

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

## PURPOSE OF THE HCBS WAIVER PROGRAM

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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

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In renewing the waiver, the state is seeking to make changes to strengthen the waiver program by:

- Addressing the CMS 1915(i) State Plan HCBS, 5-year Period for Waivers, Provider Payment Reassignment, Setting Requirements for Community First Choice and 1915 (c) HCBS Waivers (Final Rule);
- Incorporating CMS' required Quality Improvement project;
- Revising the case management service and its billing processes.
- Removing non-utilized Adult Care Home service;
- Removing Nursing Home Transition service. The Money Follows the Person (Home Again) program provides the same and additional services, making this service redundant.

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

### 1. Request Information (1 of 3)

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- A. The State of **South Carolina** 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*):
- C. **Community Choices**
- D. **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:** SC.00405

**Draft ID:** SC.016.02.07

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

Regular Waiver ☐

F. **Proposed Effective Date:** 09/01/16

G. **Approved Effective Date of Waiver being Amended:**

## 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:

Not applicable

☐ **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:

SPA SC13-006 was approved by CMS on 1/27/2014, and allows for the enrollment of waiver participants into managed care (e.g. the Healthy Connections Prime Dual Eligible Demonstration) and concurrent authority with South Carolina's State Plan Medicaid services.

- ☐ **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.

South Carolina is seeking to renew the Community Choices waiver. The Community Choices waiver serves the frail elderly and persons with physical disabilities who meet the nursing facility level of care criteria. The direct administration comes through thirteen (13) SCDHHS offices around the State, each of which covers designated counties of South Carolina. Case managers working in these 13 offices are responsible for ensuring that participants are aware of their service options and can make informed choices as to which form of service delivery they prefer.

The Community Choices waiver provides participant directed options for supervision of services. The Community Choices waiver offers a continuum of service options capable of meeting the needs of all waiver participants, both those who choose agency directed services and those who choose self-directed services.

### Description of Phoenix and Care Call

Phoenix is South Carolina's automated web-based case management system. This includes all tools used by nurses and case managers to assess and manage care of waiver participants. Some components are:

- Demographic information
- Applications for waivers and current status of applications
- All assessments conducted, including level of care determination
- Person-Centered Service Plans

- Service referrals/authorizations for waiver services
- Documentation of other community supports
- Home assessment component including documentation of bathroom safety, ramp and home modification needs
- Caregiver supports section indicating available supports and level of stress and burnout in support system
- Care Call summary information.

Phoenix has a number of features included in the software to ensure compliance with federal requirements.

Examples include:

- Not allowing assessments to be conducted on any applicant that fails to meet intake criteria (e.g., not old enough to enroll in the waiver, does not live in state and has not indicated intent to move)
- Not allowing waiver enrollment to anyone without an appropriate level of care within 30 days of waiver enrollment
- Not allowing any waiver service to be authorized that is not indicated in the service plan
- Flagging and recording all cases where any federal regulations or state policies are not being followed appropriately.

Care Call is an Electronic Visit Verification System (EVVS) including mobile application used by providers to record service provision. Care Call receives information from Phoenix, such as authorized services, schedule and frequency of authorizations, phone numbers of waiver participants and information about providers and provider workers.

When workers provide in-home services, they call a toll-free number to utilize the EVVS or use the mobile application to indicate the agency, worker and service being performed and for which waiver participant. This is compared with the service authorization to ensure that claims are made only for authorized services and only up to the authorized amount. The Care Call system now also captures the tasks performed and observations by in-home workers.

Providers use the Phoenix system to produce reports regarding the provision of service. In addition, claims are now submitted to MMIS for payment by Phoenix daily (except Mondays). This results in a quick turnaround in payments to providers because the claims are always submitted with the correct procedure code, amount, etc. The Financial Management Service (FMS) provider no longer produces paper checks and mails them to attendants. All attendants must now use electronic funds transfer (EFT) to their banking institution or receive their funds on a debit card.

For participants enrolled in Healthy Connections Prime during all transition phases, Care Call automatically submits claims to the Coordinated and Integrated Care Organizations (CICOs) for payment to providers for all properly documented and authorized services.

For participants enrolled in CICOs that have transitioned to Phase 2 of the Healthy Connections Prime demonstration, the CICOs will play a more direct role care planning and service authorization, along with contractual ownership of and oversight of the network of waiver providers. The State will retain responsibility for quality assurance and monitoring functions.

### 3. Components of the Waiver Request

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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 requirements that is requested (*check each that applies*):

- ☐ **Geographic Limitation.** A waiver of statewide requirements 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 requirements 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

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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

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*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 in-patients 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:  
This renewal was presented to the Medical Care Advisory Committee (MCAC), which included Tribal Notification, on November 17, 2015 and was shared during the agency's monthly Indian Health Services conference call on December 16, 2015.
- Public Notice of intent to renew this waiver including the revised transition plan was e-mailed to the agency listserv of interested stakeholders and group distribution which included MCAC members and Indian Health Services on or before April 25, 2016.
- Public Notice of intent to renew this waiver including the revised transition plan was posted to the agency website at <https://www.scdhhs.gov/service/waiver-management-field-management> on or before April 25, 2016.
- This waiver renewal including the revised transition plan was posted to the agency website at <https://www.scdhhs.gov/service/waiver-management-field-management> on or before April 25, 2016.
- Hardcopies of the waiver renewal including the revised transition plan were placed in the SCDHHS lobby and the 13 SCDHHS Offices around the state on or before April 25, 2016 for public review and comments.
- Additionally, a public meeting was held on May 3, 2016 to address proposed waiver renewal and revised transition plan. Also, a live webinar was hosted on May 11, 2016.
- Individuals were able to submit electronic comments to [comments@scdhhs.gov](mailto:comments@scdhhs.gov) and non-electronic comments to Community Long Term Care and Behavioral Health, South Carolina Department of Health and Human Services, Post Office Box 8206, Columbia, SC 292028206, Attention: Lisa Ragland. Both methods of comment submission were noted in all public notices.
- 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:	Smith		
First Name	Roy		
Title:	Division Director, Community Long Term Care (CLTC)		
Agency:	South Carolina Department of Health and Human Services		
Address:	1801 Main Street		
Address 2:	PO Box 8206		
City:	Columbia		
State:	South Carolina		
Zip:	29202-8206		
Phone	(803) 898-2721	Ext:	TTY:
Fax:	(803) 255-8209		
E-mail:	smithroy@scdhhs.gov		

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

Last Name:	
First Name	
Title:	
Agency:	

Address:	
Address 2:	
City:	
State:	
Zip:	
Phone	
Fax:	
E-mail:	

## 8. Authorizing Signature

This document, together with the attached revisions to the affected components of the waiver, constitutes the State's request to amend its approved waiver under §1915(c) of the Social Security Act. The State affirms that it will abide by all provisions of the waiver, including the provisions of this amendment when approved by CMS. The State further attests that it will continuously operate the waiver in accordance with the assurances specified in Section V and the additional requirements specified in Section VI of the approved waiver. The State certifies that additional proposed revisions to the waiver request will be submitted by the Medicaid agency in the form of additional waiver amendments.

Signature:	Christian Soura
	State Medicaid Director or Designee
Submission Date:	May 31, 2016

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

Last Name:	Soura
First Name	Christian
Title:	Director
Agency:	South Carolina Department of Health and Human Services
Address:	1801 Main Street
Address 2:	PO Box 8206
City:	Columbia

State:	South Carolina		
Zip:	29202-8206		
Phone	(803) 898-2504	Ext:	TTY:
Fax:	(803) 255-8209		
E-mail:	Christian.soura@scdhhs.gov		

## 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:

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### 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.*

**South Carolina Department of Health and Human Services  
Community Choices (CC) Waiver  
Transition Plan  
April 2016**

**Introduction**

The Center for Medicare and Medicaid Services (CMS) issued a final rule on Home and Community Based Services (HCBS) establishing certain requirements for home and community based services that are provided through Medicaid waivers, like the Community Choices (CC) Waiver. There are specific requirements for where home and community-based services are received which will be referred to as the “settings requirements.”

CMS requires that each state submit a “Transition Plan” for each waiver renewal or amendment. The Transition Plan outlines how the state will come into conformance and compliance with the HCBS Rule settings requirements. States must come into full compliance with HCBS Rule requirements by March 17, 2019.

This is the revised Transition Plan for the CC Waiver. Per CMS requirements this CC Waiver Transition Plan was made available for the public to read and comment on before being submitted to CMS for review. This Transition Plan may change as the state goes through the process of coming into compliance with the HCBS Rule. If this plan undergoes any substantive changes after submission to CMS, the state will make it available again for public comment and input.

**Revisions to Statewide Transition Plan**

<b>Date of Revision</b>	<b>Reason</b>
April 2015	CMS first review of Community Choices plan requiring revisions
September 2015	Community Choices Transition plan revised due to substantive changes made in the Statewide Transition Plan (STP)
April 2016	Transition plan revised to include substantive changes made to the STP

**Home and Community Based Settings Requirements**

CMS has listed the following as the requirements of home and community based settings. They must have the following qualities (per 42 CFR 441.301 (c)(4)):

- The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.
- The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board
- Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
- Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.
- Facilitates individual choice regarding services and supports, and who provides them.

For provider owned and/or controlled residential HCB settings, CMS has listed the following additional conditions that must be met (per 42 CFR 441.301(c) (4) (vi)):

- A legally enforceable agreement (lease, residency agreement, or other form of written agreement) is in place for each individual in the HCB home/setting within which he/she resides.
- Each individual has privacy in their sleeping or living unit.
- Units have lockable entrance doors with the individual and appropriate staff having keys to doors as needed.
- Individuals sharing units have a choice of roommates.
- Individuals can furnish and decorate their sleeping or living units within the lease or other agreement.
- Individuals have freedom and support to control their schedules and activities.
- Individuals have access to appropriate food any time.
- Individuals may have visitors at any time.
- The setting is physically accessible to the individual.
- Any modification of the additional conditions for HCB residential settings listed above must be supported by a specific assessed need and justified in the person-centered service plan.

CMS has also listed the following as settings that are not home and community based (per 42 CFR 441.301 (c) (5)):

- A nursing facility
- An institution for mental diseases (IMD)
- An intermediate care facility for individuals with intellectual disabilities (ICF/IID)
- A hospital
- Any other settings that have the qualities of an institutional setting. This includes:
  - Any setting that is located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment
  - Any setting in a building on the grounds of, or immediately adjacent to, a public institution
  - Any other setting that has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS

Any of the settings that have qualities of an institutional setting will be presumed to be institutional, and therefore HCB services cannot be provided in the setting, unless the Secretary of the US Department of Health and Human Services determines through heightened scrutiny that the setting does have the qualities of home and community-based settings and services can still be provided in that setting.

It is with these requirements in mind that SCDHHS developed this transition plan.

## **Communications and Outreach – Public Notice Process**

### **Initial Plan Development**

SCDHHS formed a workgroup to address and solicit input on how the state could come into compliance with the HCBS rule. This group is composed of members from:

- SC Department of Health and Human Services
- SC Department of Mental Health
- SC Department of Disabilities and Special Needs
- SC Vocational Rehabilitation Department
- Advocacy groups:
  - AARP
  - Family Connections
  - Protection & Advocacy
- Providers:
  - Local Disabilities and Special Needs Boards
  - Housing providers for the mentally ill population
  - Adult Day Health Care Providers
  - Private providers of Medicaid and HCBS services
- Beneficiaries and family members

The large workgroup broke into sub-groups to address different tasks of coming into compliance with the HCBS Rule, including a waiver renewal workgroup. The large group meets monthly to discuss the progress of the sub-groups and to examine issues, concerns and the overall vision of how the state can come into compliance with the new regulation.

### **Public Notice and Comment on Initial Community Choices Transition Plan**

SCDHHS used multiple methods of public notice and input for the Community Choices Transition Plan that was submitted to CMS in April 2015.

- Per 42 CFR 441.304 (f)(4), Tribal Notification was provided on November 12, 2014 and September 10, 2014. A Tribal Notification conference call for the transition plan was held October 29, 2014.
- Public notice for comment on the CC waiver transition plan was posted on the SCDHHS website on November 10, 2014.
- Public notice for comment on the CC waiver transition plan was sent out via the SCDHHS listserv on November 10, 2014.
- Four public meetings were held to discuss the CC transition plan, as well as the HCBS Rule and what it means for South Carolina beneficiaries. These meetings were held in November and December 2014 in the following cities:
  - Florence, SC Nov. 13, 2014
  - Greenville, SC Nov. 18, 2014
  - Charleston, SC Dec. 2, 2014
  - Columbia, SC Dec. 4, 2014
- Public notice on the CC revised waiver transition plan, including the revised waiver transition plan document, was posted on the following website on March 20, 2015:
  - SCDHHS website (scdhhs.gov)
- Public notice on the CC revised waiver transition plan was sent out via the SCDHHS listserv on March 20, 2015.
- Public notice on the CC revised waiver transition plan was sent out via e-mail to pertinent organizations, including MCAC and Tribal Notification on March 20, 2015
- Printed public notice on the CC revised waiver transition plan was posted at SCDHHS Jefferson Square/Headquarters Lobby on March 20, 2015.
- Printed copy of the CC revised waiver transition plan document were made available for public view and comment at SCDHHS Jefferson Square/Headquarters Lobby on March 20, 2015.
- Printed copies of public notice on the CC revised waiver transition plan, including a printed copy of the revised waiver transition plan document, were provided in all 10 Community Long Term Care Area Offices and 2 satellite offices on March 20, 2015.
- Public comments were gathered from the public meetings listed above, from electronic communications sent to SCDHHS and from communications mailed to SCDHHS.
- SCDHHS reviewed the comments and incorporated any appropriate changes to the CC Transition Plan. A summary of the public comments is included with this CC Transition Plan submitted to CMS in April 2015.

South Carolina's revised HCBS Community Choices Transition Plan, as submitted to CMS, is posted in the following location:

[scdhhs.gov/public-notice](http://scdhhs.gov/public-notice)

#### **Communication during the Development of the Transition Plan Process**

SCDHHS continues to hold monthly HCBS workgroup meetings and/or communicate to the workgroup monthly via email. This communication keeps stakeholders informed of the progress made during the implementation of the Community Choices Transition Plan. Additionally, SCDHHS will publish on its main website and its HCBS website.

**Update April 2016.** The Statewide Transition plan was revised three times since its original submission to CMS on February 26, 2015.

- September 25, 2015
- February 3, 2016
- February 23, 2016

The most recent version of the STP dated February 23, 2016 required substantive changes; thus requiring the Community Choices (CC) Transition plan to be revised to ensure compliance. Therefore, the Community Choices Transition plan was revised April 2016 and made available through the following methods:

- Public Notice of intent was emailed to the agency listserv of interested agency stakeholders and group distribution which included MCAC members and Indian Health Services on or before April 25, 2016.
- Public Notice of intent was posted to the agency website at <https://www.scdhhs.gov/service/waiver-management-field-management> on or before April 25, 2016.
- This transition plan was posted to the agency website at <https://www.scdhhs.gov/service/waiver-management-field-management> on or before April 25, 2016
- Hard copies were placed in the SCDHHS lobby and the 13 SCDHHS offices around the state on or before April 25, 2016 for public review and comment.
- Additionally, a public meeting was held on May 3, 2016, to address proposed CC Transition plan. Also, a live webinar was hosted on May 11, 2016.
- Individuals were able to submit electronic comments to [comments@scdhhs.gov](mailto:comments@scdhhs.gov) and non-electronic comments to :

Community Long Term Care and Behavioral Health  
 South Carolina Department of Health and Human Services  
 Post Office Box 8206  
 Columbia, SC 29202-8206  
 Attention: Lisa Ragland

Both methods of comments submission were noted in the Public Notice.

South Carolina Community Choices Waiver-April 2016

## **Assessment of System-Wide Regulations, Policies, Licensing Standards, and Other Provider Requirements**

### **Process of System-Wide Review**

SCDHHS compiled a list of the laws, regulations, policies, standards, and directives that directly impact home and community based settings. The list was vetted through the appropriate leadership at SCDHHS, the South Carolina Department of Disabilities and Special Needs (SCDDSN), and other stakeholders to ensure that it was complete.

The list of laws, regulations, etc., was separated according to HCB setting. They were read and reviewed to determine that the law, regulations, etc. is not a barrier to the settings standards outlined in the HCBS rule. This review took place between October 2014 and January 2015. Any changes to any of the following laws, regulations, policies, standards, and directives after that time period have not been reviewed but will be subject to the ongoing compliance process. The settings for Community Choices waiver are divided as follows:

- Most of the CC participants reside in their own homes, which are presumed to meet the home and community based setting requirements
- Adult Day Health Care Centers (primarily serving frail elderly individuals, or individuals with physical disabilities)
- Residential settings (serving some elderly and disabled individuals that are served through the CC Waiver):
  - Community Residential Care Facilities

A report was developed detailing the relevant laws, regulations, policies, standards, and directives that correspond with each HCBS settings requirement. A committee of external stakeholders (including providers, advocates, and other state agencies) reviewed the system-wide assessment and document. That group provided feedback to verify the findings of the SCDHHS review.

### **Residential Systemic Review**

SCDHHS initially created an assessment tool that was designed to evaluate individual residential homes/settings for compliance with HCBS criteria outlined in 42CFR 441.301 (c) (4). After a pilot test of the residential assessment tool was completed, it was determined that the residential assessment tool should be used to assess residential setting types owned and/or operated by a provider and not the individual settings themselves.

There are six types of residential settings with approximately 1600 individual residential settings in total with some settings utilized by participants in the Community Choices waiver. The description of the settings that impact the Community Choices waiver is listed in the “Assessment of Settings” section.

### **Process of Residential Systemic Review**

The residential systemic review process, at the provider level, was accomplished through the C4 Individual Facilities/Settings Assessment process.

### **C4 Individual Facilities/Settings Assessment**

The C4 Assessment was designed to evaluate individual facilities to determine compliance with HCBS criteria outlined in 42CFR 441.301 (c) (4). For residential settings, it also encompassed the requirements outlined in 42CFR 4421.301 (c) (4) (iv).

### **Development of the Assessment Tool and Criteria**

An assessment tool was developed for residential facilities utilizing the criteria outlined in the 42CFR 441.301 (c) (4). Additionally, SCDHHS used the exploratory questions issued by CMS for the settings requirements. This tool was developed collaboratively with various stakeholders including providers, advocacy groups, and other state agencies. The assessment tool was used by providers to complete the self-assessment of their residential setting types. The assessment was an online tool. For providers who did not have internet access, SCDHHS made available paper copies.

SCDHHS conducted a pilot test of the assessment tool to determine the liability and decide if any revision needed to be made prior to distributing to providers. The pilot test was conducted with providers who owned or operated home and community based settings. The testing process also aided in the development of clear instructions on how to complete the assessment. Pilot testing began in January 2015 and was completed in March 2015. It was determined from the pilot test results that residential facilities would be assessed by residential setting types, which included a review of policies for the settings. The assessment along with the instructions were attached in Appendices C and D of the Statewide Transition Plan submitted March 2016.

### **Resources to Conduct Assessments**

Resources used to conduct the assessments came from SCDHHS personnel and financial resources as well as individual provider personnel and financial resources.

South Carolina Community Choices Waiver-April 2016



SCDHHS sent electronic notification of the residential self-assessment process to providers in April 2015. Following the notification, the agency sent individual letters to providers with instructions on how to conduct the residential assessments in May 2015. For providers who did not have internet access, paper copies of the assessment tools were made available to them.

### **Timeframe to Conduct Assessments**

Individual letters were sent on May 15, 2015, to all HCBS residential providers with instructions to complete by July 1, 2015. Providers had 45 calendar days to complete and return the self-assessment for the settings they own and/or operate to SCDHHS. The deadline was established based on the letter's approximated day of delivery to providers.

### **Assessment Review**

SCDHHS published a global analysis document detailing the areas of concern systemically for all residential providers on November 23, 2015 on the HCBS website at <https://msp.scdhhs.gov/hcbs/site-page/C4-settings-assessments>. Providers will receive individual written feedback from SCDHHS after the review of the self-assessment. Included in this written feedback, will be SCDHHS' expectations that providers self-assess all of their settings to determine each setting level of compliance with the new standards and establish any steps needed to come into compliance for any deficiencies. The individual feedback for all providers is anticipated to be completed by April 29, 2016.

### **Outcomes of System-Wide Review**

The following standards, rules, requirements, law, regulations, and policies were assessed (separated according to setting for which they apply):

#### **All HCB Settings that pertain to the Community Choices Waiver**

1. Adult Protection, S.C. Code Ann. §§ 43-35-5 et seq.
2. Department of Health and Human Services, S.C. Code Ann. §§ 44-6-10 et seq.
3. Department of Health and Human Services S.C. Regs. Chapter 126
4. SCDHHS Provider Manuals
  - a. CLTC Provider Manual
  - b. SC Medicaid Policy and Procedures Manual

#### **Residential Settings: CRCF's**

1. Community Residential Care Facilities, S.C. Regs. 61-84

#### **Adult Day Health Care Facilities**

1. Day Care Facilities for Adults, S.C. Regs. 61-75
2. SCDHHS Provider Manuals
  - a. CLTC Provider Manual

After a review of these sources, SCDHHS created a spreadsheet detailing which statutes, regulations, etc. comply with or are in conflict with the corresponding HCBS settings requirements. As noted below and identified in Appendix B of the Statewide Transition plan, SCDHHS identified the following areas as not being fully compliant with the Federal settings regulations and will seek specific action to come into compliance:

1. **S.C. Code Reg. 61-84-103:** *"Facilities shall comply with applicable local, state, and federal laws, codes, and regulations. R. 61-84-103(c)(1): Compliance with structural standards: [Existing facilities]...shall be allowed to continue utilizing the previously-licensed structure without modification."*
  - a. This regulation is not fully compliant with 42 C.F.R. 441.301(c)(4)(vi). This regulation may allow for a CRCF to not be compliant with ADA regulations. However, this regulation is mitigated by current DDSN Residential Habilitation standards which require compliance with all federal statutes and regulations. Additionally, CLTC verifies compliance of HCBS standards for any waiver participant choosing to reside in a CRCF.
2. **SCDHHS Policy, Waiver Documents, and SCDDSN Medicaid Waiver Policy Manuals Medicaid HCB Waiver Policy Regarding Waiver Services Provided while Clients Travel Out-of-State:** *"[...] Waiver participants may travel out of state and retain a waiver slot under the following conditions: the trip is planned and will not exceed 90 consecutive days; the participant continues to receive a waiver service consistent with SCDDSN policy; the waiver service received is provided by a South Carolina Medicaid provider; South Carolina Medicaid eligibility is maintained. During travel, waiver services will be limited to the frequency of service currently approved in the participant's plan. Services must be monitored according to SCDHHS policy. The parameters of this policy are established by SCDDSN for all HCB Waiver participants."*
  - a. This policy does not specifically touch on any of the home and community-based settings requirements, but it may be an unnecessary restriction on an individual with disabilities. This policy may need further review.

All other laws, regulations, standards, directives, and policies reviewed were either supporting of or not objecting to the home and community-based settings regulations and no further action needs to be taken.

### **Outcomes of Residential Systemic Review**

Information gathered from the residential self-assessment by providers was compiled into one document for global analysis of residential settings by setting type. This information can be found in Appendix F of the Statewide Transition plan. The number of setting types represents the number of providers who own and/or operate that type of residential setting. It is not representative of the total number of individual residential settings.

### **Actions to Bring System into Compliance**

For those policies, procedures, standards and directives that need modification as indicated in the previous section, SCDHHS will work with the appropriate internal staff and external agencies to make necessary changes. Small teams of key personnel began meeting in the fall of 2015 to review those policies and procedures to determine where changes needed to be made to bring the waiver policies and procedures in line with HCBS requirements.

Community Long Term Care staff are reviewing waiver documents and related policies and procedures for areas that can be revised. Additionally, they are reviewing the “Medicaid HCB Waiver Policy Regarding Waiver Services Provided while Client’s are Out-of State” to determine if any changes need to be made.

CLTC will make several changes in its waiver document(s), program policies and procedures as it relates to HCBS compliance.

- The assessment tool that will be used for Adult Day Health Center (ADHC) center site visits will be incorporated into CLTC’s regular compliance reviews of ADHCs. This tool will cover the settings requirements detailed in 42 CFR 441.301 (c) (4) as it relates to non-residential settings. These compliance reviews occur every 18-24 months.
- The language in the Community Choices waiver document will be changed so that it is not required that a waiver participant be at an ADHC for five full hours for the ADHC to be able to bill for that service. Instead, the language will indicate that the service may originate from the ADHC, thus allowing providers the flexibility to incorporate community access as part of its program. This language is being amended in the waiver document and will be subject to CMS approval. Once approved, the scope of work for ADHCs will also be changed to reflect this amended language.

Because these changes cannot go into effect until CMS approval of the waiver document, SCDHHS anticipates the changes to be made by September 1, 2016. SCDHHS will use its internal policy management review process for implementing any additions or changes to policy in accordance with standard agency practice.

### **Systemic Changes**

The following outlines where review needs to be done and potential changes need to be made. Not all changes were made by the March 31, 2016, anticipated deadline.

<b>Regulations/Standards/Policies etc.</b>	<b>Under Review</b>	<b>Review</b>	<b>Revised</b>	<b>Published</b>
S.C. Code Reg. 61-84-103	Pending			
SCDHHS Policy: Leave of Absence from the State		Yes	Yes (January 2015)	In process
CC Waiver Document	By CMS for amendment			
CC Waiver policies/procedures	Pending waiver approval			

### **Actions to bring the Residential System into Compliance**

SCDHHS is developing initial individualized responses by provider for their residential setting types based upon their self-assessment results. The agency will leverage responses from the self-assessment to identify any global policy or programmatic changes that are necessary for the provider to comport with the new HCBS standards. Progress towards these standards will be noted as independent site visits are conducted at individual residential settings. A final response to providers will be provided once the independent site visits are completed and that data is reviewed. For providers who still have corrective actions to make to come into compliance with the new standards after the site visit is completed, they will be required to create an action plan for their facility(ies) and indicate how they will bring it (them) into compliance with the requirements. That process is further detailed under “Assessment of Settings: Actions for Facilities Deemed not in Compliance: C4 Individual Facilities/Settings Assessment.”

Other global policy or programmatic changes that need to be made are addressed in the “Actions to Bring System into Compliance” section above.

