

## Michigan's Statewide Transition Plan for Home and Community Based Settings

Table of Acronyms

AFC	Adult Foster Care	LARA	Department of Licensing and Regulatory Affairs
BHDDA	Behavioral Health Developmental Disability Administration	LOCD	Level of Care Determination
CMH or CMHSP	Community Mental Health Services Program	LTC	Long Term Care
CMS	Centers for Medicare and Medicaid Services	MDCH	Michigan Department of Community Health
CPT	American Medical Association's Current Procedural Terminology	MSA	Medical Services Administration
CWP	Children's Waiver Program	ORR	Office of Recipient Rights
DDI	Developmental Disabilities Institute of Wayne State University	PIHP	Pre-Paid Inpatient Health Plans
DHS	Department of Human Services	QIC	Quality Improvement Council
HCBS	Home and Community-Based Services	RLA	Residential Living Arrangement
HCPCS	Healthcare Common Procedure Coding System based on the American Medical Association's Current Procedural Terminology codes	SEDW	Children with Serious Emotional Disturbances Waiver
HFA	Homes for the Aged	WSA	Waiver Support Application
HSW	Habilitation Supports Waiver		

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Section 1: Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1	Habilitation Supports Waiver and MI Choice Waiver	Review state policies, procedures and standards	MDCH will review current policies, procedures, standards, and contracts and identify any needed changes for full alignment with HCBS settings requirements as well as target dates for the necessary revisions.	09/01/14	09/30/15	Licensing standards for residential settings, provider contracts, site review protocols, waiver policies, provider monitoring protocols	MSA, BHDDA, LARA, DHS, ORR, waiver entities, providers, waiver participants, advocacy groups
2	Children with Serious Emotional Disturbances and the Children's Waiver Program	Review state policies, procedures and standards	SEDW and CWP settings are presumed compliant with HCBS rules, and therefore it is not necessary to align policies, standards, and requirements.	12/1/14	1/31/15	Licensing standards for residential settings, provider contracts, site review protocols, waiver policies, provider monitoring protocols	MDCH Federal Compliance Section, BHDDA
3	Children with Serious Emotional Disturbances	Submit SEDW Waiver Amendment	MDCH will submit the SEDW Waiver amendment to CMS following public comment period on the transition plan.	12/30/14	12/30/14	CMS Waiver Document	MDCH Federal Compliance Section, BHDDA, MSA
4	Habilitation Supports Waiver	Develop provider self-assessment tool	BHDDA will develop a tool, as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders, for providers to evaluate conformity to HCBS rules. The tool will align with the statewide assessment tool. An independent organization will be used to validate the results of this survey by on site assessments conducted by trained reviewers. The tool will be incorporated into provider enrollment policy and contracts.	10/01/14	02/28/15	CMS exploratory tool, state developed assessment tools	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, DDI, PIHPs, CMHs, providers, QIC, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			Sampling Methodology: a random proportionate sample of residential and nonresidential services providers, that is statistically significant to the 95% confidence interval.				
5	Habilitation Supports Waiver	Develop beneficiary survey tool	<p>BHDDA will develop a tool, as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders, for HSW participants to evaluate conformity to and compliance with HCBS rules and to represent their experience of the setting. The tool will align with the statewide assessment tool. The assessment tool will be incorporated into provider enrollment policy and contracts.</p> <p>Sampling Methodology: a random proportionate sample of residential and nonresidential services providers, that is statistically significant to the 95% confidence interval.</p>	10/01/14	02/28/15	CMS exploratory tool, state developed assessment tools	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, DDI, HSW participants
6	Habilitation Supports Waiver	Develop CMH/ PIHP survey tool	BHDDA will develop a tool, as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders, for HSW PIHP coordinators to evaluate conformity to and compliance with HCBS rules. An independent organization will be used to validate the results of this survey by on site assessments conducted by trained reviewers. The tool will be incorporated into provider enrollment policy and contracts. The tool will align with the statewide assessment tool.	10/01/14	02/28/15	CMS exploratory tool, BHDDA developed assessment tools	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, DDI, HSW PIHP coordinators

