

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

Version 5.2

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### Introduction to the Statewide Transition Plan

The Michigan Department of Health and Human Services (MDHHS) offers a wide range of home and community-based services and supports to improve the health and well-being of Michigan residents. Many of these home and community-based services are offered through Medicaid waiver programs. MDHHS has created several waiver programs to provide services to Michigan residents who have aging-related needs, disabilities, or other health issues. Individuals in these programs receive services in their own homes and/or communities rather than being served in an institutional setting.

In 2014, the Federal Government issued a new rule for Medicaid waiver programs that pay for home and community-based services. The goal of the new rule is to ensure that individuals who receive home and community-based services are an equal part of the community and have the same access to the community as people who do not receive Medicaid waiver services. The MDHHS must assess Michigan waiver programs and transition each program into compliance with new rule. MDHHS developed a Statewide Transition Plan (STP) to outline the transition process for Michigan Medicaid waiver programs.

The MDHHS developed the STP based upon the following principles:

- Improve the inclusion and integration of waiver participants into the community
- Promote autonomy and self-determination of individual participants
- Allow for flexibility for individuals to meet their personal goals and health needs
- Build partnerships at the local, regional, and statewide level to strengthen the implementation process.
- Help individuals, providers, and local/regional service agencies succeed during the transition process.

MDHHS submitted the first version of the STP to the Centers for Medicare and Medicaid Services (CMS) on January 16, 2015. MDHHS will continue to update the STP as additional details of the transition process are finalized.

## Components of the Statewide Transition Plan

The STP is composed of the following components:

**Statewide Transition Timeline:** The Statewide Transition Timeline is the central component of the STP. The timeline provides an overview of what the major milestones in the STP are, depicts how and when these milestones may vary across waiver programs, and highlights where progress has been made in reaching these milestones.

**Systemic Assessment:** The Systemic Assessment is a comprehensive review of how current state policies, procedures, standards, and contracts align with the Federal rule. MDHHS will use the Systemic Assessment to determine what policies, procedures, standards, and contracts may need to be updated or clarified to come into compliance with the rule.

**Table of Settings to be Assessed:** This component provides a forecast of the number and types of settings that MDHHS anticipates will be assessed as part of the transition process.

**Assessment Results:** As individual settings are assessed for compliance under each waiver program, MDHHS will post the aggregated results for each waiver on the project website and also incorporate the results into the STP.

**Presumed not to be Home and Community-Based:** Under the rule, some settings may have institutional qualities and the rule, some settings may have institutional qualities and are presumed not to be home and community-based. Settings that fall into this category must be evaluated for compliance by the MDHHS and also approved by CMS through a heightened scrutiny process. This component provides an overview of the process of determining whether a setting is presumed not to be home and community-based and how a setting could proceed with the heightened scrutiny process.

**Stakeholder Outreach and Engagement Strategy:** As part of implementing the STP, MDHHS will seek to engage and connect with Michiganders in order to inform them of the transition process and improve the integration and inclusion of individuals into the community. The Stakeholder Outreach and Engagement Strategy outlines MDHHS's historical efforts to engage stakeholders on this issue and provides perspective on MDHHS's ongoing strategy for connecting with Michiganders during the implementation process.

Overview of Home and Community-Based Waiver Programs

Program Name	Program Type	Population	Purpose of the Program	The Rule's Effect on the Program
Children's Waiver Program	§1915(c) Waiver	Children with Developmental Disabilities	Provide community-based services to children under age 18 who would otherwise require the level of care provided in an Intermediate Care Facility.	All settings under this waiver are presumed compliant with the rule.
Children with Serious Emotional Disturbances Waiver Program	§1915(c) Waiver	Children with Behavioral Health Needs	Provides community-based services to children with serious emotional disturbances under age 21 who otherwise would require hospitalization in the State psychiatric hospital for children.	All settings under this waiver are presumed compliant with the rule.
MI Choice Waiver Program	§1915(c) Waiver	Older Adults or Adults with a Disability	Provide community-based services to individuals who would otherwise require the level of care provided in a nursing facility.	All provider owned and/or operated settings under this waiver must be assessed for compliance with the rule. The final date for compliance is September 16, 2018.

