

Alabama Department of Mental Health/Division of Developmental Disabilities ID Waiver Amendment
Public Comment Summary and Response

The public comment period for the recent amendment to the Alabama Department of Mental Health/Division of Developmental Disabilities (ADMH/DD) Intellectual Disabilities (ID) waiver was closed on October 8, 2017. Both ADMH and the Alabama Medicaid Agency placed notices on their websites at the beginning of the 30-day public comment period. In addition, an advertisement was placed in the Birmingham News newspaper announcing the beginning of the public comment period and providing information on how to access the drafted amendment for review. The responses received from the public fall into three distinct categories: 1) Service Rates, 2) Waiver Service Changes and 3) General Comments. Five entities submitted comments.

Service Rates: One commenter requested rates for new services added in the waiver. Provider has requested an economic impact study be performed.

Response: ADMH/DD in its work with the U.S. Department of Labor/Office of Disability Policy (DOL/ODEP) VisionQuest initiative established a workgroup in 2014 to begin work on rebasing waiver rates. The workgroup includes ADMH/DD staff and providers. Based on the recommendations of the VisionQuest subject matter expert, who led the workgroup, and the members of the workgroup, some service rate were rebased and included in this amendment and included in Appendix I of amended waiver application. The current rates were for each service has been included in Appendix J of the amended waiver application. Other comments included rate adjustments for other services. The workgroup continues to meet regularly with ADMH/DD staff to review other service rates to be adjusted as needed.

Service Definitions: Two providers had questions regarding changes to service definitions and to the new services included in the waiver program. Some information requested includes:

- Clarity on who the payor will be for Discovery/Assessment, waiver or VR.
- Clarity on the provision of ADRS/SSA Boot Camp training.
- Clarity on the role of the Benefits Counselor
- Clarity on the role of Community Experience as related to Residential Service
- Clarity on Supported Employment Transportation service
- Clarity on Positive Behavior Supports
- Suggested additions to Occupational Therapy, Physical Therapy and Speech Therapy
- Need of dental care as a waiver service

Response: A review of the waiver indicates all needed information present for most of the questions. The processes and payment issues associated with the Discovery/Assessment will be specifically defined through the development of a MOU with the Alabama Department of Rehabilitation Services (ADRS) once the amendment is approved by CMS. The Boot Camp training is sponsored by ADRS Rehabilitation Specialist Social Security representative for the agency. The training is provided routinely for new employees for ADRS. ADRS has agreed to provide this training for Benefits Counselors and Benefits Reporters separately on an as needed basis. The role of the Benefits Counselor has not changed in the amendment and duties remain the same. In the current waiver renewal, the Community Experience (CE) Service definition prohibits those participants receiving Residential Services to participate in CE. The amendment allows more flexibility for those participants who receive Residential services and Day

Habilitation allowing for CE participation during time spent in Day Habilitation. In doing so, Day Habilitation providers can more easily comply with the person-centered plan and the Home and Community Based Settings rule. There were no changes made to Positive Behavior Support service in this amendment. However, training for providers regarding the questions indicated for PBS will be developed for providers and distributed through regional provider trainings, e-mails and placed on the website for provider reviews. There were recommendations to add Group Discovery/Assessment as an option. The OA is not prepared to include this service delivery type for this amendment, however, research will be completed to determine its effectiveness.

Recommendations regarding the use assistants for the delivery of OT, ST and PT under the direction of a OT, ST and PT will be discussed with AMA for inclusion into the service definition at a later date and future amendment.

ADMH/DD acknowledges the lack of dental services available to all Medicaid recipients as an on-going problem in Alabama. The issue will be reviewed for future amendments. In the meantime, identification of available income based dental programs will be identified so that case managers may refer participants as needed.

General Comments: The Alabama Disability Advocacy Program commended ADMH/DD for proposed service modifications that promote employment and for self-directed service changes. ADAP expressed a general comment urging the agency to take all necessary steps to comply with the HCB Settings rule and the agency's evaluation of the settings subject to heightened scrutiny. ADMH/DD continues to work with the Alabama Medicaid Agency to develop its heightened scrutiny process for inclusion in the state's transition plan.

Another comment received from a family where a waiver participant had lost Medicaid financial eligibility. ADMH/DD will contact the family to offer assistance as appropriate.

The final comment was from a waiver provider encouraging AMA to approve and continue waiver services.