Stark County Board of Developmental Disabilities

Policy 2.20 Medicaid Home and Community Based Services (HCBS) Waiver Waiting List	Effective: 11/23/18
Chapter 2: Agency Administration	Page 1 of 7

MEDICAID HOME AND COMMUNITY BASED SERVICES (HCBS) WAIVER WAITING LIST

POLICY

Stark County Board of Developmental Disabilities (SCBDD) recognizes the importance of and is committed to enrolling individuals onto Medicaid Home and Community Based Service (HCBS) waivers administered by the Ohio Department of Developmental Disabilities in a manner that identifies those with greatest assessed need. The availability of resources will determine the number of waivers that can be enrolled.

When individuals, their families or guardians, feel and express the need for services it is often done during an emotional or anxiety-provoking circumstance. The Ohio Assessment for Immediate and Current Need will be completed to identify need. Assessment of immediate and current need is the responsibility of SCBDD's Service and Support Administration staff.

The purpose of the procedure pursuant to this policy is to outline the requirements for SCBDD to administer an assessment of immediate and current need as well as establish and maintain a waiting list for Medicaid HCBS Waiver services when identified current need for services exceed the capacity determined by available resources.

Historical Resolution Information	**Reviewer(s):**
Date **Resolution Number** 8/22/15 08-46-15 2/27/18 02-15-18 10/23/18 10-49-18	Superintendent Director of Service & Support Administration

MEDICAID HOME AND COMMUNITY BASED SERVICES (HCBS) WAIVER WAITING LIST

PROCEDURE

I. Planning for Locally-Funded Home and Community-Based Services Waivers

A. Each calendar year, Stark County Board of Developmental Disabilities (SCBDD) shall identify how many individuals SCBDD plans to enroll in each type of locally-funded home and community-based services waiver. This will be based on projected funds available to SCBDD to pay the non-federal share of the Medicaid expenditures and the assessed needs of the county's residents on the waiting list for home and community-based services.

B. This information shall be made available to any interested person upon request.

II. Waiting List for Home and Community-Based Services

A. An individual/guardian who thinks the individual has an immediate need or a current need may contact SCBDD to request an assessment of the individual using the waiting list assessment tool.

1. SCBDD will only assess individuals who are residents of Stark County.

2. SCBDD shall initiate the assessment of the individual within 30 calendar days.

3. An individual/guardian shall have access to the individual's completed waiting list assessment tool maintained in the department's web-based waiting list management system and upon request, shall be provided a copy by SCBDD.

B. SCBDD shall place an individual's name on the waiting list for home and community-based services when, based on assessment of the individual using the waiting list assessment tool, the individual:

1. Has been determined to have a condition that is:

a. Attributable to a mental or physical impairment or combination of mental and physical impairments, other than impairment solely by mental illness.

b. Manifested before the individual is age twenty-two; and

c. Likely to continue indefinitely; and

2. Has a current need which cannot be met by community-based alternative services in Stark County (including a situation in which an individual has a current need despite the individual's enrollment in a home and community-based services waiver).

C. SCBDD shall not place an individual's name on the waiting list for home and community-based services when the individual:

1. Is a child who is subject to a determination under section 121.38 of the Revised Code and requires home and community-based services; or

2. Has an immediate need, in which case the SCBDD shall take action necessary to ensure the immediate need is met. SCBDD shall provide the individual/guardian with the option of having the individual's needs met in an intermediate care facility for individuals with intellectual disabilities or through community-based alternative services. Once an individual or individual's guardian chooses the setting in which he or she prefers to receive services, the SCBDD shall take action to ensure the individual's immediate need is met, including by enrollment in a home and community-based services waiver, if necessary. Such action may also include assisting the individual/guardian in identifying and accessing alternative services that are available to meet the individual's needs.

D. When SCBDD places an individual's name on the waiting list for home and community-based services, SCBDD shall:

1. Record, in the department's web-based waiting list management system.

2. Notify the individual/guardian that the individual's name has been placed on the waiting list for home and community-based services.

3. Provide contact information to the individual/guardian for a person at SCBDD who can assist in identifying and accessing alternative services that address, to the extent possible, the individual's needs.

E. Annually, SCBDD shall:

1. Review the waiting list assessment tool and service needs of each individual whose name is included on the waiting list for home and community based services with the individual/guardian; and

2. Assist the individual/guardian in identifying and accessing alternative services.

F. When SCBDD determines an individual's status has changed with regard to having an immediate need and/or having a current need or an individual's status date has changed, the SCBDD shall update the individual's record in the department's web-based waiting list management system.

