Quality Improvement Strategy that will be in effect during the period of the approved waiver is described throughout the waiver in the appendices corresponding to the statutory assurances and sub-assurances. Other documents cited must be available to CMS upon request through the Medicaid agency or the operating agency (if appropriate).

In the QIS discovery and remediation sections throughout the application (located in Appendices A, B, C, D, G, and I) , a state spells out:

- The evidence based discovery activities that will be conducted for each of the six major waiver assurances;

- The *remediation* activities followed to correct individual problems identified in the implementation of each of the assurances;

In Appendix H of the application, a State describes (1) the *system improvement* activities followed in response to aggregated, analyzed discovery and remediation information collected on each of the assurances; (2) the correspondent *roles/responsibilities* of those conducting assessing and prioritizing improving system corrections and improvements; and (3) the processes the state will follow to continuously *assess the effectiveness of the OIS* and revise it as necessary and appropriate.

If the State's Quality Improvement Strategy is not fully developed at the time the waiver application is submitted, the state may provide a work plan to fully develop its Quality Improvement Strategy, including the specific tasks the State plans to undertake during the period the waiver is in effect, the major milestones associated with these tasks, and the entity (or entities) responsible for the completion of these tasks.

When the Quality Improvement Strategy spans more than one waiver and/or other types of long-term care services under the Medicaid State plan, specify the control numbers for the other waiver programs and/or identify the other long-term services that are addressed in the Quality Improvement Strategy. In instances when the QIS spans more than one waiver, the State must be able to stratify information that is related to each approved waiver program. Unless the State has requested and received approval from CMS for the consolidation of multiple waivers for the purpose of reporting, then the State must stratify information that is related to each approved waiver program, i.e., employ a representative sample for each waiver.

Appendix H: Quality Improvement Strategy (2 of 2)

H-1: Systems Improvement

a. System Improvements

- Describe the process(es) for trending, prioritizing, and implementing system improvements (i.e., design changes) prompted as a result of an analysis of discovery and remediation information.

OHCA strives to operate the waiver systematically incorporating the principles of continuous quality improvement. The Long Term Care Quality Initiatives Council (LTCQIC) collaborates for the trending, prioritizing and implementation of system improvement in OHCA waivers. The Council consists of various divisions within OHCA as well as provider agencies, advocacy groups and other stakeholders. The Council meets quarterly to discuss member and provider issues and to set priorities for system-wide quality improvement. The Council receives information from a variety of reports prepared by the OHCA's Long Term Care Administration (LTCA) as well as provider agencies. As a result of an analysis of the discovery and remediation information presented to the council, system improvements are identified and design changes are made. Waiver reporting for the LTCQIC is stratified by the respective program. The Research Analyst and Senior Program Manager work with the Waiver Administration Director to ensure that data is reported accurately. Both member and provider data are compiled in accordance with the program as noted in the OHCA MMIS.

The LTCQIC annually reviews the Quality Oversight Plan and utilizes numerous quality indicators that are tracked and reported on an annual basis. The State aggregates, verifies, and analyzes the results of the discovery processes to evaluate the indicators for each sub-assurance. The State identifies trends, best practices, and areas for improvement. The LTCQIC develops recommendations for improvement strategies. Results can be communicated in various ways regarding systems improvements that have an impact to the public, interested parties, participants served in the waiver, or families. Notifications are communicated in one or more of the following methods: verbally at stakeholder meetings, letters mailed to participants, fax blast, web-site banners, provider letters and newspapers (depending on the nature of the change). The frequency of the results are communicated quarterly (when results are present, not every quarter are there suggestions for system improvements). In the case where system improvements are needed on an "emergent" basis, individuals are notified (in one of the above methods) once the error and solution has been identified.

Participants in the council represent a wide variety of stakeholders including but not limited to; LTCA staff, Care Management staff, Quality Assurance staff, Legal, Systems, DHS, and representatives of Member advocacy groups, and provider agency representatives.

- System Improvement Activities

Responsible Party (check each that applies):	Frequency of Monitoring and Analysis (check each that applies):
---	--

Responsible Party <i>(check each that applies):</i>	Frequency of Monitoring and Analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input checked="" type="checkbox"/> Quality Improvement Committee	<input checked="" type="checkbox"/> Annually
<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Other Specify: <input type="text"/>

b. System Design Changes

- i. Describe the process for monitoring and analyzing the effectiveness of system design changes. Include a description of the various roles and responsibilities involved in the processes for monitoring & assessing system design changes. If applicable, include the State's targeted standards for systems improvement.

The Oklahoma Quality Improvement Strategy weaves together various quality assurance and quality improvement activities using a three-tiered process. Tier 1 includes quality assurance processes that are implemented at the member/Case Manager/provider level. Tier 2 includes discovery and remediation processes implemented at the DHS/DDS Program Manager/OHCA Level of Care Evaluation Unit/DDS Quality Assurance Unit level. Tier 3 is the DDS State Office Division level and OHCA Medicaid Agency level and focuses on quality improvement at a systems level.

TIER 1: The first tier involves strategies to ensure members, advocates, guardians, teams, Case Managers and providers have the tools to develop, implement and monitor quality services. At this level, quality assurance and improvement happens with members on an ongoing basis and is designed to safeguard members.

TIER 2: The second tier involves DDS Program Managers, the OHCA Level of Care Evaluation Unit and the DDS Quality Assurance Unit as well as committees established to collect and analyze data and make program adjustments to improve service quality. At this level, the strategy is designed to collect and review data from Case Managers, providers, guardians, advocates, members and Teams on a wide variety of quality indicators and develop remediation and program improvement strategies to ensure that performance standards and assurances are met.

TIER 3: The third tier involves DDS State Office Executive staff and OHCA staff. DHS/DDS monitors non-licensed providers for compliance and provides results to OHCA.

The Area Survey monitoring process is a record review of the DHS/DDS Case Manager record, based on a statistically significant random sample of members receiving supports through the waiver. One quarter of the representative sample is monitored each quarter. This results in a complete representative sample being reviewed each year. The record reviews include a review of service plans to assure: all member needs are addressed and preferences considered; they are developed according to policy and updated/revised as needed ensuring an interim meeting was held within 30 days of identification or notification of the need for change in authorization of waiver services; services are delivered in accordance with the service plan including the type, scope, amount and frequency specified in the service plan; and that members are afforded choice between waiver services and institutional care and between/among waiver services and providers. The Area Survey record reviews provide a process for monitoring the health and welfare of members, assuring Case Managers: conduct face-to-face visits as required; address issues that could put the member's health or welfare at risk; and provide follow-up on issues identified in incident reports. The results of the Area Survey monitoring process are shared with OHCA. The data is reviewed to identify trends and areas for improvement. Recommendations are developed for systemic improvement.