### **Ongoing Compliance of System**

Once system policies, procedures, standards, and directives have been updated to reflect the new HCBS requirements, ongoing compliance of the system will be monitored per the updated policies.

SCDHHS serves as the Administrative and the Operating Authority for the Community Choices waiver. With the introduction of Healthy Connections PRIME, the state retains full operational and administrative authority of this program and the waivers of which it is a part. Performance requirements, assessment methods, and methods for problem correction related to PRIME are described more thoroughly in the three-way contract between CMS, the CICOs and the state.

The CLTC division of SCDHHS has waiver review as part of the overall CLTC Quality Assurance (QA) plan. SCDHHS Central Office has a QA Task Force committee to review all data accumulated. The QA Task Force meets bi-monthly throughout the year to identify and pursue action plans for making improvements in the waiver program, including any issues related to HCBS settings requirements, as well as in the quality management framework and strategy. This process allows a thorough assessment of areas needing improvement and areas of best practice. Systems improvement for statewide problems can be addressed through different measures, including revision of policy and procedures, thereby allowing SCDHHS to ensure compliance with the new HCBS standards.

It is through these established systems of quality assurance review that ongoing compliance of HCBS standards will be monitored.

### **Ongoing Compliance of Residential System**

Ongoing compliance of the residential system will be accomplished in two ways. First, the ongoing compliance actions described above for the overall system encompass any needed changes to and monitoring of residential policies, procedures, standards and directives. Second, residential providers will be subject to regular licensing reviews and compliance reviews as described in the “Assessment of Settings: Ongoing Compliance” section.

### **Assessment of Settings**

#### **Setting Types**

The majority of CC participants reside in their own homes; therefore participant’s home is the primary setting where home and community-based services are provided in the CC waiver. However, a few participants reside in Community Residential Care Facilities and some attend Adult Day Health Care (ADHC).

**Adult Day Health Cares (ADHC).** There are approximately 76 Adult Day Health Care facilities that are available for CC waiver participants to use across the state and approximately 2,314 waiver participants who use ADHC as part of their service plan.

**Community Residential Care Facility (CRCF).** Licensed by SC Department of Health and Environmental Control (SCDHEC), CRCF’s are residential settings that offer room and board and provide/coordinate a degree of personal care for a period of time. They are designed to accommodate residents’ changing needs and preferences, maximize residents’ dignity, autonomy, privacy, independence, and safety, and encourage family and community involvement. Waiver participants in the Community Choices waiver may choose to live in CRCFs. These CRCFs are not Medicaid Waiver providers and all funding is derived from 100% state funds through the Optional State Supplement (OSS) program.

#### **Setting Assessment Process**

The setting process was divided into two separate assessment phases, a provider self-assessment phase and an independent site visit phase. Additionally, SCDHHS planned to use waiver participant surveys as a third source of data to determine compliance with HCB settings, but the surveys are more appropriate for determining compliance with person-centered planning requirements and will be used to inform any needed change in that area.

**C4 Individual Facilities/Settings Assessment.** The C4 assessment was designed to evaluate individual facilities to determine compliance with the HCBS criteria outlined in 42 CFR Part 441.301(c)(4). This assessment tool was used for the providers’ self-assessment and will be refined and revised for use on the independent site visits.

As mentioned in the previous section, “Assessment of System-Wide Regulations, Policies, Licensing Standards, and Other Regulations,” the residential setting assessment evolved into a systemic review of each residential setting type based on feedback provided from the pilot test of the tool. Residential providers completed this assessment for each type of residential setting they own and/or operate, not necessarily for each of their individual residential settings. Providers self-assessed each of their non-residential settings.

**Development of the assessment tools and criteria.** Two assessment tools were developed for individual facilities: one for residential facilities and another for day (non-residential) facilities. The criteria used to create these tools is outlined in the 42 CFR Part 441.301(c)(4). Additionally, SCDHHS used the exploratory questions issued by CMS for the settings requirements. The assessment tools will be used in two ways to measure individual facilities. First, they will be used by providers to complete the self-assessment of individual facilities. Second, SCDHHS or a contracted vendor will use the tools as an independent assessment during site visits. The setting-specific assessments were online tools. For providers who may not have internet access, SCDHHS made available paper copies.

**Resources to conduct assessments and site visits.** Resources to conduct the assessments will come from SCDHHS personnel and financial resources as well as individual provider personnel and financial resources. Resources to conduct the site visits will come from SCDHHS personnel and financial resources and potentially the personnel and financial resources of a contracted vendor.

SCDHHS sent electronic notification of the individual facility assessment process to providers in April 2015. Following the notification, the agency sent individual letters to providers with instructions on how to conduct the setting-specific assessments in May 2015. For providers who did not have internet access, paper copies of the assessment tools were made available to them.

Individual letters were sent on May 15, 2015, to all HCBS residential and non-residential providers with instructions on how to complete that by July 1, 2015. All day (non-residential) settings were assessed. As stated above, each residential provider only conducted a self-assessment of each of their residential setting types.

Individual site visits will occur after the provider self-assessments. These are anticipated to begin in January of 2016. These site visits will be on individual HCBS settings and will be conducted by SCDHHS and/or a contracted vendor. All day (non-residential) settings will be subject to an independent site visit. Day settings for the Community Choices waiver comprise approximately 76 Adult Day Health Care centers.

Any provider owned or operated residential setting may be subject to a site visit. The number of residential independent site visits is dependent upon budgetary allocations to SCDHHS for the 2017 fiscal year (state).

- a. If SCDHHS receives its budgetary request for site visits, SCDHHS will contract with an outside vendor to conduct site visits on 100% of the residential settings.
- b. If SCDHHS does not receive its budgetary request for site visits, SCDHHS or a contracted vendor will conduct site visits on a statistically valid sample of residential settings types by provider (stratified random sample). Each residential provider will have a site visit conducted on a statistically valid sample of each residential setting type that it owns or operates. To determine the sample, SCDHHS utilized the Division of Medicaid Policy Research (MPR) in the Institute of Families and Society at the University of South Carolina to conduct the analysis. A complete listing of every HCBS residential setting by provider was given to MPR. MPR conducted the analysis in Stata to obtain a 10% stratified random sample of each housing type by provider.

Any setting, residential or non-residential, that self-identified through the initial C5 assessment or the C4 self-assessment as potentially being subject to the-heightened scrutiny process will be subject to an independent site visit by SCDHHS staff.

**Timeframe to conduct assessments and site visits.** Each part of the assessment process has an estimated time for completion. These time frames are based on personnel and financial resources and may vary.

Providers had 45 calendar days to complete and return the self-assessment for the settings they own and/or operate to SCDHHS. The deadline was established based on the letter's approximated day of delivery to providers.

Independent site visits are anticipated to take approximately 12 months to complete. This timeframe began as SCDHHS started its site visits on day settings in late January 2016. Site visits to residential settings are anticipated to begin in July 2016. Residential settings subject to SCDHHS HCB Settings Quality Review process may have a site visit earlier than July 2016.

**Assessment review.** SCDHHS will individually review all setting-specific assessments to determine if each setting is or is not in compliance. To determine the level of compliance or non-compliance, SCDHHS will use the data collected during both the provider self-assessment and the independent site visit assessment.

SCDHHS sent initial written feedback to Adult Day Health Care (ADHC) providers on their self-assessments on March 8, 2016. Residential providers' self-assessments are under review. Included in their written feedback will be SCDHHS' expectation that residential providers self-assess all of their settings to determine each setting's level of compliance with the new standards and establish any steps needed to come into compliance for any deficiencies. The initial feedback to residential providers was anticipated to be completed by February 29, 2016, but is now anticipated to be completed by April 29, 2016.

Providers will receive final written feedback from SCDHHS on each setting after the independent site visits are completed and both assessments are reviewed. SCDHHS' goal is to complete the final assessment review within 12 months from the start of the independent site visits. As the sites visits began in late January 2016, the review is anticipated to be completed by December 2016.

## **Outcomes**

There was 100% participation by providers in completing the Day (non-residential) settings self-assessment and 100% participation by providers in completing the Residential settings self-assessment.

**C4 Individual Facilities/Settings Assessment.** As individual facilities are assessed and reviewed, SCDHHS will compile that data to submit to CMS. Upon completion, SCDHHS will be able to show what percentage of facilities, by type, meet the settings criteria and what percentage do not. This review is anticipated to be completed by December 30, 2016, with anticipated submission to CMS in an amended Statewide Transition Plan by February 17, 2017.

To date, SCDHHS has gathered preliminary information from the initial C5 assessment, the C4 provider self-assessment, and selected site visits conducted with Technical Assistance Collaborative (TAC), Inc. Based on that information, SCDHHS estimates that the following number of settings fall into the following categories.

#### Day (non-residential) Settings

	Number of Settings
HCBS Compliance Category	ADHC
Fully comply with federal regulations	0
Do not comply-will require modifications	0
Cannot meet requirements-will require removal from the program/relocation of individuals	2
Subject to State Review for possible Heightened Scrutiny Review by CMS	74

#### Residential Settings

	Number of Settings
HCBS Compliance Category	CRCF
Fully comply with federal regulations	0
Do not comply-will require modifications	34
Cannot meet requirements-will require removal from the program/relocation of individuals	0
Subject to State Review for possible Heightened Scrutiny Review by CMS	12

This data will likely change once the independent site visits are completed on the settings.

#### Actions for facilities deemed not in compliance

**C4 Individual Facilities/Settings Assessment.** SCDHHS will develop an individualized response by provider for each facility based upon the self-assessment and site visit. The agency will leverage responses from the self-assessment and site visit to identify gaps in compliance, as well as include any global policy or programmatic changes that are necessary for the provider to comport with the new HCBS standards. SCDHHS will develop these responses as site visits are completed, beginning in February 2016. Providers must create an action plan for their facility(ies) and indicate how they will bring it(them) into compliance with the requirements. The action plan must include a timeframe for completion and be submitted to SCDHHS for approval within 30 days of receiving the written notice. SCDHHS will review each action plan and determine if the action plan is approved or needs revision. SCDHHS will send providers a letter indicating whether their action plan is approved and they can move forward with their changes, or whether the action plan needs further work. If the action plan needs further work, SCDHHS will give providers two weeks from receipt of the letter to make changes to the action plan and resubmit it to SCDHHS for approval. SCDHHS will review the revised action plan and will either approve it, or send notification to the appropriate program area to have the provider and setting reviewed for disciplinary action.

SCDHHS will include the appropriate SCDHHS program area on communication sent to providers at every step of the review process. SCDHHS will submit copies of the following to the appropriate SCDHHS program area:

- Each provider's initial response letter to their self-assessment
- Each provider's final, individualized response letter
- SCDHHS response to each provider's initial submission of an action plan (whether it is approved or needs revision) along with a copy of the provider's initial action plan
- SCDHHS' response to providers who had to submit a revised action plan (whether it's approved or will be sent to program area for disciplinary action review) along with a copy of the provider's revised action plan
- A copy of the provider's approved action plan.

This will allow the appropriate SCDHHS program area to monitor progress toward compliance and continued monitoring of compliance through established quality assurance and/or licensing protocols. Those protocols are detailed in the "Ongoing Compliance" section.

SCDHHS or a contracted vendor will conduct follow up site visits to monitor the progress of those providers who must come into compliance, in accordance with their approved action plans. These visits will occur after a facility's action plan has been approved by SCDHHS, but before the March 2019 compliance deadline. SCDHHS will include the appropriate SCDHHS program area on the results of those follow up site visits to assist them in monitoring the progress of their providers of becoming compliant with HCB standards.

**Relocation of Waiver participants.** Should relocation of waiver participants be needed due to a setting's inability to come into compliance with the new standards, SCDHHS will utilize the following procedures to transition participants to an appropriate setting. These procedures may change to best meet the needs of the waiver participants.

***Relocation of waiver participants in non-compliant Adult Day Health Care Day settings.*** SCDHHS would identify all participants authorized to receive services from the provider of the non-compliant setting. The appropriate area offices and/or agencies would be notified of the status of the setting as non-compliant. Additionally, the participants' case managers would be informed of the status of the setting as non-compliant so that they could reach out to their participants to inform them of the setting's status change. Case managers would provide the participants with a list of other available, compliant providers from which they can choose. Once a participant chooses a provider, the case manager can then make a referral and process an authorization for that participant for the new provider.

If the participant chooses not to use another provider, the case manager may explain alternative options should the waiver participant choose to still receive services from the non-compliant provider setting. If there is no other viable provider, the case manager may work to authorize other services to substitute for the service change. The case manager would then monitor the participant to ensure that the new service package is meeting the participant's needs in accordance with the person-centered plan.

***Relocation of waiver participants in non-compliant Residential settings.*** If a CRCF is not a provider of residential habilitation (and is not contracted with SCDDSN) is identified as a non-compliant setting, SCDHHS would identify the waiver participants who are living in that non-compliant setting. To relocate those residents, the "Relocation Guidelines: Community Residential Care Facility (CRCF) Residents" developed by SCDHHS with SCDHEC, SCDMH, SCDSS, and SCDDSN will be utilized for proper protocol and procedure. See Appendix G, in the Statewide Transition Plan, for those guidelines.

If the participant chooses not to use another residential provider, the participant's case manager may explain alternative options should the waiver participant choose to still receive residential services from the non-compliant provider setting.

SCDHHS will also be sure to notify all appropriate agencies/program areas of the status of the setting as non-compliant so that no new referrals are made to that non-compliant setting.

***Timeline.*** Relocation of waiver participants would be made after SCDHHS has determined the setting (either day or residential) to be institutional, or SCDHHS has determined that it will not submit the setting to CMS for final heightened scrutiny review. This process of relocation is anticipated to begin in 2017 as SCDHHS anticipates it will have concluded its independent site visits and heightened scrutiny process by the end of 2016.

For waiver participants who choose to be relocated from a non-compliant Adult Day Health Care setting, they will be given 30 days' notice that they will need to move to a new, compliant setting. This notice is intended to minimize disruption of services for the waiver participant.

For waiver participants who choose to be relocated to a compliant residential setting, they will be given 30 days' notice that they will need to move to that new, compliant setting. All other protocols outlined in either the "Relocation Guidelines: Community Residential Care Facility (CRCF) Residents" will be followed as appropriate. This notice, along with the other detailed protocol, is intended to minimize disruption of services for the waiver participant.

### **Ongoing compliance**

Ongoing compliance of the settings is currently monitored through SCDHHS policies and procedures. There are established compliance systems in place that monitor providers and their services to ensure they are compliant in providing the waiver services as stated in their contracts/enrollment agreements which are in line with the waiver documents. It is through these established systems, which are described below, that ongoing compliance of the settings with the new HCBS requirements will be monitored. As mentioned in the "Ongoing Compliance of the System" section of this document, the policies, procedures, standards and directives that direct the current compliance systems will be updated to reflect the new HCBS requirements to ensure the ongoing compliance of the settings.

SCDHHS serves as the Administrative and the Operating Authority for the Community Choices waiver. With the introduction of Healthy Connections PRIME, the state retains full operational and administrative authority of this program and the waivers of which it is a part. Performance requirements, assessment methods, and methods for problem correction related to PRIME are described more thoroughly in the three-way contract between CMS, the CICOs and the state.

The CLTC division of SCDHHS has waiver review as part of the overall CLTC Quality Assurance (QA) plan. This includes review of Adult Day Health Care settings that provide home and community-based services. Information is gathered and compiled from many data sources including Provider Compliance Reports from SCDHHS staff; APS/critical incident reports; and provider reviews conducted at least every 24 months by SCDHHS (which includes reviews of ADHC's). As mentioned in the "Actions to Bring System into Compliance" section, the assessment tool utilized for the ADHC site visits will be incorporated into the provider reviews that are conducted at least every 24 months by SCDHHS staff. This tool will cover the settings requirements detailed in 42 CFR 441.301 (c) (4) as it relates to non-residential settings.

As part of the CLTC QA Plan, information gathered from the sources previously mentioned is taken to the Quality Improvement Task Force, which is scheduled to meet bi-monthly. Data is reviewed and discussed for discovery of non-compliance and strategies for South Carolina Community Choices Waiver-April 2016

remediation. Reports and trends are shared with area offices and providers as appropriate. Anything requiring corrective action generates a report and request for corrective plan to the area office administrator. This includes corrective action for ADHC's. All reports, corrective action plans, appeals and dispositions are brought to the Quality Improvement Task Force to review outcomes. Outcomes would assist in determining necessary policy or system changes. This process allows a thorough assessment of areas needing improvement and areas of best practice. It is through this established system of quality assurance review that ADHC settings' ongoing compliance of HCBS standards will be monitored.

### Heightened Scrutiny

Heightened scrutiny is the process of identifying settings that are presumed to have characteristics of an institution and therefore are subject to more intense review (scrutiny) by the state. Using the criteria in 42 CFR 441.301 (c) (5), SCDHHS will gather data on settings to determine whether the settings have home and community based qualities. SCDHHS named this process the "HCB Settings Quality Review." After completing this review, the state will determine if any of the Adult Day Health Care or Community Residential Care Facility settings will be submitted to CMS for final heightened scrutiny review.

### HCB Settings Quality Review Process

SCDHHS has undertaken the following actions to identify settings that may need to go through the HCB Settings Quality Review process:

- Initial C5 Heightened Scrutiny Assessment
- C4 Individual Facilities/Settings Assessment
- Geocode Data generation
- Consultation with Technical Assistance Collaborative (TAC), Inc.
- Public Input

### Initial C5 Heightened Scrutiny Assessment

This assessment was designed to gather initial data to assist SCDHHS in determining if any settings might be subject to the heightened scrutiny process detailed in 42 CFR 441.301 (c) (5) (v). Adult Day Health Care and CRCF providers self-reported if any of the settings they own or operate have the following qualities:

- Are located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;
- Are in a building on the grounds of, or immediately adjacent to, a public institution;
- Or has the effect of isolating individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS.

**Development of the assessment tools and criteria.** The assessment tool questions utilized the criteria directly from 42 CFR 441.301 (c) (5). Providers listed the physical addresses of each facility they own/operate and answered a questionnaire to see if they would be subjected to heightened scrutiny. A letter with directions on how to complete the online assessment was mailed to providers. Providers were directed to review the CMS technical guidance on settings that have an effect of isolating individuals to assist in their answers to the assessment.

**Resources to conduct assessments.** Resources to conduct assessments came from SCDHHS personnel and financial resources as well as individual provider personnel and financial resources.

**Timeframe to conduct assessments.** The "C5" (heightened scrutiny) assessment was mailed out the week of November 3, 2014. Providers only completed one assessment to list each facility they own/operate. Providers had until December 1, 2014 to complete the "C5" assessment and return it to SCDHHS. That was approximately 26 calendar days.

**Assessment Review.** SCDHHS reviewed the initial data gathered from the "C5" assessments to prioritize site visits for any provider who self-reported that they may need to go through the formal heightened scrutiny process (SCDHHS HCB Settings Quality Review).

### Outcomes

**Initial C5 Heightened Scrutiny Assessment.** Providers completed the "C5" assessment based on their own interpretation of the regulations and materials provided by CMS on the setting that have the effect of isolating individuals. Actual compliance and non-compliance with 42 CFR 441.301 (c) (5) will be determined by SCDHHS or CMS.

### Initial C5 Assessment Results

Setting Type	# Settings Assessed	May be Subject to C5 Process
ADHC	43	4
CRCF	43	3



Although there was not 100% provider participation in completing the Initial C5 Heightened Scrutiny Assessment, the same questions were included as part of the C4 Individual Facilities/Settings Assessment in which there was 100% provider participation.

**C4 Individual Facilities/Settings Assessment.** This assessment asked providers a series of questions that looked at the physical qualities of the setting and programmatic qualities of the setting. This was for all day (non-residential) and residential settings. The details of this assessment begin on page 7.

**Geocode Data generation.** SCDHHS had the Division of Medicaid Policy Research in the Institute of Families and Society at the University of South Carolina complete a geocode analysis of the physical locations of all HCBS settings within South Carolina. This data has broken down the proximity of each setting to public and private institutions and other HCBS settings. It shows generally where HCBS settings are located in comparison to the broader community of each town.

**Consultation with Technical Assistance Collaborative (TAC), Inc.** Through the procurement process, SCDHHS selected TAC, Inc. to review South Carolina's HCBS residential programs. TAC, Inc. has conducted selected site visits around the state to get a general overview of what the waiver residential program looks like. CRCFs were included in the setting types visited. TAC, Inc. furnished a report to SCDHHS in November 2015 with its findings. The full report is located in Appendix I of the Statewide Transition Plan.

## Public Input

SCDHHS sought public input in the fall of 2015 on settings that might be subject to the heightened scrutiny process. Public notice was sent out on October 30, 2015, informing the public about SCDHHS HCB Settings Quality Review process. The public comment period was from November 2, 2015 to December 31, 2015. The public notice was communicated in the following ways:

- Posted on the SCDHHS HCBS website: <https://msp.scdhhs.gov/hcbs/site-page/hcb-settings-quality-review>
- Posted on the SCDHHS website: <https://www.scdhhs.gov/public-notice/home-and-community-based-services-hcbs-final-rule-heightened-study-scdhhs-seeks>
- Email sent via the SCDHHS listserv on November 3, 2015
- Individual emails sent to the HCBS workgroup, providers, advocate groups, and other stakeholders on November 3, 2015

Additionally, a live webinar was held on November 18, 2015 to explain to the public what SCDHHS was looking for in this public input process. The webinar was recorded and made available for viewing, along with a transcript of the recording, on the Family Connections of SC website <http://www.familyconnectionsc.org/webinars.html>.

Information provided through this public input was reviewed for inclusion on the independent site visits that will occur beginning in 2016.

## HCBS Settings Quality Review Next Steps

**Site visits.** SCDHHS is using all of the above information to inform which ADHC and/or CRCF settings will need to go through the HCB Settings Quality Review. One part of the review process consists of a site visit to the setting under review utilizing the refined and revised C4 settings assessment. Interviews with waiver participants who utilize the setting will also be conducted. Additionally, SCDHHS will ask the provider of the setting to produce evidence that the setting does **not** have institutional qualities and either *does* meet or *could* meet, with corrective action, the HCB settings requirements. The process for providers is detailed at <https://msp.scdhhs.gov/hcbs/site-page/hcb-settings-review>.

**Heighten Scrutiny Determination.** Once the site visits are completed and all documentation, evidence and other data gathered are reviewed, SCDHHS will determine if the setting is one of the following:

1. Institutional and can no longer provide HCB services. This setting will not be sent to CMS for heightened scrutiny review.
2. Is not institutional and is home and community based. This setting may need some corrective action to be fully compliant, but will go through the transition period.
3. Is presumed institutional, but is home and community based and will therefore be sent to CMS for final Heightened Scrutiny review.

For any setting that SCDHHS determines is subject to heightened scrutiny by CMS, SCDHHS will request that the provider produce evidence (if they have not already done so) that the setting does not have institutional qualities and either currently does meet or could meet, with corrective action, the HCBS settings requirements. The evidence will be reviewed by SCDHHS and may be made available for public comment.

**Public notice and comment.** After the determinations are made, SCDHHS will publish a list of settings it has identified as presumed institutional for public review and comment in the amended Statewide Transition Plan that will be submitted to CMS in February of 2017. SCDHHS will solicit comments from the public, including beneficiaries and/or personal representatives of beneficiaries, as to the qualities of each of these settings. The public will be able to suggest the addition of any setting to the list if a member of the public determines it may meet the definition of a setting that has institutional qualities that isolate individuals receiving Medicaid HCBS from the broader community of individuals not receiving Medicaid HCBS. SCDHHS may conduct a site visit on any South Carolina Community Choices Waiver-April 2016

setting that is on the list. SCDHHS will submit to CMS for its review, what settings will not need to be submitted to CMS for review, and what settings will no longer be able to provide HCBS after March 17, 2019, will be made by SCDHHS.

**Submission to CMS for Heightened Scrutiny Review.** After the public notice and comment period on the Statewide Transition Plan with the included list of settings subject to heightened scrutiny, SCDHHS will submit a final list of settings for CMS Heightened Scrutiny Review.

For any setting that is not home and community based and remedial actions are not sufficient enough to make the setting compliant with the home and community based regulations, appropriate action will be taken by SCDHHS to insure continuity of care for any waiver participants receiving home and community based services in this setting. Procedures for participant relocation will be followed as outline in the “Relocation of Waiver participants” section above.

South Carolina assures that the setting transition plan included in this waiver renewal will be subject to any provisions or requirements included in the South Carolina’s approved Statewide Transition Plan. South Carolina will implement any required changes upon approval of the Statewide Transition Plan and will make conforming changes to its waiver when it submits the next amendment or renewal.

South Carolina Home and Community Based Services Transition Plan Timeline Community Choices (CC) Waiver Amendment						
Section 1. Identification						
<i>Action Item</i>	<i>Description</i>	<i>Start Date</i>	<i>End Date</i>	<i>Sources</i>	<i>Stakeholders</i>	<i>Intervention/Outcome</i>
Identify Adult Day Health Care (ADHC) Providers	Identify the number of ADHC's serving individuals in the waiver.	March 2014	April 2014	SCDDSN, SCDHHS	SCDHHS, SCDDSN	Number of facilities to assess identified.
Identify Residential programs	Identify the number and type of residential programs serving individuals in the waiver.	March 2014	April 2014	SCDDSN	SCDHHS, SCDDSN	Number of facilities to assess identified.
Identify 301 (c)(5) facilities	Obtain physical addresses of all HCBS settings to potentially identify any that might be subject to heightened scrutiny	September 2014	December 2014	SCDHHS, private providers, SCDDSN	SCDHHS, SCDDSN, private providers	Determine any setting that might not comport.
Regulation and policy identification	Identify regulations, policies, standards, and directives that impact CC HCB Settings.	September 2014; January 27, 2016	October 2014; January 27, 2016	SCDHHS, SCDDSN, SCDHEC, SC Code of Regulations	SCDHHS, SCDDSN, private providers	Gather all sources of regulation in advance of systemic review.
Geocode data generation	Generate mapping and community characteristics for all ADHCs and residential settings current as of Dec. 2014	November 2015	February 2015	SCDHHS, SCDDSN, USC MPR	SCDHHS, SCDDSN, private providers	Utilize data to identify settings that might be subject to heightened scrutiny.
Section 2. Assessment						
<i>Action Item</i>	<i>Description</i>	<i>Start Date</i>	<i>End Date</i>	<i>Sources</i>	<i>Stakeholders</i>	<i>Intervention/Outcome</i>
Review existing regulations, policies, standards, and directives for CC HCB settings	As part of the Statewide Transition plan, conduct review of existing policies, qualification standards, licensure regulations, etc. for CC HCB settings to determine conformance to HCBS rule using CFR language as the rubric.	October 2014; January 27, 2016	January 2015; January 27, 2016	SC Code of Regulations, SCDHHS policies, SCDDSN policies, SCDHEC regulations	SCDHHS, SCDDSN, SCDHEC	Determine compliance with HCB standards.