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MI Health Link HCBS Waiver Program	§1915(c) Waiver	Older Adults or Adults with a Disability	Provide community-based services to adults (1) who are dually eligible for Medicare and Medicaid and (2) who would otherwise require the level of care provided in a nursing facility.	All settings under this waiver must be in immediate compliance with the rule in order to provide home and community-based services.
Habilitation Supports Waiver Program	§1915(c) Waiver	Children and Adults with Developmental Disabilities	Provide community-based services to children and adults with developmental disabilities who would otherwise require the level of care provided in an Intermediate Care Facility.	All settings under this waiver must be assessed for compliance with the rule. The final date for compliance is September 16, 2018.
Managed Specialty Services and Supports Waiver Program	§1915(b) Waiver	Children and Adults with Behavioral Health Needs or Developmental Disabilities	Provides coverage for (1) mental health and substance use disorder services; and (2) long-term services and supports. This program also includes §1915(b)(3) supports and services that that promote community inclusion and participation, independence, and/or productivity.	CMS has agreed to provide regulatory authority on the applicability of the HCBS requirements to specific §1915(b)(3) services and settings. MDHHS has assessed settings providing Supported Employment, Skill Building and Community Living Support.

## **Home and Community-Based Services Waiver Programs and the Home and Community-Based Services Rule**

MDHHS currently has six waiver programs that offer home and community-based services to qualified individuals with behavioral health needs or developmental disabilities: (1) the Children's Waiver Program, (2) the Children with Serious Emotional Disturbances Waiver Program, (3) the Habilitation Supports Waiver Program, (4) the MI Choice HCBS Waiver Program, (5) the MI Health Link HCBS Waiver Program and (6) the Managed Specialty Supports and Services Waiver Program. This section provides a description of how the home and community-based services rule applies to the six existing waiver programs.

**Children's Waiver Program:** After conducting an initial review of settings under this waiver program, MDHHS determined that settings under this waiver should be presumed to be compliant with the rule. All children under this waiver program are served in family homes, which have presumed compliance under the rule. MDHHS will not be assessing individual settings under this waiver program.

**Children with Serious Emotional Disturbances Waiver Program:** After conducting an initial review of settings under this waiver program, MDHHS determined that all settings under this waiver should be presumed to be compliant with the rule. All children under this waiver program are served in family homes, independent living settings, or foster family homes. The State of Michigan licensing rules governing child foster family homes and group foster family homes to ensure that the children placed in these settings are treated the same as any other children in the home and that the licensing rules fully comport with 42 CFR §441.301(c)(4). Due to the characteristics of these settings and the requirements under state licensing, MDHHS has determined that these settings meet the requirements of the rule. Based on the 01/09/2015 conference call between Michigan staff, Ralph Lollar and Mindy Morrell it was determined that all settings (including foster family homes and therapeutic camps) for SEDW are considered compliant to the federal HCB settings requirements. During this conference call, CMS requested that Michigan amend the SEDW transition plan to reflect the fact that Foster Family homes and any other setting, per licensing rules, meet the HCBS regulatory requirements. CMS approved the amended plan including the SEDW transition plan on 03/27/2015. If the licensing regulations change, Michigan will ensure that all children on the SEDW are living in a private home. MDHHS will not be assessing individual settings under this program.

**Habilitation Supports Waiver Program:** All waiver participants under this waiver program who are served in family homes, private residences, not owned or operated by the provider, have presumed compliance under the rule. All other

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settings under this waiver must be assessed for compliance with the rule. The final date for compliance is September 16, 2018.

**MI Choice Waiver Program:** All settings under this waiver must be assessed for compliance with the rule. The final date for compliance is September 16, 2018.