The Performance Survey is an annual monitoring site visit in which all provider agencies participate, providing data based on an aggregated statistically significant sample of members receiving waiver services and an

aggregated statistically significant sample of provider agency staff. The Performance Survey includes all waivers for which the provider agency contracts. Monitoring of service plan development and implementation includes: a review of provider agency records for a random sample of waiver members; and home visits and interviews with waiver members and other pertinent people, for those sampled. The annual monitoring of non-licensed/non-certified provider staff includes a review of personnel records for a sampling of staff assigned to provide supports, to ensure all required employment background checks have been obtained and all required training has taken place. The Performance Survey process provides for a sampling of financial records to ensure compliance with provider Agreements. DHS/DDS policy provides the expectation that all identified barriers to performance consistent with the expectation of regulatory policy and contracts are resolved no later than 60 days following the completion of the annual Performance Survey. Failure to correct identified barriers could result in administrative sanctions. The results of Performance Surveys are shared with OHCA. The data is reviewed to identify trends and areas for improvement. Recommendations are developed for systemic improvement.

DHS/DDS and OHCA review trends and data. Performance measures are developed or updated as needed. The State reviews results, tests new performance measures, analyzes and makes modifications as appropriate.

- ii. Describe the process to periodically evaluate, as appropriate, the Quality Improvement Strategy.

DHS/DDS and OHCA review data gathered as a result of the Quality Improvement Strategy and look for trends. Areas needing improvement are identified and prioritized. Program staff respond to recommendations by designing and implementing improvements. Continued monitoring of performance measures identifies effectiveness of improvements.

Appendix I: Financial Accountability

I-1: Financial Integrity and Accountability

Financial Integrity. Describe the methods that are employed to ensure the integrity of payments that have been made for waiver services, including: (a) requirements concerning the independent audit of provider agencies; (b) the financial audit program that the state conducts to ensure the integrity of provider billings for Medicaid payment of waiver services, including the methods, scope and frequency of audits; and, (c) the agency (or agencies) responsible for conducting the financial audit program. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

The entity that is responsible for the independent audit under the Single Audit Act in Oklahoma is the Office of the State Auditor and Inspector. This agency performs annual audits separately and apart from the operating agency (DHS) and the Medicaid agency (OHCA.)

The DHS Office of Inspector General (DHS/OIG) is the Division within the Oklahoma Department of Human Services charged with the responsibility to investigate allegations of fraud, waste or abuse as well as other allegations of criminal activity against the Department or programs administered by the Department. DHS/OIG also has the responsibility to audit vendors and suppliers of Department goods and services under the Federal Single Audit Act of 1984, as well as Divisions and Units of the DHS for program compliance and performance. Compliance with the Single Audit Act of 1984 is ensured by the review of independent audit reports for the subrecipients of federal funds. A listing is maintained of audits required. Deficiencies requiring revision by the independent auditor and corrective action plans needed for subrecipients are monitored and resolved.

DHS requires all non-licensed and group home providers who receive payments of \$100,000 or more per year to submit a certified independent audit of its operations conducted in accordance with Government Auditing Standards. These audits are required annually and are due 120 days from the providers fiscal year end. The financial statements are to be prepared in accordance with Generally Accepted Accounting Principles and the report includes a Supplementary Schedule of Awards listing all State and Federal funds by contract Agreement. DHS/DDS staff reviews these audits and follow-up on any findings relative to waiver programs. In addition, service providers participate in provider performance monitoring at least once each year by the OKDHS/DDSD Quality Assurance Unit, who review documentation related to service delivery to confirm billed charges on a random sample.

All plans of care are subject to the approval of OHCA, the Medicaid Agency, and are made available by DHS/DDS, the operating agency, upon request. OHCA randomly reviews plans of care through several authorities within the Medicaid Agency, such as Program Integrity and Accountability, Quality Assurance/Improvement and Claims/Coding and Integrity Units. OHCA performs a financial audit of the waiver service providers as part of a more comprehensive provider audit

process. The financial audit reviews claims in comparison with documentation of services delivery and in comparison with service plan authorization. For the provider financial audit, members are selected at random for the programmatic review. These random sample of members are audited through a comprehensive records review to ensure document(s) is in compliance with policy and the approve plan of care. A random sample is selected through Explanation of Member Benefits (EOMB), member complaints, referrals; exception processing may occur to determine if other entities need to be reviewed. The confidence Level is 95% and margin of error for the sample is 5%. OHCA refers to the Medicaid Management Information System (MMIS) as the source of data to be sampled. The components of the programmatic review uses the "Test of Changes" methodology which is a general guidance for policy but documentation (claims checks, UCAT, service plans & agency records) is reviewed to ensure policy and regulations compliance is met and the plan of care is fulfilled as authorized. All claims for services delivered to them over a one quarter period are reviewed. OHCA Program Integrity and Accountability department is responsible for conducting financial audits on an annual basis.

Errors in provider claims may include (1) claims payment without corresponding documentation of service delivery and (2) claims payment in excess of service plan authorization. Claims error occurrence will be measured for each member and in summary of all members reviewed. Measures of claims error occurrence are (1) percent of units paid without service delivery documentation in the period and (2) percent of units paid in excess of authorized units in the period.

Appendix I: Financial Accountability

Quality Improvement: Financial Accountability

As a distinct component of the State's quality improvement strategy, provide information in the following fields to detail the State's methods for discovery and remediation.

a. Methods for Discovery: Financial Accountability Assurance:

The State must demonstrate that it has designed and implemented an adequate system for ensuring financial accountability of the waiver program. (For waiver actions submitted before June 1, 2014, this assurance read "State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver.")

i. Sub-Assurances:

a. Sub-assurance: *The State provides evidence that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver and only for services rendered.*

(Performance measures in this sub-assurance include all Appendix I performance measures for waiver actions submitted before June 1, 2014.)