Review HCB settings physical locations	Review data gathered on physical locations of ADHCs and CRCFs to determine if any might be subject to heightened scrutiny per CFR	December 2014	January 2015	SCDHHS, SCDDSN, private providers	SCDHHS, SCDDSN, private providers	Determine any settings that might not comport.
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<b>Section 2. Assessment continued</b>						
<b>Action Item</b>	<b>Description</b>	<b>Start Date</b>	<b>End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>
Develop Residential assessment tool	Create an assessment tool for residential providers to evaluate compliance with settings requirements.	June 2014	September 2014	CMS Guidance, CFR, State developed assessment tools (Iowa, Kansas, Florida)	SCDHHS, SCDDSN, providers	Assessment tool is developed.
Develop Day facility assessment tool	Create an assessment tool for day service providers to evaluate compliance with settings requirements.	July 2014	October 2014	CMS Guidance, CFR, State developed assessment tools	SCDHHS, SCDDSN, providers	Assessment tool is developed.
Submit assessment tools for review	Both assessment tools submitted to CMS and the large Stakeholder workgroup for review and feedback.	August 2014	October 2014	Draft assessment tools	SCDHHS, SCDDSN, Providers, Advocacy groups, beneficiaries, families	Incorporate appropriate revisions into tool(s).
Conduct pilot test of assessment tools	Each assessment tool was sent to a sample of providers to test and determine if revisions were needed. Clear instructions on completion of the tool were developed from this pilot.	January 12, 2015	March 31, 2015	Draft assessment tools	SCDHHS, SCDDSN, Providers	Test assessment tools to ensure accurate data is gathered.

<b>Section 2. Assessment continued</b>						
<b>Action Item</b>	<b>Description</b>	<b>Proposed Start Date</b>	<b>Proposed End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>

Revise assessment tools and develop instructions	The assessment tools were revised as needed after the pilot testing. Clear instructions were developed for completion of the assessment.	March 19, 2015	April 30, 2015	Draft assessment tools	SCDHHS, SCDDSN, Providers	Finalize tools for distribution.
Distribute the assessment tools to providers	Providers completed the self-assessment tool to determine compliance with HCBS settings requirements.	May 15, 2015* <i>*Providers had 45 days to complete the assessment</i>	July 1, 2015	Assessment Tool	SCDHHS, Providers, SCDDSN	Providers complete the assessment.
Provide initial feedback on self-assessments	SCDHHS will send providers written, initial feedback based upon their review of the self-assessments	August 2015	ADHC providers: March 8, 2016 Residential providers: April 29, 2016	Self-assessment results	SCDHHS, SCDDSN, providers	Providers receive initial feedback on needed areas of change or improvement for compliance with HCBS requirements on which to begin work
Refine and revise assessment tools	Refine and revise the day (non-residential) assessment tool to be two separate tools-one for ADHC and one for Day programs; refine and revise residential tool	January 11, 2016	March 11, 2016	Self-assessment tools, results	SCDHHS, SCDDSN, providers	Assessment tools more focused to particular settings for accurate assessment outcomes
Conduct site visits at provider facilities	SCDHHS or contracted vendor will conduct site visits on individual settings to determine if any corrective action is needed to meet new standards.	February 1, 2016	December 16, 2016	Assessment tools; enrolled providers; HCBS Standards	SCDHHS, SCDDSN, Providers, Advocacy groups, beneficiaries, families	Independent assessment of individual settings is completed.
Conduct HCB Settings Quality Review site visits	SCDHHS will conduct site visits on individual settings to determine if any are subject to the heightened scrutiny process	February 1, 2016	December 16, 2016	Assessment tools; enrolled providers; HCBS standards	SCDHHS, SCDDSN, providers, advocacy groups, beneficiaries, families	Determination of which settings are subject to the CMS heightened scrutiny process

<b>Section 2. Assessment continued</b>						
<b>Action Item</b>	<b>Description</b>	<b>Proposed Start Date</b>	<b>Proposed End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>

Review of assessment data	SCDHHS will review the assessment data from the providers and the independent site visits to determine which facilities are in compliance and which facilities are not.	February 1, 2016	December 30, 2016	Assessment results (self-assessment and independent)	SCDHHS; SCDDSN, providers	Results identify deficiencies and steps needed to come into compliance are determined.
Review of HCB Settings Quality Review data	SCDHHS will review all data gathered from the site visits, provider documentation, and other supplemental documentation to determine which settings must be submitted to CMS for Heightened Scrutiny process	February 1, 2016	December 30, 2016	Site visit data, provider documentation, supplemental documentation, HCBS standards	SCDHHS, SCDDSN, providers	Finalize which settings will be sent to CMS for Heightened scrutiny and which may need corrective action only
Create response to providers using results from the assessment	Providers will be notified of their assessment results and any areas of correction for compliance with HCBS Rule.	February 1, 2016	December 30, 2016	Assessment results	SCDHHS, SCDDSN, Providers, Advocacy groups, beneficiaries, families	Providers aware of deficiencies regarding compliance with HCBS Rule.
Create response to providers regarding results of HCB Settings Quality review	Providers will be notified of the outcome of the HCB Settings Quality Review and what their next steps are (CMS Heightened Scrutiny, corrective action plans, or termination from program)	February 1, 2016	December 30, 2016	Site visit data, provider documentation, supplemental documentation, HCBS standards	SCDHHS, SCDDSN, providers	Providers aware if their setting will be subject to Heightened Scrutiny, corrective action, or termination from program
Program Areas notified of assessment results	Appropriate program areas are given copies of the provider assessment results to monitor progress to compliance and for QA/contractual purposes	February 1, 2016	December 30, 2016	Letter to providers with assessment results	SCDHHS, SCDDSN, providers	Program areas hold providers accountable for meeting new HCBS requirements
<b>Section 3. Compliance Actions</b>						
<b>Action Item</b>	<b>Description</b>	<b>Proposed Start Date</b>	<b>Proposed End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>

Policy Revisions	CLTC Division of SCDHHS will review and revise policies as necessary to reflect HCBS regulations as well as ongoing monitoring and compliance.	September 2015	September 2016	CMS Guidance, CFR, SCDHHS policy manuals	SCDHHS, Partner agencies, providers, beneficiaries, families, advocacy groups	Policies reflect HCBS requirements.
<b>Section 3. Compliance Actions</b>						
<b>Action Item</b>	<b>Description</b>	<b>Proposed Start Date</b>	<b>Proposed End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>
Community Choices (CC) waiver document revisions	Update the CC waiver document to reflect person-centered planning requirements (Appendix D); changes to ADHC service requirements	August 2015	July 1, 2016	CC waiver document, CFR, CMS guidance	SCDHHS, SCDDSN, providers, beneficiaries, families, advocacy groups	Waiver document reflects HCBS requirements.
ADHC Scope of Work revision	CLTC Division of SCDHHS will revise the scope of work for ADHCs to reflect waiver document language (upon CMS approval)	Anticipated September 1, 2016	Anticipated November 1, 2016	CC waiver document	SCDHHS, providers	Scope of work reflects HCBS requirements provided in waiver document
Develop action plan for settings compliance	SCDHHS informs providers to create their own action plan outlining how they will bring their facility(ies) into compliance. It will be submitted to SCDHHS to review and approve.	February 1, 2016* <i>*Providers will have 30 days to develop an action plan</i>	January 31, 2017	Assessment results, information from SCDHHS, CMS guidance	SCDHHS, Providers	Each provider develops an approved action plan for compliance.
Program Areas given provider action plans	Appropriate Program Areas will receive copies of provider action plans to monitor progress to compliance and for QA/contractual purposes	February 1, 2016	January 31, 2017	Approved Provider Action plans	SCDHHS, SCDDSN, providers	Program areas hold providers accountable for meeting new HCBS requirements
Provider follow up	SCDHHS will follow up with providers to monitor progress towards compliance and if HCBS requirements are met based	January 9, 2017	December 28, 2018	Assessment results, Provider action plans, CMS Guidance,	SCDHHS, Providers	Providers come into compliance with HCBS rule.



	on timeframe in their approved action plans			CFR, SCDHHS policies		
Relocation of Waiver Participants	SCDHHS where appropriate, will identify all waiver participants receiving services in non-compliant settings; begin relocation to compliant settings	Anticipated February 20, 2017	Anticipated December 28, 2018	Assessment results, site visits results, HCB Settings Quality Review results, CMS Heightened Scrutiny results	SCDHHS, SCDDSN, providers, beneficiaries, and families	Waiver participants relocated to compliant settings.
Provider Training and Education	To ensure understanding of HCBS rule requirements, SCDHHS will develop and provide training/education as needed to providers, ensure ongoing compliance with requirements.	January 4, 2016	December 22, 2017	CMS Guidance, CFR, SCDHHS policies,	SCDHHS, partner agencies, providers	Educate providers on HCBS rule and its requirements.
<b>Section 4. Communications</b>						
<b>Action Item</b>	<b>Description</b>	<b>Start Date</b>	<b>End Date</b>	<b>Sources</b>	<b>Stakeholders</b>	<b>Intervention/Outcome</b>
Form Stakeholder workgroup	Invited various stakeholders to come together to address new HCBS Final Rule and provide input on plans to come into compliance.	Feb. 26, 2014	December 1, 2016	Partner Agencies, Advocacy groups, providers, beneficiaries, and families	Partner Agencies, Advocacy groups, providers, beneficiaries, and families	Monthly workgroup meetings; more frequent subgroup meetings
HCBS website developed	Create a HCBS specific website for communication with various stakeholders	June 2014	September 4, 2014	SCDHHS	SCDHHS, partner agencies, advocacy groups, providers, beneficiaries and families	Provide a website for information and communication about HCBS changes and transition.
Provide Notice to MCAC	Provide notice of the Waiver Amendments and the Transition plan at MCAC meeting.	November 12, 2014	November 12, 2014	Advisories to MCAC	SCDHHS, Providers, Beneficiaries, Advocacy groups	MCAC advised of Waiver Amendment and when will be submitted per agency policy.
Tribal Notification	Notice is provided to the Catawba Indian Nation on the amendment of the waiver and a conference call is held to discuss.	October 29, 2014 and September 10, 2014	November 12, 2014	Proposed waiver amendment changes	SCDHHS, Catawba Indian Nation	Any questions or concerns about waiver amendments are addressed.
Public Notice provided	Notice of the waiver amendment posted to the SCDHHS website, sent out	Nov 10, 2014	Dec. 12, 2015	Public notice document, CC	SCDHHS, Beneficiaries,	Public notice posted with transition plan for CC waiver.

	via listserv to any interested parties, and shared with members of the large Stakeholder workgroup.			Transition plan Draft document	families, Providers, Advocacy Groups	
Public comment – CC waiver amendment and transition plan	SCDHHS gathered public comments for review through multiple methods and made appropriate changes to the waiver amendments and transition plan. Comments were gathered via mail, email, and in person	Nov. 10, 2014	Dec. 2014	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for CC waiver.
<b>Section 4. Communications <i>continued</i></b>						
<b><i>Action Item</i></b>	<b><i>Description</i></b>	<b><i>Start Date</i></b>	<b><i>End Date</i></b>	<b><i>Sources</i></b>	<b><i>Stakeholders</i></b>	<b><i>Intervention/Outcome</i></b>
Public meetings conducted on Waiver Amendment and Transition Plan	Four public meeting was held throughout state for citizens to comment on the proposed waiver amendment changes and waiver transition plan.	Nov. 13, 2014	Dec. 4, 2014	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for CC waiver.
Public Comment collection and revisions	SCDHHS reviewed all comments on the waiver amendment and transition plan and made appropriate changes to both documents.	Nov. 13, 2014	Dec. 2014	Public comments and any state response documents	SCDHHS	Public comments considered and appropriately incorporated into documents.
Second Public Notice provided for Posting of Draft Waiver Amendment Document and Waiver Transition Plan	Notice of the draft waiver amendment document and Waiver Transition Plan posted to the SCDHHS website; sent out via listserv to any interested parties, e-mailed to MCAC, Tribal Notification and other pertinent organizations; printed copies posted in all CLTC Area and Satellite Offices and SCDHHS lobby.	March 20, 2015	April 20, 2015	Public notice document, Waiver document, CC Transition plan document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver amendment document and CC waiver transition plan.

<b>Section 4. Communications <i>continued</i></b>						
<b><i>Action Item</i></b>	<b><i>Description</i></b>	<b><i>Start Date</i></b>	<b><i>End Date</i></b>	<b><i>Sources</i></b>	<b><i>Stakeholders</i></b>	<b><i>Intervention/Outcome</i></b>
Public comment – waiver amendments and transition plan	SCDHHS will gather public comments for review through multiple methods and make appropriate changes to the waiver amendment and transition plan. Comments will be gathered via mail, email, and in person.	March 20, 2015	April 20, 2015	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver application document and CC waiver transition plan.
Public Comment collection and revisions	SCDHHS reviewed all comments on the waiver amendment and transition plan and made appropriate changes to both documents.	March 20, 2015	April 23, 2015	Public comments and any state response documents	SCDHHS	Public comments considered and appropriately incorporated into documents.
Provide Notice to MCAC	Provide notice of the Waiver renewal and Final Rule Requirements at MCAC meeting	November 2015	November 2015	Advisories to MCAC	SCDHHS, Providers, Beneficiaries, Advocacy groups	MCAC advised of Waiver renewal and when will be submitted per agency policy.
Tribal Notification	Notice is provided to the Catawba Indian Nation on the renewal of the waiver and Final Rule Requirements and a conference call is held to discuss.	December 2015	December 2015	Proposed waiver renewal changes and Final Rule Requirements	SCDHHS, Catawba Indian Nation	Any questions or concerns about waiver renewal and Final Rule Requirements are addressed
Public Notice provided	Notice of the waiver renewal and revised transition plan posted to the SCDHHS website, sent out via listserv to any interested parties, and shared with members of the large Stakeholder workgroup	April 25, 2016	April 25, 2016	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for CC waiver renewal.
Public meetings conducted on Waiver Renewal and Transition Plan	One public meeting was held throughout state for citizens to comment on the proposed waiver renewal	May 3, 2016	May 11, 2016	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for CC waiver

	changes and waiver transition plan. Also, the state hosted a live webinar.					
Public comment – waiver renewal and transition plan	SCDHHS will gather public comments for review through multiple methods and make appropriate changes to the waiver renewal and transition plan. Comments will be gathered via mail, email, and in person.	April 2016	May 2016	Public notice document, CC Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver application document and CC waiver transition plan.
Public Comment collection and revisions	SCDHHS reviewed all comments on the waiver renewal and transition plan and made appropriate changes to both documents.	May 2016	May 2016	Public comments and any state response documents	SCDHHS	Public comments considered and appropriately incorporated into documents.

## Appendix A: Waiver Administration and Operation

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**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:

**Division of Community Long Term Care**  
(*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.

	<input type="checkbox"/>
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(*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:

	<input type="checkbox"/>	
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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

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### 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.**

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

- 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:

**As indicated in section 1 of this appendix, the waiver is not operated by a separate agency of the State. Thus this section does not need to be completed.**

	<input type="checkbox"/>
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## Appendix A: Waiver Administration and Operation

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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.:*

Participants not enrolled in Healthy Connections Prime will continue to have all functions performed by the State.

The State and CMS contract with health plans, known as CICOs, for the provision of coordinated and integrated health care services under a federal financial alignment demonstration. This program is known as Healthy Connections Prime. Waiver participants who meet eligibility criteria may enroll in Healthy Connections Prime. During the HCBS transition phase covered by this waiver renewal, Healthy Connections Prime CICOs that have passed the necessary benchmark reviews and qualified to do so will conduct re-evaluation assessments for aspects other than participant levels of care.

During the transition phase covered by this waiver renewal, Healthy Connections Prime CICO contracted Provider (Waiver) Case Managers will consult with the participant and/or primary contact during the

development phase of the service plan to ensure person-centeredness. Healthy Connections Prime has incorporated assurances within the three way contract to ensure the CICOs contract with Waiver Provider Case Managers. These provider case managers are approved by the state Medicaid agency and must be independent of service delivery. Additionally, they must meet all requirements as indicated in the state Medicaid agency's conflict free modality. This is constantly monitored by the state Medicaid agency to ensure compliance. Non-compliance with this requirement will result in termination of the waiver case manager's contract.

The State Medicaid Agency will formally review all service plans and may object to CICO-proposed changes. Healthy Connections Prime participants also have access to an arbitration process in the event of disputes.

The CICOs that have passed the necessary benchmark reviews and qualified to do so will prior authorize waiver services for their participants enrolled in Healthy Connections Prime, adhering to approval criteria that are no more restrictive than the State's policies for participants who are not enrolled in Healthy Connections Prime.

The CICOs that have passed the necessary benchmark reviews and qualified to do so will be able to establish a rate methodology for waiver services providers serving participants in Healthy Connections Prime. However, all rates must be at least equal to the rate the State pays providers for members who are not enrolled in Healthy Connections Prime. Any exceptions will only be made with the approval of the state, based upon a justification from the CICO assuring that quality will not be affected.

Benchmark reviews will be conducted by SCDHHS staff and its agent (a third party contractor). Failure to adequately address the benchmark standards could preclude the CICO from moving forward to the next phase of the Home and Community Based Services (HCBS) transition and may impact a CICO's eligibility for future passive enrollment.

For Phase II, CICO's that have successfully completing the first HCBS Benchmark Review will assume contractual authority for Case Management services and most HCBS, in addition to the full continuum of Medicare and Medicaid covered services it is already providing. If the CICO fails to adequately meet the benchmark standards, a corrective action plan, including specific dates, must be submitted to the review team. The benchmark review will evaluate the following:

- Case Management and RN assessor staffing competencies in conducting reassessments
  - Network capacity for HCBS Case Management and all non-case management HCBS with the exception of self-directed services. CICOs must have sufficient providers in each geographic area sufficient to meet the needs of the target population and to guarantee members have a meaningful choice of providers for each service. Since the volume of and need for services differ, the number of providers will vary by specific services. CICOs will use a standard HCBS contract template provided by SCDHHS during Phase II of the transition period to ensure consistent continuity of care standards are put into place.
  - CICO ability to fully manage and integrate the full continuum of Medicare and Medicaid services as evidenced by the following:
    - HCBS care coordination infrastructure
    - Integration of HCBS into multidisciplinary team; and
    - Policies in support of these integrated functions
  - Ability to process and pay claims in a timely manner
  - Proposed HCBS rate setting methodology for aforementioned services for SCDHHS review.
  - Understanding of the credentialing and monitoring process.
- **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

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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

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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:

Participants not enrolled in Healthy Connections Prime will continue to have all functions performed by the State.

For all phases of the HCBS transition under the Healthy Connections Prime program, the State Medicaid Agency will assess the performance of contracted CICOs.

## Appendix A: Waiver Administration and Operation

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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:

Contracted entities will only perform waiver operational and administrative functions for participants in Healthy Connections Prime. On an ongoing basis, the CICOs performance will be assessed in the following areas:

- Review of timeliness of all activities of service plan development
- Review of timeliness on prior authorizations
- Review of service plans to determine if level of authorization is consistent with waiver fee-for-service participants; and
- Review of case managers' service level request versus CICO approval levels.

## 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	Contracted Entity
Participant waiver enrollment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waiver enrollment managed against approved limits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Waiver expenditures managed against approved levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Level of care evaluation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Review of Participant service plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Prior authorization of waiver services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Utilization management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Qualified provider enrollment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Execution of Medicaid provider agreements	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Establishment of a statewide rate methodology	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rules, policies, procedures and information development governing the waiver program	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality assurance and quality improvement activities	<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.*

- 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 state retains full operational and administrative authority of this waiver. SCDHHS will continue its oversight of all cases and intervene where there are concerns or disputes about services and authorization levels. The Healthy Connection Prime Advocate is available for unresolved disputes between the state

and CICOs concerning services and authorization levels. Members will also have access to a state fair hearing to formally dispute authorization levels and/or level of care determinations. The Healthy Connections Prime Advocate can provide support to members throughout the state fair hearing process.

### 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 type="checkbox"/> Quarterly
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 150px; margin-top: 5px;"></div>	<input type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 20px; width: 150px; margin-top: 5px;"></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 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
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				Maximum Age Limit	No Maximum Age Limit
<input checked="" type="radio"/>	<b>Aged or Disabled, or Both-General</b>				
	<input checked="" type="checkbox"/>	Aged	65		<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	Disabled (Physical)	18	64	
	<input type="checkbox"/>	Disabled (Other)			
<input type="radio"/>	<b>Aged or Disabled, or Both-Specific Recognized Subgroups</b>				
	<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 type="radio"/>	<b>Intellectual Disability or Developmental Disability, or Both</b>				
	<input type="checkbox"/>	Autism			<input type="checkbox"/>
	<input type="checkbox"/>	Developmental Disability			<input type="checkbox"/>
	<input type="checkbox"/>	Intellectual Disability			<input type="checkbox"/>
<input type="radio"/>	<b>Mental Illness</b>				
	<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:*

Not applicable. If the disabled individual reaches the age of 64 they remain in the waiver under the aged category.

## 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 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:

All waiver applicants receive a full assessment by a state nurse consultant prior to waiver entrance. This assessment includes all components necessary to make a level of care determination. It also includes information regarding specific needs and desires of the applicant. The state nurse consultant discusses these needs and desires with a licensed social worker so as to assess service needs. Should these needs provide a likelihood of exceeding the individual cost limit, the regional director is consulted. The individual is informed of the limit of available waiver services and makes an informed decision as to whether the waiver is the appropriate form of long term care services. It should be noted that this procedure, while available, has not been needed to date. The service needs identified have been within the individual cost limit. Any participant denied admission to the waiver is given the opportunity to appeal this decision.

- 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:

Additional services may be authorized based on changing needs of the participant using the standardized assessment process. Once changes are indicated, the reevaluation will occur in a reasonable time period. If the waiver is unable to meet assessed needs, the participant will receive assistance with transitioning to another form of long term care services.

☐ **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		20721	

Year 2		21372	
Year 3		22023	
Year 4		22673	
Year 5		23324	

- 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	16105
Year 2	16608
Year 3	17112
Year 4	17616
Year 5	18120

## 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).

## 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:

SCDHHS has a policy to enroll applicants into this waiver without placing them on a waiting list. This means that all fully qualified applicants are able to access the home and community-based services available in this waiver. In the past, applicants were subject to being placed on a waiting list which limited the number of people served. In addition, the agency has adopted policies which serve to expedite enrollment into the waiver.

Healthy Connections Prime participants who meet the level of care criteria for this waiver will have access to HCBS under the demonstration without regard to a waiting list.

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## Appendix B: Participant Access and Eligibility

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

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

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## 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:

All other mandatory and optional groups included under the state plan.

Other caretaker relatives specified at 42 CFR §435.110; pregnant women specified at 42 CFR §435.116, and children specified at 42 CFR §435.118

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***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 spend down 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:

1. Eyeglasses not otherwise covered by the Medicaid program, not to exceed a total of \$108 per occurrence for lenses, frames and dispensing fee. A licensed optometrist or ophthalmologist must certify the necessity for eyeglasses.
2. Dentures. A one-time expense not to exceed \$651.00 per plate or \$1320.00 for one full pair of dentures. A licensed dental practitioner must certify necessity. An expense for more than one pair of dentures must be prior approved by State DHHS.
3. Denture Repair. Justified as necessary by a licensed dental practitioner. Not to exceed \$77.00 per occurrence.

5. Hearing Aids. A one-time expense. Not to exceed \$1000.00 for one or \$2000.00 for both. Necessity must be certified by a licensed practitioner. An expense for more than one hearing aid must be prior approved by State DHHS.
6. Physician and other medical practitioner visits that exceed the yearly limit, not to exceed \$20 per visit.
7. Other non-covered medical expenses that are recognized by State law but not covered by Medicaid, not to exceed \$20 per item/service. These non-covered medical expenses must be prescribed by a licensed practitioner and prior approved by State DHHS.
8. The deduction for medical and remedial care expenses that were incurred as the result of imposition of a transfer of assets penalty is limited to zero.

## 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.

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

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## 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.**



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## 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: §1634 State - 2014 through 2018.**

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

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## 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.**

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## 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).

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

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## 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:*

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:*

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:

Registered Nurse licensed by the State or Licensed Practical Nurse working under the auspices of a Registered Nurse.

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.

The South Carolina Nursing Home Level of Care Criteria are used to determine medical eligibility for the waiver. A standardized instrument is utilized to gather assessment information necessary for level of care determinations. The same level of care criteria and assessment instrument are used for nursing facility placement and waiver enrollment.

Program staff apply established intake criteria to all waiver applicants. Applicants meeting the waiver intake criteria, are assigned to a state nurse consultant for initial assessment completion within waiver policy and procedure time frames.

Initial level of care assessments are completed and team staffed by state nurse consultants. Individuals who meet waiver requirements may enroll in the waiver. The state nurse consultant verifies financial eligibility, level of care and participant's choice to participate in the waiver prior to enrollment. Re-evaluations are completed by SCDHHS case managers and by contracted case management providers and team staffed with qualified SCDHHS employees.

- 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. The same instrument and level of care are used.

For Healthy Connections Prime participants enrolled with CICOs that have passed the necessary benchmark reviews and obtained the ability to perform reevaluations, reevaluations will be conducted by CICO resources meeting the same qualifications and using the same instrument and level of care criteria. The State Medicaid agency retains final authority for all level of care evaluations and re-evaluations.

- 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:*

Individuals may be:

- Social Workers licensed by the state of South Carolina

- Individuals with a Bachelor's degree or Master's degree with at least two (2) years of assessment and care planning experience.
  - Registered nurses currently licensed by the state of South Carolina or by a state that participates in the Nursing Compact
  - Licensed Practical Nurse working under the auspices of a Registered Nurse
- 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*):

An automated tickler system in Phoenix system is used to ensure timely reevaluations.