**MI Health Link HCBS Waiver:** Because this waiver was approved after the start date of the rule, all settings under this waiver must be in immediate compliance in order to provide home and community-based services. Additionally, because the MI Health Link HCBS Waiver Program must be in immediate compliance with the rule and will not be included in the transition period, this waiver program is not included in the Statewide Transition Timeline.

**Managed Specialty Services and Supports Waiver Program:** Settings for beneficiaries age 21 and over who are receiving CLS in provider owned or controlled settings, Supported Employment, and Skill Building under this waiver must be assessed for compliance with the rule.

Table of Acronyms

AFC	Adult Foster Care	IPOS	Individualized Plan of Service
AQAR	Administrative Quality Assurance Review	JGD	Joint Guidance Document
BHDDA	Behavioral Health and Developmental Disability Administration	LARA	Department of Licensing and Regulatory Affairs
CAP	Corrective Action Plan	LOCD	Level of Care Determination
CLS	Community Living Supports	LTC	Long Term Care
CMH or CMHSP	Community Mental Health Services Program	MAHS	Michigan Administrative Hearing System
CMS	Centers for Medicare and Medicaid Services	*MDHHS	Michigan Department of Health and Human Services

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CPT	American Medical Association's Current Procedural Terminology	MPM	Michigan Medicaid Provider Manual
CWP	Children's Waiver Program	MSA	Medical Services Administration
DDI	Developmental Disabilities Institute of Wayne State University	MSS&SP	Managed Specialty Services and Supports Program
DDPIT	Developmental Disabilities Practice Improvement Team	MSU	Michigan State University
EMR	Electronic Medical Record	ORR	Office of Recipient Rights
HCBS	Home and Community Based Services	PIHP	Pre-Paid Inpatient Health Plan
HCPCS	Healthcare Common Procedure Coding System based on the American Medical Association's Current Procedural Terminology codes	QIC	Quality Improvement Council
HFA	Homes for the Aged	RLA	Residential Living Arrangement
HS	Heightened Scrutiny	SEDW	Waiver for Children with Serious Emotional Disturbances
HSRC	Heightened Scrutiny Review Committee	STP	Statewide Transition Plan
HSW	Habilitation Supports Waiver	WSA	Waiver Support Application

\*Effective October 1, 2015, Michigan Department of Community Health (MDCH) and Michigan Department of Human Services (DHS) merged to become Michigan Department of Health and Human Services (MDHHS).

### Statewide Transition Timeline

The Statewide Transition Timeline is the central component of the STP. The timeline provides an overview of what the major milestones in the STP are, depicts how and when these milestones may vary across waiver programs, and highlights where progress has been made in reaching these milestones. The Statewide Transition Timeline is composed of four phases:

**Section 1: Assessment Process:** As part of the transition process, the MDHHS must assess Michigan's home and community-based services (HCBS) waiver programs for compliance with the rule. The assessment has two parts:

- **Section 1a and 1b: Systemic Assessment**

The Systemic Assessment is a comprehensive review of how current state policies, procedures, standards, and contracts align with the Federal rule. More details on this process are also included in the Systemic Assessment section of the STP.

- **Section 1c: Setting Assessment**

The Setting Assessment is a review of all settings where individuals receive home and community-based services under a Medicaid Waiver Program.

**Section 2: Remediation and Ongoing Monitoring Process:** Once MDHHS has completed the systemic assessment and site-specific assessment processes, MDHHS will start the remediation process in order to bring settings and programs into compliance with the rule. The remediation process will include (1) helping settings transition into compliance with the rule; and (2) modifying or creating state policies, procedures, standards, and contracts to align programs with the rule. MDHHS will also conduct ongoing monitoring activities to ensure continued compliance with the rule.

**Section 3: Transition Process:** If a setting is unable to come into compliance with the rule, MDHHS will assist individuals with transitioning to a compliant setting.

**Section 4: Outreach and Engagement Process:** As part of implementing the STP, MDHHS will seek to engage and connect with Michiganders in order to inform the transition process and improve the integration and inclusion of individuals into the community. More details on this process are also included in the Stakeholder Outreach and Engagement Strategy.

