

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

PURPOSE OF THE HCBS WAIVER PROGRAM

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 an Amendment to a §1915(c) Home and Community-Based Services Waiver

1. Request Information

A. The **State of South Carolina** requests approval for an amendment to the following Medicaid home and community-based services waiver approved under authority of §1915(c) of the Social Security Act.

B. **Program Title:**
Mechanical Ventilator Dependent Waiver

C. **Waiver Number:** SC.40181
Original Base Waiver Number:

SC.40181.90.R1.03 D.

Amendment Number:

E. **Proposed Effective Date:** (mm/dd/yy)

09/01/2016

Approved Effective Date of Waiver being amended:

2. Purpose(s) of Amendment

Purpose(s) of the Amendment. Describe the purpose(s) of the amendment:

In amending this waiver, the state is seeking to revise the case management service and its billing processes. By doing so, the state is keeping case management consistently operated against all waiver programs.

3. Nature of the Amendment

A. **Component(s) of the Approved Waiver Affected by the Amendment.** This amendment affects the following component(s) of the approved waiver. Revisions to the affected subsection(s) of these component(s) are being submitted concurrently (*check each that applies*):

Component of the Approved Waiver	Subsection(s)
✓ Waiver Application	1_E; 6_I; attachment 2
Appendix A Waiver Administration and Operation	

Appendix B Participant Access and Eligibility	
✓ Appendix C Participant Services	C-1/C-3
Appendix D Participant Centered Service Planning and Delivery	
Appendix E Participant Direction of Services	
Appendix F Participant Rights	
Appendix G Participant Safeguards	
Appendix H	
Appendix I Financial Accountability	
✓ Appendix J Cost Neutrality Demonstration	J-2 d

B. Nature of the Amendment. Indicate the nature of the changes to the waiver that are proposed in the amendment (*check each that applies*):

Modify target group(s)

Modify Medicaid eligibility

Add/delete services

✓ **Revise service specifications**

Revise provider qualifications

Increase/decrease number of participants

✓ **Revise cost neutrality demonstration**

Add participant-direction of services

Other

Specify:

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

1. Request Information (1 of 3)

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*): Mechanical Ventilator Dependent Waiver

C. **Type of Request:** amendment

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.40181

Draft ID:

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

Regular Waiver



E. Proposed Effective Date of Waiver being Amended:

09/01/2016

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:

- 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 Mechanical Ventilator waiver. This waiver will serve the frail elderly and persons with physical disabilities that require mechanical ventilation who meet the nursing facility level of care criteria. The existing waiver and renewal proposal will offer participant direction of the attendant care service without budget authority. All other services within this waiver are primarily provider managed.

The direct administration of this waiver comes through the State Medicaid Agency - South Carolina Department of Health and Human Service (SCDHHS). Provider case managers working around the state are responsible for ensuring that participants are aware of their options within the waiver and can make informed choices as to which service(s) will best meet their needs.

This waiver involves the use of Phoenix, our automated web-based case management system; and Care Call, an electronic voice verification (EVV) System and mobile application used by providers to record service provision. Phoenix

has been demonstrated to other State agencies, at the request of Truven Health staff and Care Call has been cited as a "Best Practice" by CMS.

Phoenix includes all tools used by nurses and case managers to assess and manage care of waiver participants.

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.

Care Call is used 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 IVRS 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 prior 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.

For participants enrolled in Healthy Connections Prime during all transition phases, Care Call automatically submits claims to the 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

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**ness. 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

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:
South Carolina Mechanical Ventilator Waiver-April 2016

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

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 amendment 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 amend 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 amend 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 amendment 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 amendment which included 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 amendment and the Vent Transition plan. Also, a live webinar was held on Wednesday, May 11, 2016.

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: Program Director
Agency: South Carolina Department of Health and Human Services
Address: PO Box 8206
Address 2:
City: Columbia
State: South Carolina
Zip: 29202
Phone:
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: South Carolina
Zip:
Phone: **Ext:** **TTY**
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.

State Medicaid Director or Designee

Submission Date:

Signature:

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:

P.O. Box 8206

Address 2:

City:

Columbia

State:

South Carolina

Zip:

29202-8206

Phone: 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:

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
Mechanical Ventilator Dependent (Vent) 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 Mechanical Ventilator Dependent (Vent) 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 Vent Waiver. Per CMS requirements this Vent 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.

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 Mechanical Ventilator Transition Plan

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

- The Medical Care Advisory Committee (MCAC) was provided advisories on the HCBS Rule and the Vent Transition plan on November 12, 2014 and September 10, 2014.
- 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 Vent waiver transition plan was posted on the SCDHHS website on November 10, 2014.
- Public notice for comment on the Vent waiver transition plan was sent out via the SCDHHS listserv on November 10, 2014.
- Four public meetings were held to discuss the Vent 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 Vent 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 Vent revised waiver transition plan was sent out via the SCDHHS listserv on March 20, 2015.

- Public notice on the Vent 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 Vent revised waiver transition plan was posted at SCDHHS Jefferson Square/Headquarters Lobby on March 20, 2015.
- Printed copy of the Vent 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 Vent 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 Vent Transition Plan. A summary of the public comments is included with this Vent Transition Plan submitted to CMS in April 2015.

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

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 Mechanical Ventilator 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 Mechanical Ventilator Transition plan to be revised to ensure compliance. Therefore, the Mechanical Ventilator 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 Vent Transition plan. Also, a live webinar was held on Wednesday, May 11, 2016.
- Individuals were able to submit electronic comments to 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.

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

South Carolina Mechanical Ventilator Waiver-April 2016

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 Mechanical Ventilator waiver are divided as follows:

- All of the mechanical ventilator dependent waiver participants reside and receive services in their own homes. The HCB regulation allows states to presume waiver participant's home meets the requirements of HCB settings.

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.

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 Mechanical Ventilator 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

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. **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.

Actions to Bring System into Compliance

South Carolina Mechanical Ventilator Waiver-April 2016

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.

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.

Regulations/Standards/Policies etc.	Under Review	Review	Revised	Published
SCDHHS Policy: Leave of Absence from the State		Yes	Yes (January 2015)	In process
Vent Waiver Document	By CMS for amendment			

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 Mechanical Ventilator 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. The ongoing compliance actions described above for the overall system encompass any needed changes to and monitoring of residential policies, procedures, standards and directives.

Assessment of Settings

Setting Types

All of Mechanical Ventilator Dependent waiver participants reside and receive services in their own homes. The HCB regulation allows states to presume a waiver participant's home meets the requirements of HCB settings, therefore an assessment for compliance with the HCB settings requirements would not be necessary.

Setting Assessment Process

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.

Ongoing compliance

Ongoing compliance of the settings is currently monitored through SCDHHS policies and procedures. SCDHHS serves as the Administrative and the Operating Authority for the Mechanical Ventilator 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. 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.

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 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. 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 ongoing compliance of HCBS standards will be monitored.

South Carolina assures that the setting transition plan included in this waiver amendment 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 Mechanical Ventilator (Vent) Waiver Amendment						
Section 1. Identification						
Action Item	Description	Start Date	End Date	Sources	Stakeholders	Intervention/Outcome
Identify Residential programs	Identify the number and type of residential programs serving individuals in the waiver.	March 2014	April 2014	SCDDSN	SCDHHS, SCDDSN	As the services in this waiver are primarily offered at an individual's home, settings are presumed to be in compliance based on the setting definitions in the HCBS Rule. No assessment is needed.
Regulation and policy identification	Identify regulations, policies, standards, and directives that impact Vent 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.
Section 2. Assessment						
Action Item	Description	Start Date	End Date	Sources	Stakeholders	Intervention/Outcome
Review existing regulations, policies, standards, and directives for Vent HCB settings	As part of the Statewide Transition plan, conduct review of existing policies, qualification standards, licensure regulations, etc. for Vent 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.

Section 3. Compliance Actions						
Action Item	Description	Proposed Start Date	Proposed End Date	Sources	Stakeholders	Intervention/Outcome
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	March 2016	CMS Guidance, CFR, SCDHHS policy manuals	SCDHHS, Partner agencies, providers, beneficiaries, families, advocacy groups	Policies reflect HCBS requirements.
Section 3. Compliance Actions						
Action Item	Description	Proposed Start Date	Proposed End Date	Sources	Stakeholders	Intervention/Outcome
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.
Section 4. Communications						
Action Item	Description	Start Date	End Date	Sources	Stakeholders	Intervention/Outcome
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,	Provide a website for information and communication about

					beneficiaries and families	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 via listserv to any interested parties, and shared with members of the large Stakeholder workgroup.	Nov 10, 2014	Dec. 12, 2014	Public notice document, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for Vent waiver.
Public comment – 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, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for Vent waiver.
Section 4. Communications <i>continued</i>						
Action Item	Description	Start Date	End Date	Sources	Stakeholders	Intervention/Outcome
Public meetings conducted on Waiver	Four public meeting was held throughout state for citizens to comment on the proposed waiver	Nov. 13, 2014	Dec. 4 , 2014	Public notice document, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families,	Public notice posted with transition plan for Vent waiver.

Amendment and Transition Plan	amendment changes and waiver transition plan.				Providers, Advocacy Groups	
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, Vent Transition plan document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver amendment document and Vent waiver transition plan.
Section 4. Communications <i>continued</i>						
Action Item	Description	Start Date	End Date	Sources	Stakeholders	Intervention/Outcome
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, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver application document and Vent 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 amendment and Final Rule Requirements at MCAC meeting	November 2015	November 2015	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 Final Rule Requirements and a conference call is held to discuss.	December 2015	December 2015	Proposed waiver amendment changes and Final Rule Requirements	SCDHHS, Catawba Indian Nation	Any questions or concerns about waiver amendment and Final Rule Requirements are addressed
Public Notice provided	Notice of the waiver amendment 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, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for Vent waiver amendment.
Public meeting conducted on Waiver Amendment and Transition Plan	One public meeting was held throughout state for citizens to comment on the proposed waiver amendment changes and waiver transition plan. Also, a live webinar was hosted.	May 3, 2016	May 11, 2016	Public notice document, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted with transition plan for Vent waiver

Public comment – waiver amendment 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, Vent Transition plan Draft document	SCDHHS, Beneficiaries, families, Providers, Advocacy Groups	Public notice posted along with waiver application document and Vent 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.	May 2016	May 2016	Public comments and any state response documents	SCDHHS	Public comments considered and appropriately incorporated into documents.

Additional Needed Information (Optional)

Provide additional needed information for the waiver (optional):

The SCDHHS has a comprehensive Quality Management Framework. This has been developed and refined over the last several years based upon State initiatives and ongoing consultation and technical assistance from Thomson Medstat, the national quality contractor employed by CMS. Quality assurance practices have been developed to ensure the standards defined for the program are maintained and quality services are provided to our participants.

The SCDHHS ensures level of care determinations. An evaluation for level of care is provided to all applicants for whom there is reasonable indication that services may be needed in the future. All waiver referrals go through an intake process. An SCDHHS Central Office nurse applies intake criteria and the case is assigned to a Nurse Consultant for assessment. Assessments are keyed into the DHHS's Phoenix system.

Individuals that meet the eligibility requirements may enroll. SCDHHS nurse verifies that the participant is Medicaid eligible, and a regional SCDHHS nurse verifies that the participant meets level of care (LOC) and wants to participate. Phoenix uses an algorithm to provide a recommended LOC. However, the assessor and reviewer have the liberty to change the recommended LOC. Enrolled participants are re-evaluated at least annually. The State's Phoenix system indicates participants that are due for re-evaluations. The approved assessment instrument is part of the Phoenix system. Phoenix ensures that the approved assessment form is used for 100% of applicants. The state monitors level of care decisions and takes action to address inappropriate level of care determinations.