- 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:

Records are housed with the Medicaid Agency.

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## 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:

The number and percent of new waiver enrollees who had a LOC determination that indicated a need for institutional LOC prior to waiver enrollment and receipt of services. N: Number of new waiver enrollees who received a LOC assessment indicating a skilled or intermediate LOC prior to the receipt of waiver services. D: Total number of new waiver enrollees.

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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 type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval <div></div>
<input type="checkbox"/> Other (Specify) <div></div>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <div></div>
	<input checked="" type="checkbox"/> Continuously and ongoing	<input type="checkbox"/> Other(Specify) <div></div>
	<input type="checkbox"/> Other (Specify) <div></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)	<input type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

- 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:** The number and percent of all LOC determinations completed using the appropriate forms/instruments as required by State Medicaid Agency. N: Total number of determinations completed using the appropriate forms/instruments. D: Total number of determinations

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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 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 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="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

**Performance Measure:** The number and percent of waiver applicants who enter the waiver with a LOC completed within no greater than 30 days. N: Number of waiver applicants who enter the waiver with a LOC completed within no greater than 30 days. D: Total number of waiver applicants

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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 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 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="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

**Performance Measure:** The number and percent of LOC determinations which differ from the Phoenix system recommended LOC are verified for accuracy by a third team member. N: Number of LOC determinations which contain a third signature. D: Number of LOC determinations which differ from the Phoenix recommended LOC.

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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 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 checked="" type="checkbox"/> Continuously and ongoing	<input type="checkbox"/> Other(Specify)	
	<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 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="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

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.

Waiver functions are performed by thirteen (13) SCDHHS offices throughout the state. Each office has state employees (Area Administrators, Lead team case managers and Lead team nurse consultants and other nurse consultants). Initial assessments and level of care determinations are performed by state nurse consultants. On-going case management services are performed by contracted case managers and a limited number of state case managers. Services provided by contracted case managers are monitored by SCDHHS office state staff throughout the state. Services provided by state employees are monitored by Area Administrators, Lead team staff, and central office staff.

Phoenix tracks all applicants on the processing list to ensure eligible applicants requesting evaluations are assessed timely.

Phoenix ensures that 100% of waiver participants are assessed using the standardized assessment instrument. Phoenix recommends a level of care based on the assessment data entered which is coded against the state's level of care criteria. If the level of care recommended by Phoenix differs from the level of care determined by the team staffing, a review by the SCDHHS Office Lead Team Nurse Consultant, Lead Team Case Manager or Area Administrator is required. If the office staff is unable to determine the appropriate level of care, the case may be referred to the central office for further review or medical consultation. If the level of care is determined to be medically ineligible, input is sought from the applicant/ participant's primary care provider. If the primary care provider indicates the applicant/ participant's medical condition is unstable or the applicant/ participant has skilled needs or requires skilled services without a required functional deficit, the case is referred to the central office for final level of care review by the department's medical consultant.

Through Phoenix, management staff has the capability to run reports to determine if any LOC evaluation and/or re-evaluation determinations were not completed timely.

Waiver participation (at entry or re-evaluation) and level of care determination is not possible without completion of all modules of the assessment tool in Phoenix. The Phoenix system will not allow entry into the waiver if the initial assessment is over 30 days old. The State pulls a 100% sample size report for



designated review periods to assure Phoenix performed as programmed. Any errors found in the sample size report would be addressed immediately.

**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.

If an applicant is allowed entry into the waiver outside of a 30 day LOC determination a problem is reported in the Phoenix system. The problem is logged and tracked in the Phoenix system and reported to the Phoenix technical support group for follow-up. The Phoenix technical support group would determine and correct any issue allowing inappropriate waiver entry.

Central Office or SCDHHS Office supervisory staff across the state reviews Phoenix data (narrative, check lists, care call, etc) to discover any late LOC reevaluation problems. Once a problem has been identified by SCDHHS staff, the information is forwarded (via complaint log format in Phoenix) to the compliance department for review, resolution and/or recoupment.

The SCDHHS Office staff and/or Central Office staff notifies the case manager and his/her agency through the electronic mail system requesting remediation in order to bring the LOC current and any other corrective action that may be deemed necessary. Corrective Action Plans are forwarded to Central Office using the Agency electronic mail system. SCDHHS Offices across the state can monitor and follow-up with case manager on data generated through Phoenix quality assurance system for effectiveness of Corrective Action Plans. Actions or activities not meeting goals stated in the Corrective Action Plan will be reported to Central Office for further remediation. This may involve further training, suspension of new referrals/cases, reduction of caseloads, recoupments of payments, and termination.

The case manager will re-assess a participant if it appears that he/she requires a different level of care. If it is determined that the level of care has changed, the service plan is adjusted and a Notice of Action is sent to the participant. The participant is afforded full access to the Medicaid appeals process, which is administered by the SCDHHS Office of Legal Counsel, Regulations, and Fair Hearings.

**ii. Remediation Data Aggregation**

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

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

**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.

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## 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).

The state nurse consultant and/or case manager discusses long term care options with potentially eligible individuals (or their legal representatives) during the assessment and subsequent visits.

The state nurse consultant and/or case manager secures a freedom of choice form (Service Choice Form) from each waiver participant to ensure that the participant is involved in planning his/her long term care. This choice will remain in effect until such time as the participant changes his/her mind or participant's situation changes. If the participant lacks the physical or mental ability required to make a written choice regarding his/her care, a representative may sign the Service Choice form.

- 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

Participant Service Choice forms are maintained indefinitely in the Phoenix case management software.

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## 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):

SCDHHS is in compliance with Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons by contracting with an outside entity for a telephone interpreter service line; "Telelanguage". Each SCDHHS office across the state has this equipment available for use by nurse consultants and case managers during home visits. The agency also contracts with an outside entity for a written material translation service.

For participants in Healthy Connections Prime, the CICOs for language interpretation services meets and/or exceeds those of the state. Based upon the three-way contract between the CICOs, CMS and the state, the CICOs must ensure that services are provided in a culturally competent manner to all members, including those with limited English proficiency or reading skills, and diverse culturally and ethnic backgrounds. Interpreter services must be available for members who are not proficient in English, free of charge. The CICOs must also have a process to measure the time from which the telephone is answered to the point at which an individual reaches a member service representative capable of responding to the member's question in the member's primary language or another mode of communication in a manner that is sensitive to the member's cultural needs.

The CICO will also ensure that Network Providers and interpreters/translators are available for those individuals within the CICO's Service area who are deaf, or vision, or hearing impaired. Also, member material includes information on how members access oral interpretation services.

## 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	Adult Day Health Care	
Statutory Service	Case Management	
Statutory Service	Personal Care/ Personal Care I + II	
Statutory Service	Respite	
Other Service	Companion Care	
Other Service	Adult Day Health Care Transportation	
Other Service	Adult Day Health Care-Nursing	
Other Service	Attendant Care	
Other Service	Home Accessibility Adaptations	
Other Service	Home delivered meals	
Other Service	Personal Emergency Response System	
Other Service	Residential Personal Care II (formerly titled Community Residential Personal Assistance - CRPA)	
Other Service	Specialized Medical Equipment and Supplies	
Other Service	Telemonitoring	

## 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:**

Adult Day Health ☐

**Alternate Service Title (if any):**

Adult Day Health Care

**HCBS Taxonomy:**

**Category 1:**

**Category 2:**

**Category 3:**

**Category 4:**

**Sub-Category 1:**

**Sub-Category 2:**

**Sub-Category 3:**

**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 the 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):**

Services generally furnished five or more hours per day on a regularly scheduled basis, for one or more days per week, or as specified in the service plan, in a licensed non-institutional, community based setting, encompassing both health and social services needed to ensure the optimal functioning of the participant. This includes off-site outings and other efforts designed to provide socialization and integrate participants into the community. Meals provided as a part of these services shall not constitute a “full nutritional regimen” (3 meals per day).

**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
Agency	Adult Day Health Provider

## Appendix C: Participant Services

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

**Service Type: Statutory Service**

**Service Name: Adult Day Health Care**

**Provider Category:**

Agency ☐

**Provider Type:**

Adult Day Health Provider

**Provider Qualifications License (specify):**

Yes, Chapter 33 40-33-10 SC Code of laws

**Certificate (specify):**

**Other Standard** (*specify*):

**Providers of ADHC must have the following qualities (per 42 CFR 441.301**

**(c) (4)):**

- The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.
- The setting is selected by the individual from among setting options including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board
- Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.
- Optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.
- Facilitates individual choice regarding services and supports, and who provides them.
- Enrolled and contracted with the Medicaid agency for Adult Day Health Care

**Verification of Provider**

**Qualifications Entity**

**Responsible for Verification:**

Department of Health and Environmental Control,

Medicaid Agency

**Frequency of Verification:**

Upon enrollment and at least once every 18-24 months.

## 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: Alternate Service Title (if**

Case Management ☐

**any):**

☐

**HCBS Taxonomy:**

**Category 1:**

**Category 2:**

**Category 3:**

**Sub-Category 1:**

**Sub-Category 2:**

**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 the 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):**

Services that assist participants in gaining access to needed waiver and other State plan services, as well as medical, social, educational, and other services, regardless of the funding source for the services to which access is gained. Case managers shall be responsible for ongoing monitoring and the coordination of the provision of services included in the participant's person centered service plan. The state will claim the cost of case management furnished to institutionalized individuals prior to their transition to the waiver. Case management services for transitioning institutionalized participants may be billed up to 180 days in advance of a transition to waiver services and will be billed upon the participant's entry into the waiver.

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

Case management is an ongoing service that is billed in monthly increments.

Case management service, at a minimum, includes the following: initial visit, monthly contact, quarterly visit and re-evaluation visit. At least one of these case management activities must be completed every month and documented appropriately.

Case management agencies are not allowed to provide other direct waiver services or other services (e.g. Hospice) that are part of a participant's person centered service plan to ensure independence. Case managers are not allowed to receive any gifts or anything else of value from providers of waiver services. Also, during case management orientation, case managers are informed of conflict of interest requirements and must sign a disclosure form.

**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	Medicaid Agency
Agency	Case Management Agency

## Appendix C: Participant Services

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

**Service Type:** Statutory Service

**Service Name:** Case Management

**Provider Category:**

Agency ☐

**Provider Type:**

Medicaid Agency

**Provider Qualifications**

**License** (*specify*):

Registered Nurse or Licensed Social Worker. Code of laws 40-33-10 et seq

**Certificate** (*specify*):

**Other Standard** (*specify*):

**Verification of Provider Qualifications**

**Entity Responsible**

**for Verification:**

Medicaid agency

**Frequency of Verification:**

Upon enrollment and at least once every 24 months

## Appendix C: Participant Services

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

**Service Type:** Statutory Service

**Service Name:** Case Management

**Provider Category:**

Agency ☐

**Provider Type:**

Case Management Agency

**Provider Qualifications**

**License** (*specify*):

☐

**Certificate** (*specify*):

☐

**Other Standard** (*specify*):

Effective September 1, 2016, SCDHHS is revising the case management service. Routine case management will be provided by a contracted case management agency with four (4) or more employees, two (2) of which must be a licensed Social Worker; or have a Bachelor's degree or Master's degree with at least two years of assessment and care planning experience with clients.. Case management providers contracted prior to September 1, 2016, may continue to provide case management activities to participants served under this waiver.

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

Medicaid Agency

**Frequency of Verification:**

Upon enrollment and 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:**Personal Care ☐**Alternate****Service Title**

(if any):

Personal Care/

Personal Care I

+ II

**HCBS Taxonomy:****Category 1:****Category 2:****Category 3:****Category 4:****Sub-Category 1:****Sub-Category 2:****Sub-Category 3:****Sub-Category 4:**

☒ Service is included in the 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):**

A service designed to enable waiver participants to accomplish tasks that they would normally do for themselves if they did not have a disability. This assistance may take the form of hands-on assistance (performing a task for the person) or cuing to prompt the participant to perform a task. Such assistance may include assistance in activities of daily living (bathing, dressing, toileting, transferring, maintaining continence, etc.). These services in activities of daily living are referred to as Personal Care II services. This assistance may also include assistance with instrumental activities of daily living (light housework, laundry, meal preparation, grocery shopping, and using the telephone). These services are referred to as Personal Care I. South Carolina has established different rates for these two components of personal care. Personal care services may be provided on an episodic or on a continuing



basis. Personal care services may be furnished outside the home, and/or to assist a person to function in the work place or as an adjunct to the provision of employment services, based on the determination of its need by case managers.

**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
Agency	Licensed Personal Care Agency

## Appendix C: Participant Services

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

**Service Type:** Statutory Service

**Service Name:** Personal Care/ Personal Care I + II

**Provider Category:**

Agency ☐

**Provider Type:**

Licensed Personal Care Agency

**Provider Qualifications**

**License** (*specify*):

- ☐ Providers of Personal Care Services must meet the Standards for Licensing In-Home Care Providers as outlined in SC Code of Laws, Section 44-70-10 et seq. ☐
- ☐

**Certificate** (*specify*):

- ☐
- ☐

**Other Standard** (*specify*):

Contract Scope of services

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid Agency

SC Department of Health and Environmental Control

**Frequency of Verification:**

Upon enrollment and at least once 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:**

Respite ☐

**Alternate****Service Title**

(if any):

☐**HCBS Taxonomy:****Category 1:****Category 2:****Category 3:****Category 4:****Sub-Category 1:****Sub-Category 2:****Sub-Category 3:****Sub-Category 4:**

☒ Service is included in the 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):**

Services provided to participants unable to care for themselves that are furnished on a short-term basis because of the absence or need for relief of those persons who normally provide care for the participant. Federal financial participation is not being claimed for the cost of room and board except when provided, as part of respite care furnished in a facility approved by the State that is not a private residence. Respite care and federal financial participation for room and board may be furnished and claimed in a Medicaid certified nursing facility, hospital or community residential care facility. Respite may also be provided in the participant's home but federal financial participation for room and board will not be claimed in the in-home setting.

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

This service is limited to 28 days of respite per year outside of the home. Of those 28 days, no more than 14 days will be allowed in a hospital or nursing facility.

In-home respite will not exceed two days in a week and no more than eight total days of in-home respite will be allowed in any year.

**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	Hospital
Agency	Community Residential Care Facility
Agency	Agency Respite Provider
Individual	Individual Respite Provider
Agency	Nursing Facility

## Appendix C: Participant Services

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

**Service Type:**  
Statutory Service

**Service Name:** Respite

**Provider Category:**

Agency ☐

**Provider Type:**

Hospital

**Provider Qualifications**

**License** (*specify*):

Yes, SC Code, Sec. 44-7-260 Reg. #61-16, Equivalent for NC  
& GA

**Certificate** (*specify*):

☐

**Other Standard** (*specify*):

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid Agency  
Department of Health and Environmental Control

**Frequency of Verification:** Upon enrollment;  
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:**

Community Residential Care Facility

**Provider Qualifications**

**License** (*specify*):

Yes, SC Code, Sec. 44-7-260 Reg. #61-84, Equivalent for NC  
& GA

**Certificate** (*specify*):

☐☐

**Other Standard** (*specify*):

☐☐

**Verification of Provider**

**Qualifications Entity**

**Responsible for Verification:**

Medicaid Agency,  
Department of Health and Environmental Control

**Frequency of Verification:**

Upon Enrollment; 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 Respite Provider

**Provider Qualifications**

**License** (*specify*):

☐

**Certificate** (*specify*):

☐

**Other Standard** (*specify*):

Contract Scope of services

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

**Frequency of Verification:**

At least once every eighteen months

## Appendix C: Participant Services

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

**Service Type: Statutory**

**Service**

**Service Name: Respite**

**Provider**

**Category:**

Individual

☐

**Provider Type:**

Individual Respite Provider

**Provider**

**Qualifications**

**License**

(*specify*):

**Certificate** (*specify*):

**Other Standard** (*specify*):

Respite caregivers must be at least 18 years of age, capable of following a plan of service with minimal supervision, be free from communicable diseases, and be able to demonstrate a competency in caring for the participant.

**Verification of Provider Qualifications**

**Entity Responsible for**

**Verification:**

Medicaid Agency

**Frequency of**

**Verification:**

Upon Enrollment;

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:**

Nursing Facility

**Provider Qualifications**

**License** (*specify*):

Yes, SC Code, Sec. 44-7-250 Reg. #61-17, Equivalent for NC & GA

**Certificate** (*specify*):

**Other Standard** (*specify*):

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid Agency,

Department of Health and Environmental Control

**Frequency of Verification:**

Upon enrollment, 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** Companion

Care

#### HCBS Taxonomy:

##### Category 1:

##### Category 2:

##### Category 3:

##### Category 4:

##### Sub-Category 1:

##### Sub-Category 2:

##### Sub-Category 3:

##### Sub-Category 4:

☒ Service is included in the 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):

Non-medical care, supervision and socialization, provided to a functionally impaired adult. Companions may assist or supervise the participant with such tasks as meal preparation, laundry and shopping. The provision of companion services does not entail hands-on care. Providers may also perform light housekeeping tasks that are incidental to the care and supervision of the participant. This service is provided in accordance with a therapeutic goal in the service plan.

**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	Individual Companion chosen by participant
Agency	Companion Provider

**Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Companion Care****Provider Category:**  
Individual☐**Provider Type:**

Individual Companion chosen by participant

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

Companions will be at least 18 years of age, capable of following a plan of service with minimal supervision, be free from communicable diseases, and be able to demonstrate a competency in caring for the participant.

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

Licensed nurse employed by a contracted entity

**Frequency of Verification:**

Upon Enrollment and annually

**Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Companion Care****Provider Category:**Agency ☐**Provider Type:**

Companion Provider

**Provider Qualifications****License** *(specify):*



☐

**Certificate** (*specify*):

☐

**Other Standard** (*specify*):

Contracted scope of services

**Verification of Provider**

**Qualifications Entity**

**Responsible for Verification:**

Medicaid agency

**Frequency of Verification:**

Upon enrollment and at least once every 18 months.

## 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:**

Adult Day Health Care

Transportation

**HCBS Taxonomy:**

**Category 1:**

☐

**Category 2:**

☐

**Category 3:**

☐

**Category 4:**

☐

**Sub-Category 1:**

☐

**Sub-Category 2:**

☐

**Sub-Category 3:**

☐

**Sub-Category 4:**

☐

☒ Service is included in the 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*):

Service offered in order to enable waiver participants to gain access to adult day health services. This service is offered to participants residing within 15 miles of the adult day health site. This service is offered in addition to medical

transportation required under 42 CFR §431.53 and transportation services under the State plan, defined at §440.170(a) (if applicable), and does not replace them. Transportation services under the waiver are offered in accordance with the participant's service plan. Whenever possible, family, neighbors, friends or community agencies, which can provide this service without charge, are utilized.

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

The transportation service is offered to participants who reside within 15 miles of the adult day health site.

**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	Adult Day Health Care

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Adult Day Health Care Transportation**

**Provider Category:**

Agency ☐

**Provider Type:**

Adult Day Health Care

**Provider**

**Qualifications**

**License**

(*specify*):

Yes, Chapter 33 40-33-10 SC Code of laws

**Certificate** (*specify*):

**Other Standard** (*specify*):

Enrolled and contracted with the Medicaid agency for Adult Day Health Care Transportation

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Department of Health and Environmental Control,

Medicaid Agency

**Frequency of Verification:**

Annually and at least once every 18 -24 months.

## 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:

Adult Day Health Care-Nursing

#### HCBS Taxonomy:

##### Category 1:

05 Nursing

##### Sub-Category 1:

05020 skilled nursing

##### Category 2:

##### Sub-Category 2:

##### Category 3:

##### Sub-Category 3:

##### Category 4:

##### Sub-Category 4:

☒ Service is included in the 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 service is provided at Adult Day Health Care Centers (ADHC) by a licensed nurse, on a day that the participant is attending Medicaid sponsored ADHC. Nursing service procedures are limited to ostomy care, urinary catheter care, decubitus and/or wound care, tracheostomy care, tube feedings, and nebulizer treatments that require medication. This service must be ordered by a physician to meet the participant's care needs.

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

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

#### 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:**

<b>Provider Category</b>	<b>Provider Type Title</b>
Agency	Adult Day Health Care

**Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Adult Day Health Care-Nursing****Provider Category:**Agency ☐**Provider Type:**

Adult Day Health Care

**Provider Qualifications****License** (*specify*):

Yes, Code of laws 40-33-10 et seq

All ADHC Nursing services must be provided within the scope of the South Carolina Nurse Practice Act or as otherwise provided within State law. Providers in bordering states must comply with all laws applicable to the provision of nursing services in that state.

**Certificate** (*specify*):**Other Standard** (*specify*):

Contract Scope of Services

**Verification of Provider Qualifications****Entity Responsible for****Verification:**Department of Health and  
Human Services**Frequency of Verification:**

Upon Enrollment and at least once every 18-24 months

**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:**

Attendant Care

**HCBS Taxonomy:**

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

☒ Service is included in the 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*):

Hands-on care of both a supportive and health related nature. Supportive services are those which substitute for the absence, loss, diminution, or impairment of a physical or cognitive function. This service may include skilled or nursing care to the extent permitted by state law. Limited housekeeping activities, which are incidental to the performance of care, may also be furnished as part of this activity.

**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	Individual Attendant chosen by waiver participant

## Appendix C: Participant Services

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

Service Type: Other Service

Service Name: Attendant Care

Provider  
Category:

Individual

☐

**Provider Type:**

Individual Attendant chosen by waiver participant

**Provider Qualifications**

**License** (*specify*):

**Certificate** (*specify*):

**Other Standard** (*specify*):

Attendants will be at least 18 years of age, capable of following a plan of service with minimal supervision, be free from communicable diseases, and be able to demonstrate a competency in caring for the participant.

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

Licensed nurse employed by a contracted entity

**Frequency of Verification:**

Upon Enrollment; 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:**

Home Accessibility

Adaptations

**HCBS Taxonomy:**

**Category 1:**

**Sub-Category 1:**

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Category 4:**

**Sub-Category 4:**

☒ Service is included in the 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 physical adaptations, including pest control, to the private residence of the participant or the participant's family, required by the participant's service plan, that are necessary to ensure the health, welfare and safety of the participant or that enable the participant to function with greater independence in the home. Such adaptations include the installation of ramps and grab-bars, widening of doorways, modification of bathroom facilities, heating and air units, and the installation of specialized electric and plumbing systems that are necessary to accommodate the medical equipment and supplies that are necessary for the welfare of the participant.

Excluded are those adaptations or improvements to the home that are of general utility, and are not of direct medical or remedial benefit to the participant. Adaptations that add to the total square footage of the home are excluded from this benefit. All adaptations are prior authorized. Experimental or prohibited treatments are not covered.

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

There is a lifetime cap of \$7,500 per participant. Pest control is done as needed up to a maximum of quarterly and is excluded from the lifetime cap.

**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	Licensed Business
Agency	Building Contractor

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Home Accessibility Adaptations**

**Provider Category:**

Agency ☐

**Provider Type:**

Licensed Business

**Provider Qualifications License** (*specify*):

Code of laws for businesses in the state of South Carolina.

**Certificate** (*specify*):

☐

☐

**Other Standard** (*specify*):

☐

☐

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency through Clemson

Extension services

**Frequency of Verification:**

Upon enrollment and annually

## Appendix C: Participant Services

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

**Service Type:** Other Service

**Service Name:** Home Accessibility Adaptations

**Provider Category:**

Agency ☐

**Provider Type:**

Building Contractor

**Provider Qualifications**

**License** (*specify*):

Code of laws, 1976 as amended 40-59-15 et seq.

**Certificate** (*specify*):

☐

☐

**Other Standard** (*specify*):

☐

☐

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

Labor, Licensing, and Regulation

(LLR)

**Frequency of Verification:**

Upon enrollment and at least once 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:** Home delivered meals

#### HCBS

##### Taxonomy:

##### Category 1:

##### Sub-Category 1:

##### Category 2:

##### Sub-Category 2:

##### Category 3:

##### Sub-Category 3:

##### Category 4:

##### Sub-Category 4:

☒ Service is included in the 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):

Meals delivered to the participant's residence providing a minimum of one-third of the current recommended dietary allowance. These can be hot, shelf-stable, refrigerator fresh or blast frozen meals.

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

A maximum of 14 meals per week may be provided to a waiver participant.

#### 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	Meals providers

**Appendix C: Participant Services****C-1/C-3: Provider Specifications for Service****Service Type: Other Service****Service Name: Home delivered meals****Provider Category:**Agency ☐**Provider Type:**

Meals providers

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

Contracted Scope of Service

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

Medicaid Agency

**Frequency of Verification:**

Upon enrollment and at least once every 24 months.

**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:**

Personal Emergency Response

System

**HCBS Taxonomy:****Category 1:****Sub-Category 1:**

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Category 4:**

**Sub-Category 4:**

☒ **Service is included in the 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*):

Personal Emergency Response System (PERS) is an electronic device that enables waiver participants to secure help in an emergency. The participant may also wear a portable “help” button to allow for mobility. The system is programmed to signal a response center once a “help” button is activated. The service includes installation, participant instruction and maintenance of devices/systems. The response center is staffed by trained professionals.

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

Participants must be alone six or more hours of the day. In extraordinary cases, exceptions may be made to allow for participants not meeting the six hour requirement.

**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	Emergency Response provider

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Personal Emergency Response System**

**Provider Category:**

Agency ☐

**Provider Type:**

Emergency Response provider

**Provider Qualifications**

**License** (*specify*):

☐ 

**Certificate** (*specify*):

☐ 

**Other Standard** (*specify*):

1. FCC Part 68
2. UL (Underwriters Laboratories) and/or ETL (Equipment Testing Laboratories) approved as a “health care signaling product.”
3. The product is registered with the FDA as a medical device under the classification “powered environments control signaling product.”

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

**Frequency of Verification:**

Upon enrollment

## 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:**

Residential Personal Care II (formerly titled Community Residential Personal Assistance – CRPA)

**HCBS Taxonomy:**

**Category 1:**

**Category 2:**

**Category 3:**

**Category 4:**

**Sub-Category 1:**

**Sub-Category 2:**

**Sub-Category 3:**

**Sub-Category 4:**

☒ Service is included in the 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*):

A service designed to enable waiver participants living in Community Residential Care Facility (CRCF) to accomplish tasks that they would normally do for themselves if they did not have a disability. This assistance may take the form of hands-on assistance (performing a task for the person) or cuing to prompt the participant to perform a task. Such assistance may include assistance in activities of daily living (bathing, dressing, toileting, transferring, maintaining continence, etc.). Residential Personal Care II services may be provided on an intermittent or on a continuing basis.

