

# Alabama's Plan to Open a New "Community Waiver Program" for People with Intellectual Disabilities

Stakeholder Update: May 27, 2020

## The Opportunity

The Alabama legislature appropriated funding to create a new "Community Waiver Program" and **enroll 500 people** with intellectual disabilities. This allows the state to reduce the current waiting list by roughly 25% (one-quarter) in one year.

The Community Waiver Program is different from the existing Intellectual Disabilities (ID) and Living at Home (LAH) waivers. It is being created to help the State use available funding in the best and most cost-effective ways possible, to reduce and eliminate the current waiting list faster than would be possible without this new program. The new Community Waiver Program is expected to **allow the state to serve everyone on the current waiting list within the next eight (8) years, without any additional funding from the legislature.** If additional funding is received, the current waiting list can be eliminated even sooner.

## Why Does Alabama Need the New "Community Waiver Program"?

Far too many individuals with intellectual disabilities and their families receive no home and community-based waiver services, even though they are eligible to receive these services. They are "going it alone" and risking a crisis by not getting the services they need to preserve and sustain their current living arrangement and the family involvement they have, while also helping them develop their skills and abilities to the fullest extent possible.

Alabama needs a waiver program that can change this. Since late in 2018, the state Division of Developmental Disabilities (DDD) has been talking with individuals with intellectual disabilities, their families, advocates, providers and others about the goals for a new waiver program. The goals that people consistently agree on are:

- Reduce and eliminate the current waiting list;
- Give greater consideration to how long people have been waiting for services;
- Focus on keeping families together and supported living for individuals without family;
- Focus on preventing crisis, not waiting for crisis before offering people services;
- Support the abilities that individuals with intellectual disabilities have to contribute to their community and do more for themselves, including opportunities for employment that better ensures people have enough money to live on;
- Bring services to people with intellectual disabilities and their families – services that can provide the help they need when and where they need it;
- Provide increased opportunities for people to self-direct their services so they can choose and hire their own staff;
- Be careful and thoughtful about how a new waiver program is rolled out – make sure providers who participate will be successful and make sure people get quality services;
- Improve case management by ensuring case managers know more and have more time to spend with people;
- Don't disrupt the existing Living at Home (LAH) and Intellectual Disabilities (ID) waivers – keep things the same for individuals already enrolled in these waivers.

## What is the New "Community Waiver Program"?

Taking into consideration the above feedback from stakeholder engagement, the Alabama Medicaid Agency and the Alabama Department of Mental Health (ADMH) and its DDD are partnering to offer a new array of service options that will collectively comprise a new “Community Waiver Program.” The Program will bring services to Alabamians with intellectual disabilities and their families who are not in crisis but want and need services to avoid crisis. Like the existing waivers, the Program will support people to reach their fullest potential but with greater emphasis on supporting them: to learn to do things for themselves; to participate in their communities; to find opportunities to work doing a job that matches their skills and interests; and to ensure supports to sustain their current living arrangement whenever possible.

This new Program will be created through the use of three federal Medicaid program options for providing home and community-based services: (1) an 1115 Demonstration Waiver; a 1915(c) Waiver; and (3) a Medicaid 1915(i) State Plan Amendment.

Federal approval of the new Community Waiver Program is ***absolutely necessary*** because with the federal government’s approval, Alabama will receive \$2.57 in federal funding for every \$1.00 in funding from our state legislature. This funding is essential to offer these new services for individuals with intellectual disabilities.

The plan for the new Community Waiver Program is described in the three applications the state must submit to the federal government for approval: the 1115 application; the 1915(c) application; and the 1915(i) application. These applications are, together, the result of eighteen (18) months of intense planning, including three rounds of stakeholder engagement where individuals with ID, their families, advocates and providers of HCBS for individuals with ID have participated. While the final round of stakeholder engagement (the public comment period on those applications which require it) is still underway, the state expects over 1,000 people will have participated in the entire eighteen-month process once it is completed.

Special Note: Individuals Currently Enrolled in the Intellectual Disabilities (ID) or Living at Home (LAH) Waivers  
***Individuals with ID already enrolled in the ID or LAH waivers will remain on these waivers unless, after the new Community Waiver Program has been open - for no less than two years to ensure its stability - they voluntarily decide they would like to transition to the new Community Waiver Program. If a person transitions from the ID or LAH waiver to the new Community Waiver Program, their funding and their enrollment slot will transition with them.***

### **Who is Eligible for the New Community Waiver Program?**

Anyone who would otherwise be eligible for the existing ID and LAH waivers will be eligible for the new Community Waiver Program. This includes people on the current waiting list maintained by the state DDD. Others who are not on the waiting list but who meet these same eligibility criteria will also be eligible for the new Community Waiver Program.