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Number and percent of service claims reviewed (denominator) that were submitted for members who were enrolled in the waiver on the date that the service was delivered (numerator).

Data Source (Select one):

Operating agency performance monitoring

If 'Other' is selected, specify:

Operating agency performance monitoring (Area Survey Q11a)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review

<input checked="" type="checkbox"/> State Medicaid Agency		
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of denied waiver claims (denominator) resulting from MMIS edit checks performed to determine whether the submitted waiver claims were authorized in the member service plan as specified in the approved waiver (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

MMIS claims data

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:
Number and percent of reviewed claims (denominator) coded and paid in accordance with waiver reimbursement methodology (numerator).

Data Source (Select one):

Other

If 'Other' is selected, specify:

MMIS/Dss Query, Provider Audits

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:
Number and percent of payment errors (denominator) remediated in accordance with OHCA policy following error identification through provider performance review (numerator).

Data Source (Select one):
Operating agency performance monitoring
 If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:
Number and percent of reviewed waiver claims submitted for Federal Financial Participation (FFP) (denominator) that are specified in the member's service plan (numerator).

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Provider performance monitoring (6020)

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input checked="" type="checkbox"/> Representative Sample Confidence Interval = 95% and a 5% margin of error
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input checked="" type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- b. *Sub-assurance: The state provides evidence that rates remain consistent with the approved rate methodology throughout the five year waiver cycle.*

Performance Measures

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

Performance Measure:

Total number and percent of waiver claims approved (denominator) using the appropriate rate methodology (numerator).

Data Source (Select one):

Financial records (including expenditures)

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input checked="" type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval =

<input type="checkbox"/> Other Specify: <input type="text"/>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

Performance Measure:

Number and percent of provider rates reviewed (denominator) that followed correct rate methodology (denominator)

Data Source (Select one):

Provider performance monitoring

If 'Other' is selected, specify:

Responsible Party for data collection/generation (check each that applies):	Frequency of data collection/generation (check each that applies):	Sampling Approach (check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly	<input type="checkbox"/> Less than 100% Review

<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval = <input type="text"/>
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <input type="text"/>
	<input type="checkbox"/> Continuously and Ongoing	<input type="checkbox"/> Other Specify: <input type="text"/>
	<input type="checkbox"/> Other Specify: <input type="text"/>	

Data Aggregation and Analysis:

Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis(check each that applies):
<input type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input checked="" type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.
Reference to "Q" number or numbers in the 1000-5000 series in the Data Source field represent the OKDHS/DDSD performance tool identifier.

Operating agency performance monitoring is based on a proportionate representative sample.

b. Methods for Remediation/Fixing Individual Problems

- i. Describe the State’s method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the State to document these items.

Follow-up on operating agency performance monitoring is completed by DHS/DDS program staff quarterly to ensure 100% correction of identified problems. Program staff maintain documents to verify correction.

Follow-up on provider performance monitoring is completed by DHS/DDS Quality Assurance Unit staff to ensure 100% correction. Follow-up survey documents are completed to verify correction. Provider agencies are required to correct deficiencies within 60 days. Failure to do so results in review by the DHS/DDS Performance Review Committee which may impose additional sanctions such as vendor hold. Program leadership follows up on issues identified in Quality Assurance provider performance evaluations. Program leadership also addresses member complaints. When trends are noted with specific provider agencies, program leadership directs meetings with the agencies to encourage remediation of all identified issues.

OHCA identifies individual problems during provider audits and in responding to member complaints filed through the Member Inquiry System. Setting quality improvement priorities and development of specific strategies to address quality issues are informed not only by internal discovery and monitoring; but, in addition, by interaction and recommendations from the LTCQIC. Providers identified for remediation must meet performance standards of the Conditions of Provider Participation in order to remain waiver providers. Providers who are under corrective action are given a time period in which improvements must be accomplished. These providers are monitored to ensure they achieve full compliance with standards. Ultimately, OHCA provider agreements can be terminated for failure to meet contractual standards. If, after sanctions and follow-up, a provider remains non-compliant, DHS/DDS recommends Agreement termination action to OHCA.

ii. Remediation Data Aggregation
Remediation-related Data Aggregation and Analysis (including trend identification)

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<input checked="" type="checkbox"/> State Medicaid Agency	<input type="checkbox"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input checked="" type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <input type="text"/>	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

c. Timelines

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Financial Accountability that are currently non-operational.

- No**
- Yes**

Please provide a detailed strategy for assuring Financial Accountability, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (1 of 3)

- a. Rate Determination Methods.** In two pages or less, describe the methods that are employed to establish provider payment rates for waiver services and the entity or entities that are responsible for rate determination. Indicate any opportunity for public comment in the process. If different methods are employed for various types of services, the description may group services for which the same method is employed. State laws, regulations, and policies referenced in the description are available upon request to CMS through the Medicaid agency or the operating agency (if applicable).

Rates for waiver services are set by one of the methodologies below.

MEDICAID RATE (TXIX) - When a waiver service is similar or the same as a Medicaid service for which a fee schedule has been established, the current Medicaid rate is utilized. Services utilizing the Medicaid Rate are:

» Specialized Medical Supplies and Assistive Technology**

» Prescription Drugs

FIXED RATE - Title 74 of the Oklahoma Statutes provides a methodology for setting fixed and uniform rates as follows:

- a. Determination of need for a fixed and uniform rate
 - i. New: A new service is developed, or
 - ii. Existing Service: Feedback from providers, clients, or the general public indicates that the existing rate is not sufficient to ensure access to an existing service.
- b. Preparation of a Rates and Standards Brief:
 - i. Preparation: Staff prepares a position paper that at a minimum includes a description of the service, the payment history including rates and utilization, the methodology utilized to arrive at the proposed rate, and a description of the funding source.
 - ii. Public Hearing: A public hearing notice is prepared and a hearing is scheduled. The public hearing notice includes the meeting date(s), where the meeting will be held, whether the meeting is an open or closed meeting, a description of the proposed change in methods and standards, an estimate of any expected increase or decrease in annual aggregate expenditures and an explanation for why the agency is changing its methods and standards. Additional information about each meeting is posted at www.okhca.org/calendar, including the meeting agenda.
 - iii. Oklahoma Office of Central Services: Copies of the public hearing notice, the Rates and Standards Brief and any other pertinent data is delivered to the Oklahoma Office of Central Services at least 30 days before the date of the public hearing. The Director of the Department of Central Services shall communicate any observation, reservation, criticism or recommendation to the agency, either in person at the time of the hearing or in writing delivered to the State agency before or at the time of the hearing.
- c. Public Hearing Notice: Notice of public hearing will comply with the requirements in 42 CFR 227.205(c) including:
 - i. A description of the proposed change in method and standards;
 - ii. An estimate of any expected increase or decrease in annual aggregate expenditures;
 - iii. An explanation for why the agency is changing its methods and standards.

