

South Carolina Department of Health and Human Services  
Pervasive Developmental Disorder Waiver  
Transition Plan Outline – DRAFT  
August, 2014

I. 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 Pervasive Developmental Disorder Waiver. There are specific requirements for where home and community based services are received called “settings requirements.” There are also requirements on how to conduct person-centered planning.

CMS requires that each state submit a “Transition Plan” for each waiver renewal or amendment between March 2014 and March 2015. The Transition Plan outlines how the state will come into conformance and compliance with the HCBS Rule. Once any waiver renewal or amendment is submitted to CMS with the waiver specific Transition Plan, the state must then submit, 120 days later, a “Master Transition Plan” that outlines how the state will come into conformance with the new requirements of the HCBS Rule. States must come into full compliance with HCBS Rule requirements by March 17, 2019.

This is the Transition Plan for the PDD Waiver Renewal. Per CMS requirements, this is available for the public to read and comment on before being submitted to CMS for review when the renewal is submitted.

The Transition Plan, even once submitted, may need to change and evolve as the state goes through the process of coming into compliance with the HCBS Rule. If the Transition Plan does change after submission to CMS, the state will make it available again for public comment and input.

II. Home and Community Based Settings Requirements

CMS has listed the following as the requirements of settings where home and community based services are provided. They must have the following qualities:

- Be integrated in and support full access of individuals receiving Medicaid HCBS to the greater community
- Include opportunities to seek employment and work in competitive integrated settings
- Allow individuals to control personal resources
- Setting must be selected by the individual from among setting options, including non-disability specific settings (this includes an option for a private unit in a residential setting)
- Setting options are identified and documented in the person-centered service plan
- Ensures an individual’s rights of privacy, dignity and respect, and freedom from coercion and restraint
- Optimizes individual initiative, autonomy, and independence in making life choices

- Facilitates individual choice regarding services and supports and who provides them
- A. Assessment of Facilities to determine HCBS Rule compliance  
Because of the settings where the PDD services are received, primarily in the home with the participant option to utilize a clinical setting on occasion, an assessment for compliance with the HCB settings requirements would not be necessary.
  - B. Day Facilities:  
This waiver provides services primarily in the participants' homes. Participants do have the option of receiving some of their services in a clinical setting. The clinical setting would be set in the larger community and would be chosen by the participant. Therefore, it is presumed that this environment would meet the settings characteristics outlined in the HCBS Rule.
  - C. Residential:  
This waiver provides services in the participants' homes. No other residential facilities are utilized in the provision of services. Participant's homes are considered private homes and those settings are presumed to be home and community based. Therefore, it is presumed that their home environment would meet the settings characteristics outlined in the HCBS Rule.
- III. Person-Centered Planning
- A. Person – centered planning requirements as outlined in the HCBS Final Rule will be further incorporated into Appendix D of the waiver document. Policies and procedures will be reviewed to ensure compliance with the standards in the Rule. Training will be provided to Case Managers/Service Coordinators to ensure they understand these standards and how to implement them in their work.
  - B. Conflict-free case management requirements as outlined in the HCBS Final Rule have not yet been developed. SCDHHS will assess current practices internally and externally and develop a plan for moving forward in meeting those requirements.
- IV. Communications
- A. Initial Plan Development  
SCDHHS formed a Workgroup to address and solicit input on how the state could come into compliance with the HCBS rule, including the PDD waiver renewal. This group is composed of members of:  
SC Department of Health and Human Services  
SC Department of Mental Health  
SC Department of Disabilities and Special Needs  
SC Vocational Rehabilitation  
Advocacy groups:  
AARP  
Family Connections  
Protection & Advocacy  
Providers:  
Local Disabilities and Special Needs Boards  
Housing providers for Mentally Ill population

Adult Day Health Care Providers  
Private Providers of Medicaid and HCBS services

Beneficiaries and family members have also been recently added to the workgroup membership.

The large workgroup broke into smaller workgroups 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 smaller workgroups and to discuss issues and concerns and the overall vision of how the state can come into compliance with the new regulation.

B. Public Notice and Comment on Waiver Renewal

1. SCDHHS has developed policy to provide multiple methods of public notice and input on waiver renewals which also includes its accompanying transition plan.

- The MCAC was provided advisories on the HCBS Rule and the PDD waiver renewal and transition plan on May 13, 2014 and July 8, 2014.
- Tribal Notification was provided on June 5 and 23, 2014. Tribal conference call for the waiver renewal and transition plan was held June 25, 2014.
- Public notice for comment on the PDD waiver renewal and transition plan was posted on the SCDHHS website on August 6, 2014.
- Public notice for comment on the PDD waiver renewal and transition plan was sent out via the SCDHHS listserv on August 6, 2014.
- Several public meetings are scheduled to discuss the PDD waiver renewal and its transition plan, as well as the HCBS Rule and what it means for South Carolina beneficiaries.

Four public forums will be held in August 2014 on the PDD waiver renewal and the HCBS Rule in the following cities:

Columbia, SC                      Charleston, SC  
Florence, SC                      Greenville, SC

- Public comment will be gathered from the public meetings listed above, from electronic communications sent to SCDHHS, and from any communications mailed to SCDHHS.
- SCDHHS will incorporate any appropriate changes to the waiver renewal and its transition plan based on public comments.