III. Order of Enrolling Individuals

A. Individuals shall be selected for enrollment in locally-funded home and community-based services waivers in this order:

1. Individuals with immediate need who require waiver funding to address the immediate need.

2. Individuals who have met multiple criteria for current need for twelve or more consecutive months and who were not offered enrollment in a home and community-based services waiver in the prior calendar year. When two or more individuals meet the same number of criteria for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.

3. Individuals who have met multiple criteria for current need for less than twelve consecutive months. When two or more individuals meet the same number of criteria for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.

4. Individuals who meet a single criterion for current need. When two or more individuals meet a single criterion for current need, the individual with the earliest of either the status date or date of request shall be selected for enrollment.

B. Individuals with immediate need and individuals with current need may be enrolled in locally-funded home and community-based services waivers concurrently.

C. Meeting the criteria for immediate need and/or current need does not guarantee enrollment in a locally-funded home and community-based services waiver within a specific timeframe.

D. When an individual is identified as next to be enrolled in a locally-funded home and community-based services waiver, SCBDD shall determine the individual's eligibility for enrollment in a home and community-based services waiver. When the SCBDD determines an individual is eligible for enrollment in a home and community-based services waiver, SCBDD shall determine which type of locally-funded home and community- based services waiver is sufficient to meet the individual's needs in the most cost-effective manner.

IV. Order for Enrolling Individuals in State-Funded Home and Community-Based Services Waivers

A. Ohio Department of Developmental Disabilities (DODD) shall determine the order for enrolling individuals in state-funded home and community-based services waivers.

B. Meeting the criteria for immediate need and/or current need does not guarantee enrollment in a state-funded home and community-based services waiver within a specific timeframe.

V. Change in Individual’s Status or County of Residence

When an individual on the waiting list for home and community-based services moves to Stark County from another Ohio county and the individual/guardian notifies SCBDD, SCBDD shall within ninety calendar days of receiving notice, review the individual's waiting list assessment tool.

A. When SCBDD determines that the individual has a current need which cannot be met by community-based alternative services in Stark county (including a situation in which an individual has a current need despite the individual's enrollment in a home and community-based services waiver), SCBDD shall update the individual's county of residence in the department's web-based waiting list management system without changing the status date or date of request assigned by the previous County Board.

B. When SCBDD determines that the individual has a current need which can be met by community-based alternative services in Stark County, SCBDD shall assist the individual/guardian in identifying and accessing those services.

VI. Removal from Waiting List - SCBDD shall remove an individual's name from the waiting list for home and community-based services:

A. When SCBDD determines that the individual no longer has a condition [as described in 5123:9-04 (D)(2)(a)];

B. When the SCBDD determines that the individual no longer has a current need;

C. Upon request of the individual/guardian;

D. Upon enrollment of the individual in a home and community-based services waiver that meets the individual's needs;

E. If the individual/guardian declines enrollment in a home and community-based services waiver or community-based alternative services that are sufficient to meet the individual's needs;

F. If the individual/guardian fails to respond to attempts by SCBDD to contact the individual or the individual's guardian by at least two different methods, one of which shall be certified mail to the last known address of the individual/guardian;

G. When SCBDD determines the individual does not have a developmental disabilities level of care in accordance with rule 5123:2-8-01 of the Administrative Code;

H. When the individual is no longer a resident of Ohio; or

I. Upon the individual's death.

VII. Advancement from Transitional List of Individuals Waiting for Home and Community-Based Services to Waiting List for Home and Community-Based Services

A. DODD shall maintain the transitional list of individuals waiting for home and community-based services as defined in 5123:9-04(B)(17) until December 31, 2020.

B. SCBDD shall administer the waiting list assessment tool to each individual residing in the county whose name is included on the transitional list of individuals waiting for home and community-based services.

VIII. Due Process

Due process shall be afforded to an individual aggrieved by an action of SCBDD related to:

A. The approval, denial, withholding, reduction, suspension, or termination of a service funded by the state Medicaid program;

B. Placement on, denial of placement on, or removal from the waiting list for home and community-based services or the transitional list of individuals waiting for home and community-based services; or

C. A dispute regarding an individual's date of request or status date.