This service (Residential Personal Care II, formerly known as Community Residential Personal Assistance - CRPA) is added instead of adding the provider as a provider type under Personal Care services because providing care in this setting does have differences from providing care in a home setting. For example, personal care providers include substantial travel time in their caregiving. Also, some components of the personal care service are provided as part of routine CRCF care and we do not want to duplicate those features. Also, provider requirements for personal care will be slightly different to reflect the different setting of services.

The service is not available to people not in the RCF setting. People not in this setting can receive personal care services which provide the same assistance with activities of daily living.

**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
Agency	Community Residential Care Facility (CRCF)

## Appendix C: Participant Services

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

**Service Type:** Other Service

**Service Name:** Residential Personal Care II (formerly titled Community Residential Personal Assistance - CRPA)

**Provider Category:**

Agency ☐

**Provider Type:**

Community Residential Care Facility (CRCF)

**Provider Qualifications**

**License** (*specify*):

Meet all current state licensure standards and maintain a current license from the Department of Health and Environmental Control (DHEC) as a CRCF

**Certificate** (*specify*):

None

**Other Standard** (*specify*):

Contract Scope of Services

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

State Medicaid Agency

**Frequency of Verification:**

A minimum of 18 months

## 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 Equipment  
and Supplies

**HCBS Taxonomy:**

**Category 1:**

**Sub-Category 1:**

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Category 4:**

**Sub-Category 4:**

☒ Service is included in the 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 equipment and supplies include transfer benches, shower chairs, raised toilet seats, hand held shower heads, which are necessary medical supplies, used to address participants' functional limitations but not offered under the State plan. Up to two cases of oral nutritional supplements per month may be provided based on state defined medical necessity criteria.

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

Nutritional Supplements: Up to two cases per month based on State defined medical necessity criteria.

**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	Licensed Business

## Appendix C: Participant Services

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

**Service Type:** Other Service

**Service Name:** Specialized Medical Equipment and Supplies

**Provider Category:**

Agency ☐

**Provider Type:**

Licensed Business

**Provider Qualifications License**

(*specify*):

Licensed to do business in the state of  
South Carolina

**Certificate** (*specify*):

**Other Standard** (*specify*):

Criteria established in Community Long Term Care provider manual

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

**Frequency of Verification:**

Upon  
enrollment

## 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:**

Telemonitoring

**HCBS Taxonomy:**

**Category 1:**

**Sub-Category 1:**

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Category 4:**

**Sub-Category 4:**

☒ Service is included in the 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*):

Telemonitoring is a daily monitoring service that utilizes innovative technologies that measure and monitor the health status of at-risk waiver participants. This is done remotely by utilizing either existing phone lines or wireless communication technology for collecting and transmitting physiological data between the provider and participant. Home telemonitoring equipment must be able to record, at a minimum, body weight, blood pressure, oxygen saturation, blood sugar, and basic heart rate information. Any transmission to a remote computer must be toll-free and automatically alerts monitoring staff to abnormal readings. The waiver participants receiving this service must receive at least a monthly call to ensure the information



received from the system is accurate and that appropriate follow up is completed to avoid medical complications.

Telemonitoring equipment must be located in the participant's residence and must be, at a minimum, an FDA Class II Hospital grade medical device that includes a computer monitor that is programmable for a variety of disease states and for rate and frequency. It must also have a digital scale that measures accurately up to 500 pounds, be adaptable to fit a glucometer and a blood pressure cuff. It must also contain the ability to measure oxygen saturation. Telephones, facsimile machines, and electronic mail systems do not alone meet the requirements of the definition of telemonitoring, but may be utilized as a component of the telemonitoring system. The maintenance, repair and/or replacement of any damaged telemonitoring equipment is the sole responsibility of the provider and is not a reimbursable Medicaid service. The daily reimbursement rate for this service is inclusive of monitoring of data, charting data from the monthly monitoring, visits or calls made to the home to follow up with participants, phone calls made to primary care physician(s) that are necessary while the participant is receiving the telemonitoring service, all installation of the equipment in the home, and training on its use and care while the equipment is in the participant's residence.

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

1. Providers of the telemonitoring service must be located within the state of South Carolina or within 25 miles of the border and be contracted with the state Medicaid agency to provide the telemonitoring service.
2. Participants receiving the telemonitoring service must have a primary care physician that approves the use of the telemonitoring service and is solely responsible for receiving and acting upon the information received via the telemonitoring service.
3. Participants must be waiver eligible and meet State established medical criteria.

**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	Nursing Agency
Agency	Personal Care Agency
Agency	Home Health Agency
Agency	Telemonitoring Provider

## Appendix C: Participant Services

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

Service Type: Other Service

Service Name: Telemonitoring

Provider Category:

Agency ☐

**Provider Type:**

Nursing Agency

**Provider Qualifications**

**License** (*specify*):

**Certificate** (*specify*):

**Other Standard** (*specify*):

Contract

Scope of services

**Verification of Provider Qualifications**

**Entity Responsible for**

**Verification:**

Medicaid agency

**Frequency of Verification:**

Upon enrollment and at least one every 18 months.

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Telemonitoring**

**Provider Category:**

Agency ☐

**Provider Type:**

Licensed Personal Care Agency

**Provider Qualifications**

**License** (*specify*):

Providers of Personal Care Services must meet the Standards for Licensing In-Home Care Providers as outlined in SC Code of Laws, Section 44-70-10 et seq.

**Certificate** (*specify*):

**Other Standard** (*specify*):

Contract

Scope of service

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

SC Department of Health and

Environmental Control (DHEC)

**Frequency of Verification:**

Upon enrollment and at least once every 18 months

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Telemonitoring**

**Provider Category:**

Agency ☐

**Provider Type:**

Home Health Agency

**Provider Qualifications License**

*(specify):*

Providers of Home Health Services must meet the Standards for Licensing Home Health Care Providers as outlined in SC Code of Laws, Section 44-69-30 et seq. ☐

**Certificate *(specify):***

**Other Standard *(specify):***

Contract

Scope of service

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Medicaid agency

**Frequency of Verification:**

Upon enrollment and at least once every 18 months.

## Appendix C: Participant Services

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

**Service Type: Other Service**

**Service Name: Telemonitoring**

**Provider Category:**

Agency ☐

**Provider Type:**

Telemonitoring Provider

**Provider Qualifications**

**License *(specify):***

**Certificate *(specify):***

**Other Standard *(specify):***

Contract

Scope of services

**Verification of Provider**

**Qualifications Entity**

**Responsible for Verification:**

Medicaid Agency

**Frequency of Verification:**

Upon enrollment and at least once every 18 months.

## 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:

## 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):

Nursing Homes, Community Residential Care Facilities, Home Health Agencies, Adult Day Health Care agencies and Personal care agencies are all required by law to have background checks done on direct care staff (personal care agencies must also conduct background checks on all staff). These are state level investigations performed by South Carolina Law Enforcement (SLED checks) for each of the agencies above that hire and recruit direct care staff. The State Department of Health and Environmental Control performs licensure inspections incorporating the requirement that all direct care staff of these agencies have the required background check.

For the services of companion, attendant, telemonitoring, and case management the contract or enrollment agreement signed by the provider requires state level background checks for administrative

and direct care personnel. In all cases, SCDHHS has a staff member devoted to reviewing waiver service providers' records to ensure that background checks have been performed by the agencies.

- 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):

## 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).**

- i. **Types of Facilities Subject to §1616(e).** Complete the following table for each type of facility subject to §1616(e) of the Act:

Facility Type	
CRCF	

- ii. **Larger Facilities:** In the case of residential facilities subject to §1616(e) that serve four or more individuals unrelated to the proprietor, describe how a home and community character is maintained in these settings.

A Community Residential Care Facility (CRCF) is a homelike, non-institutional setting that includes a 24-hour on-site response capability to meet resident's personal care and other assistance as needed with ADLs and IADLs, but does not provide round the-clock skilled nursing services. CRCF generally provide less intensive care than nursing facilities and emphasize resident privacy. The CRCF requirements ensure a homelike, social model, community-based environment.

Requirements include:

- A common living room with adequate space for all residents;
- A dining area and kitchen;
- Double occupancy bedrooms, with requirements for adequate bedroom space
- Provides for privacy and easy access to resources and unscheduled activities in the community.
- Residents should have the opportunity for visitors at times of preference and convenience to them.
- As a CRCF resident you have the right to be treated with dignity and respect, to have freedom of choice, and a physical environment that is safe, secure, sanitary and well maintained.

Through the Optional State Supplementation Program room and board payments are made to contracted facilities on behalf of the residents.

The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord/tenant law of the State, county, city or other designated entity.

Units have lockable entrance doors, with appropriate staff having keys to doors.

Residents have the freedom of choice to request a room change. State licensure requirements Reg.61-84. Please see link <http://www.scdhec.gov/administration/regs/docs/61-84.pdf> Section 2702 Residents Room

Individual rooms are available for those who wish to pay the additional amount.

Individuals have the freedom to furnish and decorate their sleeping or living units. Please see South Carolina Regs.61-84. Website listed above.

Residents have the choice to have their own dorm room size refrigerator or freedom of support from facility staff. Individuals have access to food at all times.

Individuals have the freedom to choose and control their own activities.

Individuals are able to have visitors of their choosing at any time.

Facilities have to complete an ADA compliance list in order to participate in the waiver. The setting is physically accessible to individuals.

All facilities receive an onsite visit to ensure compliance with HCBS setting standards prior to enrollment into the waiver to any one residing in the facility. Periodic follow up visits are made.

Under the respite service in the waiver, RCFs are one allowable place for respite care. This is intended for people who live in their own homes and need respite; not for those in RCFs.

## Appendix C: Participant Services

### C-2: Facility Specifications

#### Facility Type:

CRCF

#### Waiver Service(s) Provided in Facility:



Waiver Service	Provided in Facility
Adult Day Health Care-Nursing	<input type="checkbox"/>
Home Accessibility Adaptations	<input type="checkbox"/>
Respite	
Adult Care Home Service	<input type="checkbox"/>
Case Management	<input checked="" type="checkbox"/>

Specialized Medical Equipment and Supplies	<input type="checkbox"/>
Personal Emergency Response System	<input type="checkbox"/>
Telemonitoring	<input type="checkbox"/>
Adult Day Health Care Transportation	<input type="checkbox"/>
Home delivered meals	<input type="checkbox"/>
Residential Personal Care II (formerly titled Community Residential Personal Assistance - CRPA)	<input checked="" type="checkbox"/>
Adult Companion Care	<input type="checkbox"/>
Attendant Care	<input type="checkbox"/>
Nursing Home Transition Service	<input type="checkbox"/>
Adult Day Health Care	<input type="checkbox"/>
Personal Care/ Personal Care I + II	<input checked="" type="checkbox"/>

**Facility Capacity Limit:** 200

**Scope of Facility Standards.** For this facility type, please specify whether the State's standards address the following topics (*check each that applies*):

Scope of State Facility Standards	
Standard	Topic Addressed
Admission policies	<input checked="" type="checkbox"/> <input type="checkbox"/>
Physical environment	<input checked="" type="checkbox"/> <input type="checkbox"/>
Sanitation	<input checked="" type="checkbox"/> <input type="checkbox"/>
Safety	<input checked="" type="checkbox"/> <input type="checkbox"/>
Staff : resident ratios	<input checked="" type="checkbox"/> <input type="checkbox"/>
Staff training and qualifications	<input checked="" type="checkbox"/> <input type="checkbox"/>
Staff supervision	<input checked="" type="checkbox"/> <input type="checkbox"/>
Resident rights	<input checked="" type="checkbox"/> <input type="checkbox"/>
Medication administration	<input checked="" type="checkbox"/> <input type="checkbox"/>
Use of restrictive interventions	<input checked="" type="checkbox"/> <input type="checkbox"/>

Incident reporting	<input checked="" type="checkbox"/> 
Provision of or arrangement for necessary health services	<input checked="" type="checkbox"/> 

**When facility standards do not address one or more of the topics listed, explain why the standard is not included or is not relevant to the facility type or population. Explain how the health and welfare of participants is assured in the standard area(s) not addressed:**

## 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.*



- 
- ☐ **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:

Reimbursement for services may be made to certain family members who meet South Carolina Medicaid provider qualifications. The following family members may not be reimbursed: the spouse of a Medicaid participant; a parent of a minor Medicaid participant; a step-parent of a minor Medicaid participant; a foster parent of a minor Medicaid participant; and, any other legally responsible guardian of a Medicaid participant. All other qualified family members may be reimbursed for their provision of the services listed above. Should there be any question as to whether a paid caregiver falls in any of the categories listed above, SCDHHS legal counsel will make a determination. South Carolina monitors the provision of services through Electronic Visit Verification (EVV) system linked directly to the service authorization in place for anyone receiving services to verify that payments are only made for services that are rendered to the participant.

- 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: Potential providers are given the opportunity to enroll/contract with the South Carolina Medicaid agency (SCDHHS). Potential providers are made aware of the requirements for enrollment through: (1) The agency's website and, (2) contacting the Medicaid agency directly. Potential providers are directed to SCDHHS website to complete an online application. Some services specified in this waiver require a pre-contractual review and signed contract for enrollment as a provider. Once a potential provider has signed a contract or an enrollment application, enrollment with DHHS occurs.
- In order to serve waiver participants enrolled with CICOs that have passed the necessary benchmark reviews to move to Phase 2 of the Healthy Connections Prime demonstration, the providers of waiver services other than self-directed attendant care will also contract with each CICO. However, self-directed attendant care providers will continue to contract only with the state Medicaid agency. Waiver services providers who do not contract with any CICO may continue to serve waiver participants who are not enrolled in Healthy Connections Prime.

## 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:** For all applicable providers, the number and percent of potential providers who meet the initial application criteria (e.g., liability, workers compensation insurance, documentation of financial stability, nursing licenses, DHEC licensures) (ADHC, Personal Care, E-mods, Pest Control, Respite) N: the number of potential providers who meet initial application criteria. D: total number of potential providers

**Data Source** (Select one): Other

**Presentation of policies or procedures**

If 'Other' is selected, specify:

Provider sign in sheets or provider records

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

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

**Performance Measure:** The number and percent of providers' performance monitored on an ongoing basis through unannounced on-site reviews by waiver staff. **N:** number of providers reviewed. **D:** total number of providers

**Data Source** (Select one):

Other

**Presentation of policies or procedures**

If 'Other' is selected, specify:

Provider compliance reports

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

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies)</b>
---	---

<input checked="" type="radio"/> State Medicaid Agency	<input type="radio"/> Weekly
<input type="radio"/> Operating Agency	<input type="radio"/> Monthly
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="radio"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="radio"/> Continuously and ongoing
	<input type="radio"/> Other (Specify)

**Performance measure:** The number of provider complaints and the percentage of those complaints that were acted on that were logged in the State's case management system, Phoenix, which is utilized to document complaints  
**N:** The number of provider complaints acted on that were logged into Phoenix  
**D:** Total number of provider complaints received

**Data Source** (Select one):

Other

**Presentation of policies or procedures**

If 'Other' is selected, specify:

Phoenix

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

**Data Aggregation and Analysis:**

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

- 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: For applicable providers, the number and percent of non-licensed/non certified provider applicants, by provider type who meet initial waiver qualifications. N: number of non-licensed/non-certified providers who meet initial qualifications D: total number of non-licensed/non-certified providers who applied**

**Data Source** (Select one):

Other

If 'Other' is selected, specify:

Provider sign in sheets or provider records

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

**Performance Measure:** For applicable providers, the number and percent of non-licensed/non certified waiver providers, by provider type (case management, nursing, PERS, HDMs, attendants/companions), that continue to meet waiver provider qualifications. N: number of non-licensed/non-certified providers that continue to meet waiver provider qualifications D: total number of non-licensed/non-certified providers

**Data Source** (Select one):

Other

If 'Other' is selected, specify:

**Provider compliance reviews**

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 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)
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<input checked="" type="radio"/> State Medicaid Agency	<input type="radio"/> Weekly
<input type="radio"/> Operating Agency	<input type="radio"/> Monthly
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="radio"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="radio"/> Continuously and ongoing
	<input type="radio"/> 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: The average number of hours of provider training conducted per quarter**

**Data Source** (Select one):

Other

If 'Other' is selected, specify:

**Meeting/training agenda**

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

**Data Aggregation and Analysis:**

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

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.

SCDHHS has a dedicated position to review Medicaid provider records every 18 months at a minimum, or more often as needed, to ensure that proper service authorizations are on file, provider personnel meet standards required in provider contracts, and ongoing compliance with 1915(i) State Plan HCBS 5-Year Period for Waivers, Provider Payment Reassignment, Setting Requirements for Community First Choice and 1915 (c) HCBS Waivers (Final Rule) regulations. Additionally, all providers are required to complete training with SCDHHS before their enrollment with South Carolina Medicaid.

The reviewer completes a preliminary report of findings. The findings are considered by SCDHHS, and then a written response of explanation and corrective action is requested from the provider. SCDHHS then reviews and approves the corrective action plan. Providers who fail to meet the contract requirements may be suspended from accepting new waiver referrals, or, if the deficiencies warrant, may be terminated. Suspension for new referrals will be for a defined time period depending upon the severity of the identified deficiencies. In all cases providers must submit a Plan of Correction prior to the suspension being lifted. Corrective action plans are reviewed and approved if appropriate. Each contract period, provider meetings are held to discuss contract changes and to review appropriate provider conduct. The state utilizes a database, Phoenix, to document provider reviews.

**ii. Remediation Data Aggregation**

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



	✓ Continuously and ongoing	○ Other Specify	
	○ 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)
✓ State Medicaid Agency	○ Weekly
○ Operating Agency	○ Monthly
○ Sub-State Entity	○ Quarterly
○ Other (Specify)	○ Annually
	✓ Continuously and ongoing
	○ Other (Specify)

**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, HCB Settings Waiver Transition Plan for description of settings that do not meet requirements at the time of submission. Do not duplicate that information here.*

The majority of participants in this waiver reside in their own private homes. Therefore, it is presumed that these settings meet the home and community based setting requirements.

This waiver specific transition plan is located under attachment #2 and can also be found on the agency's website (www.scdhhs.gov)."

## Appendix D: Participant-Centered Planning and Service Delivery

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

State Participant-Centered Service Plan Title:

#### Person Centered Service 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:*

	<input type="checkbox"/>
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- ☐ Social Worker
- Specify qualifications:*

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

☐ Other

*Specify the individuals and their qualifications:*

	<input type="checkbox"/>
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## Appendix D: Participant-Centered Planning and Service Delivery

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### 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

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### 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.

SCDHHS currently operates under a participant-centered philosophy in all stages of program design in which participants maintain a high level of choice and control. Each participant is involved in the service planning and implementation process and may also include any other person(s) of their choice in this process.

The case manager discusses with the participant and/or the participant's designee their choices between home care and institutional services. When home and community based services are chosen, the case manager informs the participant of available waived services and waived service providers. An integral part of the person-centered process is the partnership between the agency and the participant and/or their designee. The Rights and Responsibilities document, which is signed by the participant, and/or his/her designee, and the case manager, provides meaningful information to let the participant know that he/she can participate in the service plan development. The meaningful information that is shared in the Participant Rights and Responsibilities is denoted below:

- To participate fully in the assessment and in developing the person-centered service plan
- To be able to choose services and providers
- To participate in and have control over their services
- To assume risk and be willing to assume responsibility for the consequences of that risk
- To complain about the services received

Another method of providing meaningful information is when the person-centered service plan is reviewed with the participant and/or the participant's designee during each contact by the case manager. This gives the participant and/or his/her designee the opportunity to present any changes they would like to make to their person centered service plan.

In addition, the Service Plan Agreement form provides another method of meaningful information. This form is signed by the participant and/or his/her designee at the first visit after entry into the waiver and the first visit after the annual reevaluation. This signature confirms their participation in the development of their person centered service plan, as well as their right to choose providers that best meet their needs.

Throughout the person centered planning process, the case manager supports the participant and/or his/her designee and connects them to necessary resources to address their needs. If the participant/designee is not satisfied with the case manager's performance, he/she can contact the lead team case manager in his/her SCDHHS office.

For all participants, the State retains final authority for care plan development. For participants in Phase II of the Healthy Connections Prime HCBS transition, the CICOs will develop care plans for state concurrence and under State Medicaid Agency oversight with an arbitration process for disputes through the independent ombudsman program. This will ensure that optimal levels of home and community based services are provided to persons enrolled in Healthy Connections Prime.

## **Appendix D: Participant-Centered Planning and Service Delivery**

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### **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):

Completion, implementation, and monitoring of the service plan is a function of the case manager. During the initial person centered service plan development, the case manager and nurse consultant meet to discuss the assessment information for service plan development and to enter the participant into community case management. After the team conference with the nurse consultant, the case manager contacts the participant and/or his/her designee and arranges a time for service plan completion. Thereafter, person-centered service plan development for re-evaluations are developed by SCDHHS case managers and provider case managers with the participant and/or his/her designee. Active participation and planning with the participant and/or his/her designee regarding participant's long-term care is an integral part of the CLTC program. Development of a realistic and thorough service plan and its implementation in the community involves numerous contacts with the participant and/or his/her designee as well as other agencies providing services to the participant, extensive planning and coordination.

Using the assessment tool that encompasses a comprehensive review of the participant's needs, preferences, goals, health status and strengths, the development of a realistic and thorough person-centered service plan and its implementation in the community is completed. The service planning process allows for participation of the participant and/or their designee, physician, service providers, CLTC Case management team, any other identified person(s) at the participant request and CICO representative(s) for participants enrolled in Prime who have passed the necessary benchmark reviews to move to Phase 2 of the HCBS transition under the Prime demonstration.

Service planning provides the involved person(s) with information necessary to make an informed choice regarding location of care and services to be utilized. The case manager confers with the participant and/or his/her designee or other permitted caregiver supports concerning needs and to provide information that will assist them in making sound long term care decisions. The service counseling process includes educating the participant and/or his/her designee with the long term care options available to them and ensuring the participant's right to be involved in planning his/her care. The various service options and their expected

outcomes are clearly explored with the participant and/or his/her designee. In addition, service coordination with other involved agencies, i.e. home health, case management hierarchy agencies etc. to ensure all services are considered is a part of the service planning process.

Each service plan is individualized for a particular participant and completed so that a service professional unfamiliar with the participant can have, by reading the plan, a clear picture of what is being done for the participant. Service planning must address strengths, needs, preferences, personal goals and health status identified through the assessment process as well as viable solutions. It must include resources currently utilized by the participant, both waived and non-waived supports, which may be available to meet the participant's needs. All payment sources, where appropriate, should be considered prior to using Medicaid services (including waiver services) in the service plan.

The service plan addresses all areas in which the participant requires at least limited assistance. These needs are identified in the assessment, home assessment, caregiver supports, and personal goals. Each need has corresponding goals and interventions that the participant and/or his/her designee, SCDHHS staff, provider case managers, and CICO (if applicable) work together to meet. When the case manager identifies needs that cannot be met through the waiver services or community resources, they are included in the person-centered service plan as unmet needs.

To evaluate the effectiveness of a Service Plan, the expected outcome or goal for an intervention must be identified. A goal may be rehabilitative, maintenance, participant or caregiver oriented, as appropriate. A goal is developed as a joint effort between the participant and/or his/her designee, physician, and the case management team. Each identified need has a related goal.

A goal is:

1. Limited in time, so it is known when to expect and measure an achievement;
2. Stated in positive terms, not in terms of what should be avoided;
3. Defined in terms of the expected outcome (a result or condition to be achieved) rather than an activity to be performed;
4. Written in quantifiable (measurable) terms, so that all involved persons may know when the goal is reached;
5. Achievable, taking into consideration known resources;
6. Designed as a joint commitment between the participant and the case manager, taking into account the participant's wishes and priorities; and,
7. Written to achieve a single end, not a conglomerate of expected outcomes.

Once a goal has been established, interventions are discussed and developed to assist in accomplishing the goal.

Service coordination is a vital component of case management. The case manager works together with the participant and/or his/her designee, or other permitted caregiver supports and other agencies involved in the participant's care to ensure services:

- are appropriate for the participant's needs;
- meet acceptable quality standards;
- are not duplicated;
- are cost effective alternatives;
- maximize the utilization of available resources;
- are provided by other agencies in accordance with maintenance of effort agreements; and,
- augment, not replace, the participant's informal support system.

Ensuring the person-centered service plan's effectiveness and accuracy is an on-going process. Phoenix assures waiver services cannot be authorized without a completed service plan. Service planning must address needs identified by the participant and/or his/her designee through the assessment process as well as viable solutions. The plan must include resources currently utilized by the participant both waiver services and non-waiver supports (these are identified as 'actors' on the service plan). Service planning is always a team effort. Staffing

for levels of care and service plan reviews at enrollment and reevaluation must be done with SCDHHS staff. The case manager monitors the service plan for each waiver participant at least monthly. Monitoring should be accomplished through contacts with the participant and/or his/her designee. Also, case managers should contact waiver providers and non-waiver supports as often as the need arises. SCDHHS office supervisory staff as well as Central Office staff monitor to ensure that case managers and other providers are providing services per policy.

At a minimum a new person-centered service plan is required upon re-evaluation, but can be updated as the participant's needs change. Through monthly monitoring, the case manager consistently strives to meet the needs of the participant through the exploration of all waiver services and non-waiver supports. As the case manager becomes aware of significant changes in the participant's health, safety, welfare, or personal goals, updates to the service plan are made accordingly. All new service plans must be staffed with and approved by SCDHHS staff. When applicable, the CICO will develop service plans for their waiver participants under State oversight and approval. The service plan agreement form is signed by the participant at the first visit after entry into the waiver and the first visit after annual reevaluation.

## 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.

At the time of the initial assessment as well as at reevaluations, participants are assessed for risks. If risks are identified, these are discussed with the participant and/or his/her designee. Where feasible and appropriate, interventions or strategies to reduce risks will be negotiated. If the probability of high risk cannot be successfully negotiated, the case manager will remind the participant and/or his/her designee of the statement he or she has signed acknowledging the rights, responsibilities and risks of residing and receiving services in a non-institutional setting. In some instances, additional monitoring may be required to ensure the health and welfare of the participant.