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<p><b>Setting is integrated in, supports full access of, and is physically accessible to the individual receiving Medicaid HCBS to the greater community to the same degree of access as individuals not receiving Medicaid HCBS.</b></p>	<p>Compliant</p>	<p>See Appendix A for the Michigan Medicaid Provider Manual</p>			<p>Start on 11/07/2016</p> <p>Effective on 07/01/2018</p> <p>Completed</p>

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 8: R 400.1408 Rule 9: R 400.1409  Licensing Rules for Adult Foster Care Small Group Homes: Rule 303: R 400.14303 Rule 304: R 400.14304  Licensing Rules for Adult Foster Care Large Group Homes: Rule 303: R 400.15303 Rule 304: R 400.15304			Completed
<b>The setting includes opportunities to seek employment and work in competitive integrated settings to the same degree</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>of access as individuals not receiving Medicaid HCBS.</b>					
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 8: R 400.1408</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 303: R 400.14303</p> <p>Licensing Rules for Adult Foster Care Large Group Homes: Rule 303: R 400.15303</p>			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>The setting includes opportunities to engage in community life to the same degree of access as individuals not receiving Medicaid HCBS.</b>	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 8: R 400.1408 Rule 9: 400.1409  Licensing Rules for Adult Foster Care Small Group Homes: Rule 303: R 400.14303 Rule 304: R 400.14304  Licensing Rules for Adult Foster Care Large Group Homes: Rule 303: R 400.15303 Rule 304: R 400.15304			Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
	Compliant	Medicaid Provider Manual (MPM)	Team created a Home and Community Based Services Chapter in the MPM.	Promulgated 1/1/2018  Available online at: <a href="#">Medicaid Provider Manual HCBS Chapter</a>	Start on 11/07/2016  Effective on 07/01/2018  Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>The setting includes opportunities to control personal resources to the same degree of access as individuals not receiving Medicaid HCBS.</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016 Effective on 07/01/2018 Completed
	Compliant	MCL 330.1728 - Personal property: <a href="#">mcl-330-1728</a> MCL 330.1730 – Access to Money: <a href="#">mcl-330-1730</a>			
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 8: R 400.1408 Rule 9: R 400.1409 Rule 21: R 400.1421			

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		Licensing Rules for Adult Foster Care Small Group Homes: Rule 301: R 400.14301(6)(K) Rule 315: R 400.14315			
<b>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,</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 7: R 400.1407(12) through (15)  Licensing Rules for Adult Foster Care Small Group Homes:	<a href="#">Joint Guidance Document</a>		Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
preferences, and, for residential settings, resources available for room and board.		Rule 301: R 400.14301  Licensing Rules for Adult Foster Care Large Group Homes: Rule 301: R 400.15301			
	Compliant	See Appendix A for:  <b>Michigan Person-Centered Planning Policy and Practice Guideline</b>  Individual Plan of Services: In addition, documentation maintained by the CMHSP within the Individual  Plan of Service must include: (1) A description of the individual’s strengths, abilities, goals, plans, hopes, interests, preferences and natural supports  <b>Michigan Self-Determination Policy &amp; Practice Guideline</b>  Page 14: definitions on “Freedom” and “Self-determination”:			

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>MCL 330.1712 - Individualized Written Plan of Services <a href="#">mcl-330-1712</a></p> <p>MCL 330.1700 (g) – Definitions:</p> <p>“Person-centered planning” means a process for planning and supporting the individual receiving services that builds upon the individual's capacity to engage in activities that promote community life and that honors the individual's preferences, choices, and abilities. The person-centered planning process involves families, friends, and professionals as the individual desires or requires.</p> <p><a href="#">MCL 330.1700</a></p>			

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<p><b>An individual’s essential personal rights of privacy, dignity, respect, and freedom from coercion and restraint are protected.</b></p>	<p>Compliant</p>	<p>See Appendix A for the Michigan Medicaid Provider Manual</p>			<p>Start on 11/07/2016 Effective on 07/01/2018 Completed</p>