The Phoenix system has a component that links problems identified in the assessment to the plan of care. The SCDHHS uses this component to ensure that all problems identified in the assessment are addressed in the service plan (SP).

The SCDHHS ensures the SP address all participant's assessed needs (including health and safety risk factors) and personal goals, either by waiver services or through other means. The SP is updated/revised when warranted by changes in waiver participants' needs. Services are delivered in accordance with the SP; and the state monitors SP development in accordance with its policies and procedures and takes appropriate action when it identifies inadequacies in the development of the SP.

The SCDHHS contracts with an outside entity to perform participant experience surveys and focus groups. These are yearly activities. Reports generated from data are shared with staff. Areas of concern are addressed and corrective actions taken.

Phoenix will not allow service authorizations for any services that are not identified in the SP. Case Managers and regional SCDHHS supervisory and management staff monitor Care Call reports.

The SCDHHS has a thorough system of process measures. Case Managers' reviews start at the SCDHHS Regional Offices. Each month, regional SCDHHS supervisors review a sample of participant records to ensure case managers complete and document monthly contacts with participants. Regional SCDHHS supervisors perform a more in-depth monthly review of participants' records for each case manager. The reviews include verification that the required contacts are made appropriately, the service plan addresses identified needs, and the re-evaluation and service plan are updated appropriately and timely. Case Managers are notified of problems as they are identified and receive training if they do not meet required performance levels. If performance does not improve, disciplinary action, including removal from serving the waiver population, may occur. SCDHHS regional offices report findings quarterly to SCDHHS central office. SCDHHS central office staff conducts a second level of review at each regional SCDHHS office annually. SCDHHS central office staff review participants' record and also reviews whether the regional office handles participant complaints appropriately and follows state policies and procedures. Each year SCDHHS central office distributes findings from its reviews to all regional SCDHHS offices. Any indicator not meeting required standards requires corrective action by regional SCDHHS offices. This corrective action is monitored and an analysis of future reviews will determine effectiveness.

The SCDHHS verifies, on a periodic basis, that providers meet required licensing and/or certification standards and adhere to other state standards. The SCDHHS verifies annually that this license remains current. The SCDHHS also monitors non-licensed/non-certified providers to assure adherence to waiver requirements. SCDHHS central office employs a licensed nurse to conduct on-site reviews periodically based on past performance of the following services:

- Personal Care II
- Personal Care I

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· Medicaid Nursing

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 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 backup plans, etc.) have been met. The participant review verifies that all requirements relating to the actual conduct of service have been met.

Other services are reviewed by different means.

Home adaptation services require a contractor's license. Along with ensuring that providers have these licenses, SCDHHS central office staff conducts on-site reviews of a sample of modifications. The SCDHHS central office staff also conducts on-site reviews, when problems are reported.

Attendant care services are provided by individuals directly employed by participants. SCDHHS has a contract to ensure that attendants meet all requirements to provide services. The contractor employs licensed nurses to assess attendants and determine that they are capable of providing all needed care. In addition, the regional SCDHHS nurse consults with the participant at least monthly to ensure that services are being provided appropriately.

The SCDHHS central office Compliance Review Officer monitors contracted providers to ensure compliance with contractual requirements. This person identifies and rectifies situations where providers do not meet requirements.

For services monitored by the SCDHHS central office licensed nurse, a report is generated listing all deficiencies identified. Based upon the severity and number of the deficiencies and results of prior reviews, sanctions may take place. These may include requiring a written corrective action plan, recoupment of payments, suspension of new referrals and termination of the contract.

For home adaptation services, identified deficiencies will result in requests to correct the deficiencies. If these are not done timely, this may result in recoupment of funds.

For attendants, participants may terminate services for any reason at any time. Any allegations of inappropriate actions would be investigated and could result in termination from the Medicaid program and recoupment of payments.

The SCDHHS implements its policies and procedures for verifying that training is provided in accordance with state requirements in the approved waiver. Training requirements are monitored as part of the reviews conducted by the SCDHHS licensed nurse as described above. These include all pre-service requirements, competency evaluations for personal care aides and all ongoing in-service annual requirements. These requirements are specific to the individual services and are included in the service monitoring review. Sanctions are imposed for deficiencies in meeting training requirements.

The SCDHHS, on an ongoing basis, identifies; addresses; and seeks to prevent instances of abuse, neglect and exploitation. The SCDHHS provides new staff training, as new staff are hired. Part of the agenda includes training on Adult Protective Services (APS). The State Law, mandatory reporting, importance of referral and narration are stressed.

SCDHHS also has a Memorandum of Agreement with the SC Department of Social Services (DSS) for the provision of receiving and investigating reports of alleged abuse, neglect and exploitation occurrence to vulnerable adults receiving services. Changes to the APS Reporting Form were discussed at a meeting with DSS APS staff. The form and processing changes were agreed upon and DSS will begin capturing and forwarding data related to Mechanical Ventilator Dependent Waiver participants. Case Managers are required to enter reports of abuse, neglect or exploitation in Phoenix. Once entered into the Phoenix system, reports are submitted to SCDHHS central office staff and other designated regional SCDHHS office staff for review and follow up until satisfactorily resolved and closed.

The Medicaid Agency - SCDHHS serves as both Administrative and Operating Authority. Waiver review is part of the overall Community Long Term Care (CLTC), a Division within SCDHHS, Quality Assurance (QA) Plan. All QA data are collected and annually shared with regional SCDHHS office staff. Discussions are instrumental in policy changes, computer program enhancements and training.

State financial oversight is the review of claims (to insure that they are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver) is delegated to the operating agency.

All services in the waiver, except for institutional respite and extra prescription medications are submitted to Medicaid Management Information System (MMIS) for payment using the Phoenix system. Service documented by the provider is compared against the service authorizations on file for that participant. Service authorizations include the type of service, the authorized provider, the amount or units of service authorized, the procedure code to bill and the timeframe in which the service must be provided. Claims must meet all applicable criteria to be submitted to MMIS for payment at which time the billing code determines the rate of reimbursement. Case managers review service delivery with participants on a monthly basis and check to see that claims are appropriate.

Each and every component of the SCDHHS's quality assurance activities requires corrective action to address negative findings. SCDHHS Central Office has a QA Task Force committee to review all data accumulated through supervisory reviews, timeliness reports, case reviews, participant satisfaction surveys, administrative reviews, Phoenix system reports, provider compliance reviews, participant complaint log reports, Adult Protective Services reports, and other QA activities. These data are analyzed to identify training needs, areas requiring policy clarification and to determine area office strengths. The QA Task Force committee consists of members from various SCDHHS divisions. These task force members meet bi-monthly throughout the year to identify and pursue action plans for making improvements in the waiver program as well as in the quality management framework and strategy.

Appendix A: Waiver Administration and Operation

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:

Bureau 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.

(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:

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).*

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.

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.

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 amendment, 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 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

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

- 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.

SCDHHS will maintain its roles on performance of ongoing monitoring as the single Medicaid agency. This monitoring includes provider credential, provider quality assurance reviews, periodic review of service authorization and reassessment trends by CICOs.

Appendix A: Waiver Administration and Operation

- 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		

	X	
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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 for participants not enrolled in Healthy Connections Prime. 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.

ii. Remediation Data Aggregation

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: <input type="text"/>	<input type="checkbox"/> Annually
	<input checked="" type="checkbox"/> Continuously and Ongoing
	<input type="checkbox"/> Other Specify: <input type="text"/>

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

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)

Target Group	Included	Target SubGroup	Minimum Age	Maximum Age	
				Maximum Age Limit	No Maximum Age

					Limit
<input checked="" type="radio"/> Aged or Disabled, or Both-General					
	<input type="checkbox"/>	Aged			
	<input type="checkbox"/>	Disabled (Physical)			
	<input type="checkbox"/>	Disabled (Other)			
<input type="radio"/> Aged or Disabled, or Both-Specific Recognized Subgroups					
	<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"/> Intellectual Disability or Developmental Disability, or Both					
	<input type="checkbox"/>	Autism			<input type="checkbox"/>
	<input type="checkbox"/>	Developmental Disability			<input type="checkbox"/>
	<input checked="" type="checkbox"/>	Intellectual Disability	21		<input checked="" type="checkbox"/>
<input type="radio"/> Mental Illness					
	<input type="checkbox"/>	Mental Illness			
	<input type="checkbox"/>	Serious Emotional Disturbance			

- 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:*
- b. **Additional Criteria.** The State further specifies its target group(s) as follows:
- Admission to the waiver is restricted to participants who meet NF level of care and who are dependent on life sustaining mechanical ventilation.
- 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:*

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)

Answers provided in Appendix B-2-a indicate that you do not need to complete this section.

- 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:

- 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:

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	55
Year 2	60
Year 3	65
Year 4	70
Year 5	75

- 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 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	
Year 2	
Year 3	
Year 4	
Year 5	

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:

All individuals may enroll in the waiver as soon as all financial and level of care determinations have been done. There is no waiting list for this waiver.

Appendix B: Participant Access and Eligibility

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

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

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:**

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

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 spenddown 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. Prescription drugs above the four (4) prescriptions-per-month limit, not to exceed \$54.00 per additional prescription per month.
2. 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.
3. 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.
4. Denture Repair. Justified as necessary by a licensed dental practitioner. Not to exceed \$77.00 per occurrence.
5. Physician and other medical practitioner visits that exceed the yearly limit, not to exceed \$69 per visit.

6. 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.
7. 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.

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

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.

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.

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.

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).

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

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 supervision 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.

A standardized instrument is utilized to gather assessment information necessary for level of care determinations. The same level of care criteria and assessment form are used for nursing facility placement and waiver enrollment.

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.

- 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:**

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 produced by the State's 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 electronically with the Medicaid Agency.

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 had a LOC determination that indicated a need for institutional LOC prior to waiver enrollment and receipt of services D: Total number of new waiver enrollees

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State's Case Management System, Phoenix

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

		Confidence Interval []
<input type="radio"/> Other (Specify) []	<input type="radio"/> Annually	<input type="radio"/> Stratified Describe Group: []
	<input checked="" type="radio"/> Continuously and ongoing	<input type="radio"/> Other(Specify) []
	<input type="radio"/> 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="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 levels of care of enrolled participants are reevaluated at least annually or as specified 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:

The number and percent of waiver participants who received a reevaluation within 365 days of their last LOC evaluation N: Number of participants who received a reevaluation within 365 days of their last LOC evaluation D: Total number of participants who required a reevaluation

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State's Case Management System, Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	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)

- c. **Sub-assurance: The processes and instruments described in the approved waiver are applied appropriately and according to the approved description to determine the participant initial 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 LOC determinations completed using the appropriate forms/instruments as required by State Medicaid Agency N: Number of LOC determinations completed using the appropriate forms/instruments as required by State Medicaid Agency D: Total number of LOC determinations completed

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State's Case Management System, Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	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 a1 and b1 LOC determinations where LOC criteria were accurately applied N: Number and percent of a1 and b1 LOC determinations where LOC criteria were accurately applied D: Total number of a1 and b1 LOC determinations

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State's Case Management System, Phoenix

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

<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)

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:

The State's Case Management System, Phoenix

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	Weekly	<input checked="" type="radio"/> 100% Review
<input type="radio"/> Operating Agency	Monthly	<input type="radio"/> Less than 100% Review
<input type="radio"/> Sub-State Entity	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)

- 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 regional SCDHHS offices. Each office has SCDHHS employees (Area Administrators, Management staff; Lead team case managers and Lead team nurses, Supervisory staff; regional nurses; and support staff) that manage and supervise the daily operations of the waiver. Initial assessments and level of care determinations are performed by regional SCDHHS nurses. On-going case management services are performed by provider case managers. Services provided by regional SCDHHS nurses and provider case managers are monitored by regional SCDHHS office supervisors and during SCDHHS central office quality assurance reviews.