Participants are designated for being at-risk for a missed provider visit and being at-risk during a natural disaster. These are identified and addressed as part of the assessment and service planning process.

Agency and participant directed in-home services providing assistance with activities of daily living are required to have a backup plan to address emergencies and missed visits. Interventions in the service plan include backup services utilizing non-waivered supports when waived supports are unavailable. If the backup system is not working appropriately, the participant can notify the case manager and they can work on revising the backup system. If problems continue, traditional agency directed services can be utilized and Adult Protective Services will be contacted for intervention as needed.

## 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.

Participants are given a list of providers of waiver services in order to select a provider and this list includes provider's contact information. Participants are encouraged to phone providers with questions, ask friends about their experiences with providers and utilize other information sources in order to select a provider. Under no circumstances will case managers choose a provider for a participant. Also, brochures have been created for educating participants and/or his/her designee on how to choose a provider.

## 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):

A SCDHHS office supervisors throughout the state oversee waiver operations in a specific geographic area of the state and is charged with overview and approval of all other service plans as appropriate. The supervisor is an employee of the State Medicaid agency (SCDHHS).

For participants in Phase 2 of the Healthy Connections Prime HCBS transition, the CICOs will develop care plans for state concurrence and under State Medicaid Agency oversight, with an arbitration process for disputes through the independent ombudsman program.

## 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.



Case managers monitor the service plan on a monthly basis. This is performed by monthly phone calls and periodic visits. This monitoring also includes obtaining information about the participant's health, safety and welfare as well as information about service delivery and appropriateness of interventions.

For participants enrolled in Healthy Connections Prime, the CICOs must have waiver service providers in each county sufficient to meet the needs of the target population and to guarantee members have meaningful choice of providers for each service. Additionally, the mandatory utilization of Phoenix, the state's waiver case management system, ensures all members are able to exercise free choice by creating a randomized listing of the CICOs network provider for the member to select.

**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 participants whose identified needs (medical, caregiver supports, and home environment) were addressed in the service plan. N: number of assessed participants. D: total number of participants.**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

Phoenix Data system

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

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

**Performance Measure:**

Number and percent of participants with whom personal goals were discussed during the service planning process. N: number of participants with whom personal goals were discussed. D: total number of participants

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

Phoenix Data System

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

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

**Data Aggregation and Analysis:**

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

**Performance Measure:** The number and percent of service plans developed that involved participants and/or caregivers in the development process. **N:** the number of service plans that involved participants and/or caregivers. **D:** total number of service plans.

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data system**

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

<input type="radio"/> Other (Specify) <div style="border: 1px solid black; height: 15px; width: 150px; margin-top: 2px;"></div>	<input type="radio"/> Annually	<input type="radio"/> Stratified Describe Group: <div style="border: 1px solid black; height: 15px; width: 150px; margin-top: 2px;"></div>
	<input checked="" type="radio"/> Continuously and ongoing	<input type="radio"/> Other Specify <div style="border: 1px solid black; height: 15px; width: 150px; margin-top: 2px;"></div>
	<input type="radio"/> Other Specify <div style="border: 1px solid black; height: 15px; width: 150px; margin-top: 2px;"></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="radio"/> State Medicaid Agency	<input type="radio"/> Weekly
<input type="radio"/> Operating Agency	<input type="radio"/> Monthly
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="radio"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="radio"/> Continuously and ongoing
	<input type="radio"/> Other (Specify)

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:**

**The number and percent of Service Plans revised on or before the annual review date. N: the number of service plans revised on or before annual review date. D: total number of service plans**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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="radio"/> State Medicaid Agency	<input type="radio"/> Weekly	<input checked="" type="radio"/> 100% Review

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

**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 participants who received services as designated in the service plan. N: number of participants who received services D: total number of participants**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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 type="checkbox"/> Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval <div></div>
<input type="checkbox"/> Other (Specify) <div></div>	<input type="checkbox"/> Annually	<input type="checkbox"/> Stratified Describe Group: <div></div>
	<input checked="" type="checkbox"/> Continuously and ongoing	<input type="checkbox"/> Other Specify <div></div>
	<input type="checkbox"/> Other Specify <div></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)	<input type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

**e. Sub-assurance: Participants are afforded choice: Between waiver services and institutional care; and 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:

**The number and percent of participants afforded choice of all qualified waiver service providers. N: number of participants afforded choice. D: total number of participants**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System:**

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 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 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"/>	<input type="checkbox"/>
<input type="checkbox"/> Other (Specify)	<input type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

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.

Service plan updates and annual revisions are performed by case managers and monitored by SCDHHS designated staff throughout the state and central office staff. The Phoenix data system monitors to ensure that a service plan has been completed annually and within required time frames. All service plans are teamed staffed and signed in Phoenix by state SCDHHS staff. The service plan is not considered complete without the signature of the state SCDHHS staff.

All data are aggregated in Phoenix and can be reviewed statewide, by SCDHHS office or individually by case manager.

The Phoenix system links needs (including caregiver supports, home environment, personal goals and other needs) identified in the assessment to the service plan. Phoenix will not allow service plan completion until all needs identified in the assessment are addressed.

Phoenix captures all waived services as identified in the service plan. Phoenix will not allow authorization of services that are not identified. Authorization levels are prior approved by SCDHHS staff.

If the need for a new service is identified, the Phoenix data system will only allow authorizations if the service plan is updated to include an intervention for the service. SCDHHS staff can monitor when interventions are no longer needed and have been removed from the service plan.

Phoenix generates a list of qualified providers upon request. The list is generated in random order so as to not bias choice. Selections are recorded in Phoenix which generates a referral to the chosen provider. If the first choice declines the referral, Phoenix automatically sends a referral to the next chosen provider(s).

All authorizations are monitored to ensure services are received. Care Call is an automated monitoring system whose real time data allows for monitoring and verification of the providers delivering services. The toll-free number allows providers to document service delivery. Services not delivered in accordance with the authorization are identified.

For Healthy Connections Prime participants, the CICO's care coordinator can record significant changes in the participant's condition using Phoenix and make recommendations about changes to the service plan (in Phase I) or make changes to the service plan and service authorizations (in Phase 2, with state concurrence and under State Medicaid Agency oversight) as part of the demonstration's fully coordinated and integrated model of care.

**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.

Once a problem has been discovered, designated SCDHHS staff will review the problem with the case manager and notify the provider agency. Problems that can be corrected are considered pending until amended. If the problems are not amended timely, SCDHHS staff can take further designated action. If they cannot be corrected they are sent to provider compliance for sanctioning (e.g. recoupment). All CM Provider agencies are expected to file corrective action plans with the appropriate SCDHHS offices throughout the state of case manager non-compliance. SCDHHS Offices are expected to monitor and report back to Central Office on progress. If the problem is with a state staff it is remediated by the supervisor, reported to Central Office and monitored for improvement. Further actions are taken as necessary.

**ii. Remediation Data Aggregation**

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

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="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)
	<input type="checkbox"/>

**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.

The waiver offers the opportunity for participants to self-direct personal assistance services. The two services, attendant care and individual companion care are self-directed services that provide assistance with ADL's and IADL's. Participants choose who will be providing these services, negotiate a weekly schedule and may terminate the service provider if dissatisfied with the care being received.

Participants must demonstrate that they are capable of acting as employer of record. This includes being able to negotiate a schedule, assess the work being done, and determine that needs are being met. If unable to do so, a representative of the participant may assume the responsibilities of employer of record.

Participants may direct their own services if they have no communication or cognitive deficits which make them unable to make independent decision in their own best interest. Participants may also choose a representative to act on their behalf if they are unable or unwilling to take on the additional risks and responsibilities of directing their own care. Representatives must also have no communicative or cognitive deficit that would interfere with their representation of the participant. They must also be willing to direct the participant's care, must demonstrate that they are familiar with the participant's needs and desires, and must be able to act in the best interest of the participant.

SCDHHS staff introduce participant direction as an option and case managers provide more detailed information concerning the benefits and responsibilities of the option. Case managers assist each participant to identify individual needs, develop a person-centered service plan, and determine the level of participant direction he/she wants to exercise. When participants express an interest in participant direction, nurses employed with a contracted entity make a visit and provide extensive information about the risks, responsibilities and liabilities of the option. For Attendant Care, observation of care is done by licensed nurses to determine provider's ability to give acceptable care and provide teaching. Information about the role of the Financial Management Service (FMS) is given, as well as suggestions about the hiring, management and firing of workers. In addition, employment packets are completed and forwarded to the FMS.

A financial management service (FMS) is coupled with the self-directed services. This is treated as an administrative function for this waiver. Payments are transferred from MMIS to the FMS, who is then responsible for processing payroll, withholding, filing and payment of applicable employment-related taxes and insurances. These services are provided for each participant with employer authority over his/her care.

Once a participant has chosen participant direction and is receiving services, case managers continue to monitor service delivery and the status of the participant's health and safety. Care call reports are monitored monthly for service delivery, and monthly contacts ensure that care is being provided and that the participant is receiving appropriate care. Quarterly visits are also made to ensure that the appropriate services are being provided.

## 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.

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*

Participants are evaluated on the basis of communication and cognitive patterns to determine their ability to self-direct his/her own care. If a participant is unable to self-direct or chooses to have a representative direct his/her care, the representative is also evaluated to determine his/her knowledge of the participant's medical condition, needs and preferences, as well as his/her ability to communicate and make the participant's needs understood, and to advocate for the participant. Anyone denied full participant direction may choose to appeal the decision.

## 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.

Waiver participants are given a brochure that provides an overview of all waiver services, including the participant directed services of attendant and individual companion care at the initial visit by the case manager for completion of the person centered service plan. Participants expressing an interest in self-directed services are given additional information about self-direction and the benefits and responsibilities of self-directed services. Participants who wish to receive this service after getting this information are visited by a licensed nurse, employed by a contracted entity, who gives detailed information about the service.

## 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 participant may choose to have waiver services directed by a representative and he/she must be willing to understand and assume the risks, rights and responsibilities of directing the participant's care. A representative may be a legal guardian, family member, or a friend of the participant. The chosen representative must demonstrate a strong personal commitment to the participant and knowledge of the participant's preferences and medical condition(s), be at least 18 years of age, and must sign off on service logs weekly and observe care given on at least a monthly basis. A representative will not be paid to be a representative, and will not be paid to provide waiver services to the participant.

## 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
Companion Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attendant Care	<input checked="" type="checkbox"/>	<input 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:

South Carolina contracts for Electronic Visit Verification (Care Call) services through award of a bid submitted in response to a Request for Proposals (RFP) by the State. The provision of FMS is included as a component of this contract.

**ii. Payment for FMS.** Specify how FMS entities are compensated for the administrative activities that they perform:

A monthly per participant fee is charged for financial management services.

**iii. Scope of FMS.** Specify the scope of the supports that FMS entities provide (*check each that applies*):

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Supports furnished when the participant is the employer of direct support workers:

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- ☐ ☒ 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:

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:

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- ☐ 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

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☐

**Provide other entities specified by the State with periodic reports of expenditures and the status of the participant directed budget**

**Other**

*Specify:*

--

- 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.

The SCDHHS' Care Call/Phoenix system documents the delivery of services by providers and compares the claims to authorizations to ensure appropriate service provision. SCDHHS receives files on a regular basis indicating payments that have been made to individuals providing self-directed services. These are compared with claims reports indicating money paid to the provider of FMS. In addition, First Data, the vendor for Care Call which sub-contracts for FMS receives the same data and conducts periodic audits to determine payments are made appropriately. SCDHHS has one staff position charged with ensuring that provider payments are done timely and accurately. Any discrepancies or other issues are discussed with First Data and resolved as appropriate. SCDHHS can request a complete financial audit at any time.

For participants enrolled in Healthy Connections Prime, the system transfers data and submits claims to MMIS or the CICO six times a week for the amount of service provided. Weekly payments are transmitted from MMIS or the CICO to FMS, including a detailed breakdown of each worker's payments. FMS makes payments bi-weekly and posts electronically to the Medicaid agency.

## 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:*

A case manager visits the participant and discusses what is involved in participant direction. The case manager helps the participant list individual needs, decide how to get needs met, and develops a person-centered service plan.

- ☐ **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
Adult Day Health Care-Nursing	<input type="checkbox"/>

Home Accessibility Adaptations	<input type="checkbox"/>
Respite	<input type="checkbox"/>
Adult Care Home Service	<input type="checkbox"/>
Case Management	<input type="checkbox"/>
Specialized Medical Equipment and Supplies	<input type="checkbox"/>
Personal Emergency Response System	<input type="checkbox"/>
Telemonitoring	<input type="checkbox"/>
Adult Day Health Care Transportation	<input type="checkbox"/>
Home delivered meals	<input type="checkbox"/>
Residential Personal Care II (formerly titled Community Residential Personal Assistance - CRPA)	<input type="checkbox"/>
Adult Companion Care	<input type="checkbox"/>
Attendant Care	<input type="checkbox"/>
Nursing Home Transition Service	<input type="checkbox"/>
Adult Day Health Care	<input type="checkbox"/>
Personal Care/ Personal Care I + II	<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)

- l. 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:

Participants may elect to voluntarily discontinue participant direction at any time and may choose agency-driven options. The termination of participant directed services and authorization of agency driven services are coordinated to assure continuity of services.

## 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.

Participants may be involuntarily terminated from the use of participant directed services when they are unable to direct their own care and have no representative willing and/or able to do so. Participants who are involuntarily terminated from participant directed services are given the option of receiving agency directed services. If a participant is involuntarily terminated from participant directed services, the termination of participant directed services and the authorization of agency directed services are coordinated to assure continuity of services.

Participants who are involuntarily terminated are given written appeal rights.

Participants in Healthy Connections Prime have additional resources available to help in their appeal, including their care coordinator and access to the independent ombudsman's arbitration process

## 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

	Employer Authority Only			Budget Authority Only or Budget Authority in Combination with Employer Authority		
Waiver Year	Number of Participants			Number of Participants		
Year 1		2500				
Year 2		2700				
Year 3		2900				



Year 4		3100				
Year 5		3300				

## 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:

Prospective employees must provide acceptable background checks to be employed. Prospective employees pay for these background checks.

- ☐ ☒ 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:

**Answers provided in Appendix E-1-b indicate that you do not need to complete this section.**

**j. 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

**Answers provided in Appendix E-1-b indicate that you do not need to complete this section.**

- 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.

## Appendix

## E: Participant Direction of Services

### E-2: Opportunities for Participant-Direction (4 of 6)

#### b. Participant - Budget Authority

**Answers provided in Appendix E-1-b indicate that you do not need to complete this section. 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.

## Appendix

## E: Participant Direction of Services

### E-2: Opportunities for Participant-Direction (5 of 6)

#### b. Participant - Budget Authority

**Answers provided in Appendix E-1-b indicate that you do not need to complete this section. 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

Answers provided in Appendix E-1-b indicate that you do not need to complete this section.

- 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:

## 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.

Any waiver participant has the right to request an appeal of any decision that adversely affects his/her eligibility status and/or receipt of services and/or assistance. Participants are informed of this decision verbally and in writing when an adverse decision is made. The participant's designee is copied when appropriate on the written communication. The formal process of review and adjudication of CLTC actions/determinations is done under the authority of Section 1-23-310 et. seq., Code of Laws, State of South Carolina, 1976, as amended, and the Department of Health and Human Services regulations Section 126-150, et.seq.

A participant who is dissatisfied with a level of care decision by CLTC has the right to request an appeal of the action. A participant has the right to request an appeal of CLTC's decision to reduce, suspend, or terminate a waiver service.

The participant or his/her designee must write a letter requesting an appeal within 30 days of the date of the official written notification issued by CLTC. If the appeal is filed within ten (10) days, services may continue pending the outcome of the hearing.

Information regarding the participant's right to appeal and instructions for initiating an appeal are printed on the 'Level of Care Certification Letter' and the 'CLTC Notification.' Also included on these forms is the information on requesting continuing services until the outcome of the hearing.

Once an appeal has been filed, the appeals examiner may elect to order a pre-hearing conference in an attempt to resolve issues being appealed outside of a hearing. The appeals examiner will notify the participant or his/her designee by certified mail of the deadline for the conference to be held and the deadline for a summary of the conference to be sent to the appeal

examiner. If the issues being appealed are resolved to the participant's or his/her designee's satisfaction (as evidenced by the participant's/ designee's written summary) during the pre-hearing conference, the appeal will be dismissed. If there are outstanding issues which the participant/ designee wish to appeal, the appeals examiner will notify the participant and the applicable SCDHHS office throughout the state and/or the Central Office of the date, time, and location of the hearing via certified letter. The letter also contains a toll free number to call for assistance.

All participants have access to the State-operated appeals and fair hearing process. Participants in Healthy Connections Prime also have access to the Demonstration's ombudsman for disputes related to service authorizations and service levels to ensure that optimal community based services are provided in the best interest of each participant.

## Appendix F: Participant-Rights

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### 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.

Participants in Healthy Connections Prime have access to an additional independent ombudsman representative to assist in an arbitration process.

## Appendix F: Participant-Rights

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### 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:
- SCDHHS operates the Complaint/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).

Participants may make complaints at the SCDHHS offices throughout the state, central office and state agency level, in person, in writing and by phone. Participants are notified of their right to complain/grieve through a Participant's Rights and Responsibilities statement reviewed at the initial visit, the re-evaluation visit and other times as needed; and signed at the initial visit after waiver entry. Phone numbers and addresses are supplied to participants as a part of the initial visit information packet. When a participant elects to file a grievance or make a complaint, the participant is informed that doing so is not a pre-requisite or substitute for a Fair Hearing.

Types of complaints taken include complaints against providers including case management providers; complaints about reduction or termination of services; complaints regarding unmet needs; complaints regarding the processing list; allegations of abuse, neglect, and exploitation; and any other complaint about services received under the waiver.

The SCDHHS worker receiving the complaint fills out an electronic complaint form located in Phoenix, initiates action to address the complaint and tries to reach resolution. Complaint forms are sent electronically to the quality assurance (QA) and provider compliance departments. The expectation is the appropriate personnel will acknowledge and resolved the complaint as soon as possible. Pending actions and complaint data are tracked and documented via the Phoenix system.

Actions taken to resolve complaints may include contact with providers, referrals to supervisors and/or referral to adult protective agencies. In addition to the above, SCDHHS has a mechanism for receiving complaints through their website. These complaints are filtered to the correct division for resolution. Responses must be submitted to appropriate agency personnel within seven (7) days of receipt of the complaint.

In addition, complaints and grievances for Healthy Connections Prime participants will be forwarded to the Healthy Connections Prime ombudsman program to track and trend for reporting purposes. This information will be reported to demonstration stakeholders quarterly. In addition, the ombudsman can help participants begin the integrated Medicare-Medicaid appeals and grievances process, if necessary.

## 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.

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- 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).

The South Carolina Omnibus Adult Protection Act, SC Code of Laws, Section 43, Chapter 35, requires reporting of abuse, neglect and exploitation. These incidents are defined as physical abuse, psychological

abuse, neglect, and physical and financial exploitation. Mandatory reporters have a duty to report if they have reason to believe that a vulnerable adult is being abused, exploited or neglected. Mandated reporters include medical personnel, physicians, nurses, Christian Science practitioners and religious healers, law enforcement officers, those in school settings such as teachers and counselors, mental health counselors and mental retardation specialists, social workers and public assistance workers, adult day care staff, caregivers and volunteers. Mandated reporters must make the report within 24 hours or the next business day after discovery of the abuse, neglect or exploitation.

Mandated reporters are required to report incidents verbally by telephone or in written form to the County Department of Social Services/Adult Protective Services Unit. Written or verbal telephone reports of incidents occurring in facilities are reported to the State's Long Term Care Ombudsman Office.

SCDHHS also monitors for other reportable incidents. These are defined as incidents involving death or serious harm to a beneficiary/participant. Reportable incidents include:

- Unexplained deaths
- Falls (resulting in death, injury requiring hospitalization, injury that will result in permanent loss of function);
- Traumatic injuries (including third degree burns over more than ten (10%) percent of the body) that result in death, require hospitalization, or result in a loss of function;
- Unauthorized restraints, both chemical and physical, use that results in death, hospitalization, or loss of function;
- Media-related events. Any report that presents a potential or harmful characterization of the State Medicaid Agency or any of its contracted entities.

For participants enrolled in Healthy Connection Prime, these incidents are known serious reportable incidents (SREs).

In addition to the aforementioned incidents, CICOs will monitor for:

- Infectious disease outbreaks
- Pressure ulcers that are unstageable or staged III and IV;
- All elopements in which a beneficiary with a documented cognitive deficit is missing for twenty-four (24) hours or more

The State will oversee compliance with State and Federal requirements to ensure all reportable incidents/SREs are reported to the proper regulatory entity, when appropriate. This applies to all waiver participants including those participants enrolled in Healthy Connections Prime.

- 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.

Upon waiver enrollment, participants and family members are provided written information about reporting abuse, neglect and exploitation of the elderly and other vulnerable adults. The material provided defines vulnerable adults, what is abuse, and providers' phone numbers of where to report suspected abuse cases if they occur. Case managers explain this information to participants during the initial visit, annually during the re-evaluation, and additionally as needed.

- 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 of incidents occurring in facilities are reported to the State's Long Term Care Ombudsman's office (43-3525). Incidents in other settings are reported to the Adult Protective Services Program and the county Department of Social Services. Reports can always be made to law enforcement. SCDSS initiates an investigation upon information alleging abuse, neglect or exploitation in all settings other than facilities. They contact law enforcement if criminal violation is suspected. They initiate protective measures either through Ex Parte order or Emergency Protective Custody. They conduct complete investigation. The Long Term Care Ombudsman initiates investigation of suspected abuse, neglect or exploitation occurring in facilities. They contact law enforcement if criminal violation is suspected. They conduct complete investigation and if substantiated, notification is sent to appropriate agencies. Law Enforcement contacts appropriate social service agency, completes reports, initiates emergency protective custody if required, investigates, and if substantiated, prosecutes or forwards for prosecution. SC Dept of Disabilities and Special Needs, Attorney General, Protection and Advocacy, Dept of Mental Health have specific policies and procedures to follow and regulatory actions that can be taken.

Depending on the nature and location of the incident, many agencies (i.e. Department of Social Services/Adult Protective Services, South Carolina Long Term Ombudsman, Department of Special Needs and Developmental Disabilities, Mental Health, Law Enforcement, and Attorney General) may be involved in the investigation of an incident. The time frames for agencies to begin investigations are specific and are noted below. The investigation processes, completion of investigations and notification policies for these agencies vary. However, to monitor the health and safety of participants' who may be involved in an incident, at a minimum case managers must conduct monthly follow up with participants and complete service coordination with provider agencies that provide any service to participants at least quarterly.

During contacts with participants/primary contacts and service coordination with provider agencies, case managers are required to discuss changes in participants' needs and services. Therefore, any new or on-going incident(s) would be discussed and monthly follow up with the appropriate agency is required. Monthly follow up is provided until the incident has been resolved by staff from all agencies involved. If a case manager is not successful at obtaining information from agency staff, he/she must seek assistance from SCDHHS supervisory staff. If SCDHHS supervisory intervention is not successful, SCDHHS management staff become involved until acceptable feedback is obtained. Time frames for agencies to begin investigations are noted below:

**South Carolina Department of Social Services/Adult Protective Services:**

Investigations are conducted according to the risk to the adult. Emergency situations are investigated immediately; allegations of abuse are investigated within 24 hours; allegations of neglect by another and exploitation are investigated within 48 hours; and allegations of self-neglect are investigated within 72 hours. Cases that involve suspicion of criminal activity are reported to local law enforcement or to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division (SLED) within one working day of completing the review.

Cases that involve vulnerable adults being taken into protective custody or the need for consent for services or placement have court hearings within forty days.

**South Carolina Long Term Care Ombudsman Office:**

Upon receiving a report, the Long Term Care Ombudsman promptly shall: initiate an investigation; or review the report within two working days for the purpose of reporting those cases that indicate reasonable suspicion of criminal conduct to local law enforcement or to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division (SLED). A report to local law enforcement or SLED must be made within one working day of completing the review.

**The South Carolina Department of Disabilities and Special Needs and South Carolina Department of Mental Health:**

The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division receives and coordinates referrals of all reports of alleged abuse, neglect, or exploitation of vulnerable adults in facilities



operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs.

The unit must have a toll free number, which must be operated twenty-four hours a day, seven days a week, to receive the reports. The unit must investigate or refer to appropriate law enforcement those reports in which there is reasonable suspicion of criminal conduct.

**Attorney General:**

The Attorney General, upon referral from the Long Term Care Ombudsman Program or the Vulnerable Adults Investigations Unit, may bring an action against a person who fails through pattern or practice to exercise reasonable care in hiring, training, or supervising facility personnel or in staffing or operating a facility, and this failure results in the commission of abuse, neglect, exploitation, or any other crime against a vulnerable adult in a facility. A person or facility which verifies good standing of the employee with the appropriate licensure or accrediting entity is rebuttably presumed to have acted reasonably regarding the hiring.

**Contracted Coordinated Care Organization:**

The Contracted Coordinated Care Organization is required to conduct a thorough investigation of each incident and provide a detailed report documenting the resolution. In the case of Serious Reportable Events (SRE) involving a facility, the Contracted Coordinated Care Organization will conduct a quality of care investigation to determine if the SRE was related to quality of care. The Contracted Coordinated Care Organization will also report to the State if a quality of care issue leads to adverse action against the provider including, but not limited to non-payment, suspension or termination of contract.

- 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.

SCDHHS has a Memorandum of Agreement with SCDSS which allows for the sharing of information. The purpose of this agreement is to establish relationships to provide for a system of receiving and investigating reports of alleged abuse, neglect and exploitation occurrences to vulnerable adults receiving services from CLTC. To identify those programs and services operated or contracted for operation by CLTC that should report alleged abuse, neglect, or exploitation to SCDSS and to establish cooperative relationships for the purpose of training and technical assistance to CLTC staff and/or its contracts.

SCDHHS is responsible for overseeing the reporting of and response to any Reportable Incidents. Reportable Incidents data will be reviewed for quality improvement activities, accountability, public reporting, and improving the overall health and welfare of beneficiaries/participants. At a minimum, the State will schedule bi-monthly meetings with internal subject matter experts to determine if additional follow up is needed.