Notices of public hearing will be provided in the following:

- i. Posted in the office of the Secretary of State
 - ii. Posted by the Oklahoma Health Care Authority at its physical location and on the web site calendar.
 - iii. Published by the Oklahoma Health Care authority in various Newspaper publications across Oklahoma.
- d. Public Hearing:
- i. Committee: The public hearing is conducted by the Rates and Standards Committee of the Oklahoma Health Care Authority. The committee is comprised of staff from the OHCA and DHS.
 - ii. Public comment: All attendees of the public hearing are offered an opportunity to voice their opposition or approval of the proposed rates. All comments become part of the permanent minutes of the hearing.
- e. Final Approval: The rate is then scheduled for consideration and approval by the Board of Directors of the OHCA prior to implementation.

Services utilizing the Fixed Rate are:

- » Habilitation Training Specialist
- » Occupational and Physical Therapy
- » Prevocational Services*
- » Respite Care
- » Supported Employment***

MANUAL RATE - Services utilizing the Manual Rate and the method and entity responsible for establishing the provider payment rate are:

- » Family Training - Reimbursement made based on rate approved by DHS/DDS after evaluation of provider proposal and rate comparison process, not to exceed limits established at OAC 317:30-5-412.
- » Specialized Medical Supplies and Assistive Technology** - Reimbursement made using current OHCA pricing methodology.
- » Environmental Accessibility Adaptations and Architectural Modification - Reimbursement made through a contractor bid process in accordance with Oklahoma State Law.

* Consistent with the approach to reimbursement for prevocational services approved by CMS in 1995, Oklahoma will continue to reimburse for prevocational services based per hour of participation (control number 0234.90.01). For individuals requiring enhanced supports, a differential rate is available.

** Specialized Medical Supplies and Assistive Technology rates are determined using the Manual Rate or may also be determined using the Medicaid Rate if the item is typically covered by Medicaid. If Medicaid State Plan limits associated with the item have been exceeded, but the item is essential to the member's health and/or safety, the item may be authorized through the waiver.

*** Consistent with the approach to reimbursement for supported employment services approved by CMS in 1995, Oklahoma will continue to reimburse for job coaching and stabilization based on hours worked (control number 0234.90.01). Individual placement in job coaching services require the on-site provision of supports by a job coach for more than 20% of the individual's compensable hours. Stabilization services require the on-site provision of supports by a job coach for 20% or less of the individual's compensative hours. A differential rate is available for individuals requiring enhanced supports.

Notice of Authorization statements are automatically issued to waiver members, via an electronic authorization system, upon any change in authorization, to include a rate change.

- b. Flow of Billings.** Describe the flow of billings for waiver services, specifying whether provider billings flow directly from providers to the State's claims payment system or whether billings are routed through other intermediary entities. If billings flow through other intermediary entities, specify the entities:

Claims for waiver services are submitted by providers directly to and are processed by Oklahoma's CMS-certified Medicaid Management Information System (MMIS) and are subject to all validation procedures included in the MMIS. All claims for waiver services must be matched to an active prior authorization. Prior authorizations are created from the waiver member's individual plan of care.

All claims processed through the MMIS are subject to post-payment validation including, but not limited to SURS. When problems with service validation are identified on a post-payment review, erroneous or invalidated claims are voided from the claims payment system and the previous payment are recouped from the provider.

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (2 of 3)

- c. Certifying Public Expenditures** (*select one*):

- No. State or local government agencies do not certify expenditures for waiver services.**
- Yes. State or local government agencies directly expend funds for part or all of the cost of waiver services and certify their State government expenditures (CPE) in lieu of billing that amount to Medicaid.**

Select at least one:

- Certified Public Expenditures (CPE) of State Public Agencies.**

Specify: (a) the State government agency or agencies that certify public expenditures for waiver services; (b) how it is assured that the CPE is based on the total computable costs for waiver services; and, (c) how the State verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). (*Indicate source of revenue for CPEs in Item I-4-a.*)

- Certified Public Expenditures (CPE) of Local Government Agencies.**

Specify: (a) the local government agencies that incur certified public expenditures for waiver services; (b) how it is assured that the CPE is based on total computable costs for waiver services; and, (c) how the State verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). (*Indicate source of revenue for CPEs in Item I-4-b.*)

Appendix I: Financial Accountability

I-2: Rates, Billing and Claims (3 of 3)

- d. Billing Validation Process.** Describe the process for validating provider billings to produce the claim for federal financial participation, including the mechanism(s) to assure that all claims for payment are made only: (a) when the individual was eligible for Medicaid waiver payment on the date of service; (b) when the service was included in the participant's approved service plan; and, (c) the services were provided:

Claims for waiver services are processed by Oklahoma's CMS-certified MMIS and are subject to all validation procedures included in the MMIS. This ensures that payments are made only when:

- (a) All claims for waiver members are first validated for member eligibility according to data contained in the MMIS.

(b) All claims for waiver services must be matched to an active prior authorization. Prior authorizations are created from the waiver member's individual plan of care with provider of service, dates of authorization and units as specified in the service plan. Claims processing edits built into the MMIS deny claims payment if any of the following conditions are encountered:

- Date of service is outside member eligibility dates;
- Service provided is outside the benefit package for the waiver;
- Provider is not a qualified provider;
- Service is not prior authorized;
- Units are in excess of prior authorized;
- Date of service is outside prior authorization.

(c) All claims processed through the MMIS are subject to post-payment validation including, but not limited to Program Integrity and Accountability. When problems with service validation are identified on a post payment review, erroneous or invalidated claims are voided from the claims payment system and the previous payments are recouped from the provider. Provider audits review service delivery in comparison with claims and service plan authorization. If the provider audit detects a pattern of inappropriate billing, a referral is made to OHCA Program Integrity and Accountability for review and further investigation of the provider's billing practices. DDS Case Managers assure that freedom of choice among providers and services are offered to each member. A freedom of choice form is signed by the member or his/her Guardian.