The state also intends to provide access to home and community-based services for adults who have an intellectual disability, who don’t yet qualify for the existing or proposed waivers, but who need some services to avoid crisis, preserve their current living arrangement, and keep their skills so things don’t deteriorate. A small number of enrollment slots (roughly 5%) will be reserved for these Alabamians who need support.

### **Enrollment Groups in the New Community Waiver Program**

There will be five distinct “Enrollment Groups” in the new Community Waiver Program. The first four (4) will be for individuals with ID of any age who meet the eligibility criteria that otherwise apply to the existing ID and LAH waivers:

1. Children with ID, ages 3-13, that are living with family or other natural supports.
2. Transition-age youth with ID, ages 14-21, who are living with family or other natural supports, or living in their own place with supports (18-21).
3. Working-age and older adults with ID, ages 22+, who are living with family or other natural supports, living independently or able to live in a non-intensive supported living arrangement.
4. Individuals ages 3 or older with ID who are not able to live with family or other natural supports, not able to live independently, and not able to live in a non-intensive supported living arrangement.

The fifth enrollment group will be for adults who have an intellectual disability, who don't yet qualify for the existing ID and LAH waivers:

5. Individuals with ID (minimum age 22, with no upper age limit), who do not meet institutional level of care but need home and community-based services.

The Enrollment Group a person is in will determine the set of supports and services available as well as the individual's annual cost cap. Transitions between Enrollment Groups are possible when an individual's needs change or they age out of their original enrollment group.

#### What Services Are Available in the New Community Waiver Program?

*Denotes services that can be self-directed.	Group 1	Group 2	Group 3	Group 4	Group 5
<b>Age Range</b>	<b>3-13</b>	<b>14-21</b>	<b>22+</b>	<b>3+</b>	<b>22+</b>
<b>SERVICES AND SUPPORTS</b>					
Support Coordination	X	X	X	X	X
Individual Employment Services*		X	X	X	X
Individual Employment Career Advancement*			X	X	X
Small Group Supported Employment		X	X	X	X
Integrated Employment Path Services		X	X	X	X
Financial Literacy and Work Incentives Counseling	X	X	X	X	X
Community Transportation*	X	X	X	X	X
Independent Living Skills*	X	X	X		X
Personal Assistance Home*	X	X	X		
Community Integration Connections & Skills Training*			X	X	X
Personal Assistance Community*	X	X	X	X	
Peer Specialist Services			X	X	X
Family Empowerment-Systems Navigation Counseling	X	X	X		
Natural Support or Caregiver Education and Training	X	X	X		

Counseling on Alternatives to Full Guardianship		X	X		X
Breaks and Opportunities (Respite)*	X	X	X		
Assistive Technology and Adaptive Aids	X	X	X	X	X
Remote Supports		X	X	X	X
Housing Counseling and Start-Up Services		X	X		X
Minor Home Modifications	X	X	X		
Supported Living Services			X	X	
Adult Family Home				X	
Community-Based Residential Services				X	
Individual Directed Goods and Services*	X	X	X	X	X
Positive Behavior Supports	X	X	X	X	
Physical, Occupational, Speech/Language Therapies		X	X	X	
Skilled Nursing*		X	X		

**How will the New Community Waiver Program be Rolled Out to Ensure Success, Including an Adequate Provider Network and Quality Services?**

Based on learning from other states’ experiences, the DDD plans to start the new Community Waiver Program in five pilot areas of the state: one in each of its service regions. This will ensure the state can closely manage the roll out of the new Program. Pilot areas have been identified based on the availability of willing and qualified providers. Providers from all over the state were invited to participate in the new Community Waiver Program through a Request for Proposal (RFP) issued in February, 2020. Based on the results of that RFP process, the following pilot area has been identified in each region:

- Region 1 – Madison, Morgan & Limestone Counties
- Region 2 – Tuscaloosa & Walker Counties
- Region 3 – Mobile & Baldwin Counties
- Region 4 – Montgomery, Elmore & Houston Counties
- Region 5 – Jefferson County

The above pilot areas together represent areas where over 57% of the people on the current waiting list reside. As additional enrollments continue over time, the state is committed to expanding the geographic area that the Community Waiver Program covers until it is available statewide. In the meantime, any eligible individual with intellectual disabilities who needs emergency placement will still be able to enroll in the ID waiver if they live outside of the pilot areas.