The Phoenix Case Management data entry system will not allow entry into the waiver without a LOC determination within 30 days. The SCDHHS 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 by determining if the participant is waiver appropriate. Phoenix identifies, prior to the due date, all participants due for annual re-evaluations and notes upcoming reevaluation/LOC re-determination on provider case managers' dashboard. Phoenix provides management reports of any LOC reevaluation determinations not completed timely.

The approved waiver assessment tool is part of the Phoenix data software system, and waiver participation (at entry or reevaluation) is not possible without completion of this assessment tool in Phoenix. Further, all modules of the assessment must be completed before the assessor is allowed to enter a LOC.

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.

PM1: Reports are run on new waiver enrollees to determine that their assessment contains an appropriate LOC for waiver admission. If the report indicates any new waiver enrollees who do not have an appropriate LOC, the case is reviewed by the regional SCDHHS nurse and a new LOC evaluation is performed. If the enrollee does not meet appropriate LOC, he/she is discharged from the waiver and referred to other appropriate services. If the enrollee does meet LOC he/she continues in waiver.

Since Phoenix should disallow these types of errors 100% of the time, the Phoenix developers would be notified and charged with identifying and correcting any programming errors.

PM2: SCDHHS Central Office or regional SCDHHS office supervisory staff reviews Phoenix data (narrative, check lists, care call, etc) to discover any late LOC reevaluation problems. Once any problems have been identified by SCDHHS staff, the case manager is notified. The supervisor notifies the case manager requesting remediation in order to bring the LOC current and any other corrective action that may be necessary. Corrective Action Plans are forwarded to SCDHHS Central Office using the Agency Outlook electronic mail system. Regional SCDHHS offices supervisory staff will monitor and follow-up with case managers/provider agency supervisors on data generated through Phoenix quality assurance system on a weekly basis for effectiveness of SCDHHS employees. The determinations are not considered to be complete until this review is conducted.

PM3: Any LOC determinations not conducted through Phoenix using the approved process will be rejected without ever having been completed.

PM4. All (initial and re-evaluation) LOC determinations are team staffed with regional SCDHHS employees. The team staffing process includes review of appropriate application of LOC criteria. If LOC criteria are not applied appropriately, the regional SCDHHS nurse or case manager will be directed to obtain more medical information and/or confer with regional SCDHHS office supervisory/management staff (Lead Team or Area Administrator) prior to completion of the LOC. The Area Administrator may recommend that case be forwarded to SCDHHS central office for input/LOC determination.

Also, Phoenix recommends a LOC based upon a computerized application of the LOC criteria. Since these recommendations reflects LOC policy, the regional SCDHHS nurse and case manager must make a case why the LOC should be different. Any indication that the nurse or case manager has not applied criteria correctly would result in further training on LOC for that nurse or case manager. Any indication that Phoenix is not applying the LOC rules correctly would be referred to the programmers for correction.

PM5: If a regional SCDHHS nurse does not enter a participant into the waiver within 30 days of the LOC determination, Phoenix will deny waiver enrollment. The nurse must complete a new assessment and LOC in Phoenix, before the participant can enter the waiver. Reports will be run periodically to ensure that Phoenix is operating correctly. Any indications of problems will be referred to programmers.

If upon discovery of a new waiver applicant without a LOC, a LOC would be immediately completed. If the individual was found to meet LOC, the individual would continue to receive waiver services. If the individual was found not to meet LOC, the individual would be dis-enrolled from the waiver and be referred to other services.

A problem, which is logged and tracked in the Phoenix system, would be reported to the Phoenix technical support group, for follow-up. They would determine and correct any issue allowing waiver entry without or LOC determination greater than 30 days old.

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)

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.

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

The regional SCDHHS nurse 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. If the participant lacks the physical or mental ability required to make a written choice regarding his/her care, a responsible party 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 system.

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):

DHHS 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 regional office has this equipment available for use by nurses and case managers during home visits. The agency also has a contract with an outside entity for a written material translation service.

The CICO standards for language interpretation services meets and/or exceeds those of the state. Based upon the three-way contract between 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.

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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 materials includes information on how members can 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	Case Management
Statutory Service	Personal Care I and Personal Care II
Statutory Service	Respite
Extended State Plan Service	Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits.
Other Service	Attendant Care
Other Service	Home Accessibility Adaptations
Other Service	Home Delivered Meals
Other Service	Personal Emergency Response System
Other Service	Pest Control
Other Service	Private Duty Nursing
Other Service	Specialized Medical Equipment and Supplies

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

Case Management

Service: Alternate

Service Title (if any):

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

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 Provider

Appendix C: Participant Services

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

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):*

Case Manager with a bachelor's degree in the health or social sciences field with 2 years' experience in social science or health area

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 Provider

Provider Qualifications

License *(specify):*

? ?

Certificate *(specify):*

? ?

Other Standard (specify):

Effective July 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 July 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 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:

Statutory Service ?

Service:

Personal Care ?

Alternate Service Title (if any):

Personal Care I and Personal Care II

HCBS Taxonomy:

Category 1:

?

Sub-Category 1:

?

Category 2:

?

Sub-Category 2:

?

Category 3:

?

Sub-Category 3:

?

Category 4:

?

Sub-Category 4:

?

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 nurses.

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	County Council on Aging
Agency	Nursing Agency
Agency	Personal Care Agency
Agency	Home Health Agency

Appendix C: Participant Services

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

Service Type: Statutory Service

Service Name: Personal Care I and Personal Care II

Provider Category:

Agency ?

Provider Type:

County Council on Aging

Provider Qualifications

License (specify):

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:

Annually/Biannually

Appendix C: Participant Services

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

Service Type: Statutory Service

Service Name: Personal Care I and Personal Care II

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:

Department of Health and Human Services

Frequency of Verification:

Annually/Biannually

Appendix C: Participant Services

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

Service Type: Statutory Service

Service Name: Personal Care I and Personal Care II

Provider Category:

Agency ?

Provider Type:

Personal Care Agency

Provider Qualifications License

(specify):

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:

Annually/Biannually

Appendix C: Participant Services

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

Service Type: Statutory Service

Service Name: Personal Care I and Personal Care II

Provider Category:

Agency ?

Provider Type:

Home Health Agency

Provider Qualifications License

(specify):

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: Annually/Biannually

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:

Service: Alternate Service Title (if any):

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

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 South Carolina Mechanical Ventilator Waiver-April 2016

may be furnished and claimed in a Medicaid certified nursing facility, or hospital. 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 no more than 28 days of respite per year outside of the home. In home respite will not exceed 2 days in a week and no more than 8 total days of in home respite will be allowed within a 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
Individual	Individual Respite Provider
Agency	Nursing Facility
Agency	Hospital
Agency	Nursing Agency - In Home Respite

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):

Individual respite care giver 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:

Licensed nurse under contract with DHHS

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:

Department of Environmental Health and Control; Department of Health and Human Services

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:

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:

Department of Health and Environmental Control; Department of Health and Human Services

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 Agency - In Home Respite

Provider Qualifications License *(specify):*

RN, LPN

Nurse Practice Act and S.C. Code of Laws, Regulations, chapter 91, State Board of Nursing

Certificate *(specify):*

Other Standard *(specify):*

Verification of Provider Qualifications Entity

Responsible for Verification:

Department of Health and Human Services

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:

Extended State Plan Service ?

Service Title:

Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits.

HCBS Taxonomy:

Category 1:

?

Sub-Category 1:

?

Category 2:

?

Sub-Category 2:

?

Category 3:

?

Sub-Category 3:

?

Category 4:

?

Sub-Category 4:

?

Service Definition (Scope):

Services that are provided when the limits of prescription drugs under the approved State plan are exhausted. The scope and nature of these services do not otherwise differ from prescription drug services furnished under the State plan. The provider qualifications specified in the State plan apply. Two additional prescription drugs will be allowed above the state plan limit under this waiver.

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

additional prescription drugs above the state plan limit.

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	Pharmacy Provider
Individual	Pharmacists

Appendix C: Participant Services

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

Service Type: Extended State Plan Service

Service Name: Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits

Provider Category:

Agency ?

Provider Type:

Pharmacy Provider

Provider Qualifications License (specify):

Pharmacy permit chapter 43 section 40-43-10 et.seq. SC code of laws. Equivalent in NC and GA.

Certificate (specify):

? ?

Other Standard (specify):

? ?

Verification of Provider Qualifications Entity

Responsible for Verification:

South Carolina Department of Health and Human Services

Frequency of Verification:

Upon Enrollment

Appendix C: Participant Services

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

Service Type: Extended State Plan Service

Service Name: Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits

Provider Category: Individual ?

Provider Type:

Pharmacists

Provider Qualifications License (specify):

Pharmacy permit chapter 43 section 40-43-10 et.seq. SC code of laws. Equivalent in NC and GA.

Certificate (specify):

? ?

Other Standard (specify):

? ?

Verification of Provider Qualifications

Entity Responsible for Verification:

South Carolina Department of Health and Human Services.

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:

Attendant Care

HCBS Taxonomy:

Category 1:

?

Category 2:

?

Category 3:

?

Category 4:

Sub-Category 1:

?

Sub-Category 2:

?

Sub-Category 3:

?

Sub-Category 4:

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. 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 Care Providers

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 Care Providers

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 under a contract with state Medicaid agency **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 Definition (Scope):

Those physical adaptations 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, or 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 and are based on the cost effectiveness of the purchase. 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 limit on home adaptations in the amount of \$7,500 per 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	Licensed Business
Individual	Volunteer worker
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, 1976 as amended 40-59-15 et seq. **Certificate**
(specify):

?

Other Standard (specify):

?

Verification of Provider Qualifications Entity

Responsible for Verification:

Department of Health and Human Services

Frequency of Verification:

Upon Enrollment; Annually

Appendix C: Participant Services

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

Service Type: Other Service

Service Name: Home Accessibility Adaptations

Provider Category: Individual

Provider Type:

Volunteer worker

Provider Qualifications License (specify):

Certificate (specify):

Other Standard (specify):

Work performed by volunteers, not meeting state licensure requirements, must meet all applicable local and state codes.

Verification of Provider Qualifications Entity

Responsible for Verification:

Department of Health and Human Services

Frequency of Verification:

Upon Enrollment

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):

South Carolina Mechanical Ventilator Waiver-April 2016

Other Standard (specify):

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Health and Human Services

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 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 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, bag lunch, refrigerated 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 Provider

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 Provider

Provider Qualifications License

(specify):

?

?

Certificate (specify):

?

?

Other Standard (specify):

Agencies desiring to be a provider of Home Delivered Meals (HDM) Services must have demonstrated experience. Experience must include no less than one year in food service meal planning and preparation. All meals must meet 1/3 RDA requirements.

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:

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 Definition (Scope):

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 connected to the participant’s phone and 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:

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	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: Individual ?

Provider Type:

Emergency Response Provider

Provider Qualifications License

(specify):

? ?

Certificate *(specify):*

? ?

Other Standard *(specify):*

Medicaid contract scope

Verification of Provider Qualifications

Entity Responsible for Verification:

Medicaid agency

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:

Pest Control

South Carolina Mechanical Ventilator Waiver-April 2016

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Service Definition (Scope):

Pest Control includes services to remove pests (i.e. roaches, fleas, and other pests) from participant's residence. Services are provided based on need to ensure participant's health, safety and welfare. Not only does removal of pests ensure the health, safety and welfare of participants, it enhances the ability to find willing providers of other in home services. The need for this service must also be noted in the Home Assessment section of Phoenix and service is delivered as specified in participant's service plan.

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

A maximum of six (6) treatments can be authorized within a twelve (12) month period. The service at a maximum may be authorized with a frequency of every other month.