- e. **Billing and Claims Record Maintenance Requirement.** Records documenting the audit trail of adjudicated claims (including supporting documentation) are maintained by the Medicaid agency, the operating agency (if applicable), and providers of waiver services for a minimum period of 3 years as required in 45 CFR §92.42.

Appendix I: Financial Accountability

I-3: Payment (1 of 7)

a. **Method of payments -- MMIS** (*select one*):

- Payments for all waiver services are made through an approved Medicaid Management Information System (MMIS).**
- Payments for some, but not all, waiver services are made through an approved MMIS.**

Specify: (a) the waiver services that are not paid through an approved MMIS; (b) the process for making such payments and the entity that processes payments; (c) and how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:

- Payments for waiver services are not made through an approved MMIS.**

Specify: (a) the process by which payments are made and the entity that processes payments; (b) how and through which system(s) the payments are processed; (c) how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:

- Payments for waiver services are made by a managed care entity or entities. The managed care entity is paid a monthly capitated payment per eligible enrollee through an approved MMIS.**

Describe how payments are made to the managed care entity or entities:

Appendix I: Financial Accountability

I-3: Payment (2 of 7)

b. Direct payment. In addition to providing that the Medicaid agency makes payments directly to providers of waiver services, payments for waiver services are made utilizing one or more of the following arrangements (*select at least one*):

- The Medicaid agency makes payments directly and does not use a fiscal agent (comprehensive or limited) or a managed care entity or entities.
- The Medicaid agency pays providers through the same fiscal agent used for the rest of the Medicaid program.
- The Medicaid agency pays providers of some or all waiver services through the use of a limited fiscal agent.

Specify the limited fiscal agent, the waiver services for which the limited fiscal agent makes payment, the functions that the limited fiscal agent performs in paying waiver claims, and the methods by which the Medicaid agency oversees the operations of the limited fiscal agent:

- Providers are paid by a managed care entity or entities for services that are included in the State's contract with the entity.

Specify how providers are paid for the services (if any) not included in the State's contract with managed care entities.

Appendix I: Financial Accountability

I-3: Payment (3 of 7)

c. Supplemental or Enhanced Payments. Section 1902(a)(30) requires that payments for services be consistent with efficiency, economy, and quality of care. Section 1903(a)(1) provides for Federal financial participation to States for expenditures for services under an approved State plan/waiver. Specify whether supplemental or enhanced payments are made. *Select one*:

- No. The State does not make supplemental or enhanced payments for waiver services.
- Yes. The State makes supplemental or enhanced payments for waiver services.

Describe: (a) the nature of the supplemental or enhanced payments that are made and the waiver services for which these payments are made; (b) the types of providers to which such payments are made; (c) the source of the non-Federal share of the supplemental or enhanced payment; and, (d) whether providers eligible to receive the supplemental or enhanced payment retain 100% of the total computable expenditure claimed by the State to CMS. Upon request, the State will furnish CMS with detailed information about the total amount of supplemental or enhanced payments to each provider type in the waiver.

Appendix I: Financial Accountability

I-3: Payment (4 of 7)

d. Payments to State or Local Government Providers. *Specify whether State or local government providers receive payment for the provision of waiver services.*

- No. State or local government providers do not receive payment for waiver services.** Do not complete Item I-3-e.
- Yes. State or local government providers receive payment for waiver services.** Complete Item I-3-e.

Specify the types of State or local government providers that receive payment for waiver services and the services that the State or local government providers furnish:

Appendix I: Financial Accountability

I-3: Payment (5 of 7)

e. Amount of Payment to State or Local Government Providers.

Specify whether any State or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed its reasonable costs of providing waiver services and, if so, whether and how the State recoups the excess and returns the Federal share of the excess to CMS on the quarterly expenditure report. *Select one:*

Answers provided in Appendix I-3-d indicate that you do not need to complete this section.

- The amount paid to State or local government providers is the same as the amount paid to private providers of the same service.**
- The amount paid to State or local government providers differs from the amount paid to private providers of the same service. No public provider receives payments that in the aggregate exceed its reasonable costs of providing waiver services.**
- The amount paid to State or local government providers differs from the amount paid to private providers of the same service. When a State or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed the cost of waiver services, the State recoups the excess and returns the federal share of the excess to CMS on the quarterly expenditure report.**

Describe the recoupment process:

Appendix I: Financial Accountability

I-3: Payment (6 of 7)

f. Provider Retention of Payments. Section 1903(a)(1) provides that Federal matching funds are only available for expenditures made by states for services under the approved waiver. *Select one:*

- Providers receive and retain 100 percent of the amount claimed to CMS for waiver services.**
- Providers are paid by a managed care entity (or entities) that is paid a monthly capitated payment.**

Specify whether the monthly capitated payment to managed care entities is reduced or returned in part to the State.

Appendix I: Financial Accountability

I-3: Payment (7 of 7)

g. Additional Payment Arrangements**i. Voluntary Reassignment of Payments to a Governmental Agency. *Select one:***

- No. The State does not provide that providers may voluntarily reassign their right to direct payments to a governmental agency.**
- Yes. Providers may voluntarily reassign their right to direct payments to a governmental agency as provided in 42 CFR §447.10(e).**

Specify the governmental agency (or agencies) to which reassignment may be made.

ii. Organized Health Care Delivery System. *Select one:*

- No. The State does not employ Organized Health Care Delivery System (OHCDS) arrangements under the provisions of 42 CFR §447.10.**
- Yes. The waiver provides for the use of Organized Health Care Delivery System arrangements under the provisions of 42 CFR §447.10.**

Specify the following: (a) the entities that are designated as an OHCDS and how these entities qualify for designation as an OHCDS; (b) the procedures for direct provider enrollment when a provider does not voluntarily agree to contract with a designated OHCDS; (c) the method(s) for assuring that participants have free choice of qualified providers when an OHCDS arrangement is employed, including the selection of providers not affiliated with the OHCDS; (d) the method(s) for assuring that providers that furnish services under contract with an OHCDS meet applicable provider qualifications under the waiver; (e) how it is assured that OHCDS contracts with providers meet applicable requirements; and, (f) how financial accountability is assured when an OHCDS arrangement is used:

(a) DHS/DDS is considered a qualified OHCDS as the agency directly provides Targeted Case Management services utilizing it's own employees. (b) Providers will be given the opportunity to enter into a SoonerCare Provider Agreement when they don't voluntarily agree to contract with a designated OHCDS. (c) Members who choose to self direct may choose any qualified provider that has contracted with the OHCDS or has entered into an agreement with OHCA, the State's Medicaid agency. (d) The member who chooses the self direction option and the FMS subagent will assure that all criminal background checks are completed on all prospective Habilitation Training Specialists and that all mandatory training requirements have been met. The member and the FMS subagent will be responsible to maintain copies of the documentation in the employee's file as required by DHS/DDS and OHCA. (e) DHS/DDS will function as the OHCDS and enter into a contract agreement with OHCA. (f) The FMS subagent will be required to be bonded and/or have sufficient liability insurance to protect members and the State against loss of funds, fraud or mismanagement. The FMS subagent is required to provide an annual audit as well as monthly reports.

iii. Contracts with MCOs, PIHPs or PAHPs. *Select one:*

- The State does not contract with MCOs, PIHPs or PAHPs for the provision of waiver services.**
- The State contracts with a Managed Care Organization(s) (MCOs) and/or prepaid inpatient health plan(s) (PIHP) or prepaid ambulatory health plan(s) (PAHP) under the provisions of §1915(a)(1) of the Act for the delivery of waiver and other services. Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the State Medicaid agency.**

Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and, (d) how payments are made to the health plans.

- This waiver is a part of a concurrent §1915(b)/§1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The §1915(b) waiver specifies the types of health plans that are used and how payments to these plans are made.**
- This waiver is a part of a concurrent 1115/1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The 1115 waiver specifies the types of health plans that are used and how payments to these plans are made.**

Appendix I: Financial Accountability

I-4: Non-Federal Matching Funds (1 of 3)

- a. State Level Source(s) of the Non-Federal Share of Computable Waiver Costs.** Specify the State source or sources of the non-federal share of computable waiver costs. *Select at least one:*

- Appropriation of State Tax Revenues to the State Medicaid agency**
- Appropriation of State Tax Revenues to a State Agency other than the Medicaid Agency.**

If the source of the non-federal share is appropriations to another state agency (or agencies), specify: (a) the State entity or agency receiving appropriated funds and (b) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if the funds are directly expended by State agencies as CPEs, as indicated in Item I-2-c:

State share funding for services provided under all of Oklahoma's Home and Community-Based Services (HCBS) Waiver programs is from general fund appropriations from the State Legislature made to two State agencies. The Oklahoma Department of Human Services (DHS) is responsible for providing State share funding for all waiver services except prescription drugs in excess of State Plan coverage limits and receives Legislative appropriations to cover the same. The Oklahoma Health Care Authority (OHCA) is responsible for providing State share funding for prescription drugs covered under the various waivers and receives Legislative appropriations to cover the same.

On a weekly basis, the OHCA submits a billing to DHS for the State share dollars for all waiver services (except prescription drugs) for which provider claims were processed/paid. Through an inter-agency transfer, these State share funds are then deposited into the OHCA's general fund. The transfer of these funds represents a repayment to the OHCA since the OHCA has already paid all provider service claims "in full".

All funding for State share costs of HCBS waiver services in Oklahoma is through Legislative appropriations. There is no funding of State share costs for waiver services using State or local funds from Certified Public Expenditures (CPEs), provider taxes or any other resource.

- Other State Level Source(s) of Funds.**

Specify: (a) the source and nature of funds; (b) the entity or agency that receives the funds; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly expended by State agencies as CPEs, as indicated in Item I-2-c:

Appendix I: Financial Accountability

I-4: Non-Federal Matching Funds (2 of 3)

- b. Local Government or Other Source(s) of the Non-Federal Share of Computable Waiver Costs.** Specify the source or sources of the non-federal share of computable waiver costs that are not from state sources. *Select One:*

- Not Applicable.** There are no local government level sources of funds utilized as the non-federal share.
- Applicable**

Check each that applies:

- Appropriation of Local Government Revenues.**

Specify: (a) the local government entity or entities that have the authority to levy taxes or other revenues; (b) the source(s) of revenue; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement (indicate any intervening entities in the transfer process), and/or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2-c:

- Other Local Government Level Source(s) of Funds.**

Specify: (a) the source of funds; (b) the local government entity or agency receiving funds; and, (c) the mechanism that is used to transfer the funds to the State Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2-c:

Appendix I: Financial Accountability

I-4: Non-Federal Matching Funds (3 of 3)

- c. Information Concerning Certain Sources of Funds.** Indicate whether any of the funds listed in Items I-4-a or I-4-b that make up the non-federal share of computable waiver costs come from the following sources: (a) health care-related taxes or fees; (b) provider-related donations; and/or, (c) federal funds. *Select one:*

- None of the specified sources of funds contribute to the non-federal share of computable waiver costs**
- The following source(s) are used**

Check each that applies:

- Health care-related taxes or fees**
- Provider-related donations**
- Federal funds**

For each source of funds indicated above, describe the source of the funds in detail:

Appendix I: Financial Accountability

I-5: Exclusion of Medicaid Payment for Room and Board

- a. Services Furnished in Residential Settings.** *Select one:*

- No services under this waiver are furnished in residential settings other than the private residence of the individual.**
- As specified in Appendix C, the State furnishes waiver services in residential settings other than the personal home of the individual.**

- b. Method for Excluding the Cost of Room and Board Furnished in Residential Settings.** The following describes the methodology that the State uses to exclude Medicaid payment for room and board in residential settings:

Do not complete this item.