To ensure that providers participating in the new Community Waiver Program have all of the support, technical assistance and training to be successful, the state also plans to use the 1115 demonstration authority to limit the size of the provider network. All services will be available, and individuals enrolled will have choice; but the state will not enroll more providers than are required to meet need in a given area. This will avoid vacancies and unused staff capacity within participating provider organizations which often compromises provider stability. By limiting the provider network, the state will better ensure the short and long-term success of participating providers.

## Case Management and Person-Centered Planning

Because this Program is so different, and existing Case Management agencies currently have their hands full with assuming responsibility from other service providers for all assessments and person-centered planning for individuals on the ID and LAH waivers, the state plans to initially have Case Management (renamed Support Coordination) done by DDD staff who will be hired and trained specifically for the new Program. This will ensure Support Coordination services can be consistently provided in all of the pilot areas, and also ensure that caseloads will be small enough to allow Support Coordinators for the new Program to spend more time with the individuals they serve. The state will provide Support Coordination for the new Program using the same reimbursement rate that is currently paid to Case Management agencies serving the ID and LAH waivers. After the first two years of operating the new Program, the state will reassess how to provide Support Coordination going forward.

## When Will the New Community Waiver Program Get Started and How Will People on the Waiting List Find Out About It?

The state expects the new Community Waiver Program will open on January 1, 2021. Regional Office staff for the Division of Developmental Disabilities will contact individuals on the waiting list who live in the pilot areas, **starting with those who have been waiting the longest**, to explain the Program and determine if they want to enroll.

First priority for enrollment will be given to those who have been waiting the longest and are adults (age 22+) who have a goal to preserve current family or independent living situation and/or have a goal to find and keep community employment, if 64 or under. The vast majority of participants in the new Program will be people currently on the waiting list, as there are currently more than 1100 total people on the waiting list in the identified Pilot Areas.

In the unlikely event some available slots for the new Program remain unfilled after the above first priority group is exhausted, those remaining slots will be available to others based on the following priorities:

Next priority will be given to those not on the waiting list but who are adults (age 22+) who have a goal to preserve current family or independent living situation and/or have a goal to find and keep community employment, if 64 or under. (Note: those not currently on the waiting list will be able to communicate their interest in enrolling in the new program by making contact with the DDD Call Center).

Third priority will be given to those on the waiting list who have been waiting the longest and are transition age youth (16-21) who have a goal to preserve current family or independent living situation and/or have a goal to find and keep community employment at exit from high school.

Last priority will be given to those not on waiting list but who are transition age youth (16-21) who have a goal to preserve current family or independent living situation and/or have a goal to find and keep community employment at exit from high school. (Note: those not currently on the waiting list will be able to communicate their interest in enrolling in the new program by making contact with the DDD Call Center).

If enrollment slots remain after individuals from these four priority groups are identified and enrolled, others living in the pilot areas from the current waiting list will be offered enrollment in order based on how long they have been waiting.

Each region will be allocated a portion of the 500 enrollment slots that will be available during the first year of the new Community Waiver Program. The state will have flexibility to move enrollment slots between the pilot areas, and between the five Enrollment Groups, to ensure all 500 slots are filled in the first year. A portion of the 500

slots will need to be reserved for emergency placements in each of the pilot areas if individuals need higher levels of service and/or out-of-home placement to address their emergency situation. This includes LAH waiver participants living in the pilot areas who can no longer be safely served in the LAH waiver. Some reserve capacity slots will also be held to allow for transitions that may be necessary between enrollment groups within the Community Waiver Program, as individuals age out of their original enrollment group or have a change in needs that requires a transition between enrollment groups. After the first year of the Community Waiver Program, the state anticipates being able to add no less than 200 new enrollment slots each year *without new funding from the legislature*. This will be possible by converting vacated slots in the ID and LAH waivers (135 vacated slots estimated) to slots in the new Community Waiver Program rather than refilling these slots in the ID and LAH waivers.

For more information, visit this webpage:

[https://medicaid.alabama.gov/content/6.0 LTC waivers/6.1 HCBS Waivers/6.1.9 community waiver program .aspx](https://medicaid.alabama.gov/content/6.0_LTC_waivers/6.1_HCBS_Waivers/6.1.9_community_waiver_program.aspx)