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: Pest Control

Provider Category:

Agency

Provider Type:

Licensed Business

Provider Qualifications

License (specify):

South Carolina Business License

Certificate (specify):

Certification by Clemson University

Other Standard (specify):

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Health and Human Services

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:

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: Private Duty Nursing

HCBS Taxonomy:

Category 1:

Sub-Category 1:

Category 2:

Sub-Category 2:

Category 3:

Sub-Category 3:

Category 4:

Sub-Category 4:

Service Definition (Scope):

Individual and continuous care (in contrast to part time or intermittent care) provided by licensed nurses within the scope of State law. These services are provided to a participant at home.

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

Nursing services are limited to 60 hours of nursing services per week. In extraordinary cases exceptions may be made by DHHS.

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	Home Health Agency
Agency	Nursing Agency

Appendix C: Participant Services

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

Service Type: Other Service

Service Name: Private Duty Nursing

Provider Category:

Agency ?

Provider Type:

Home Health Agency

Provider Qualifications

License (specify):

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

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; Annually/Biannually

Appendix C: Participant Services

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

Service Type: Other Service

Service Name: Private Duty Nursing

Provider Category:

Agency ?

Provider Type:

Nursing Agency

Provider Qualifications

License (specify):

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

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; Annually/Biannually

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 Definition (Scope):

Specialized medical equipment and supplies include bath safety equipment (transfer benches, shower chairs, raised toilet seats, hand held shower heads), nutritional supplements, and other specialized medical supplies and/or equipment that are necessary to address participants' medical and functional needs.

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 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:

Provider Type:

Licensed Business

Provider Qualifications

License (specify):

South Carolina Business license

Certificate (specify):

[?]

Other Standard (specify):

[?]

Verification of Provider Qualifications

Entity Responsible for Verification:

Department of Health and Human Services

Frequency of Verification:

Upon Enrollment

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 and Home Health Agencies are all required by law to have background checks done on direct care 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 Health Department performs licensure inspections incorporating the requirement that all direct care staff of these agencies have the required background check.

All personal care agency and attendant providers must perform criminal background checks for any new hires providing direct care services. If the staff member has lived in another state in the last 10 years, the provider must also check the employee's background in that state. Potential employees with felony convictions cannot be hired. Hiring of employees with misdemeanor convictions will be at the discretion of the personal care provider.

For the service of Case Management the contract signed by the provider requires state level background checks. In all cases the provider compliance review officer reviewing waiver service providers reviews records to ensure 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).**

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 a phone monitoring 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. 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 given a packet of information that is used in the enrollment process. 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 within 14 days.

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. **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: The number and percent of new waiver provider applications, by provider type, for which the provider obtained appropriate licensure/certification in accordance with waiver provider qualifications prior to service provision. N: Number of new waiver provider applications, by type, with appropriate licensure/certification. D: Total number of new waiver licensed/certified provider applications

Data Source (Select one):

Other

Presentation of policies or procedures

If 'Other' is selected, specify:

Record reviews, off-site

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):
✓ State Medicaid Agency	Weekly	✓ 100% Review

Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	Representative Sample Confidence Interval []
<input type="radio"/> Other (Specify) []	<input type="radio"/> Annually	<input type="radio"/> Stratified Describe Group: []
	<input checked="" type="radio"/> Continuously and ongoing	<input type="radio"/> Other Specify []
	<input type="radio"/> 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="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 providers, by provider type, who continue to meet applicable licensure/certification following initial enrollment. N: Number of providers, by provider type, who continue to meet applicable licensure/certification following initial enrollment. D: Total number of licensed /certified providers by provider type.

Data Source (Select one):

Other

Presentation of policies or procedures

If 'Other' is selected, specify:

Provider licensure status is maintained in online databases and updated by appropriate State agencies. Reviews are conducted quarterly to ensure that licensure requirements are being met.

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

<input type="radio"/> Other (Specify) <input type="text"/>	<input type="radio"/> Annually	<input type="radio"/> Stratified Describe Group: <input type="text"/>
	<input 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="radio"/> Weekly
<input type="checkbox"/> Operating Agency	<input type="radio"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="checkbox"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="checkbox"/> 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: The number and percent of non-licensed/non-certified providers, by provider type, who met the initial waiver provider qualifications prior to service provision. N: Number of enrolled non-licensed/non-certified providers, by provider type, who met initial waiver provider qualifications. D: Total number of enrolled non-licensed/non-certified providers, by provider type.

Data Source (Select one):

Other

If 'Other' is selected, specify:

Record reviews, off site

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	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)

Performance Measure: The number and percent of non-licensed/non-certified personal attendant providers who on an ongoing basis have an annual TB test in accordance with waiver provider qualifications. N: Number of non-licensed/non-certified personal attendant providers with an annual TB test in accordance with waiver provider qualifications. D: Total number of non-licensed/non-certified personal attendant providers

Data Source (Select one):

Other

If 'Other' is selected, specify:

Record reviews, off site

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	Weekly	<input checked="" type="radio"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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="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)

- 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 number and percent of enrolled PCA and nursing provider employees who meet the annual in-service training hours, as specified in the approved waiver. N: Number of enrolled PCA and nursing provider employees who meet training requirements as specified in the approved waiver. D: Total number of PCA and nursing provider employees reviewed

Data Source (Select one):

Other

If 'Other' is selected, specify:

Record reviews, on site

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

	<input checked="" type="checkbox"/> Continuously and ongoing	<input type="checkbox"/> Other Specify A minimum of 20 staff
	<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.

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.

PM1 and PM3: Any enrolled provider that is later discovered to not meet initial waiver provider qualifications is required to provide proof that they currently meet qualifications. If proof is not provided, the provider is terminated.

PM2: Any enrolled provider who does not continue to meet waiver provider licensure/certification is required to provide proof within the timeframe specified by the Medicaid agency. If proof is not provided, the provider is terminated.

PM4: Attendants found to not have annual TB test are suspended until proof current TB test is submitted. If proof of current TB test is not submitted within a time period specified by the Medicaid agency, the attendant is terminated.

PM5: Enrolled Personal Care Aide and nursing providers whose employees do not meet the annual in-service training hours are required to submit an acceptable plan of correction.

The SCDHHS central office 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 and provider personnel continue to meet standards required in provider contracts. Additionally all providers are required to complete training with SCDHHS central office staff before their enrollment with South Carolina Medicaid.

The reviewer completes a preliminary report of findings. The findings are considered by SCDHHS central office staff, and then a written response of explanation and corrective action is requested from the provider. SCDHHS central office staff 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 corrective action plan 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

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)

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.

All participants in this waiver reside in and receive services in their own private homes. Therefore it is presumed that their homes meet the home and community based settings requirements. Participants do not attend Adult Day Health Care Facilities (ADHC). Therefore, this waiver, does not need to address ADHC facilities' compliance with the home and community based setting requirements. However, pertinent activities to review compliance with the home and community based setting requirements addressed in the Statewide Transition Plan were also applied to this

waiver. Additionally, pertinent activities in the Statewide Transition Plan timetable were applied to the Vent Waiver Transition Plan. The Statewide Transition Plan was submitted in February 2015. The Vent Waiver Transition Plan is located in Module 1, Attachment #2.

Appendix D: Participant-Centered Planning and Service Delivery

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

State Participant-Centered Service Plan Title:
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:*

- Social Worker**
Specify qualifications:

Other
Specify the individuals and their qualifications:

Appendix D: Participant-Centered Planning and Service Delivery

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

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. This meaningful information that is shared in the Participant's 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 rendered

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 re-evaluation. 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 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

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):

Service planning encompasses a comprehensive review of the participant's problems, strengths, and personal goals, as identified in the assessment (The South Carolina Level of Care Criteria for Medicaid Sponsored Long Term Care Services); as well as viable solutions. Goals are set based on the participant's identified needs. This service planning process allows for participation of the participant and/or primary contact, physician, service providers, SCDHHS nurse, provider case manager and CICO for participants enrolled in CICOs 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 persons with information necessary to make an informed choice regarding the location of care and services to be utilized.

Active participation and planning with the participant and/or the primary contact regarding the participant's long term care is an integral part of the waiver program. Development of a realistic and thorough Service Plan and its implementation in the community involves numerous contacts and extensive planning and coordination.

Service planning includes service coordination with other involved agencies, i.e., home health, case management hierarchy agencies, etc., to ensure all services are considered in the development of the service plan.

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 formal and informal, as well as those additional services which may be available to meet the participant's needs.

Service Planning includes resources currently utilized by the participant, both formal and informal services, as well as any additional services which may be available to meet the participant's needs and personal goals. Waivered services that are available to meet their needs are discussed with participant and/or primary contact during the enrollment process and on an on-going basis. In order to ensure participant choice of provider, participants and/or their representative receive a list of all available providers for each identified service. To ensure an unbiased choice this list is presented in random order and participants and/or their representative are encouraged to contact providers before making a selection.

Completion, implementation, and monitoring of the service plan is a function of the case manager. The case manager and nurse consultant must meet to discuss the assessment information for service plan development and to enter the participant into community case management. The Service Plan is developed (in Phoenix, a computerized case management data entry system) by the case manager from the assessment information, information obtained from the team conference with the nurse consultant, input from the participant, responsible party, and/or knowledgeable others, and agencies providing services to the participant.

The Service Plan is developed (in Phoenix, a computerized case management data entry system) by the case manager from the assessment information, input from the participant, primary contact, and/or knowledgeable others, primary physicians, and agencies providing services to the participant.

The Phoenix system has a component that pulls problems identified in the assessment and other components of Phoenix (e.g., caregiver supports, home assessment) to the service plan. Regional SCDHHS nurses and provider case managers use this component to ensure that all problems identified in the assessment are addressed in the service plan. Needs identified without services should be noted in the body of the service plan as an unmet need.

The Service Plan addresses the following areas:

- * Medical Status
- * Skin/Nutrition
- * Functional Activities of Daily Living (ADL)

- * Instrumental Activities of Daily Living (IADL)
- * Psychosocial Information
- * Care Giver Supports
- * Home Assessment
- * Personal Goals

The SCDHHS ensures, through its data management system, Phoenix, that the service plan addresses all participants' assessed needs

(including health and safety risk factors) and personal goals, either by waiver services or through other means. The service plan is updated/revised when warranted by changes in waiver participants' needs. Services are delivered in accordance with the service plan; and the SCDHHS monitors service plan development in accordance with its policies and procedures and takes appropriate action when inadequacies are identified in service plan development.

In most cases an electronic copy of the service plan is made available to providers via Phoenix. For other providers a copy of the Service

Plan must be routed to the waiver service providers within seven (7) calendar days of completion. The provider case manager must ensure the service plan was sent and will initiate copy routing if service plan was not submitted via Phoenix. All appropriate waiver providers have access to the most current service plan.

The service plan at a minimum is completed every 365 days. If minor changes occur within the 365 days the service plan will be updated. If major changes occur with the participant's condition, a formal re-evaluation, including assessment, level of care and service plan must be done.

The Service Plan Agreement Sheet is part of the current Service Plan and is presented to the participant, primary contact, and/or knowledgeable other as the last page of the Plan. The Service Plan Agreement Sheet serves as a written record that the Service Plan has been developed, reviewed, and evaluated with the participant, primary contact and/or knowledgeable other. It is signed and dated, at the first quarterly visit after completion of the service plan, by both the provider case manager and the participant, primary contact, and/or other permitted care giver support.

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/responsible party. Where feasible and appropriate, interventions or strategies to reduce risks will be negotiated. If the probability of high risk cannot be successfully negotiated, the nurse and provider case manager will remind the participant/responsible party 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 part of the assessment and service plan in the automated computer system. Interventions are included in the service plan to address identified risks.

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 informal supports when formal supports are unavailable. If the back-up system is not working appropriately, the participant can notify the nurse and provider case manager 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 randomized list of waiver service providers in order to select a provider. This list includes phone numbers. 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. In no case will the nurse or case manager choose a provider for a participant. Also, brochures giving tips on provider selection have been developed for some services.

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):

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.