Appendix I: Financial Accountability

I-6: Payment for Rent and Food Expenses of an Unrelated Live-In Caregiver

Reimbursement for the Rent and Food Expenses of an Unrelated Live-In Personal Caregiver. *Select one:*

- No. The State does not reimburse for the rent and food expenses of an unrelated live-in personal caregiver who resides in the same household as the participant.**
- Yes. Per 42 CFR §441.310(a)(2)(ii), the State will claim FFP for the additional costs of rent and food that can be reasonably attributed to an unrelated live-in personal caregiver who resides in the same household as the waiver participant. The State describes its coverage of live-in caregiver in Appendix C-3 and the costs attributable to rent and food for the live-in caregiver are reflected separately in the computation of factor D (cost of waiver services) in Appendix J. FFP for rent and food for a live-in caregiver will not be claimed when the participant lives in the caregiver's home or in a residence that is owned or leased by the provider of Medicaid services.**

The following is an explanation of: (a) the method used to apportion the additional costs of rent and food attributable to the unrelated live-in personal caregiver that are incurred by the individual served on the waiver and (b) the method used to reimburse these costs:

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (1 of 5)

a. Co-Payment Requirements. Specify whether the State imposes a co-payment or similar charge upon waiver participants for waiver services. These charges are calculated per service and have the effect of reducing the total computable claim for federal financial participation. *Select one:*

- No. The State does not impose a co-payment or similar charge upon participants for waiver services.**
- Yes. The State imposes a co-payment or similar charge upon participants for one or more waiver services.**

i. Co-Pay Arrangement.

Specify the types of co-pay arrangements that are imposed on waiver participants (*check each that applies*):

Charges Associated with the Provision of Waiver Services (if any are checked, complete Items I-7-a-ii through I-7-a-iv):

- Nominal deductible**
- Coinsurance**
- Co-Payment**
- Other charge**

Specify:

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (2 of 5)

a. Co-Payment Requirements.

ii. Participants Subject to Co-pay Charges for Waiver Services.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (3 of 5)

a. Co-Payment Requirements.

iii. Amount of Co-Pay Charges for Waiver Services.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (4 of 5)

a. Co-Payment Requirements.

iv. Cumulative Maximum Charges.

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

Appendix I: Financial Accountability

I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (5 of 5)

b. Other State Requirement for Cost Sharing. Specify whether the State imposes a premium, enrollment fee or similar cost sharing on waiver participants. *Select one:*

- No. The State does not impose a premium, enrollment fee, or similar cost-sharing arrangement on waiver participants.**
- Yes. The State imposes a premium, enrollment fee or similar cost-sharing arrangement.**

Describe in detail the cost sharing arrangement, including: (a) the type of cost sharing (e.g., premium, enrollment fee); (b) the amount of charge and how the amount of the charge is related to total gross family income; (c) the groups of participants subject to cost-sharing and the groups who are excluded; and, (d) the mechanisms for the collection of cost-sharing and reporting the amount collected on the CMS 64:

Appendix J: Cost Neutrality Demonstration

J-1: Composite Overview and Demonstration of Cost-Neutrality Formula

Composite Overview. Complete the fields in Cols. 3, 5 and 6 in the following table for each waiver year. The fields in Cols. 4, 7 and 8 are auto-calculated based on entries in Cols 3, 5, and 6. The fields in Col. 2 are auto-calculated using the Factor D data from the J-2-d Estimate of Factor D tables. Col. 2 fields will be populated ONLY when the Estimate of Factor D tables in J-2-d have been completed.

Level(s) of Care: ICF/IID

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Year	Factor D	Factor D'	Total: D+D'	Factor G	Factor G'	Total: G+G'	Difference (Col 7 less Column4)
1	9867.26	21235.00	31102.26	69537.00	2186.00	71723.00	40620.74
2	9919.84		31154.84			71723.00	40568.16

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Year	Factor D	Factor D'	Total: D+D'	Factor G	Factor G'	Total: G+G'	Difference (Col 7 less Column4)
		21235.00		69537.00	2186.00		
3	9972.42	21235.00	31207.42	69537.00	2186.00	71723.00	40515.58
4	10025.00	21235.00	31260.00	69537.00	2186.00	71723.00	40463.00
5	10077.58	21235.00	31312.58	69537.00	2186.00	71723.00	40410.42

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (1 of 9)

- a. **Number Of Unduplicated Participants Served.** Enter the total number of unduplicated participants from Item B-3-a who will be served each year that the waiver is in operation. When the waiver serves individuals under more than one level of care, specify the number of unduplicated participants for each level of care:

Table: J-2-a: Unduplicated Participants

Waiver Year	Total Unduplicated Number of Participants (from Item B-3-a)	Distribution of Unduplicated Participants by Level of Care (if applicable)	
		Level of Care:	
		ICF/IID	
Year 1	250		250
Year 2	250		250
Year 3	250		250
Year 4	250		250
Year 5	250		250

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (2 of 9)

- b. **Average Length of Stay.** Describe the basis of the estimate of the average length of stay on the waiver by participants in item J-2-a.

The average length of stay is based on Form 372 for FY14.

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (3 of 9)

- c. **Derivation of Estimates for Each Factor.** Provide a narrative description for the derivation of the estimates of the following factors.

- i. **Factor D Derivation.** The estimates of Factor D for each waiver year are located in Item J-2-d. The basis for these estimates is as follows:

Factor D estimates were made by using current unit rates.

Number of users were based on Form 372 for FY14. DHS/DDS established a pro-rated distribution base and then used an unduplicated count of estimated users. Data from Form 372 was used to acquire this information.

Average units per user were based on the current expenses of each service.

- ii. **Factor D' Derivation.** The estimates of Factor D' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

Factor D' is based on Form 372 for FY14. The State has accounted for and removed the cost of prescribed drugs, for those receiving Medicare Part D, from its estimate.

- iii. **Factor G Derivation.** The estimates of Factor G for each waiver year are included in Item J-1. The basis of these estimates is as follows:

Factor G is based on actual data for FY14.

- iv. **Factor G' Derivation.** The estimates of Factor G' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

Factor G' is based on actual data for FY14.

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (4 of 9)

Component management for waiver services. If the service(s) below includes two or more discrete services that are reimbursed separately, or is a bundled service, each component of the service must be listed. Select “*manage components*” to add these components.