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			Sampling Methodology: a random proportionate sample of residential and nonresidential services providers, that is statistically significant to the 95% confidence interval.				
7	MI Choice Waiver and Habilitation Supports Waiver	Develop statewide assessment tool	MDCH will develop a tool as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders for waiver providers to evaluate conformity to and compliance with HCBS rules. The statewide assessment tool will be used for MI Choice assessment process. The tools for the HSW assessment process will align with the statewide assessment tool.	01/01/15	03/31/15	CMS Exploratory tool, State developed	BHDDA, MSA, DDI, waiver entities, providers, waiver participants, advocacy groups
8	Habilitation Supports Waiver	Obtain active list of residential settings	<p>BHDDA will identify the types of HSW residential settings that BHDDA can assume are compliant with HCBS settings requirements and those settings which are provider-owned or controlled.</p> <p>During the preliminary assessment, MDCH will draw a random proportionate sample that is statistically significant to the 95% confidence level from the participants who live in provider owned and controlled settings. The sample will be used for disseminating the PIHP, provider and beneficiary surveys that are described in item 5-7 of the Assessment section of the transition plan.</p>	08/01/14	08/30/14	WSA and Data Warehouse RLA codes	MDCH Federal Compliance Section, BHDDA, MSA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
9	Habilitation Supports Waiver	Obtain active list of nonresidential service types	<p>BHDDA will identify the types of HSW nonresidential services and the characteristics of the settings.</p> <p>During the preliminary assessment, MDCH will draw a random proportionate sample that is statistically significant to the 95% confidence level from the participants who received non-residential services. The sample will be used for disseminating the PIHP, provider and beneficiary surveys that are described in item 5-7 of the Assessment section of the transition plan.</p>	08/01/14	08/30/14	HCPCS codes of out of home non vocational, pre vocational, and supported employment services billed to HSW	MDCH Federal Compliance Section, BHDDA
10	MI Choice Waiver	Identify all provider-controlled and owned residential and non-residential settings	MSA will work with waiver agencies to compile a list of all settings currently used within the MI Choice Waiver.	07/01/14	12/15/14	Waiver agency provider networks	MDCH Medicaid LTC Division: HCBS Section and LTC Policy section, MI Choice waiver agencies
11	Children's Waiver Program and the Children with Serious Emotional Disturbances Waiver	Assess settings covered by the waiver	<p>MDCH conducts preliminary assessment of the types of SEDW and CWP residential and nonresidential services and the characteristics of the settings.</p> <p>SEDW</p> <ul style="list-style-type: none"> <li>Family homes and independent living settings (not provider-owned or operated) have presumed compliance with the rule.</li> </ul>	12/1/14	3/1/15	State of Michigan Licensing Law and Rules	DCH Federal Compliance Section, BHDDA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			<ul style="list-style-type: none"> <li>Foster Family homes, per licensing rules, also meet the HCBS regulatory requirements. Foster family homes have four or fewer foster children. Supervision and care is done by the foster parent and the child is treated as a family member with the same rights as any other child in the home. As part of the licensing process there is an interview with the parent about expectations and commitment to the child as being a family member. In addition, there is monthly monitoring by the foster care worker via interview with the child. No further assessment or remediation activity is needed.</li> </ul> <p>CWP – Family homes have presumed compliance with the rule.</p>				
12	Habilitation Supports Waiver	Administer and complete survey tools	DDI will administer and complete the provider, beneficiary, and CMH/PIHP survey tools.	04/01/15	04/30/15	BHDDA developed survey tools	MDCH Federal Compliance & Performance Measurement Section
13	Habilitation Supports Waiver	Self-assessment	Waiver providers will be required to conduct self- assessments of their settings to determine compliance to new rule or need for corrective action. This will include collecting feedback from participants. BHDDA will oversee the process.	04/01/15	04/30/15	Assessment tool, input from providers	BHDDA, providers, DDI, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
14	MI Choice Waiver	Have all HCBS settings assessed by waiver agencies	MI Choice waiver agencies contract directly with providers. Waiver agencies will be required to conduct on-site assessments of each provider setting to determine compliance to new rule or need for corrective action. This will include collecting feedback from participants. MSA will oversee the process. Waiver agencies will report this data to MSA. The statewide tool will be used for the assessment.	04/01/15	12/31/2015	Assessment tool, Input from providers	MI Choice waiver agencies, provider network, MDCH Medicaid LTC Division: HCBS Section
15	Habilitation Supports Waiver	Compile and analyze assessment data	BHDDA will compile the data from providers, beneficiary, and PIHP HSW coordinators to determine those HCBS services providers who meet, do not meet, and could come into compliance with HCBS guidance.	05/01/15	05/31/15	Self-Assessment tool, data analysis	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, Provider network, QIC
16	Habilitation Supports Waiver	Submission of survey results to BHDDA	All active enrolled HCBS provider and HSW PIHP coordinators will submit the assessment tool to BHDDA. HSW enrollees will be given the opportunity to submit the assessment tool, with assistance from their family and other natural supports, to BHDDA however will not be required to do so. Survey will include a prompt to indicate the relationship of the person assisting, as appropriate.	05/01/15	05/30/15	Assessment tool, Provider Network, PIHP HSW coordinators, beneficiary	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, Provider network, QIC
17	Habilitation Supports Waiver	Review assessed results and report findings to stakeholders	BHDDA will present the results of the assessment data to stakeholders and post results on the MDCH website.	06/01/15	06/30/15	Self-Assessment tool, data analysis	MDCH Federal Compliance & Contracts Section, BHDDA, MSA, Provider networks, QIC, waiver participants, PIHPs, advocacy groups