A state case manager and/or nurse oversees and approves all service plans as appropriate. The case manager and/or nurse is an employee of the State Medicaid agency. Services cannot be authorized until the service plan is approved by the state case manager and/or nurse. Phoenix requires the signature of both parties, the case manager and state reviewer, prior to service plan implementation.

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 quarterly 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.

Providers of nursing and personal care services are required to have a written back up service provision plan for each participant. This plan includes a detailed description of how they will ensure services are provided. Compliance reviews on these providers pull a random sample of waiver participants and determine whether or not such a plan exists and, if the plan has been used, how effective it was. Participants that self-direct their hands on care are required to develop and maintain Back-Up Plans. Assistance with this is provided by provider case managers who facilitate the self-directed services.

Provider case managers monitor these plans through monthly phone calls and quarterly visits with participants and/or primary contacts. During monthly contacts participants and/or primary contact are questioned regarding the need to use his/her Back-Up Plan and the effectiveness of the plan. Revisions to the plan are made as required.

The service planning process includes review of all resources (waiver and non-waiver) available to meet participants' needs. The results of this process are documented in the service plan, which addresses all services, type of provider who will serve the participant and frequency and amount of services needed. When non-waivered services are necessary, provider case managers, participant and/or primary contact discuss community resources (local charities, churches) that can provide needed services. During monthly monitoring provider case managers inquire about service delivery and appropriateness of interventions for waiver and non-waiver services. Any newly discovered non-waivered services are added to the service plan and monitored monthly for progress. The results of monthly monitoring contacts are narrated in participant's electronic file.

Data for service plan requirements is aggregated in Phoenix on a daily basis and can be reviewed on a statewide, regionally or by individual provider case manager level. On a monthly basis regional SCDHHS supervisory and management staff review data on an individual provider case manager level. Results of the review are recorded on an Excel spreadsheet. All identified problems and a corrective action plan are discussed with the appropriate provider case manager. Monitoring of corrective action plans, up to completion, are recorded on the Excel spreadsheet. The timeframe stated for remediation dictates the frequency of monitoring.

Isolated problems are remediated through corrective action plan requirements. Frequent problems are remediated through corrective action plans, re-training, and disciplinary actions, up to removal from serving waiver participants.

Excel spreadsheets, from the regional SCDHHS supervisory and management staff are forwarded, via e-mail, to SCDHHS central office staff on a quarterly basis for review and follow-up on any pending concerns. Also, on a quarterly basis designated SCDHHS central office staff reviews aggregated data on a statewide and regional level. These results are recorded on an Excel spreadsheet. Identified problems that have not been addressed by regional SCDHHS supervisory and management staff are shared with these individuals. A corrective action plan is required and monitored. Timeframe for completion of corrective action dictates monitoring activities.

Isolated problems are remediated through corrective action plan requirements. Frequent problems are remediated through

corrective action plans, re-training, and disciplinary actions, up to removal from serving waiver participants.

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 CICO's 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 needs and personal goals identified in the assessment were addressed in the service plan. N: Number of participants whose needs and personal goals identified in the assessment were addressed in the service plan. D: Total number of participants

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State Case Management System, Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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 participants whose needs were identified regarding caregiver support was addressed in the service plan. N: Number of participants whose needs were identified regarding caregiver support were addressed in the service plan. D: Total number of participants with caregiver support needs

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State Case Management System, Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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 participants whose home environmental needs were addressed in the service plan. N: Number of participants whose home environmental needs were addressed in the service plan. D: Total number of participants with home environmental needs

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State Case Management System, Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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="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 monitors service plan development in accordance with its policies and procedures.*

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 completed in Phoenix and reviewed by an employee of Medicaid within the required time frames. N: Number of service plans completed in Phoenix and reviewed by an employee of Medicaid within the required time frames. D: Total number of service plans

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	<input type="checkbox"/> Representative Sample Confidence Interval <input type="text"/>
<input type="checkbox"/> 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="radio"/> 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="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 service plans developed that involved participants and/or caregivers in the development process. N: Number of service plans developed that involved participants and/or caregivers in the development process. D: Total number of service plans

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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

c. **Sub-assurance: Service plans are updated/revised at least annually or when warranted by changes in the waiver participant 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 reviewed which indicated participant’s needs changed and the service plan was updated as needed. N: Number of service plans reviewed which indicated participant’s needs changed and the service plan was updated as needed. D: Total number of participants whose needs changed

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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 service plans revised on or before the annual review date. N: Number of service plans revised on or before the annual review date. D: Total number of annual service plans due.

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	<input type="checkbox"/> 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="checkbox"/> Operating Agency	<input type="radio"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="checkbox"/> Other (Specify)	<input type="radio"/> Annually
	<input checked="" type="checkbox"/> 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:

The number and percent of participants whose services were delivered in accordance with authorizations specified in the participant’s service plan. **N:** Number of participants who report services were delivered in accordance with authorizations specified in the participant’s service plan. **D:** Total number of participants receiving services

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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	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)

e. **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:

The number and percent of participants with an appropriately completed Service Choice Form that offered choice of institutional care or waived services. N: Number of participants with an appropriately completed Service Choice Form that offered choice of institutional care or waived 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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	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 participants afforded choice of all qualified waived service providers. **N:** Number of participants afforded choice of all qualified waived service providers. **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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	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)

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 provider case managers and monitored by regional SCDHHS supervisory staff and SCDHHS 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 SCDHHS staff. The service plan is not considered complete without the signature of a SCDHHS staff person.

All data are aggregated in Phoenix on a daily basis. It can be reviewed on a statewide, regionally or by provider case manager level.

The Phoenix system links needs (including caregiver supports, home environment, personal goals and other needs) identified in the assessment to the service plan. Before this link occurs, errors discovered by regional SCDHHS staff during assessment team staffing are remediated prior to service plan development. 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 regional SCDHHS workers or the CICO (for CICOS that have passed the necessary benchmark reviews to move to phase 2 of the HCBS transition). Phoenix also allows regional SCDHHS workers to identify services included in the service plan not currently authorized.

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.

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. Phoenix 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 and make recommendations about changes to the service plan (in Phase 1) 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, the Lead team case manager will review the problem with the case manager and notify the provider agency. Problems that can be corrected are considered pending until amended. If they are not amended timely, the South Carolina Mechanical Ventilator Waiver-April 2016

Lead team case manager can take further designated action. If they cannot be corrected they are sent to provider compliance for recoupment. All CM Provider agencies are expected to file corrective action plans with CLTC Area Offices of case manager non-compliance. Area Offices are expected to monitor and report back to Central Office on progress. If the problem is with a state worker it is remediated by the supervisor, reported to Central Office and monitored for improvement. Further actions are taken as necessary.

Phoenix has an algorithm that links problems identified in the assessment to the service plan. The service plan cannot be completed and services authorized until all problems are addressed. If during team staffing or case review it is discovered that a problem identified in the assessment was not included in the SP, the service plan is immediately updated by the provider case manager. If during review it is discovered that a problem should have been linked to the SP but was not, programmers are notified for immediate correction.

Phoenix does not allow authorization of services that are not linked to the SP. If during a review it is discovered that any service is authorized which was not identified in the SP, programmers will be notified to correct this immediately.

If during review it is discovered that a completed Service Choice Form is not found, the provider case manager is required to immediately secure this form. Additionally, the provider case manager is counseled.

If during review it is discovered that a participant is not afforded choice of all qualified waiver service providers, the participant will receive a complete provider choice list and be offered the opportunity to change providers. The provider case manager will be counseled and, if there is a pattern of problems in this area, further disciplinary action will be taken.

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)

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.

This waiver offers the opportunity for participants to self-direct their hands on personal care. This is done through the attendant care service. Participants have the ability to choose, hire and direct the attendant. Participants do not have budgetary authority.

In addition, under certain circumstances the participant can self-direct the provision of skilled nursing services. This requires prior approval from a physician.

Participants may direct the attendant care service if they have no communication or cognitive deficits which make them unable to make independent decisions 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 this service. 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.

Case managers introduce participant direction as an option and provide more detailed information concerning the benefits and responsibilities of the option. If the participant wishes to pursue self-direction, nurses who specialize in self-directed care and who contract with SCDHHS visit participants and provide extensive information about the risks, responsibilities and liabilities of the option. The contract nurse assists each participant to list and prioritize individual needs, decide how he/she wants to get needs met, develop a service plan, and determine whether or not the self-direction option is an appropriate choice. The contract nurse facilitates the decision-making process as the participant identifies what is important for him/her to stay at home, how often each service is needed, and who he/she would like to provide each service. Also, the contract nurse discusses the importance of a back-up plan and helps participants formulate a back-up plan. Information is provided to participants about the hiring, management and termination of workers. In addition, the nurse also ensures that employment packets are completed and forwarded to the FMS and that provider agreements are in place for both workers and vendors of goods and services prior to the authorization of services.

A financial management service 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 is receiving services, the provider case manager continues 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.

Generally, payments are transferred from MMIS to the FMS. If the participant is in Healthy Connections Prime, the claim is transferred to the appropriate CICO. Payments are made 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.

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

Using the assessment instrument, participants are evaluated on the basis of communication and cognitive patterns to determine their ability to self-direct their 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 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 may choose anyone 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 must agree to a predetermined frequency of contact with the participant. A representative may not be paid to be a representative, and may 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
Pest Control	✓	<input type="checkbox"/>
Attendant Care	✓	<input type="checkbox"/>
Respite	✓	<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 Care Call services through award of a bid submitted in response to a Request for Proposals (RFP) by the State. The FMS are 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. Additional fees are charged per check above a set number of checks per month.

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

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

- 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:

- 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**
- 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 Medicaid Agency’s Care Call/Phoenix system documents the delivery of services by providers and compares the claims to authorizations to ensure appropriate service provision. The system transfers data and submits claims to MMIS or the CICO six times per 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 checks. FMS makes payments bi-weekly and posts electronically to the Medicaid agency. Daily, the monies received are reviewed and compared to the amount of monies being paid out. SCDHHS central office and regional SCDHHS staff, providers and participants access web-based and paper reports to monitor service delivery. Financial audits are performed periodically.

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 develop a 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
Pest Control	<input type="checkbox"/>
Specialized Medical Equipment and Supplies	<input type="checkbox"/>
Private Duty Nursing	<input type="checkbox"/>

Personal Emergency Response System	<input type="checkbox"/>
Personal Care I and Personal Care II	<input type="checkbox"/>
Home Delivered Meals	<input type="checkbox"/>
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits.	<input type="checkbox"/>
Home Accessibility Adaptations	<input type="checkbox"/>
Attendant Care	<input type="checkbox"/>
Case Management	<input type="checkbox"/>
Respite	<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)

I. 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 options. The termination of participant directed services and authorization of agency 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.

Provider case managers monitor participant directed services on a monthly basis or more often if needed. If there is any indication that services are not meeting participant needs, the provider case manager will work with the participant to determine what, if any, problems exist. If problems cannot be corrected so as to ensure that the participant's needs are being met, participant directed services will be terminated. 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. In all cases participants have the right to appeal any termination of services. Participants are notified of this right both verbally and in writing.

It is very rarely the case that participant directed services are terminated. Usually a resolution is reached that allows services to continue.

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		9			
Year 2					
		10			
Year 3		11			
Year 4		12			
Year 5		13			

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:

Background checks are paid by the attendant requesting to be a provider.

- 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.

i. **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 responsible party for the participant (should there be one) is copied on the written communication. The formal process of review and adjudication of SCDHHS 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.

Upon entry to the waiver, participants/primary contacts are given comprehensive written materials outlining their rights and responsibilities. Included in this is a description of their right to appeal any adverse decisions.

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

The participant or designated representative must write a letter requesting an appeal within 30 days of the date of the official written notification issued by SCDHHS. 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 SCDHHS Notification. Also included on these forms is the information on requesting continuing services until the outcome of the hearing.

