

DD Waivers Slot Assignment Process

Introduction

Medicaid Waiver services for individuals with developmental disabilities (inclusive of intellectual disability) shall be considered only for individuals who are eligible for admission to an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) with a diagnosis of DD. For the support coordinator (case manager) to make a recommendation for waiver services, these services must be determined to be an appropriate alternative to delay or avoid placement in an ICF/IID, or promote exiting from either an ICF/IID placement or other institutional placement.

In advance of any efforts to assign a DD Waiver slot, the following information must be gathered by the support coordinator:

1. Relevant medical information;
2. The Virginia Individual DD Eligibility Survey (VIDES, Adult or Children's version, as appropriate);
3. Confirmation of developmental disability diagnosis;
4. Documentation that the individual and the individual's family/caregiver, as appropriate, have chosen DD Waiver services over ICF/IID placement.

Priority Criteria

The role of the Waiver Slot Assignment Committee is to determine from among the individuals who meet the Priority Needs criteria (including those new individuals who have not yet been placed on the Statewide Waiting List), who should be served first, based on the needs of the individual at the time a slot becomes available using the statewide criteria specified in this guidance document.

An individual shall be considered to meet the criteria for slot assignment if:

- the individual meets waiver diagnostic and functional eligibility requirements,
- the individual is determined to meet one of the Priority One criteria below,
- services are needed within 30 days, and
- the individual, the individual's spouse, or the parent of an individual who is a minor child would accept the requested service if it were offered.

Priority One:

It is anticipated that the individual will need waiver services **within one year** and the individual meets one of the following criteria:

- An immediate jeopardy to the health and safety of the individual due to the unpaid primary caregiver having a chronic or long-term physical or psychiatric condition or conditions that significantly limits the ability of the primary caregiver (or caregivers) to care for the individual; there are no other unpaid caregivers available to provide supports;

- There is a risk to the health or safety of the applicant, primary caregiver, or other person living in the home due to either of the following conditions:
 - The individual’s behavior or behaviors present a risk to himself or others that cannot be effectively managed by the primary caregiver or unpaid provider even with generic or specialized support arranged by the support coordinator
 - There are physical care needs (such as lifting or bathing) or medical needs that cannot be managed by the primary caregiver even with generic or specialized supports arranged by the support coordinator;
- The individual lives in an institutional setting and has a viable discharge plan; or
- The individual is young adult transitioning and is no longer eligible for IDEA services (e.g., in a foster care, residential setting, etc.). [After age 27, this criterion will no longer apply.]

Step 1 Review

All individuals meeting the Priority One criteria shall have a *Critical Needs Summary: Step 1 Review* form (see attached) completed by their support coordinator as soon as possible after the determination is made that they meet the criteria. This form should be based on documented information in the individual’s record (family report, intake summary, reports by professionals, etc., as appropriate).

The *Critical Needs Summary* form for each individual on the waiting list shall be reviewed and updated annually and whenever “critical needs” of the individual change.

The *Critical Needs Summary* form will generate a priority needs score. Each CSB/BHA shall maintain this information in a spreadsheet or database for all individuals on their Priority One list, updating the score as reflected above.

When a CSB/BHA has more than 5 slots available for assignment at a given time, the number of available slots will be multiplied by 2, with the resulting number of individuals, starting with the top scoring Step 1 individual and working down as needed, being considered in the second tier review. If the number of slots available at a given time is 5 or less, the 10 top-scoring individuals will be considered for the Step 2 review. The one exception is when several individuals at the cut-off point have identical scores. In this situation, all will be included for consideration in the Step 2 review, so that there may be more than the minimum number of individuals reviewed (e.g., three individuals in the “number 10 spot” have the same score. All three will be reviewed, making the total reviewed 12 instead of 10.).

Step 2 Review

Each CSB/BHA shall contact the Waiver Slot Assignment Committee (WSAC) facilitator, who will call a meeting as soon as possible when a slot is available. The WSAC will determine who is in most urgent need of the available slot(s). Any slots not

assigned within 90 days will be made available for assignment by other CSBs/BHAs in that Health Planning Region.

The membership of the WSAC shall consist of community volunteers knowledgeable of and/or having experience with persons with DD and/or the DD service system. WSAC members may not be persons with a direct or indirect interest in the outcome of the proceedings.

- Family members of an individual currently receiving services
- Graduate students studying a human services field (e.g., psychology, social work) or special education
- University professors of a human services field
- Member/staff member/board member of an advocacy agency that does not provide any direct services (e.g., Center for Independent Living, local Arc, autism advocacy agency)
- Current special education teachers/transition coordinators
- Nurses/physicians
- Retired or former (for over one year) CSB, private provider, or Health and Human Services state employees
- Clergy members

WSAC members may not be:

- Current CSB employees or board members
- Current employees, owners, or board members of any agency providing waiver services, unless serving on a WSAC in an area in which the provider does not provide services
- Family members of individuals seeking waiver services

The information presented to committee members shall not include identifying information such as name, address, Medicaid or Social Security numbers. Furthermore, committee members shall be informed of Federal HIPAA requirements, including the need to maintain confidentiality, and instructed not to reveal the information that has been shared and discussed with parties external to the committee meeting. WSAC members shall sign confidentiality statements, which address the specific purpose for which individuals' Protected Health Information might be disclosed to them.

Prior to the WSAC meeting, the Support Coordinators for the individuals to be considered for a slot will prepare a written summary of the individuals' needs on the *Slot Assignment Review* form, which will be distributed to WSAC members. It is recommended that these summaries be distributed in advance to permit sufficient time for a thorough reading.

The Support Coordinator, Support Coordinator Supervisor, or designee will present the information on the form to the WSAC about the individual(s) he/she is putting forward for consideration and answer questions, but may not be a voting member of the committee.

The WSAC members will discuss their impressions based on the information contained in the summary. Each committee member will assign a numeric score to each of the 5 categories for each individual (see attached *Slot Assignment Scoring Summary: Step 2 Review* sheet), thereby arriving at a total score for each individual. All WSAC members' scores will be totaled and divided by the number of WSAC members, resulting in a final decimal-based score. The individual(s) with the highest score(s) receive the available slot(s).

Should there be a tie, WSAC members will re-review and discuss the Support Coordinators' summaries for those individuals and rescore until one individual emerges with a higher score.

The WSAC members' score sheets and all documentation reviewed by committee members shall be collected by the group's facilitator and conveyed to the designated CSB staff person for retention as documentation of the process.

State Monitoring

DBHDS staff will be responsible for participating in each WSAC meeting as an observer and monitor of the slot assignment process in order to assure CMS of the statewide consistency of its application, as well as the accuracy of the results. Each CSB/BHA will maintain a spreadsheet ("Documented Results of DD Waiver Slot Assignment") of the names of all individuals on their Priority One needs waiting list, which includes each individual's Step 1 priority needs score from the *Critical Needs Summary* form.

When a slot(s) become available, the remainder of the information will be completed by DBHDS staff (names of individuals reviewed for the slot(s), their respective Step 2 scores from the WSAC meeting and an indication of those individuals who received the available slot/s). This spreadsheet will be retained by DBHDS staff attending the WSAC meetings.