Waiver Services	
Habilitation Training Specialist Services	
Prevocational Services	
Respite	
Supported Employment	
Environmental Accessibility Adaptations and Architectural Modification	
Family Training	
Occupational and Physical Therapy	
Self Directed Goods and Services (SD-GS)	
Specialized Medical Supplies and Assistive Technology	

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (5 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 1

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Habilitation Training Specialist Services Total:						2209401.60
Self Directed	1 hour	74	700.00	13.44	696192.00	
Habilitation Training Specialist Services	1 hour	139	720.00	15.12	1513209.60	
Prevocational Services Total:						1513.00
Prevocational Services	1 hour	1	100.00	15.13	1513.00	
Respite Total:						21350.40
Respite	1 hour	6	278.00	12.80	21350.40	
GRAND TOTAL:						2466815.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9867.26
Average Length of Stay on the Waiver:						319

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Supported Employment Total:						11632.00
Individual	1 hour	1	400.00	16.60	6640.00	
Group	1 hour	1	400.00	12.48	4992.00	
Environmental Accessibility Adaptations and Architectural Modification Total:						12800.00
Environmental Accessibility Adaptations and Architectural Modification	Per Item	4	1.00	3200.00	12800.00	
Family Training Total:						118622.50
Individual Training	Session	27	15.00	212.50	86062.50	
Group Training	Session	11	32.00	92.50	32560.00	
Occupational and Physical Therapy Total:						720.00
Occupational and Physical Therapy	15 min,	3	12.00	20.00	720.00	
Self Directed Goods and Services (SD-GS) Total:						40947.36
Self Directed Goods and Services (SD-GS)	Per Item	69	16.00	37.09	40947.36	
Specialized Medical Supplies and Assistive Technology Total:						49829.00
Specialized Medical Supplies	Per Item	35	820.00	0.93	26691.00	
Assistive Technology	Per Item	8	25.00	115.69	23138.00	
GRAND TOTAL:						2466815.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9867.26
Average Length of Stay on the Waiver:						319

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (6 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 2

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
GRAND TOTAL:						2479960.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9919.84
Average Length of Stay on the Waiver:						319

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Habilitation Training Specialist Services Total:						2209401.60
Self Directed	1 hour	74	700.00	13.44	696192.00	
Habilitation Training Specialist Services	1 hour	139	720.00	15.12	1513209.60	
Prevocational Services Total:						3026.00
Prevocational Services	1 hour	2	100.00	15.13	3026.00	
Respite Total:						21350.40
Respite	1 hour	6	278.00	12.80	21350.40	
Supported Employment Total:						23264.00
Individual	1 hour	2	400.00	16.60	13280.00	
Group	1 hour	2	400.00	12.48	9984.00	
Environmental Accessibility Adaptations and Architectural Modification Total:						12800.00
Environmental Accessibility Adaptations and Architectural Modification	Per Item	4	1.00	3200.00	12800.00	
Family Training Total:						118622.50
Individual Training	Session	27	15.00	212.50	86062.50	
Group Training	Session	11	32.00	92.50	32560.00	
Occupational and Physical Therapy Total:						720.00
Occupational and Physical Therapy	15 min.	3	12.00	20.00	720.00	
Self Directed Goods and Services (SD-GS) Total:						40947.36
Self Directed Goods and Services (SD-GS)	Per Item	69	16.00	37.09	40947.36	
Specialized Medical Supplies and Assistive Technology Total:						49829.00
Specialized Medical Supplies	Per Item	35	820.00	0.93	26691.00	
Assistive Technology	Per Item	8	25.00	115.69	23138.00	
GRAND TOTAL:						2479960.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9919.84
Average Length of Stay on the Waiver:						319

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (7 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 3

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Habilitation Training Specialist Services Total:						2209401.60
Self Directed	1 hour	74	700.00	13.44	696192.00	
Habilitation Training Specialist Services	1 hour	139	720.00	15.12	1513209.60	
Prevocational Services Total:						4539.00
Prevocational Services	1 hour	3	100.00	15.13	4539.00	
Respite Total:						21350.40
Respite	1 hour	6	278.00	12.80	21350.40	
Supported Employment Total:						34896.00
Individual	1 hour	3	400.00	16.60	19920.00	
Group	1 hour	3	400.00	12.48	14976.00	
Environmental Accessibility Adaptations and Architectural Modification Total:						12800.00
Environmental Accessibility Adaptations and Architectural Modification	Per Item	4	1.00	3200.00	12800.00	
Family Training Total:						118622.50
Individual Training	Session	27	15.00	212.50	86062.50	
Group Training	Session	11	32.00	92.50	32560.00	
Occupational and Physical Therapy Total:						720.00
Occupational and Physical Therapy	15 min.	3	12.00	20.00	720.00	
Self Directed Goods and Services (SD-GS) Total:						40947.36
Self Directed Goods and Services (SD-GS)	Per item	69	16.00	37.09	40947.36	
Specialized Medical Supplies and Assistive Technology Total:						49829.00
Specialized Medical Supplies	Per Item	35	820.00	0.93	26691.00	
Assistive Technology					23138.00	
GRAND TOTAL:						2493105.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9972.42
Average Length of Stay on the Waiver:						319

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
	Per Item	8	25.00	115.69		
GRAND TOTAL:						2493105.86
Total Estimated Unduplicated Participants:						250
Factor D (Divide total by number of participants):						9972.42
Average Length of Stay on the Waiver:						319

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (8 of 9)

d. Estimate of Factor D.

i. Non-Concurrent Waiver. Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

Waiver Year: Year 4

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Habilitation Training Specialist Services Total:						2209401.60
Self Directed	1 hour	74	700.00	13.44	696192.00	
Habilitation Training Specialist Services	1 hour	139	720.00	15.12	1513209.60	
Prevocational Services Total:						6052.00
Prevocational Services	1 hour	4	100.00	15.13	6052.00	
Respite Total:						21350.40
Respite	1 hour	6	278.00	12.80	21350.40	
Supported Employment Total:						46528.00
Individual	1 hour	4	400.00	16.60	26560.00	
Group	1 hour	4	400.00	12.48	19968.00	
Environmental Accessibility Adaptations and Architectural Modification Total:						12800.00
Environmental Accessibility Adaptations and Architectural Modification	Per Item	4	1.00	3200.00	12800.00	
Family Training Total:						118622.50
Individual Training	Session	27	15.00	212.50	86062.50	
Group Training	Session	11	32.00	92.50	32560.00	
Occupational and Physical Therapy Total:						720.00
Occupational and Physical Therapy	15 min.	3	12.00	20.00	720.00	

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Self Directed Goods and Services (SD-GS) Total:						40947.36
Self Directed Goods and Services (SD-GS)	Per item	69	16.00	37.09	40947.36	
Specialized Medical Supplies and Assistive Technology Total:						49829.00
Specialized Medical Supplies	Per Item	35	820.00	0.93	26691.00	
Assistive Technology	Per Item					