Once an appeal has been arranged, the appeals examiner will notify the participant and regional SCDHHS office 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

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.

All participants will use the State-operated appeals and Fair Hearing process. Participants in Healthy Connections Prime have access to an additional independent ombudsman representative to assist in the arbitration process.

Appendix F: Participant-Rights

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:

The State Medicaid agency 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).

Complaints are taken at the SCDHHS regional office and SCDHHS central office level. Participants are notified of their right to complain/grieve through a Participant's Rights and Responsibilities statement reviewed and signed at the initial visit after waiver entry. When a participant elects to make a complaint, the participant is informed that doing so is not a prerequisite or substitute for a Fair Hearing.

Types of complaints taken include complaints against providers; complaints about reduction or termination of services; complaints regarding unmet needs; complaints regarding the waiting list; allegations of abuse; and any other complaint about services received under the waiver.

The staff member receiving the complaint enters the complaint in Phoenix, initiates action to address the complaint and tries to reach resolution. The expectation is that complaints will be resolved immediately if possible, and always within the month. Pending actions and complaint data are tracked and compiled by Phoenix.

Actions taken to resolve complaints may include contact with provider, referrals to supervisors and/or referral to adult protective agencies. In addition to the above, the State Medicaid agency 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-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.

- 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 to either the South Carolina Department of Social Services, Long Term Care Ombudsman Office or the State Law Enforcement Division. These reports can be made by phone or written form. 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.

- 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 explains who are vulnerable adults, what is abuse, and providers' phone numbers of where to report suspected abuse cases if they occur in a private home or nursing home. Regional SCDHHS staff or case managers explain this information to participants during the initial visit.

- 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 timeframes 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 (43-35-25). Incidents in other settings are reported to the Adult Protective Services Program and the county Department of Social Services (DSS). 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. Many agencies have roles: SC department of Disabilities and Special Needs, Attorney General, Protection and Advocacy, and the Department of Mental Health. These agencies have specific policies and procedures to follow and regulatory actions that can be taken.

- 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 with SCDHHS. 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 SCDHHS. It requires both agencies to work together toward identifying those programs and services operated or contracted for operation by SCDHHS that should report alleged abuse, neglect, or exploitation to SCDSS and to establish cooperative relationships for the purpose of training and technical assistance to SCDHHS staff and/or its contracts.

SCDHHS currently conducts face to face meetings or communicates with appropriate DSS staff via e-mail about every 3-4 months to discuss critical incident reporting. State DSS is working on programming and data changes that will allow for monthly data exchange on referrals

Appendix G: Participant Safeguards

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:

There are no waived services authorized in unlicensed facilities.

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-a-i 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

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 homes 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 identified within the system. They address ongoing needs, including increasing public awareness of adult abuse, neglect and exploitation.

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.

- 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.

Appendix G: Participant Safeguards

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

c. **Medication Administration by Waiver Providers**

Answers provided in G-3-a indicate you do not need to complete this section

- 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)*

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.

2

2

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. 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:****Number and percent of abuse, neglect and/or exploitation complaints reported by the Case Manager to Adult Protective Services (APS) timely in accordance with State law N: Number of abuse, neglect and/or exploitation complaints reported by the Case Manager to Adult Protective Services (APS) timely in accordance with State law D: Total number of abuse, neglect and/or exploitation complaints****Data Source** (Select one):**Other**

If 'Other' is selected, specify:

Phoenix

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

South Carolina Mechanical Ventilator Waiver-April 2016

<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	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	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 substantiated cases of abuse, neglect and/or exploitation that are appropriately follow-up by the Case Manager N: Number of substantiated cases of abuse, neglect and/or exploitation that are appropriately followed up by the Case Manager D: Total number of substantiated cases of abuse, neglect and/or exploitation

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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"/>
Other Specify: <input type="text"/>	Annually	Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	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	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)

Performance Measure:

Number and percent of complaints that are assigned to the appropriate State Medicaid staff in accordance with the timeframes as specified in the approved waiver N: Number of complaints that are assigned to the appropriate State Medicaid staff in accordance with the timeframes as specified in the approved waiver D: Total number of complaints

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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"/>
Other Specify: <input type="text"/>	Annually	Stratified Describe Group: <input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	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	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)

Performance Measure:

Number and percent of waiver participants/authorized rep. who got information on reporting abuse, neglect and/or exploitation at initial waiver enrollment or annual re-eval
N: Number of waiver participants/authorized rep. who received information reporting abuse, neglect and/or exploitation at initial enrollment or annual re-eval
D: Total number of initial enrollment or annual re-eval participants

Data Source (Select one):

Other

If 'Other' is selected, specify:

Phoenix

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"/>

Other Specify: <div style="border: 1px solid black; width: 150px; height: 25px; margin: 5px 0;"></div>	Annually	Stratified Describe Group: <div style="border: 1px solid black; width: 150px; height: 25px; margin: 5px 0;"></div>
	<input checked="" type="checkbox"/> Continuously and Ongoing	Other Specify: <div style="border: 1px solid black; width: 150px; height: 25px; margin: 5px 0;"></div>
	<input type="checkbox"/> Other Specify: <div style="border: 1px solid black; width: 150px; height: 25px; margin: 5px 0;"></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):	Annually
	<input checked="" type="checkbox"/> Continuously and ongoing
	<input type="checkbox"/> Other (Specify)

Performance Measure:

The number and percent of waiver participants who have been assessed and assigned a designation for the Emergency Disaster Priority list N: Number of waiver participants who have been assessed and assigned a designation for the Emergency Disaster Priority list D: Total number of waiver participants

Data Source (Select one):

Other

If 'Other' is selected, specify:

The State Case Management System, Phoenix

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 style="border: 1px solid black; width: 150px; height: 25px; margin: 5px 0;"></div>
Other Specify:	Annually	Stratified Describe Group:

<input type="text"/>		<input type="text"/>
	<input checked="" type="checkbox"/> Continuously and Ongoing	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	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)

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.

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.

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.

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.

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 provider case managers are informed of their responsibility (as mandated reporters, per SC Code of Laws, chapter 35, section 43-35-25) to make APS referrals. An APS power point has been developed and placed on the internal website for training purposes. In addition, provider case managers are trained on the appropriate process for recording APS referrals and the instrument (Phoenix) to record, update and track APS referrals. In addition, SCDHHS central office and regional SCDHHS supervisory and management office staff have been trained on the process for reporting, and tracking APS referrals in the SC Phoenix data system.

SCDHHS staff are required to make APS referrals as appropriate and record all APS known referrals, regardless of reporter, in the SC Phoenix data system. Progress toward case resolution is recorded and tracked in Phoenix.

SCDHHS workers are required to record APS decisions on all referrals and final resolution on all cases not substantiated by APS. All information is recorded and tracked in the SC Phoenix data system.

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.

PM1: When SCDHHS central office staff review APS referral information in the Phoenix complaint feature, timeliness of the referral is noted. If the referral was not made timely, regional SCDHHS office supervisory staff and/or provider case manager is contacted via e-mail to address the concern. The provider case manager may be required to attend re-training on requirements of making APS referrals. Should continued violations occur further actions, up to removal from serving waiver participants, will be taken.

PM2: SCDHHS central office staff reviews substantiated APS cases on an on-going basis to monitor progress. If it is discovered that progress is not narrated on a monthly basis, the provider case manager is contacted, through the Phoenix complaint feature, and required to contact APS for status and narrate progress in the Phoenix complaint feature. Failure to do so or repeated failure to update APS referrals would result in re-training and/or further action, up to removal from serving waiver participants.

PM3: Upon reviewing assigned complaints, SCDHHS central office staff monitors when the complaint was assigned to him/her. If it is discovered that the complaint was not assigned timely, the problem is discussed with SCDHHS central office staff who assigned the complaint. Should repeated problems occur the concern would be discussed at the scheduled bi-monthly QA Task Force Meeting. Additionally, SCDHHS central office supervisory staff would address the problem with appropriate staff and take appropriate actions.

PM4: During regional SCDHHS office and SCDHHS central office record reviews, the CLTC Participant's Rights and

Responsibility Form, is reviewed to ensure that participant and/or authorized representative have obtained information on reporting abuse, neglect and/or exploitation. If this form was not completed, the provider case manager would be contacted, via e-mail, and required to immediately share this information with participant and/or authorized representative and obtain appropriate signatures on the Client's Rights Form. Repeated instances of failure to share information and obtain appropriate signatures on the CLTC Participant's Rights and Responsibility Form would initially be addressed at the regional office supervisory level. Central office management staff would be involved, as necessary.

PM5: During regional SCDHHS office or SCDHHS central office record reviews the assessment is reviewed to ensure that participant has been assigned a designation for the Emergency Disaster Priority list. If this section of the assessment is not complete, the provider case manager would be contacted via e-mail, and required to immediately address this section with the participant and enter appropriate information in the assessment. Failure to do so or repeated failure to address this section of the assessment would be handled at the regional supervisory level. The provider case manager may be required to attend re-training and/or further action may be taken, up to removal from serving waiver participants. Central Office management staff would be involved in disciplinary process, as necessary.

South Carolina Department of Health and Human Services staff monitors the progress of APS referrals and assist with resolution, when necessary. When problems are discovered with the progress of APS referrals, appropriate person (APS worker and/or provider case manager) are contacted for immediate follow up and updates. Difficult cases that are not substantiated by APS are discussed at the SCDHHS Central Office bi-monthly Quality Assurance Task Force Meetings to assist with effective resolutions.

Problems related to operation of the Phoenix system are immediately referred to programmers for correction.

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	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 non-operational.

- 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)

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 for each case manager). Phoenix generates reports regionally and/or statewide. Data can be generated by individual provider case manager. Data can be trended by specified performance measures regionally or statewide. This process allows a thorough assessment of areas needing improvement and areas of best practice.

The following process is used for monitoring and analyzing system design and data: SCDHHS central office gathers information from regional SCDHHS offices through various Phoenix generated reports on case management, other waived service providers, complaint reports and adult protective service referrals/critical incidents. Regional SCDHHS office supervisory staff submit the appropriate Phoenix data reports (noted above) weekly and monthly to designated SCDHHS central office staff. However, provider compliance reports and APS/critical incidents are submitted, via Phoenix, on a daily or as needed basis.

SCDHHS central office staff gathers and compiles information from the following data sources: Client Satisfaction Survey conducted by contracted providers; Provider Compliance Reports from SCDDHS central office staff; Annual regional SCDHHS staff and case managers reviews conducted by SCDHHS central office staff; APS/critical incident reports; provider reviews conducted at least every 18 months by SCDHHS central office staff; participant appeals and dispositions; and QA reviews conducted by regional SCDHHS office supervisory staff.

Information gathered from the first two paragraphs is taken to the Quality Improvement Task Force, which is scheduled to meet bi-monthly. The Task Force will meet more frequently, as needed. This Task Force is comprised of members from selected divisions of the State Medicaid agency. Data is reviewed and discussed for discovery of noncompliance and strategies for remediation. Reports and trends are shared with regional SCDHHS offices and providers as appropriate. All reports, corrective action plans, appeals and dispositions are brought to the Quality Assurance Task Force to review outcomes. Outcomes would assist in determining necessary policy or system changes. Regional SCDHHS offices and providers are notified of changes through e-mail and Phoenix.

Prioritizing and implementing system improvements is based on the severity of identified problem(s) and the frequency of duplicated errors. Waiver assurances that fall below 100% and issues that show as a statewide problem are top priority and would result in immediate system improvement. Systems Improvement for waiver assurances below 100% may involve the following: 1. Revisions to the training program 2. Revision of policy and procedure for clarification 3. Modifications to expand/improve the Phoenix data system.

Statewide 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 improve the Phoenix data system.

ii. System Improvement Activities

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

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.

