



The Arc of NC's Information on the New Waivers

Background: The current CAP-MR/DD Waiver expires this year. The Division on Mental Health, Developmental Disabilities, and Substance Abuse Services (MH/DD/SAS) is developing new waivers to support people with developmental disabilities. In 2007, the General Assembly passed legislation which requires the Department of Health and Human Services (DHHS) to develop and apply for additional home and community based waivers for individuals with developmental disabilities. According to the legislation, the new waivers are intended to create a tiered system of services and supports.

Proposed Changes*: The current CAP-MR/DD Waiver will be replaced with 4 tiered waivers. Each tier will have a specific dollar limit.

- **Tier 1- Supports Waiver** for people who live in their own homes or with their families and who have a low intensity of support needs and/or access to natural supports. Self-Direction will be an option for this tier
- **Tier 2- New Focus Waiver-** for people who live in their own homes or with their families or in a residential setting of 4 or less people. Self-Direction will be an option for this tier
- **Tier 3- Comprehensive Waiver** for people who live in their own homes or with their families or in a residential setting of 4 or less people. This waiver will have the current services but also revisions to include enhanced services to meet the higher intensity of support needs
- **Tier 4- Enhanced Waiver** for people who experience severe medical fragility and/or severe behavioral challenges. This waiver will have services designed to meet the medical and behavioral needs of this group of people.

Self-Direction will be offered in tiers 1 and 2. The waiver participant and/or their representative will have decision making authority over an individual budget from which the person purchases their supports and services authorized in the Person-Centered Plan (PCP). The waiver participant and/or their representative will have lead responsibility for hiring, screening, training and supervision of staff. A financial management entity will work with the person in conducting employer related tasks like background checks, payroll and accounting. Supports and services will be paid for with an individualized budget.

In addition to moving to tiered waivers, the Division is proposing new services and revising current services to better meet people's support needs. The Division also intends to add the Supports Intensity Scale (SIS) as a tool to help determine people's support needs. NC currently uses only the NC-SNAP.

**This information was obtained from the Waiver Development External Stakeholder Workgroup meeting 2/1/08. Due to the paperwork and approval process associated with submitting the 4 new waivers, submitting all 4 tiers at once may not be feasible; The Arc recommends resubmitting our current waiver with a change of creating a day rate for parents who are providing services to their adult children AND submitting the Tier 1 Support Waiver first.*



The Arc of NC's Talking Points for the Public Forums

The Arc supports the concept of the tiered waivers. Having tiered waivers that have set dollar limits allows for accurate budgeting of the costs associated with the waiver program.

- The Arc believes that there must be a process for movement between the different tiers when necessary to deal with major life changes (i.e. loss of primary caregiver, moving out of a parent's home, finishing school and entering the workforce etc)
- Because of the paperwork and approval process associated with submitting the 4 new waivers to CMS, submitting all 4 tiers at once is not feasible;
 1. The Division should resubmit our current waiver with a change of creating a day rate for parents who are providing services to their adult children AND:
 2. Submit the Tier 1 Support Waiver. This support waiver must be available for people who are on the waiting list. While the Support Waiver will not meet all of their needs, at least people will have access to some services while they are waiting. The Support Waiver should allow for maximum self-direction for those who choose to self-direct. Self-direction is not a requirement but rather is an option.
- The Arc recommends that CAP plan approval be returned to the Local Management Entities (LMEs).
- The Center for Medicaid Services (CMS) has stated that they no longer intend to allow waiver funding for people living in six bed residences. The Arc of NC recommends grandfathering in existing 6 bed group homes.
- The Arc believes that the Supports Intensity Scale (SIS) is a good evaluation tool but the SIS cannot be the sole determinant of funding people's supports.
- The Arc supports the development of the new service definitions that will allow people to use waiver services in a person-centered, individualized way.
 1. The Arc supports and applauds the proposed services developed for behavioral supports, crisis prevention and crisis response.
 2. The Arc has concerns about the number of discrete services. While having many choices allows person-centeredness, it also adds to a considerable amount of confusion and paperwork.
 3. The Arc believes that information and training on the new waivers must be offered to waiver participants and their families. Information from the Division should be mailed to all current waiver participants