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Section 1: Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
18	MI Choice Waiver	Compile, analyze, and review assessment data. Report findings to stakeholders.	MDCH will compile the data from providers and beneficiaries to determine those HCBS services providers who meet, do not meet, and could come into compliance with HCBS guidance. MDCH will present the results of the assessment data to stakeholders and post results for 30 days.	10/01/15	03/31/16	Self-Assessment tool, data analysis	MSA, waiver entities, providers, waiver participants, and advocacy groups
19	All waivers	Revise statewide transition plan if necessary	MDCH will develop a modified statewide Transition Plan if necessary. Revisions to the transition plan will be informed by the assessment and site survey data which establish a plan for addressing all components of compliance with the HCBS rule.	01/01/16	05/30/16	Assessment results, key stakeholder input results	BHDDA, MSA, waiver entities, providers, QIC, advocacy groups, waiver participants



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Section 2: Remediation							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
20	MI Choice Waiver and Habilitation Supports Waiver	Design statewide remediation strategy	MDCH will design a remedial strategy for settings found to be noncompliant. The strategy includes education and outreach in the form of site surveys, technical assistance and consultation, and corrective action plans.	12/01/15	06/30/16	CMS HCBS guidelines	BHDDA, MSA, Waiver Providers, Advocates, DHS, LARA, ORR, Waiver participants, advocacy groups
21	MI Choice Waiver and Habilitation Supports Waiver	Develop a list of settings based upon current compliance status	MDCH will develop a list of those settings that are: <ul style="list-style-type: none"> <li>• assumed to be in compliance</li> <li>• out of compliance (but may come into compliance)</li> </ul>	12/01/14	05/31/16	CMS HCBS guidelines	BHDDA, MSA, waiver entities, waiver providers, , DHS, LARA, ORR, Waiver participants, advocacy groups
22	MI Choice Waiver and Habilitation Supports Waiver	Update MDCH policies, procedures, standards, contracts as necessary	MDCH will develop and adopt revised policies, procedures, standards, and contracts to address ongoing compliance and monitoring, including adding requirement of using assessment tool as part of provider monitoring, self-assessment, survey tools as well as the site review protocols. These updates may include legislation, administrative rules, and contracting procedures.	10/01/15	03/01/17	MDCH staff, DHS, waiver policy, provider contracts, monitoring tool	MSA, BHDDA, LARA, MDCH Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups
23	MI Choice Waiver and Habilitation Supports Waiver	Establish requirements for new providers	MDCH will include language in the contracts of waiver entities to ensure that all new providers are assessed for HCB settings prior to providing services. Upon enrollment in the waiver program, providers who offer HCBS will be provided technical assistance on HCBS setting requirement by MDCH and waiver entities. This activity will be ongoing.	01/01/15	03/17/19	Provider monitoring tool and instructions	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups

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Section 2: Remediation							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
24	MI Choice Waiver and Habilitation Supports Waiver	Notify providers who do not and cannot meet the HCB setting requirements. Notify any affected participants of these providers.	MDCH will notify providers who are found to not meet and are unable to meet the Federal requirements. These provider types include nursing facilities, hospitals, institutes for mental diseases, and intermediate care facilities for individuals with intellectual disabilities. These providers are ineligible to participate in the program. Participants will also be notified that their provider cannot meet requirements.	06/01/16	12/31/16	Assessment tool responses	MSA, BHDDA waiver entities, providers, participants, advocacy groups
25	MI Choice Waiver and Habilitation Supports Waiver	Develop and implement corrective action plans for individual non-compliant settings	<p>MDCH and its contractors will ensure individual provider settings become compliant with the new rule. MDCH and its contractors will work with individual non-compliant settings to develop and implement corrective action plans</p> <p>Providers will be required to submit periodic status updates on remediation progress to MDCH. MDCH will allow reasonable timeframes for large infrastructure changes with the condition that the providers receive department approval and provide timely progress reports on a regular basis. Updates will be provided to CMS as needed.</p>	10/01/16	09/30/18	CMS HCBS guidelines, revised MDCH policies and procedures, remediation plans for individual settings, remediation strategy	BHDDA, MSA, waiver entities, providers, waiver participants, advocacy groups, DHS, LARA, ORR, CMS

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Section 2: Remediation							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
26	MI Choice Waiver and Habilitation Supports Waiver	Notify CMS of any presumptively non-home and community-based settings that do have qualities of home and community-based settings for heightened scrutiny	For settings that are presumed not to be home and community-based, MDCH will compile a list of settings that do have the qualities of home and community-based settings and do not have the characteristics of an institution. MDCH will submit this list and any corresponding evidence to CMS for the heightened scrutiny process.	06/01/16	12/31/16	Assessment tool responses	BHDDA, MSA, waiver entities, providers, waiver participants, CMS
27	MI Choice Waiver and Habilitation Supports Waiver	Transition of participants in non-compliant settings	MDCH will provide choice to participants in provider controlled and owned residential settings to transition to a new residential or non-residential setting that meets requirement or disenroll from the waiver program.	01/01/16	3/17/19	Provider network listings, assessment data	MSA, BHDDA, waiver participants, advocacy groups
28	MI Choice Waiver and Habilitation Supports Waiver	Develop statewide protocols and procedures for site specific reviews	MDCH will develop protocols and procedures to address ongoing monitoring and compliance.	10/01/15	09/30/16	MDCH and DHS	BHDDA, MSA, waiver entities, providers, QIC, advocacy groups, waiver participants
29	MI Choice Waiver and Habilitation Supports Waiver	Conduct ongoing monitoring of compliance	MDCH will incorporate HCBS settings requirements into quality reviews, provider monitoring, and consumer satisfaction surveys to identify areas of non-compliance. This activity will be ongoing.	10/01/15	03/17/19		MSA, BHDDA waiver entities, providers, waiver participants, advocacy groups

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Section 2: Remediation							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
30	Habilitation Supports Waiver	BHDDA site review team will assess for ongoing compliance of HCBS settings in residential and nonresidential settings	Amend BHDDA site review team protocols to include a review of HCBS characteristics in HSW residential and non-residential settings.	10/01/15	03/01/19	Site Review protocols	MDCH Federal Compliance and contracts Section, BHDDA, MSA, waiver entities, providers, QIC

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Section 3: Outreach and Engagement							
Row #	Applicable waivers	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
31	All waivers	Hold stakeholder meetings to develop and inform Statewide Transition Plan	MDCH hosted several meetings to share information across programs, gather stakeholder concerns, and incorporate them into our Statewide Transition Plan.	8/12/14	11/23/14	CMS written guidance, MDCH staff, data analysis	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
32	All waivers	Create and distribute public notice for Statewide Transition Plan	MDCH will notify stakeholders that a draft transition plan has been developed to address new rule and will include links to the full plan and the waiver amendment document. Notices include MDCH website posting and mailings.	11/24/14	12/24/14	Draft transition plan, waiver amendment document, MDCH website, policy, stakeholder letter	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
33	All waivers	Collect and distribute public comment to stakeholders	MDCH will collect public comments on the draft transition plan through multiple methods including e-mail, US mail, and stakeholder meetings. MDCH will make appropriate changes to the plan and will post comments and responses on the MDCH website.	11/24/14	12/24/14	E-mail comments, US mail, meeting minutes, MDCH website	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
34	All waivers	Revise Transition Plan and post on MDCH website	MDCH will incorporate appropriate changes to Transition Plan based on public comments and post rationale for substantive change to the plan. The plan and comments will be available on the MDCH website.	12/25/14	01/16/15	Draft transition plan, modified transition plan, public comments notes, responses, MDCH website	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
35	All waivers	Submit initial Transition Plan for approval	MDCH will submit the initial Transition Plan and summary of comments to CMS for approval.	01/16/15	01/16/15	Draft Transition Plan and comments from public	MSA, BHDDA, and CMS