## Appendix G: Participant Safeguards

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### 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 South Carolina Department of Social Services and the Long Term Care Ombudsman are responsible for monitoring the use of restrictive interventions, including restraints and seclusion. South Carolina Department of Health and Environmental Control is responsible for all facility licensing.

Per DHEC regulations, any incidents involving seclusions, restraints or restrictive interventions must be reported to DHEC by facility staff. Staff at DHEC investigates reported incidents and notify appropriate SCDHHS staff. Facility staff are also required to notify appropriate SCDHHS staff of any incidents.

Complaints about inappropriate use of restraints in nursing homes or assisted living facilities would be referred to DSS and the LTC Ombudsman. Complaints about the use of restraints for vulnerable adults residing at home would be referred to and investigated by SCDSS.

The State Law 43-35-310 provides for the creation of the Adult Protection Coordinating Council. The Council coordinates the planning and implementation efforts of entities involved in the adult protection system. Members facilitate problem resolution and develop action plans to overcome problems identified within the system. They address ongoing needs, including increasing public awareness of adult abuse, neglect and exploitation.

☐ **The use of restraints is permitted during the course of the delivery of waiver services.**  
Complete Items G-2-ai 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).

- 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:

## 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 South Carolina Department of Social Services and the Long Term Care Ombudsman are responsible for monitoring the use of restrictive interventions, including restraints and seclusion. South Carolina Department of Health and Environmental Control is responsible for all facility licensing.

Per DHEC regulations, any incidents involving seclusions, restraints or restrictive interventions must be reported to DHEC by facility staff. Staff at DHEC investigates reported incidents and notify appropriate SCDHHS staff. Facility staff are also required to notify appropriate SCDHHS staff of any incidents.

Complaints about inappropriate use of restrictive interventions in nursing homes or assisted living facilities would be referred to DSS and the LTC Ombudsman. Complaints about the use of restrictive interventions for vulnerable adults residing at home would be referred to and investigated by SCDSS.

The State Law 43-35-310 provides for the creation of the Adult Protection Coordinating Council. The Council coordinates the planning and implementation efforts of entities involved in the adult protection system. Members facilitate problem resolution and develop action plans to overcome problems identified within the system. They address ongoing needs, including increasing public awareness of adult abuse, neglect and exploitation.

☐ **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.

- 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:

## Appendix G: Participant Safeguards

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### 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 South Carolina Department of Social Services and the Long Term Care Ombudsman are responsible for monitoring the use of restrictive interventions, including restraints and seclusion. South Carolina Department of Health and Environmental Control is responsible for all facility licensing.

Per DHEC regulations, any incidents involving seclusions, restraints or restrictive interventions must be reported to DHEC by facility staff. Staff at DHEC investigates reported incidents and notify appropriate SCDHHS staff. Facility staff are also required to notify appropriate SCDHHS staff of any incidents.

Complaints about inappropriate use of seclusion in nursing facilities or assisted living facilities would be referred to DSS and the LTC Ombudsman. Complaints about the use of seclusion for vulnerable adults residing at home would be referred to and investigated by SCDSS.

The State Law 43-35-310 provides for the creation of the Adult Protection Coordinating Council. The Council coordinates the planning and implementation efforts of entities involved in the adult protection system. Members facilitate problem resolution and develop action plans to overcome problems.

- ☐ **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.

This applies only to participants residing in community residential care facilities (CRCFs). Under State licensing requirements, the CRCF is responsible for administering and monitoring medications to residents. The State Department of Health and Environmental Control (SCDHEC) oversees the scope of medication monitoring, focusing on certain types of medications and medication usage patterns. Reports are given to the Medicaid agency regarding problems with medication administration outcomes.

Medication monitoring is completed once a year. If the facility has a history of compliance issues SCDHEC will monitor the facility more frequently.

There is a 3 step process if an issue is found. SC DHEC issues a citation, and the facility has 15 days to respond with a plan of correction. The plan of correction must describe how the problems were fixed, how the problem will be prevented in the future, and give a time frame in which the problem was corrected or will be corrected.

- 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.

The South Carolina Department of Health and Environmental Control (DHEC) is the State Health Agency that oversees licensure and inspections and is responsible for any corrective action. Any time that there is an indication of problems by DHEC this information is communicated to the Medicaid agency. SCDHHS case management workers monitor health status, at a minimum, on a monthly basis. One component of this monitoring is to determine if waiver participants are taking their medications. However case managers are not required to have a medical background and are not qualified to assess all aspects of medication management. If the case manager suspects issues with CRCF then the case manager will inform DHEC.

## Appendix G: Participant Safeguards

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### Appendix G-3: Medication Management and Administration (2 of 2)

c. **Medication Administration by Waiver Providers**

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)*

**Do not complete the rest of this section**

- 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:

**The number and percent of participants (and/or family or guardian) who received information on how to report abuse, neglect, exploitation and other reportable incidents. N: # of participants documented to have received information/education on how to report abuse, neglect, exploitation and other reportable incidents D: Total # of participants**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System:**

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 type="checkbox"/> Quarterly	<input type="checkbox"/> Representative

		<b>Sample Confidence Interval=</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
<input type="checkbox"/> <b>Other Specify:</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input type="checkbox"/> <b>Annually</b>	<input type="checkbox"/> <b>Stratified Describe Group:</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
	<input checked="" type="checkbox"/> <b>Continuously and Ongoing</b>	<b>Other Specify:</b> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
	<input type="checkbox"/> <b>Other Specify:</b> <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	Weekly
<input type="checkbox"/> Operating Agency	Monthly
<input type="checkbox"/> Sub-State Entity	Quarterly
<input type="checkbox"/> Other (Specify): Contracted Entity	Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	Other (Specify)

**Performance Measure:**

**Number and percent of participants who report knowing how to report Abuse, Neglect, Exploitation or other reportable incidents. N: number of participants who reported knowing how to report ANE. D: Total number of participants in sample**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Health, Safety, and Welfare Survey**

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 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 checked="" type="checkbox"/> <b>Representative Sample</b> <b>Confidence Interval=</b>



		95% confidence interval +/- 4.5%
<input checked="" type="checkbox"/> <b>Other</b> <b>Specify:</b> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 5px auto;">Contracted Entity</div>	<input checked="" type="checkbox"/> <b>Annually</b>	<b>Stratified</b> <b>Describe Group:</b> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
	<input type="checkbox"/> <b>Continuously and Ongoing</b>	<b>Other</b> <b>Specify:</b> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>
	<input type="checkbox"/> <b>Other</b> <b>Specify:</b> <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></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 type="checkbox"/> Operating Agency	<input type="checkbox"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="checkbox"/> Quarterly
<input checked="" type="checkbox"/> Other (Specify): Contracted Entity	<input checked="" type="checkbox"/> Annually
	<input type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

- 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.***

*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 Measures:**

Number and percent of reported incidents that received follow up within the appropriate timeframes. **N:** the number of reported incidents that received follow up within appropriate time frame. **D:** total number of reported incidents.

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System:**

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

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	Weekly
<input type="checkbox"/> Operating Agency	Monthly
<input type="checkbox"/> Sub-State Entity	Quarterly
<input type="checkbox"/> Other (Specify)	Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	Other (Specify)

- 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 unauthorized uses of restrictive interventions that were appropriately reported. N:**  
**number of unauthorized uses of restrictive interventions. D: total number of reportable incidents**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix Data System**

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

**Data Aggregation and Analysis:**

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

**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 participants who have been evaluated for Emergency Disaster preparedness. N: the number of participants who have an Emergency Disaster preparedness plan. D: total number of participants**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Phoenix System**

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

**Date 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	Weekly
<input type="checkbox"/> Operating Agency	Monthly
<input type="checkbox"/> Sub-State Entity	Quarterly
<input type="checkbox"/> Other (Specify)	Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	Other (Specify)

- 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.

During training, case managers are informed of their responsibility as mandated reporters to make referrals to the appropriate entities as necessary. The consequences for failing to report any incident of ANE or other reportable incidents is also discussed with the case manager during training. A power point presentation on Elder Abuse and Adult Protection Act has been developed and placed on the internal website for training purposes. In addition, case managers are trained on the appropriate process for recording APS referrals and other reportable incidents and the use of the instrument (Phoenix) to record, update and track APS referrals and/or reportable incidents. In addition, SCDHHS central office and SCDHHS offices staff throughout the state have been trained on the process for reporting, and tracking APS referrals and/or other reportable incidents in the SC Phoenix data system.

Monthly follow up is provided and documented in the participant's record until the incident has been resolved by staff from all agencies involved. If a case manager is not successful at obtaining information from agency staff, he/she must seek assistance from SCDHHS offices supervisory staff. If the SCDHHS office supervisory intervention is not successful, Central office staff become involved until acceptable feedback is obtained.

**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.

SCDHHS is responsible for overseeing the reporting of any referrals related to APS and/or reportable incidents. When problems are identified with the progress of APS referrals and/or reportable incidents, the appropriate person(s) (APS worker and/or case manager) are contacted for immediate follow up and updates. Difficult cases are discussed at Central Office's scheduled bi-monthly meetings (or as needed) with internal subject matter experts to determine possible resolutions.

**ii. Remediation Data Aggregation**

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

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

**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 nonoperational.

- ☒ ☐ **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)**

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### **H-1: Systems Improvement**

#### **a. System Improvements**

- i. 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.

The Phoenix data system provides 100% reporting on specified performance measures (i.e. monthly contact/visit activities, including initial/re-evaluation assessments and LOC determinations; documentation of activities; service plan development, and care call activity logs covered under each assurance for each case manager). Phoenix generates reports that can be parsed at whatever level of detail is required. This process allows a thorough assessment of areas needing improvement and areas of best practice.

Prioritizing and implementing system improvements are based on the severity of identified problem(s) and the frequency of duplicated errors. Waiver assurances that fall below 86% and issues that show a systemic problem are top priority and would result in immediate system improvement. Systems Improvement for waiver assurances below 86% may involve the following: 1. Revisions to the training program 2. Revision of policy and procedure for clarification 3. Modifications to enhance the Phoenix system.

Systemically, any areas needing improvement, even if not one of the six assurances, would become a top priority based on the prevalence of the problem. Systems improvement for statewide problems can be addressed through any of the following: 1. Revisions to the training program. 2. Revision of policy and procedure for clarification. 3. Modifications to enhance the Phoenix system.

Throughout the demonstration, efforts will be made to carefully monitor each CICO's performance as outlined in the three-way contract and its ability to fully assume responsibilities for care coordination and integration. Any early indicators of performance concerns will lead the State's contracted EQRO to design and implement a Quality Improvement Plan (QIP), including remediation if needed, for the affected CICO(s).

ii. **System Improvement Activities**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of Monitoring and Analysis</b> <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"/> Quality Improvement Committee	<input type="checkbox"/> Annually
<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; height: 40px; width: 100%; margin-top: 5px;"></div>	<input checked="" type="checkbox"/> Other Specify: <input type="checkbox"/> On-going

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 following process is used for monitoring and analyzing system design and data: The Phoenix data system allows Central Office staff to gather, monitor, and analyze data from the SCDHHS offices throughout the state related to reports on assurances and related performance measures, case management, other waiver

service providers, complaint reports and adult protective service referrals/reportable incidents. SCDHHS office supervisory staff identifies problems and inconsistencies (e.g., failure to meet 86% on performance measures connected with assurances; failure to meet Policy and Procedure guidelines) and reports these issues to Central Office and contracted provider agencies as needed. Also, Central Office staff has developed and implemented a standardized tool to assist with quality assurance efforts for the supervisors. Provider compliance reports and APS/reportable incidents are submitted, via Phoenix, daily or as needed.

In addition, Central Office staff gathers and compiles information from the following data sources: Client Satisfaction Surveys conducted by a contracted entity ; case management provider compliance reports from SCDHHS staff; case manager reviews conducted by SCDHHS staff; other waiver service provider reviews conducted at least every 18 months by SCDHHS staff; participant appeals and dispositions; SCDHHS Offices' administrative reviews; quality assurance reviews on selected case managers and reports on case management agencies that are non-compliant with corrective action plans.

Information gathered from the aforementioned data sources is discussed during the Quality Improvement task force meeting, which is scheduled to meet bi-monthly. The task force will meet more frequently, as needed. This task force is comprised of members from various SCDHHS divisions. Reports and trends are shared with SCDHHS offices and providers as appropriate. The data are reviewed and discussed for discovery of noncompliance, corrective action and strategies for remediation. Remediation strategies include but are not limited to recoupment, suspension, or other corrective actions. If corrective action plans are not adhered to, further action such as case load reduction, suspensions, up to termination may result. Reports, corrective action plans, appeals and dispositions are brought to the Quality Improvement task force to review outcomes. Outcomes would assist in determining necessary policy or system changes. SCDHHS offices and providers are notified of changes through e-mail and Phoenix.

ii. Describe the process to periodically evaluate, as appropriate, the Quality Improvement Strategy.

The process to evaluate the quality improvement strategy is discussed at regularly scheduled central office internal staff meetings as well as central office/SCDHHS offices supervisory staff meetings. Input and feedback are sought to determine if the process is working properly, and systems are functioning as designed. Input and feedback are also accepted from external stakeholders on an ongoing basis.

Additionally, there is the capability to report problems in the Phoenix system that allows issues discovered by users to be submitted to the Phoenix helpdesk for consideration or correction. This allows ongoing quality improvement within the Phoenix system.

All quality improvement strategies are discussed at the task force meetings.

## **Appendix I: Financial Accountability**

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### **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 State (SCDHHS) employs the following methods to ensure the integrity of payments made for waiver services in different departments within the agency:



The State (SCDHHS) has a designated staff member charged with conducting on-site reviews of providers of personal care, agency companion and nursing services at least once every eighteen (18) months. The review consists of three components: staffing review, administrative review and participant review. The staffing review samples staff members at different levels to ensure they meet all initial training and certification requirements, tuberculin skin test requirements, ongoing training requirements and any other requirements as outlined in the contract. The administrative review determines that all agency administrative requirements (liability insurance, list of officers, written by-laws, emergency back-up plans, etc.) have been met. The participant review verifies that all requirements relating to the actual conduct of service have been met.

The State employs Environmental Modification Specialists who conduct on-site reviews of environmental modifications to ensure all building codes and regulations are followed. If deficiencies are found, providers are afforded an opportunity to remediate the identified deficiencies. If providers do not remedy the deficiencies, they are recouped or suspended depending on the severity of the deficiency.

The Division of Program Integrity at SCDHHS responds to complaints and allegations of inappropriate or excessive billings by Medicaid providers, and also collects and analyzes provider data in order to identify billing exceptions and deviations. In this capacity, Program Integrity may audit payments to CLTC waiver service providers. Issues that involve fraudulent billing by providers are turned over to the Medicaid Fraud Control Unit in the South Carolina Attorney General's Office. In addition, the Division of Audits reviews SCDHHS contracts with external entities in order to ensure that contract terms are met and only allowable costs are charged. In this capacity, the Division of Audits can conduct a compliance review of the Fiscal Management Service (FMS) used for participant directed care in the CLTC waiver program.

## **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**

*State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver. (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:**

**The number and percent of claims for waiver services submitted with the correct service code. N: the number of claims submitted with the correct service code D: total number of claims**

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Automated telephone and billing system**

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

**Performance Measure:**

The number and percent of waiver claims submitted with the correct rate as specified in the waiver application. N: the number of claims submitted with the correct rate D: total number of claims

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Automated telephone and billing system**

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="radio"/> Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="radio"/> Operating Agency	<input type="radio"/> Monthly	<input type="radio"/> Less than 100% Review
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly	<input type="radio"/> Representative Sample Confidence Interval <input type="text"/>

<input type="radio"/> Other (Specify) <input type="text"/>	<input type="radio"/> Annually	<input type="radio"/> Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and ongoing	<input type="radio"/> Other Specify <input type="text"/>
	<input type="radio"/> 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="radio"/> Weekly
<input type="radio"/> Operating Agency	<input type="radio"/> Monthly
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="radio"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="radio"/> Other (Specify)

**Performance Measure:**

The number and percentage of paid waiver claims submitted for participants enrolled in the waiver program. N: the number of paid waiver claims submitted D: total number of claims

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Paid claims in the Medicaid Management Information System**

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

<input type="radio"/> Operating Agency	<input type="radio"/> Monthly
<input type="radio"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="radio"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="radio"/> Other (Specify)

- 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:** The number and percent of waiver claims submitted with the correct rate as specified in the waiver application. **N:** the number of claims submitted with the correct rate **D:** total number of claims

**Data Source** (Select one):

**Other**

If 'Other' is selected, specify:

**Automated telephone and billing system**

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

	o Other (Specify)
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- 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 Phoenix automated case management system automatically ties the needs identified in the assessment to the service plan. This ensures that any services billed for a participant are identified as a need on the assessment.

Claims for waiver services are submitted to the State's Medicaid Management Information System (MMIS) for payment via Phoenix, with the exception of institutional respite claims. These claims are submitted using the CMS-1500 form or the State's electronic billing system. Providers of waiver services are required to utilize the Phoenix or Care Call system to document service delivery. Phoenix compares service documents in both systems and only allows for billing up to the authorized service limits and if the service is provided in the required time period.

The state's Medicaid Management Information System (MMIS) ensures that claims submitted via Phoenix are for participants in a waiver program, that the service is paid at the appropriate rate and that the participant is Medicaid eligible.

All claims submitted for Healthy Connections Prime participants via the State's automated system, Phoenix, will be routed electronically to the CICOs for payment. The CICOs will ensure that each service is paid at the appropriate rate and that the participant is Medicaid eligible.

**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 may arise if either the Phoenix case management system and/or Medicaid Management Information System are not updated correctly. Any errors identified by workers utilizing the systems are addressed. Corrections are made and claims are re-processed appropriately. Trainings are done on an as needed basis.

**ii. Remediation Data Aggregation**

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

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="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)
	<input type="checkbox"/>

### 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 nonoperational.

☒ **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.

	<input type="checkbox"/>
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## Appendix I: Financial Accountability

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### 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).

The Department of Reimbursement Methodology, with assistance from the Department of Long Term Care Services, is responsible for the development of waiver service payment rates. Each department operates under the direction of the South Carolina Department of Health and Human Services.

For Healthy Connections Prime, reimbursement is based upon the fee-for-service rate floor. Rates are mutually agreed upon between the provider and the CICO. If the CICO and the provider negotiate a rate that is less than the fee-for-service rate floor, it must be approved by the State. The purpose of this authorization process is to ensure quality is not sacrificed. This protection process is valid throughout the life of the program.

CICOs must comply with rate floors adjusted annually for each service that will set a minimum reimbursement level. These floors will also allow CICOs to create incentives for performance and quality. Rates that fall below 100 percent of the current FFS level should have a corresponding performance and/or quality incentive that should be reflective of 100 percent of the FFS rate (at a minimum).

A large majority of the waiver service rates were established based upon the projected costs of the service to be provided. These services would include Personal Care I and II, Medicaid Nursing and Home Delivered Meals.

For Personal Care I and II services, the State does a market analysis to determine what the private rate is for these services. This does not mean that the state will match the private pay market rate but it is used to determine the reasonableness of any services.

For Adult Day Health Care services, South Carolina polls other states in the region to determine their rate structure. The state meets with representatives of this industry to identify any issues they have with the competitiveness of the rates.

For Home Delivered Meals, the rate structure is determined by the cost of the meal, transportation to provide the service and administrative costs.

Attendant and Individual Companion services rates are determined based upon the salaries of frontline workers of personal care agencies. Their salaries represent a slightly higher rate because there are no benefits provided.

All Home Accessibility waiver service rates for modifications with the exception of ramps are manually priced based upon the provider's cost estimate. Ramps are priced by the linear foot and participants choose a provider. For all other modifications, competitive bids are solicited and the lowest responsive bid is accepted.

Pest control services are based upon established private pay rates. The state rate was established by taking the average of the initial and follow up rates for private pay treatments. Appliances such as air conditioners, fans and space heaters are based upon retail pricing.

The rates for Specialized Medical Equipment and Supplies are based on the market value of private pay vendors as determined by our Environmental Modification Specialist.

Telemonitoring rates were determined by surveying other states (e.g. Pennsylvania) to establish reimbursement values. Additionally, the state surveyed vendors of this industry within the state.

Case management service rates provided to waiver participants were calculated based upon payments made to SCDHHS employees providing case management. At one time all case management was done by SCDHHS employees. When this changed, cost analyses were conducted to determine the payment per participant and this rate was set for non-state case management entities.

- 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:

For many services, waiver providers use the Care Call and Phoenix systems to document delivery of services. This is done through adding claims to Care Call through the EVV or through web entry of claims in Phoenix. For services not using the Care Call system, providers may bill either by use of a CMS 1500 form or by the State's electronic billing system.

Providers of services to Healthy Connections Prime participants will be paid by the CICOs. For all waiver services, providers use the Care Call and Phoenix systems to document delivery of services. This is done through adding claims to Care Call either through the EVV or web entry of claims in Phoenix. All complete claims submitted via Care Call are transmitted to the CICOs daily for payment processing. CICOs then pay providers directly, as specified in the three-way contract between CMS, the State, and each CICO.

## Appendix I: Financial

### Accountability

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#### 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.)*

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☐ **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.)*

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## Appendix I: Financial Accountability

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### 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 submitted to the State's Medicaid Management Information System for payment via Phoenix, with the exception of institutional respite claims. These claims are submitted using the CMS-1500 form or the State's electronic billing system. For all claims submitted through Phoenix, a pre-payment review is conducted. Phoenix only submits claims to MMIS or the CICOs for services that were prior authorized by the case manager and are included in the participant's service plan. Phoenix compares services documented by providers to the amount, frequency, and duration prior authorized by the case manager. Only service claims that meet these conditions are submitted to MMIS or the CICOs for payment.

Once the claim is submitted to MMIS or the CICOs, payment is made to the provider only if the participant was Medicaid eligible on the date of service and there is an indication in MMIS that the participant is enrolled in the waiver program.

The Division of Program Integrity conducts post-payment reviews. These reviews sample claims and determine if services have been billed as authorized. Whenever a recoupment is identified, the Division of Program Integrity notifies the Financial Department of SCDHHS who reimburses CMS utilizing the "CMS 64 Summary Sheet."

- 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 5 years as required in 45 CFR §92.42.

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## 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:

CLTC case management costs for services are allocated by taking the percentage of case management to total salary costs in the SCDHHS offices throughout the state. At present the cost is being allocated at 43.946%. These costs are then allocated to the case management service in the CLTC waivers. The office and administrative costs are captured using specific project codes on agency financial reports. These allocations are made based on financial expenditure reports, which are transcribed onto a spreadsheet for calculation using the aforementioned percentage for services and another calculation is made to spread office and administrative costs by waiver. The spreadsheet is included in our work papers, which is claimed for reimbursement on the CMS-64 and audited by CMS quarterly.

Payments for waiver services for Healthy Connections Prime participants are made by the CICOs. The CICOs are paid a monthly capitated payment per eligible enrollee

- ☐ **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:

A financial management services entity is used to make payments for self-directed services (attendant and companion). Weekly data and payments are transmitted from MMIS to the FMS, including a detailed breakdown of each worker's claims. From these transmittals, the FMS collects and processes the time worked for each worker, processes payroll, withholds, files and pays all applicable employment-related taxes and insurance. The FMS reimburses providers weekly and transmits this information to the Phoenix system. Daily, the monies received are reviewed and compared to the amount of monies being paid.

All providers for this waiver use Phoenix/Care Call for their Medicaid billing. Depending upon the service, this is done either through electronic visit verification (EVV) or through web-based billing, with the exception of institutional respite claims. These claims are submitted using the CMS-1500 form or the State's electronic billing system.

Phoenix is South Carolina's automated system for assessment, care planning, service authorization, service monitoring and service billing. Providers receive referrals and authorizations through Phoenix for the provision of waiver services. When they accept these, they are able to use a Provider Portal to view authorizations, service plans and any special requirements of the authorization (e.g., the participant is a smoker, services should be provided only in the morning, etc.).

Providers using the EVV document through a phone line or a smart phone application when they commence services, what the service is, who the worker is, when they stop providing services, specifics of what they did while providing the service and any observations about the overall wellbeing of the participant (recent falls, Emergency Department visit, etc.). Phoenix then compares this with the authorization and, if the service is provided as authorized, submits a claim up to the authorized level.

Providers using the web for billing other services (home delivered meals, etc.) use the portal to indicate the date of service and the units provided. As with the EVV, this is compared with the authorized amount and billed to that limit. In both cases, Phoenix submits claims multiple times a week and providers are paid once weekly. There is also a resolution process for providers to use in case of worker error or problems with the system (e.g., worker forgets to check out, phone line is down).

Providers receive initial billing training prior to getting service authorizations. They can reference a manual online in Phoenix which describes how to bill and run reports so they can monitor their workers and the billings. There is also periodic training for any provider in need of a refresher. A helpdesk phone line is available and a group e-mail has been developed to assist providers. They can also submit a problem at any time from within Phoenix.

Audits are conducted through post-payment reviews by the Division of Audits, Division of Program Integrity, as well as the program area. The former focus on proper documentation of delivery of service in accordance with the established policies and procedures for documentation. Negative findings are likely to result in recoupment of payments. Program audits are more wide ranging and focus on a broader range of activities. While they can result in recoupments, they also are likely to result in other types of sanctions up to and including termination for non-compliance of the contract. Both types of audits would include corrective action plans.

The Division of Audits and Program Integrity conduct reviews based upon requests and at random. The program area conducts audits at least every other year, and more often if previous reviews identify deficiencies.

A fiscal agent is used for the self-directed attendant service. All documentation of service is done as with other EVV services. The payment goes to the fiscal agent who pulls out deductions and makes payment of the remainder to the attendant.

SCDHHS receives files on a regular basis indicating payments that have been made to individuals providing self-directed services. These are compared with claims reports indicating money paid to the provider of FMS. In addition, First Data, the vendor for Care Call which sub-contracts for FMS receives the same data and conducts periodic audits to determine payments are made appropriately. SCDHHS has one staff position charged with ensuring that provider payments are done timely and accurately. Any discrepancies or other issues are discussed with First Data and resolved as appropriate. SCDHHS can request a complete financial audit at any time

☒ **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.

All services are included in the 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.