Upon implementation of a systems design change, the effectiveness of changes is evaluated during bi-monthly scheduled QA Task Force Meetings. Also, Phoenix (upon signing into the system) notifies all users of any systems changes. Significant system changes are addressed in policy and procedure, and regional SCDHHS office supervisory staff are notified via e-mail. Regional SCDHHS office supervisory staff are required to share changes with all

appropriate individuals. Additionally, statewide or regional training is conducted to address significant systems changes.

- 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 SCDHHS central office staff meetings and regional SCDHHS office policy meetings. Input and feedback are sought to determine if the process is working properly, and systems are functioning as designed.

There is also the capability to report problems in the Phoenix case management system that allows issues discovered by users to be submitted to the Phoenix helpdesk for consideration or correction. This allows on-going quality improvement within the Phoenix system.

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

Appendix I: Financial Accountability

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 SCDHHS employs several methods to ensure the integrity of payments made for waiver services in different departments within the agency. Following are descriptions of the methods employed:

The SCDHHS central office employs a licensed Registered Nurse to conduct on-site reviews of providers of personal care, respite and nursing services on at least a biannual basis, and usually much more frequently. 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 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 SCDHHS 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 DHHS contracts with external entities in order to ensure that contract terms are met and only allowable costs are charged.

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:
Number of claims for waiver services submitted with the correct service code D: Total number of waiver service claims**

Data Source (Select one):

Other

If 'Other' is selected, specify:

Care Call 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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	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="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 paid with the correct rate as specified in the waiver application. N: Number of waiver claims paid with the correct rate as specified in the waiver application. D: Total number of paid waiver claims

Data Source (Select one):

Other

If 'Other' is selected, specify:

Care Call 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	Weekly	<input checked="" type="checkbox"/> 100% Review
<input type="checkbox"/> Operating Agency	Monthly	<input type="checkbox"/> Less than 100% Review
<input type="checkbox"/> Sub-State Entity	Quarterly	<input type="checkbox"/> 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="checkbox"/> Operating Agency	<input type="radio"/> Monthly
<input type="checkbox"/> Sub-State Entity	<input type="radio"/> Quarterly
<input type="checkbox"/> 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 waiver claims paid for participants enrolled in the waiver program on the date the service was delivered. N: Number of waiver claims paid for participants enrolled in the waiver program on the date the service was delivered. D: Total number of paid waiver claims

Data Source (Select one):

Other

If 'Other' is selected, specify:

Financial records (including expenditures)

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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 percentage of claims paid timely with accurate payment information. **N:** Number of claims paid timely with accurate payment information **D:** Total number of paid claims

Data Source (Select one):

Other

If 'Other' is selected, specify:

Financial records (including expenditures)

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	Weekly	<input checked="" type="checkbox"/> 100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	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="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)

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.

- 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.

All claims for waiver services are submitted to the State's MMIS system for payment via Phoenix. Providers of waiver services are required to utilize the Phoenix or Care Call system to document service delivery. Phoenix compares service document 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 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 notified and corrections are made and claims are reprocessed appropriately. Provider trainings are done on an as needed basis and biannually. SCDHHS staff training is also done on a periodic basis to ensure the latest methods are covered.

If it is discovered that payments were made when services were not delivered then the payment will be recouped. Providers will be notified of the amount being recouped and the reason.

- 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)

- 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 non-

- operational.
- 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.

Appendix I: Financial Accountability

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 Bureau of Reimbursement Methodology and Policy, with assistance from CLTC, is responsible for the development of waiver service payment rates. Each Bureau operates under the direction of the South Carolina Department of Health and Human Services. The Medicaid agency allows the public to offer comments on waiver rate changes and rate setting methodology either through Medical Care Advisory Committee meetings or through meetings with association representatives.

For participants in 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 demonstration.

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).

Some 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, II, nursing and Home Delivered Meals. Cost reports submitted by the providers of the various services are reviewed "on an as needed basis" to ensure the appropriateness of the rates or to justify any proposed rate increase that may be sought by the appropriate provider organization. Additional financial reviews are performed by the Bureau of Reimbursement Methodology and Policy on an as needed basis to ensure that funding provided by the South Carolina General Assembly was appropriately expended by the providers (eg. targeted funding for personal care aide services that was to be used to increase the hourly wages of personal care assistants).

Nursing facilities providing institutional respite care for waiver participants receive their contracted Medicaid nursing facility rate. Hospitals receive the average nursing facility rate. In addition, nursing facilities and hospitals receive a one-time payment for their administrative costs in caring for short-term residents.

Home adaptation waiver service rates for modifications are manually priced based upon the provider's cost estimate. Competitive bids are solicited for all modifications and the lowest responsive bid is accepted. Pest control services are based upon established private pay rates.

Personal Emergency Response systems service rates are calculated based upon established prices for these goods and services. Specialized equipment and supplies use established Durable Medical Equipment pricing. Nutritional supplements are priced based upon existing market rates.

The attendant service rate is an intermediate rate between Personal Care II and Personal Care I and contains elements of both of those services and is provided by individuals rather than agencies.

Case management service rates provided to waiver recipients were calculated based upon payments made to DHHS employees providing case management. At one time all case management was done by state 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.

Information about payment rates is not routinely given to waiver participants. It is available upon request.

- 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 all services, except for institutional respite and extra prescription drugs, the provider uses 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 through

web entry of claims in Phoenix. Claims flow from Care Call to MMIS on behalf of providers. For the two 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 system 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

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.)*

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.)*

Appendix I: Financial Accountability

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:

All claims for waiver services, except for institutional respite and extra prescription drugs, are submitted to MMIS through Phoenix. For all claims submitted through Phoenix, a pre-payment review is conducted. Phoenix only submits claims to MMIS 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 CICOs, payment is made to the provider only if the participant was Medicaid eligible on the date of service and there was an indication in MMIS that the participant was enrolled in the waiver program on the date of service delivery.

The Division of Program Integrity conducts post-payment reviews. These reviews sample claims and determine if services have been billed as authorized.

- 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 years as required in 45 CFR §92.42.

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:

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). 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. Financial audits are performed periodically.

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.

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, ED 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 (PERS, 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 on-line 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.

- ✓ **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.

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 I-3-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 personal care I and II and home delivered meals. The contractual process is the same for these as for all other providers of these services and 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 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:

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:

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

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

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: **Do not complete this item.**

?

?

Appendix I: Financial Accountability

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 livein 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

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) Nominal deductible

Coinsurance

Co-Payment

Other charge

Specify:

Appendix I: Financial Accountability

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.**

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

Appendix I: Financial Accountability

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.**

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

Appendix I: Financial Accountability

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

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

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

Appendix I: Financial Accountability

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	37667.00	24317.00	61984.00	135000.00	24317.00	159317.00	97333.00
2	40270.54	25533.00	65803.54	141750.00	25533.00	167283.00	101479.46
3	43085.35	26809.00	69894.35	148838.00	26809.00	175647.00	105752.65
4	46406.66	28150.00	74556.66	156279.00	28150.00	184429.00	109872.34
5	46851.08	29557.00	76408.08	164093.00	29557.00	193650.00	117241.92

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	55		55
Year 2	60		60
Year 3	65		65
Year 4	70		70
Year 5	75		75

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.

The most recent CMS 372 report for South Carolina’s Mechanical Vent Waiver shows a length of stay of 300 days. This is consistent with previous years. Our estimate is 10 months based upon these data.

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:

The CMS 372 report for year four of the approved Mechanical Ventilator waiver has been used to provide estimates of participants receiving each service and the average number of units. In some cases, the average number of units increases based upon changing limits to certain services. Rates for services are based upon rates as of September 2012. Following this there is a 5% rate increase across all services utilized for years 2 - 5 of the waiver.

For waiver enrollees in the Healthy Choices Prime demonstration, services in the J-2(d) table are marked as capitated and developed as follows:

Total capitated Factor D expenditures were estimated by multiplying the capitation rate by projected number of member months for demonstration enrollees.

Component cost: capitated expenditures were allocated by service line to be proportional to expenditures projected for nondemonstration waiver enrollees.

For each service line, #users was developed from the 372 report, but reduced to be proportional to the number of unique participants enrolled in the demonstration.

Average units per user was developed from the 372 report, but adjusted to be proportional to the length of stay for demonstration participants.

Finally, average cost per unit on each service line was calculated as Component cost/#users/average units per user.

- 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 year four of the Mechanical Ventilator waiver. There is an annual 5% inflation factor for each year 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:

Estimates were derived by using the current average length of stay figure in the waiver of 300 days multiplied by the subacute rate of \$450.00 per day. A 5% inflation factor is used for each year of the waiver after year 1.

- 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:

G' values are assumed to equal D' values.

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
Case Management
Personal Care I and Personal Care II
Respite
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits.
Attendant Care
Home Accessibility Adaptations
Home Delivered Meals
Personal Emergency Response System
Pest Control
Private Duty Nursing
Specialized Medical Equipment and Supplies

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
Case Management Total:						\$0.00
Case Management	0	0	0.01	0.01	\$0.00	
Case Management Visit	0	0	0.01	0.01	\$0.00	
Case Management Contact	0	0	0.01	0.01	\$0.00	
Personal Care/Personal Care I +II Total:						\$205,050.00
Personal Care I	hour	5	425.00	\$11.70	\$24862.50	
Personal Care II	hour	15	775.00	\$15.50	\$180,187.50	
Respite:						\$13,516.00
Respite-In Home	Day	2	8.00	\$226.00	\$3,616.00	
Respite-Institutional	Day	2	11.00	\$450.00	\$9,900.00	
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits Total:						\$13,500
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits	Unit	18	20.00	\$37.50	\$13,500	
Attendant Care Total						\$224,640.00
Attendant Care	hour	15	1280.00	\$11.70	\$224,640.00	

Waiver Services/Component	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Home Accessibility Adaptations Total						\$6,000.00
Home Adaptations	event	5	1.00	\$1200.00	\$6,000.00	
Home Delivered Meals Total						\$0.00
Home Delivered Meals	0	0	0.01	0.01	\$0.00	
Personal Emergency Response System Total:						\$2,520.00
Installation	Event	4	1.0	\$30.00	\$120.00	
Monitoring	Month	8	10.00	\$30.00	\$2,400.00	
Pest Control Total:						\$1,080.00
Pest Control	Event	6	4.00	\$45.00	\$1,080.00	
Private Duty Nursing Total:						\$1,559,200.00
Private Duty Nursing-LPN	Hour	30	1700.00	\$23.80	\$1,213,800.00	
Private Duty Nursing-RN	Hour	10	1100.00	\$31.40	\$345,400.00	
Specialized Medical Equipment and Supplies Total:						\$46,160.00
Nutritional Supplements	Case	33	16.00	\$35.00	\$18,480.00	
Bathroom Safety Equipment	Unit	4	1.00	\$170.00	\$680.00	
Other Necessary Supplies and Equipment	Unit	45	8.00	\$75.00	\$27,000.00	
GRAND TOTAL						\$2,071,666.00
Total Services included in Capitation						
Total Services NOT included in Capitation						\$2,071,666.00
Total Estimated Unduplicated Participants						55

Factor D (Divide total by number of participants)						\$37,667.00
Services not included in capitation						\$37,667.00
Average Length of Stay on the Waiver						300

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
Case Management Total:						\$0.00
Case Management	0	0	0.01	0.01	\$0.00	
Case Management Visit	0	0	0.01	0.01	\$0.00	
Case Management Contact	0	0	0.01	0.01	\$0.00	
Personal Care/Personal Care I +II Total:						\$245,828.50
Personal Care I	hour	6	425.00	12.29	\$31,339.50	

