



CABINET FOR HEALTH
AND FAMILY SERVICES

**1915(c) Home and Community Based Services (HCBS) Waiver Programs Update
House Budget Review Subcommittee on Health and Family Services**

**Pam Smith, Department for Medicaid Services Director
Division of Long-Term Services and Supports
Leslie Hoffmann, Deputy Commissioner
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1915(c) HCBS Waiver Enrollment and Wait Lists

Current 1915(c) HCBS Waiver Enrollment

Waiver	Acquired Brain Injury (ABI) Acute	Acquired Brain Injury – Long Term Care (ABI LTC)	Home and Community Based (HCB)	Model II Waiver (MIIW)	Michelle P. Waiver (MPW)	Supports for Community Living (SCL)
Funded Slots	383	438	17,050	100	10,500*	4,491*
Filled Slots	231	429	15,076	24	10,077	4,856
Reserved Slots	13	7	1,585	13	340	38
Available Slots	139	2	389	63	83	47
Does the Waiver have a Wait List	No	No	No	No	Yes	Yes

Numbers as of 2/13/2023

**50 slots will be added to MPW and SCL in FY23 and another 50 in FY24 once approved by the Centers for Medicare and Medicaid Services (CMS)*

Allocating 1915(c) HCBS Waiver Slots

- The Centers for Medicare and Medicaid Services (CMS) require waiver slots be **unduplicated**.
- CMS defines an **unduplicated waiver participant** as a *“unique individual who participates in the waiver during a waiver year, regardless of when the individual entered the waiver and length of stay on the waiver. A person who enters, exits, and re-enters the waiver during a waiver year counts as one unduplicated waiver participant.”*
- Think of each participant as the “owner” of their waiver slot. If they leave the waiver for any reason, they still “own” the waiver slot until the waiver year is over. The empty slot cannot be given to someone else until the waiver year is over.
- If a participant is actively receiving services when the waiver year ends, they become the “owner” of the slot for the next year too.

Current 1915(c) HCBS Wait Lists

MPW
Total: 8,021
Number Under 21: 5,547

MPW applicants are placed on the wait list in order their completed application is received.

SCL		
Emergency	Urgent	Future Planning
0	124	2,960
Total: 3,059		

SCL applicants are placed on the wait list by category of need. Once a category is determined, applicants are placed with the category on a first come, first served basis.

Numbers as of 2/10/2023

Children's Waiver Feasibility Study

If we know that...

Children with severe emotional disability (SED) are in hospitals, unable to be served at home.

There are currently many children with intellectual disabilities and related conditions (ID/RC), including children with autism spectrum disorder (ASD), on existing waivers.

Existing waivers are focused on the adult population, not on the distinct needs of children.

Program designs need to reflect the needs of the pediatric population.

Then we must create pathways to modernize by...

Identifying the services and supports necessary for these children to remain in the most appropriate setting based on clinical needs and best practice.

Surveying the provider network across the Commonwealth to determine their capacity and readiness to serve children with SED, ID/RC, and ASD.

Identifying costs associated with serving these children through a new 1915(c) home and community-based services waiver.

Conducting a comprehensive study that is transparent to legislators and stakeholders and solicits public input throughout the process.

So that...

Children with SED, ID/RC, including children with ASD, have improved access to services and supports that would allow them to remain in their homes and communities.

Children's Waiver Feasibility Study: Population

Severe Emotional Disability

Any clinical significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Disorders (Medicaid.gov).

Conditions Related to Intellectual Disabilities

Children who

- a) require physical or environmental management or habilitation
- b) requires a planned program of active treatment
- c) requires a protected environment
- d) has substantial deficits in adaptive functioning, that without ongoing support, limit functioning in 1 or more ADL (KAR).

Autism Spectrum Disorder

A developmental disability that can cause significant social, communication and behavioral challenges, including autistic disorder, pervasive developmental disorder not otherwise specified and Asperger syndrome (Dbhdid.ky.gov).

1915(c) HCBS Rate Study Findings

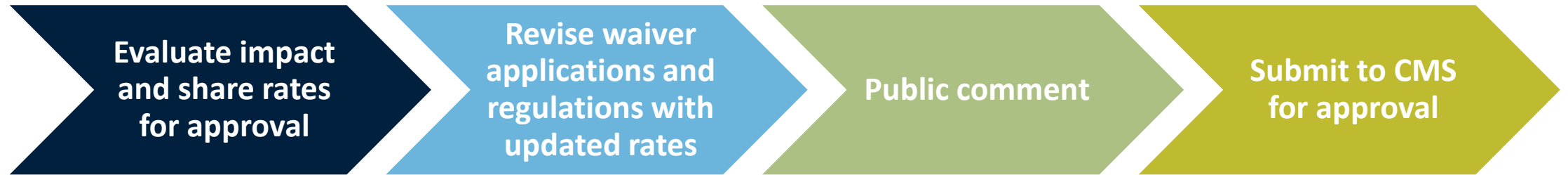
1915(c) HCBS Rate Study Details

- **CMS requires a sound and approvable rate methodology** to adjust rates (beyond Appendix K short-term increases) for 1915(c) HCBS waiver providers.
- From February 2022 until January 2023, DMS conducted a **comprehensive rate study across the majority of 1915(c) HCBS waiver rates** to develop a sound payment and rate-setting methodology.
- Rate increases are intended to be a **long-term policy change giving Kentucky a sound and defensible rate methodology** that can be adjusted over time and allows for rate-setting decisions based on economic and operational factors.
- The findings of the completed rate study are bolstered by a **strong provider survey participation rate, along with sound, nationally recognized external benchmarks.**

1915(c) HCBS Rate Study Findings

- The previous rate study was conducted with the **constraint that it be budget-neutral**. This rate study has been conducted to ascertain the actual cost of services.
- To meet the needs of Kentucky's most vulnerable, HCBS must be **accessible, high quality, person-centered, available in the least restrictive setting of care, and in the person's community of choice** when possible. Investing in rates is a necessary step to offering quality support to individuals in need of HCBS.
- **1915(c) HCBS waivers have seen growing enrollment and utilization**, which reflects how critical HCBS is for Kentuckians who need long-term care.
- DMS is currently **evaluating the potential budget impact**.

Next Steps



DMS is committed to ongoing transparency, information sharing, and collaboration with federal partners who must authorize any rate methodology and resulting rate increase.