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## 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 I3-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:

Some County Councils on Aging provide waiver services. They receive payments for the provision of home delivered meals, personal care I and II, and companion services, and adult day health care services. The contractual process is the same for these as for all other providers of these services and the reimbursement rates are the same as well.

## 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:*

- ☒ **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.

This waiver includes both FFS and monthly capitated service payments. The monthly capitated payment is not reduced or returned 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:

**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.

The State and CMS contract with health plans, known as CICOs, for the provision of coordinated and integrated health care services under a federal financial alignment demonstration. This program is known as Healthy Connections Prime. Waiver participants who meet eligibility criteria may enroll in Healthy Connections Prime. During Phase 1 of the demonstration, the CICOs will be required to contract with the State's existing waiver providers. During Phase 2 of the demonstration, the CICOs will assume contractual authority of all HCBS non-case management services, except self-directed attendant care.

The State anticipates the CICOs operating state-wide, as long as they pass the required CMS network adequacy reviews.

The CICOs' capitated payment covers all waiver services, as well as all Medicaid and Medicare benefits, for Healthy Connections Prime participants.

Payment to the CICOs is made by an approved MMIS. Payments to CICOs will be made generally once a month based on each individual's capitation rate group assignment, which is communicated and verified between the State and the CICOs.



**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.**

## 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:

The State Housing and Development Authority provides \$100,000 annually as match via an intergovernmental transfer for home accessibility adaptations.



**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:

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## 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

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#### 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:

The Community Long Term Care Waiver Services Program budget line receives an allocation of a hospital provider tax that was implemented in order to expand Medicaid eligibility. All South Carolina general hospitals are subject to the tax.

## Appendix I: Financial Accountability

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#### 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:

Payments are made only for authorized waiver services. No payments are made directly to the Community Residential Care Facility providers. Participants must find alternative means for making room and board payments, primarily through the use of their recurring income. The home delivered meals service is not available to participants residing in CRCFs.

FFS payments do not include a component for room and board.

## Appendix I: Financial Accountability

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### 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

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### 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):***

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- ☐ **Nominal deductible**
- ☐ **Coinsurance**
- ☐ **Co-Payment**
- ☐ **Other charge**

*Specify:*

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## **Appendix I: Financial Accountability**

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### **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.**

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**Answers provided in Appendix I-7-a indicate that you do not need to complete this section.**

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## **Appendix I: Financial Accountability**

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### **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.**

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**Answers provided in Appendix I-7-a indicate that you do not need to complete this section.**

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## **Appendix I: Financial Accountability**

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### **I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (4 of 5)**

- a. **Co-Payment Requirements.**
- iv. **Cumulative Maximum Charges.**

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**Answers provided in Appendix I-7-a indicate that you do not need to complete this section.**

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## **Appendix I: Financial Accountability**

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### **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: Nursing Facility**

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	10058.12	4036.89	14095.01	37178.27	1405.26	38583.53	24488.52
2	10592.74	4158.00	14750.74	38293.62	1447.42	39741.04	24990.30
3	11233.40	4282.74	15516.14	39442.43	1490.84	40933.27	25417.13
4	12256.41	4411.22	16667.63	40625.70	1535.57	42161.27	25493.64
5	13750.00	4543.55	18293.55	41844.47	1581.63	43426.10	25132.55

## 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:
		Nursing Facility

Year 1	20721		20721	
Year 2	21372		21372	
Year 3	22023		22023	
Year 4	22673		22673	
Year 5	23324		23324	

## 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.

**Month by month projections are made of new enrollees and terminations.** These are used to calculate the average length of stay for each waiver year. Terminations are based upon historical data. Enrollments are based upon growth models for the waiver program.

## 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:

Community Choice 372 reports and Phoenix utilization data are used to provide estimates of the number of participants receiving each service and the average number of units. Rates are based upon existing rates with a 3% inflation factor for each year of the waiver.

South Carolina continues to produce a 372 report about six months after the end of the program year. While CMS only requires a lag report 12 months later, the State uses this information to make up to date projections for Factor D figures. In addition, the State uses monthly expenditure data and uses authorization and services rendered data available through Phoenix. These data show things such as the percentage of all waiver participants who receive any given service and the units received. Taken together, these form the basis for projections of users and units for each service. The rates are based upon current rates at the time of waiver renewal submission with a 3% increase projected for each year after the first year of the waiver.

Some of the waiver participants will also be in Healthy Connections Prime. At this time, there are no data available to suggest that service utilization and costs will vary for those waiver participants. This is being closely monitored to look for any savings or additional costs associated with the dual eligible initiative. Until such data demonstrate a difference, South Carolina assumes that the projections in the waiver apply for both subgroups of waiver participants.

Projections for Healthy Connections Prime waiver participants in Community Choices is a constant 8.9%. The demonstration is scheduled to end at the end of calendar 2018, with some possibility of extension. At this time, it is believed that all waiver participants would return to fee for service at the end of the demonstration. However, since the projections do not vary for the two groups, no estimates will change based upon the demonstration ending date.

- 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:

Estimates are based upon the CMS 372 report for the Community Choices waiver. A 3% inflation factor is used for all years of the waiver.

- 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:

Even though the CMS 372 report requires estimates rather than actual data for Factor G, the State has continued to collect these data on an annual basis. The estimates are based upon these actual figures. A 3% inflation factor is used for each year of the waiver.

- 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:

Even though the CMS 372 report requires estimates rather than actual data for Factor G', the State has continued to collect these data on an annual basis. The estimates are based upon these actual figures. A 3% inflation factor is used for each year of the waiver.

## 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	
Adult Day Health Care	
Case Management	
Personal Care/ Personal Care I + II	
Respite	
Companion Care	
Adult Day Health Care Transportation	
Adult Day Health Care-Nursing	
Attendant Care	
Home Accessibility Adaptations	
Home delivered meals	
Personal Emergency Response System	
Residential Personal Care II (formerly titled Community Residential Personal Assistance - CRPA)	
Specialized Medical Equipment and Supplies	
Telemonitoring	

## Appendix J: Cost Neutrality Demonstration

### J-2: Derivation of Estimates (5 of 9)

#### d. Estimate of Factor D.

ii. **Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937).** 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. If applicable, check the capitation box next to that service. 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: 1

Waiver Services/Component	Unit	#Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
<b>Adult Day Health Care Total:</b>						\$24,648,277
Adult Day Health Care	Day	2808	182.40	\$ 48.13	\$24,648,277	
<b>Case Management Total:</b>						\$12,377,689
Case Management	Month	20721	9.19	\$65.00	\$12,377,689	
<b>Personal Care/Personal Care I +II Total:</b>						\$114,272,777
Personal Care I	hour	11,608	244.80	\$12.90	\$36,656,833	
Personal Care II	hour	13,211	345.60	\$17.00	\$77,615,944	
<b>Respite Total:</b>						\$393,789.00
Institutional	day	198	11	\$175.00	\$381,329	
Community Residential Care Facility	day	10	7	\$50.00	\$3,500	
In-home	day	10	7	\$128.00	\$8,960.00	
<b>Companion Care Total:</b>						\$7,465,669
Individual Companion Care	hour	1379	269.6	\$9.50	\$3,532,616	
Agency Companion Care	hour	1554	266.4	\$9.50	\$3,933,053	
<b>Adult Day Health Care Transportation Total:</b>						\$5,360,656
Adult Day Health Care Transportation	event	2061	364.8	\$7.13	\$5,360,656	
<b>Adult Day Health Care-Nursing Total</b>						\$589,610
Adult Day Health Care-Nursing	day	281	140	\$15.00	\$589,610	
<b>Attendant Care Total</b>						\$16,334,123
Attendant Care	hour	2727	516.4	\$11.60	\$16,334,123	
<b>Home Accessibility Adaptations Total</b>						\$5,277,282
Pest Control	event	7324	4.5	\$42.75	\$1,408,938	
Pest Control Enhanced	event	780	1.0	\$975	\$760,500	
<b>Waiver Services/Component</b>	<b>Unit</b>	<b>#Users</b>	<b>Avg. Unit Per User</b>	<b>Avg. Cost/Unit</b>	<b>Component Cost</b>	<b>Total Cost</b>

Environmental Modifications-home repair	event	904	1	\$1,775.00	\$1,603,859	
Ramps	event	716	1	\$1,700.00	\$1,217,056	
Air Conditioner (10,000 BTU)	item	568	1	\$415.00	\$235,569	
Space Heater	item	694	1	\$65.00	\$45,104	
Box Fan (3 Speed)	item	156	1	\$40.00	\$6,256	
<b>Home Delivered Meals Total</b>						\$17,988,527
Home Delivered Meals	event	11,138	308.8	\$5.23	\$17,988,527	
<b>Personal Emergency Response Total</b>						\$1,607,280
PERS installation	event	1,493	1	\$30.00	\$44,797	
PERS monitoring	month	5,667	9.19	\$30.00	\$1,562,483	
<b>Residential Personal Care II</b>						\$32,256
Residential Personal Care II	hour	8	280	\$14.40	\$32,256	
<b>Specialized Medical Equipment and Supplies Total:</b>						\$1,921,051
Shower Chair	item	1,112	1	\$60.00	\$66,726	
Transfer Bench	item	421	1	\$150.00	\$63,077	
Hand Held Shower	item	1,344	1	\$50.00	\$67,189	
Raised Toilet Seat	item	763	1	\$100.00	\$76,341	
Nutritional Supplements-regular	case	2,077	15.7149	\$31.35	\$1,023,193	
Nutritional Supplements-diabetic	case	761	15.2554	\$48.50	\$563,152	
Bariatric Raised Toilet Seat	item	133	1	\$195.00	\$25,978	
Bariatric Shower Chair with Back	item	167	1	\$126.00	\$21,019	
Bariatric Shower Transfer Bench with Back	Item	85	1	\$170.00	\$14,376	
<b>Telemonitoring Total:</b>						\$145,279
Telemonitoring	Day	52	280	\$10.00	\$145,279	
<b>GRAND TOTAL</b>						<b>\$208,414,267</b>
<b>Total Services included in Capitation</b>						
<b>Total Services NOT included in Capitation</b>						<b>\$208,414,267</b>
<b>Total Estimated Unduplicated Participants</b>						<b>20,721</b>

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (6 of 9)

d. Estimate of Factor D.

ii. Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937). 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. If applicable, check the capitation box next to that service. 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: 2**

Waiver Services/Component	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
<b>Adult Day Health Care Total:</b>						\$26,185,342
Adult Day Health Care	Day	2896	182.40	\$49.57	\$26,185,342	
<b>Case Management Total:</b>						\$13,149,561
Case Management	Month	21,372	9.19	\$66.95	\$13,149,561	
<b>Personal Care/Personal Care I +II Total:</b>						\$126,234,847
Personal Care I	hour	11,973	275.2	\$13.29	\$43,778,778	
Personal Care II	hour	13,626	345.60	\$17.51	\$82,456,069	
<b>Respite Total:</b>						\$559,453
Institutional	day	204	11	\$180.25	\$405,109	
Community Residential Care Facility	day	10	7	\$51.50	\$3,718	
In-home	day	10	110.8	\$131.84	\$150,626	
<b>Companion Care Total:</b>						\$7,931,228
Individual Companion Care	hour	1423	269.6	\$9.79	\$3,752,910	
Agency Companion Care	hour	1603	266.4	\$9.79	\$4,178,318	
<b>Adult Day Health Care Transportation Total:</b>						\$5,694,946
Adult Day Health Care Transportation	event	2126	364.8	\$7.34	\$5,694,946	
<b>Adult Day Health Care-Nursing Total</b>						\$626,379
Adult Day Health Care-Nursing	day	290	140	\$15.45	\$626,379	
<b>Attendant Care Total</b>						\$17,352,718
Attendant Care	hour	2812	516.4	\$11.95	\$17,352,718	
<b>Home Accessibility Adaptations Total</b>						\$5,606,372
Pest Control	event	7554	4.5	\$44.03	\$1,496,799	
Pest Control Enhanced	event	805	1.0	\$1,004.25	\$807,925	
Waiver Services/Component						
<b>Waiver Services/Component</b>	<b>Unit</b>	<b>#Users</b>	<b>Avg. Unit per User</b>	<b>Avg. Cost/Unit</b>	<b>Component Cost</b>	<b>Total Cost</b>

Environmental modifications-home repair	event	932	1	\$1,828.25	\$1,703,875	
Ramps	event	738	1	\$1,751.00	\$1,292,952	
Air Conditioner (10,000 BTU)	item	585	1	\$427.45	\$250,259	
Space Heater	item	716	1	\$66.95	\$47,916	
Box Fan (3 Speed)	item	161	1	\$41.20	\$6,646	
<b>Home Delivered Meals Total</b>						\$19,110,291
Home Delivered Meals	event	11,488	308.8	\$5.39	\$19,110,291	
<b>Personal Emergency Response Total</b>						\$1,707,510
PERS installation	event	1540	1	\$30.90	\$47,590	
PERS monitoring	month	5845	9.19	\$30.90	\$1,659,920	
<b>Residential Personal Care II</b>						\$34,267
Residential Personal Care II	hour	8	280	\$14.83	\$34,267	
<b>Specialized Medical Equipment and Supplies Total:</b>						\$2,040,848
Shower Chair	item	1,147	1	\$61.80	\$70,887	
Transfer Bench	item	434	1	\$154.50	\$67,010	
Hand Held Shower	item	1386	1	\$51.50	\$71,379	
Raised Toilet Seat	item	787	1	\$103.00	\$81,102	
Nutritional Supplements-regular	case	2,142	15.7149	\$32.29	\$1,087,00	
Nutritional Supplements-diabetic	case	785	15.2554	\$49.96	\$598,270	
Bariatric Raised Toilet Seat	item	137	1	\$200.85	\$27,598	
Bariatric Shower Chair with Back	item	172	1	\$129.78	\$22,329	
Bariatric Shower Transfer Bench with Back	Item	87	1	\$175.10	\$15,273	
<b>Telemonitoring Total:</b>						\$154,339
Telemonitoring	Day	54	280	\$10.30	\$154,339	
<b>GRAND TOTAL</b>						<b>\$226,388,101</b>
<b>Total Services included in Capitation</b>						
<b>Total Services NOT included in Capitation</b>						<b>\$226,388,101</b>
<b>Total Estimated Unduplicated Participants</b>						<b>21,372</b>



## Appendix J: Cost Neutrality Demonstration

### J-2: Derivation of Estimates (7 of 9)

#### d. Estimate of Factor D.

ii. Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937). 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. If applicable, check the capitation box next to that service. 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: 3

Waiver Services/Component	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
<b>Adult Day Health Care Total:</b>						\$28,665,613
Adult Day Health Care	Day	3078	182.40	\$51.06	\$28,665,613	
<b>Case Management Total:</b>						\$13,956,605
Case Management	Month	22,023	9.19	\$68.96	\$13,956,605	
<b>Personal Care/Personal Care I +II Total:</b>						\$138,191,792
Personal Care I	hour	12,725	275.2	\$13.69	\$47,925,497	
Personal Care II	hour	14,482	345.60	\$18.04	\$90,266,295	
<b>Respite Total:</b>						\$612,445
Institutional	day	217	11	\$185.66	\$443,481	
Community Residential Care Facility	day	11	7	\$53.05	\$4,070	
In-home	day	11	110.8	\$135.80	\$164,894	
<b>Companion Care Total:</b>						\$8,682,473
Individual Companion Care	hour	1512	269.6	\$10.08	\$4,108,385	
Agency Companion Care	hour	1704	266.4	\$10.08	\$4,574,088	
<b>Adult Day Health Care Transportation Total:</b>						\$6,234,371
Adult Day Health Care Transportation	event	2259	364.8	\$7.56	\$6,234,371	
<b>Adult Day Health Care-Nursing Total</b>						\$685,709
Adult Day Health Care-Nursing	day	308	140	\$15.91	\$685,709	
<b>Attendant Care Total</b>						\$18,996,365
Attendant Care	hour	2989	516.4	\$12.31	\$18,996,365	
<b>Home Accessibility Adaptations Total</b>						\$6,137,406
Pest Control	event	8029	4.5	\$45.35	\$1,638,576	
Pest Control Enhanced	event	855	1.0	\$1,034.38	\$884,451	

Environmental Modifications-home repair	event	991	1	\$1,883.10	\$1,865,266	
Ramps	event	785	1	\$1,803.53	\$1,415,420	
Air Conditioner (10,000 BTU)	item	622	1	\$440.27	\$273,963	
Space Heater	item	761	1	\$68.96	\$52,455	
Box Fan (3 Speed)	item	171	1	\$42.44	\$7,275	
<b>Home Delivered Meals Total</b>						\$20,920,415
Home Delivered Meals	event	12,210	308.8	\$5.55	\$20,920,415	
<b>Personal Emergency Response Total</b>						\$1,869,245
PERS installation	event	1637	1	\$31.83	\$52,098	
PERS monitoring	month	6213	9.19	\$31.83	\$1,817,147	
<b>Residential Personal Care II</b>						\$37,513
Residential Personal Care II	hour	9	280	\$15.28	\$37,513	
<b>Specialized Medical Equipment and Supplies Total:</b>						\$2,234,157
Shower Chair	item	1219	1	\$63.65	\$77,602	
Transfer Bench	item	461	1	\$159.14	\$73,358	
Hand Held Shower	item	1473	1	\$53.05	\$78,140	
Raised Toilet Seat	item	837	1	\$106.09	\$88,784	
Nutritional Supplements-regular	case	2277	15.7149	\$33.26	\$1,189,960	
Nutritional Supplements-diabetic	case	834	15.2554	\$51.45	\$654,938	
Bariatric Raised Toilet Seat	item	146	1	\$206.88	\$30,212	
Bariatric Shower Chair with Back	item	183	1	\$133.67	\$24,444	
Bariatric Shower Transfer Bench with Back	Item	93	1	\$180.35	\$16,719	
<b>Telemonitoring Total:</b>						\$168,958
Telemonitoring	Day	57	280	\$10.61	\$168,958	
<b>GRAND TOTAL</b>						<b>\$247,393,067</b>
<b>Total Services included in Capitation</b>						
<b>Total Services NOT included in Capitation</b>						<b>\$247,393,067</b>
<b>Total Estimated Unduplicated Participants</b>						<b>22,023</b>

Appendix J: Cost Neutrality Demonstration

J-2: Derivation of Estimates (8 of 9)

d. Estimate of Factor D.

ii. Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937). 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. If applicable, check the capitation box next to that service. 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: 4**

Waiver Services/Component	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
<b>Adult Day Health Care Total:</b>						\$32,307,008
Adult Day Health Care	Day	3368	182.40	\$52.59	\$32,307,008	
<b>Case Management Total:</b>						\$14,799,585
Case Management	Month	22,673	9.19	\$71.03	\$14,799,585	
<b>Personal Care/Personal Care I +II Total:</b>						\$155,746,305
Personal Care I	hour	13,924	275.2	\$14.10	\$54,013,476	
Personal Care II	hour	15,846	345.60	\$18.58	\$101,732,829	
<b>Respite Total:</b>						\$690,244
Institutional	day	238	11	\$191.23	\$499,816	
Community Residential Care Facility	day	12	7	\$54.64	\$4,588	
In-home	day	12	110.8	\$139.87	\$185,840	
<b>Companion Care Total:</b>						\$9,785,408
Individual Companion Care	hour	1654	269.6	\$10.38	\$4,630,274	
Agency Companion Care	hour	1864	266.4	\$10.38	\$5,155,134	
<b>Adult Day Health Care Transportation Total:</b>						\$7,026,323
Adult Day Health Care Transportation	event	2472	364.8	\$7.79	\$7,026,323	
<b>Adult Day Health Care-Nursing Total</b>						\$772,815
Adult Day Health Care-Nursing	day	337	140	\$16.39	\$772,815	
<b>Attendant Care Total</b>						\$21,409,474
Attendant Care	hour	3271	516.4	\$12.68	\$21,409,474	
<b>Home Accessibility Adaptations Total</b>						\$6,917,042
Pest Control	event	8785	4.5	\$46.71	\$1,846,724	
Pest Control Enhanced	event	936	1.0	\$1,065.41	\$996,803	
Environmental Modifications-home repair	event	1084	1	\$1,939.59	\$2,102,211	
Ramps	event	859	1	\$1,857.64	\$1,595,221	

Air Conditioner (10,000 BTU)	item	681	1	\$453.48	\$308,765	
Space Heater	item	832	1	\$71.03	\$59,119	
Box Fan (3 Speed)	item	188	1	\$43.71	\$8,199	
<b>Home Delivered Meals Total</b>						\$23,577,936
Home Delivered Meals	event	13,360	308.8	\$5.71	\$23,577,936	
<b>Personal Emergency Response Total</b>						\$2,106,695
PERS installation	event	1791	1	\$32.78	\$58,716	
PERS monitoring	month	6798	9.19	\$32.78	\$2,047,979	
<b>Residential Personal Care II</b>						\$42,279
Residential Personal Care II	hour	10	280	\$15.74	\$42,279	
<b>Specialized Medical Equipment and Supplies Total:</b>						\$2,517,963
Shower Chair	item	1334	1	\$65.56	\$87,459	
Transfer Bench	item	504	1	\$163.91	\$82,676	
Hand Held Shower	item	1612	1	\$54.64	\$88,067	
Raised Toilet Seat	item	916	1	\$109.27	\$100,062	
Nutritional Supplements-regular	case	2491	15.7149	\$34.26	\$1,341,121	
Nutritional Supplements-diabetic	case	913	15.2554	\$53.00	\$738,135	
Bariatric Raised Toilet Seat	item	160	1	\$213.08	\$34,050	
Bariatric Shower Chair with Back	item	200	1	\$137.68	\$27,550	
Bariatric Shower Transfer Bench with Back	Item	101	1	\$185.76	\$18,843	
<b>Telemonitoring Total:</b>						\$190,420
Telemonitoring	Day	62	280	\$10.93	\$190,420	
<b>GRAND TOTAL</b>						<b>\$277,889,496</b>
<b>Total Services included in Capitation</b>						
<b>Total Services NOT included in Capitation</b>						<b>\$277,889,496</b>
<b>Total Estimated Unduplicated Participants</b>						<b>22,673</b>

#### Appendix J: Cost Neutrality Demonstration

##### J-2: Derivation of Estimates (9 of 9)

###### d. Estimate of Factor D.

ii. Concurrent §1915(b)/§1915(c) Waivers, or other authorities utilizing capitated arrangements (i.e., 1915(a), 1932(a), Section 1937). 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. If applicable, check the capitation box next to that service. 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: 5**

<b>Waiver Services/Component</b>	<b>Unit</b>	<b># Users</b>	<b>Avg. Unit Per User</b>	<b>Avg. Cost/Unit</b>	<b>Component Cost</b>	<b>Total Cost</b>
<b>Adult Day Health Care Total:</b>						\$37,456,422
Adult Day Health Care	Day	3791	182.40	\$54.17	\$37,456,422	
<b>Case Management Total:</b>						\$15,681,254
Case Management	Month	23,324	9.19	\$73.16	\$15,681,254	
<b>Personal Care/Personal Care I +II Total:</b>						\$180,570,708
Personal Care I	hour	15,673	275.2	\$14.52	\$62,622,684	
Personal Care II	hour	17,837	345.60	\$19.13	\$117,948,024	
<b>Respite Total:</b>						\$800,262
Institutional	day	267	11	\$196.96	\$579,482	
Community Residential Care Facility	day	14	7	\$56.28	\$5,319	
In-home	day	14	110.8	\$144.07	\$215,461	
<b>Companion Care Total:</b>						\$11,345,104
Individual Companion Care	hour	1862	269.6	\$10.69	\$5,368,293	
Agency Companion Care	hour	2098	266.4	\$10.69	\$5,976,811	
<b>Adult Day Health Care Transportation Total:</b>						\$8,146,249
Adult Day Health Care Transportation	event	2783	364.8	\$8.02	\$8,146,249	
<b>Adult Day Health Care-Nursing Total</b>						\$895,994
Adult Day Health Care-Nursing	day	379	140	\$16.88	\$895,994	
<b>Attendant Care Total</b>						\$24,821,930
Attendant Care	hour	3682	516.4	\$13.06	\$24,821,930	
<b>Home Accessibility Adaptations Total</b>						\$8,019,550
Pest Control	event	9889	4.5	\$48.12	\$2,141,074	
Pest Control Enhanced	event	1053	1.0	\$1,097.37	\$1,155,684	
Environmental Modifications-home repair	event	1220	1	\$1,997.78	\$2,437,283	
Ramps	event	967	1	\$1,913.36	\$1,849,483	
Air Conditioner (10,000 BTU)	item	766	1	\$467.09	\$357,979	
Space Heater	item	937	1	\$73.16	\$68,541	
Box Fan (3 Speed)	item	211	1	\$45.02	\$9,506	
<b>Home Delivered Meals Total</b>						\$27,336,023
Home Delivered Meals	event	15,039	308.8	\$5.89	\$27,336,023	
<b>Personal Emergency Response Total</b>						\$2,442,482
PERS installation	event	2,016	1	\$33.77	\$68,075	
PERS monitoring	month	7652	9.19	\$33.77	\$2,374,407	
<b>Residential Personal Care II</b>						\$49,017
Residential Personal Care II	hour	11	280	\$16.21	\$49,017	

<b>Specialized Medical Equipment and Supplies Total:</b>						\$2,919,301
Shower Chair	item	1502	1	\$67.53	\$101,399	
Transfer Bench	item	568	1	\$168.83	\$95,854	
Hand Held Shower	item	1814	1	\$56.28	\$102,104	
Raised Toilet Seat	item	1031	1	\$112.55	\$116,011	
Nutritional Supplements-regular	case	2804	15.7149	\$35.28	\$1,554,882	
Nutritional Supplements-diabetic	case	1028	15.2554	\$54.59	\$855,786	
Bariatric Raised Toilet Seat	item	180	1	\$219.47	\$39,477	
Bariatric Shower Chair with Back	item	225	1	\$141.81	\$31,941	
Bariatric Shower Transfer Bench with Back	Item	114	1	\$191.34	\$21,847	
<b>Telemonitoring Total:</b>						\$220,771
Telemonitoring	Day	70	280	\$11.26	\$220,771	
<b>GRAND TOTAL</b>						<b>\$320,705,064</b>
<b>Total Services included in Capitation</b>						
<b>Total Services NOT included in Capitation</b>						<b>\$320,705,064</b>
<b>Total Estimated Unduplicated Participants</b>						<b>23,324</b>