Personal Care II	hour	17	775.00	\$16.28	\$214,489.00	
Respite:						\$21,287.70
Respite-In Home	Day	3	8.00	\$237.30	\$5,695.20	
Respite-Institutional	Day	3	11.00	\$472.50	\$15,592.50	
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits Total:						\$15,752.00
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits	Unit	20	20.00	\$39.38	\$15,752.00	
Attendant Care Total						\$267,430.40
Attendant Care	hour	17	1280.00	\$12.29	\$267,430.40	
Home Accessibility Adaptations Total						\$7560.00
Home Adaptations	event	6	1.00	\$1,260.00	\$7,560.00	
Home Delivered Meals Total						\$0.00
Home Delivered Meals	0	0	0.01	0.01	\$0.00	
Personal Emergency Response System Total:						\$2,992.50
Installation	Event	5	1.0	\$31.50	\$157.50	
Monitoring	Month	9	10.00	\$31.50	\$2,835.00	
Pest Control Total:						\$1,323.00
Pest Control	Event	7	4.00	\$47.25	\$1,323.00	
Private Duty Nursing Total:						\$1,800,876.00
Private Duty Nursing-LPN	Hour	33	1700.00	\$24.99	\$1,401,939.00	
Private Duty Nursing-RN	Hour	11	1100.00	\$32.97	\$398,937.00	
Specialized Medical Equipment and Supplies Total:						\$53,182.00
Nutritional Supplements	Case	36	16.00	\$36.75	\$21,168.00	
Bathroom Safety Equipment	Unit	4	1.00	\$178.50	\$714.00	

Other Necessary Supplies and Equipment	Unit	50	8.00	\$78.25	\$31,300.00	
GRAND TOTAL						\$2,416,232.10
Total Services included in Capitation						
Total Services NOT included in Capitation						\$2,416,232.10
Total Estimated Unduplicated Participants						60
Factor D (Divide total by number of participants)						\$40,270.54
Services not included in capitation						\$40,270.54
Average Length of Stay on the Waiver						300

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
Case Management Total:						\$47,125.00
Case Management	0	0	0.01	0.01	\$0.00	
Case Management Visit	15 minutes	65	16.00	\$20.00	\$20,800.00	
Case Management Contact	15 minutes	65	27.00	\$15.00	\$26,325.00	
Personal Care/Personal Care I +II Total:						\$271,300.50
Personal Care I	hour	6	425.00	\$12.90	\$32,895.00	
Personal Care II	hour	18	775.00	\$17.09	\$238,405.50	
Respite:						\$22,352.37
Respite-In Home	Day	3	8.00	\$249.17	\$5,980.08	
Respite-Institutional	Day	3	11.00	\$496.13	\$16,372.29	
Prescription Drugs, except drugs furnished to participants who are						\$18,194.00

eligible for Medicare Part D benefits Total:						
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits	Unit	22	20.00	\$41.35	\$18,194.00	
Attendant Care Total						\$297,216.00
Attendant Care	hour	18	\$1280.00	\$12.90	\$297,216.00	
Waiver Services/Component	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Home Accessibility Adaptations Total						\$7,938.00
Home Adaptations	event	6	1.00	\$1,323.00	\$7,938.00	
Home Delivered Meals Total						\$7,087.50
Home Delivered Meals	0	15	90.00	\$9.25	\$7,087.50	
Personal Emergency Response System Total:						\$3,473.40
Installation	Event	5	1.0	\$33.08	\$165.40	
Monitoring	Month	10	10.00	\$33.08	\$3,308.00	
Pest Control Total:						\$1,587.84
Pest Control	Event	8	4.00	\$49.62	\$1,587.84	
Private Duty Nursing Total:						\$2,062,872.00
Private Duty Nursing-LPN	Hour	36	1700.00	\$26.24	\$1,605,888.00	
Private Duty Nursing-RN	Hour	12	1100.00	\$34.62	\$456,984.00	
Specialized Medical Equipment and Supplies Total:						\$61,400.91
Nutritional Supplements	Case	39	16.00	38.59	\$24,080.16	
Bathroom Safety Equipment	Unit	5	1.00	\$187.43	\$937.15	
Other Necessary Supplies and Equipment	Unit	55	8.00	\$82.69	\$36,383.60	
GRAND TOTAL						\$2,800,547.52

Total Services included in Capitation						
Total Services NOT included in Capitation						\$2,800,547.52
Total Estimated Unduplicated Participants						65
Factor D (Divide total by number of participants)						\$43,085.35
Services not included in capitation						\$43,085.35
Average Length of Stay on the Waiver						300

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	Capitation	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Case Management Total:							\$120,900.00
Case Management Visit		15 minutes	65	36.00	\$20.00	\$46,800.00	
Case Management Contact		15 minutes	65	63.00	\$15.00	\$61,425.00	
Case Management		Monthly	65	3.00	\$65.00	\$12,675.00	
Personal Care/Personal Care I +II Total:							\$305,700.08
Personal Care I		hour	7	425.00	\$13.55	\$40,311.25	
Personal Care II		hour	19	775.00	\$17.95	\$264,313.75	
Personal Care I	X	Hour	0	0.01	\$0.00	\$0.00	
Personal Care II	X	Hour	1	395.25	\$2.72	\$1,075.08	
Respite:							\$23,470.17
Respite-In Home		Day	3	8.00	\$261.63	\$6,279.12	
Respite-Institutional		Day	3	11.00	\$520.94	\$17,191.02	
Respite-In Home	X	Day	0	0.01	0.01	\$0.00	
Respite-Institutional	X	Day	0	0.01	0.01	\$0.00	

Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits Total:							\$19,182.12
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits		Unit	22	20.00	\$43.42	\$19,104.80	
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits	X	Unit	1	10.20	\$7.58	\$77.32	
Attendant Care Total							\$330,880.77
Attendant Care		hour	19	1280.00	\$13.55	\$329,536.00	
Attendant Care	X	Hour	1	652.80	\$2.06	\$1,344.77	
Waiver Services/Component	Capitation	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Home Accessibility Adaptations Total							\$9,724.05
Home Adaptations		event	7	1.00	\$1,389.15	\$9,724.05	
Home Adaptations	X	Event	0	0.01	0.01	\$0.00	
Home Delivered Meals Total							\$16,334.17
Home Delivered Meals		Meal	15	200.00	\$5.25	\$15,750.00	
Home Delivered Meals	X	Meal	1	111.27	\$5.25	\$586.17	
Personal Emergency Response System Total:							\$4,028.68
Installation		Event	6	1.0	\$34.73	\$208.38	
Monitoring		Month	11	10.00	\$34.73	\$3,820.30	
Installation	X	Event	0	0.01	0.01	\$0.00	
Monitoring	X	Month	0	0.01	0.01	\$0.00	
Pest Control Total:							\$1,667.20

Pest Control		Event	8	4.00	\$52.10	\$1,667.20	
Pest Control	X	Event	0	0.01	0.01	\$0.00	
Private Duty Nursing Total:							\$2,307,255.72
Private Duty Nursing-LPN		Hour	38	1700.00	\$27.56	\$1,780,376.00	
Private Duty Nursing-RN		Hour	13	1100.00	\$36.35	\$519,865.00	
Private Duty Nursing-LPN	X	Hour	1	867.00	\$8.16	\$7074.72	
Private Duty Nursing-RN	X	Hour	0	0.01	0.01	\$0.00	
Specialized Medical Equipment and Supplies Total:							\$73,588.28
Nutritional Supplements		Case	41	16.00	\$40.52	\$26,581.12	
Bathroom Safety Equipment		Unit	5	1.00	\$196.80	\$984.00	
Other Necessary Supplies and Equipment		Unit	66	8.00	\$86.62	\$45,735.20	
Nutritional Supplements	X	Case	1	8.16	\$12.92	\$105.43	
Bathroom Safety Equipment	X	Unit	0	0.01	0.01	\$0.00	
Other Necessary Supplies and Equipment	X	Unit	2	4.08	\$22.35	\$182.38	
GRAND TOTAL							\$3,212,731.16
Total Services included in Capitation							\$11,679.00
Total Services NOT included in Capitation							\$3,201,052.24
Total Estimated Unduplicated Participants							70
Factor D (Divide total by number of participants)							\$45,896.16
Services included in capitation							166.84
Average Length of Stay on the Waiver							300

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

Waiver Services/Component	Capitation	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Case Management Total:							\$48,500.00
Case Management		Monthly	75	10.0	\$65.00	\$48,500	
Personal Care/Personal Care I +II Total:							\$336,718.93
Personal Care I		hour	7	425.00	\$14.23	\$4,2334.25	
Personal Care II		hour	20	775.00	\$18.85	\$292,175.00	
Personal Care I	X	Hour	0	0.01	\$0.00	\$0.00	
Personal Care II	X	Hour	1	627.75	\$3.52	\$2,209.68	
Respite:							\$24,643.38
Respite-In Home		Day	3	8.00	\$274.71	\$6593.04	
Respite-Institutional		Day	3	11.00	\$546.98	\$18050.34	
Respite-In Home	X	Day	0	0.01	0.01	\$0.00	
Respite-Institutional	X	Day	0	0.01	0.01	\$0.00	

Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits Total:							\$22,047.14
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits		Unit	24	20.00	\$45.59	\$21,883.20	
Prescription Drugs, except drugs furnished to participants who are eligible for Medicare Part D benefits	X	Unit	1	16.20	\$10.12	\$163.94	
Attendant Care Total							\$367,035.52
Attendant Care		hour	20	1280.00	\$14.23	\$364,288.00	
Attendant Care	X	Hour	1	1036.80	\$2.65	\$2,747.52	
Waiver Services/Component	Capitation	Unit	# Users	Avg. Unit Per User	Avg. Cost/Unit	Component Cost	Total Cost
Home Accessibility Adaptations Total							\$10,210.27
Home Adaptations		event	7	1.00	\$1458.61	\$10,210.27	
Home Adaptations	X	Event	0	0.01	0.01	\$0.00	
Home Delivered Meals Total							\$19,831.19
Home Delivered Meals		Meal	18	200.00	\$5.25	\$18,900.00	
Home Delivered Meals	X	Meal	1	177.37	\$5.25	\$931.19	
Personal Emergency Response System Total:							\$4,230.52
Installation		Event	6	1.0	\$36.47	\$218.82	
Monitoring		Month	11	10.00	\$36.47	\$4,011.70	
Installation	X	Event	0	0.01	0.01	\$0.00	
Monitoring	X	Month	0	0.01	0.01	\$0.00	
Pest Control Total:							\$1,969.20
Pest Control		Event	9	4.00	54.70	\$1969.20	
Pest Control	X	Event	0	0.01	0.01	\$0.00	

Private Duty Nursing Total:							\$2,482,635.83
Private Duty Nursing-LPN		Hour	39	1700.00	\$28.93	\$1,918,059.00	
Private Duty Nursing-RN		Hour	13	1100.00	\$38.17	\$545,831.00	
Private Duty Nursing-LPN	X	Hour	2	1377.00	\$5.27	\$14513.58	
Private Duty Nursing-RN	X	Hour	1	891.00	4.75	\$4232.25	
Specialized Medical Equipment and Supplies Total:							\$76290.90
Nutritional Supplements		Case	43	16.00	\$42.55	\$29,274.00	
Bathroom Safety Equipment		Unit	6	1.00	\$206.64	\$1239.84	
Other Necessary Supplies and Equipment		Unit	62	8.00	\$91.16	\$45,215.36	
Nutritional Supplements	X	Case	2	12.96	\$8.50	\$220.32	
Bathroom Safety Equipment	X	Unit	0	0.01	0.01	\$0.00	
Other Necessary Supplies and Equipment	X	Unit	3	6.48	\$17.54	\$340.98	
GRAND TOTAL							\$3,394,112.88
Total Services included in Capitation							\$29,297.26
Total Services NOT included in Capitation							\$3,364,815.62
Total Estimated Unduplicated Participants							75
Factor D (Divide total by number of participants)							\$45,254.83
Services included in capitation							390.63
Average Length of Stay on the Waiver							300