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>MCL 330.1740 - Physical restraint <a href="#">mcl-330-1740</a></p> <p>MCL 330.1742 – Seclusion <a href="#">mcl-330-1742</a></p> <p>MCL 330.1748 - Confidentiality <a href="#">mcl-330-1748</a></p> <p>MCL 330.1752 - Policies and Procedures <a href="#">mcl-330-1752</a></p>			Complete
	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 9: R 400.1409 Rule 12: R 400.1412</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 304: R 400.14304 Rule 305: R 400.14305 Rule 307: R 400.14307 Rule 308: R 400.14308</p> <p>Licensing Rules for Adult Foster Care Large Group Homes:</p>			

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		Rule 304: R 400.15304 Rule 305: R 400.15305 Rule 307: R 400.15307 Rule 308: R 400.15308			
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Optimizes, but does not regiment individual initiative, autonomy, and independence in making life choices. This includes, but not limited to, daily activities, physical environment, and with whom to interact.</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016 Effective on 07/01/2018 Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>PCP Values and Principles: Every individual has strengths, can express preferences, and can make choices.</p> <p><a href="#">Michigan Person-Centered Planning Policy and Practice Guideline</a></p> <p>Michigan Self-Determination Policy &amp; Practice Guideline: Introduction, Page 14: definitions on “Freedom” and “Self-determination”:</p> <p><a href="#">Michigan Self-Determination Policy &amp; Practice Guideline</a></p>			Completed
	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 8: R 400.1408 Rule 9: R 400.1409</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 304: R 400.14303</p> <p>Licensing Rules for Adult Foster Care Large Group Homes:</p>			

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		Rule 303: R 400.15303 Rule 304: R 400.15304			
<b>Individual choice regarding services and supports, and who provides them, is facilitated.</b>	Compliant	MCL 330.1712 - Individualized Written Plan of Services <a href="#">mcl-330-1712</a>  Michigan Self-Determination Policy & Practice Guideline: Introduction, Page 14: definitions on “Freedom” and “Self-determination”:  <a href="#">Michigan Self-Determination Policy &amp; Practice Guideline</a>			
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual  2.4 STAFF PROVIDER QUALIFICATIONS: Providers of specialty services and supports (including state plan, HSW, and additional/B3) are chosen by the beneficiary and others assisting him/her during the person-centered planning process, and must meet the staffing qualifications contained in program sections in this chapter.			Start on 11/07/2016  Effective on 07/01/2018  Complete

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 7: R 400.1407(2) - (6)</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 301: R 400.14301(6)</p> <p>Licensing Rules for Adult Foster Care Large Group Homes: Rule 301: R 400.15301</p>			Completed
	Compliant	<p>See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.</p>			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<p><b>Provider owned or controlled residential settings: The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the document provides protections that address eviction processes and appeals</b></p>	<p>Compliant</p>	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 7: R 400.1407(12) through (15)</p> <p>Licensing Rules for Adult Foster Care Large Group Homes: Rule 302: R 400.15302</p>	<p>MDHHS Created an addendum to the current standard residency agreement for adult foster care settings.</p> <p><a href="#">Joint Guidance</a></p> <p>MDHHS is reviewing the tenancy of the JGD in response to a stakeholder communication to CMS.</p> <p><a href="#">Summary of Resident Rights</a></p>	<p>Created document in junction with Department of Licensing and Regulatory Affairs (LARA), stakeholders.</p> <p>Engaged in public comment with residency agreement.</p> <p>Implement residency agreement with adult foster care family homes.</p> <p>MDHHS Continues to work with LARA to incorporate policy language into the Medicaid Provider Manual regarding Emergency and Non-Emergency Involuntary Discharge. Regulations and policy will be promulgated</p>	<p>11/01/2016 thru 02/01/2017</p> <p>Complete</p> <p>Target Date: 12/1/2018</p>

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
comparable to those provided under the jurisdiction's landlord tenant law.		See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Provider owned or controlled residential settings: Each individual has privacy in their sleeping or living unit: Units have</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual	Team created a Home and Community Based Services Chapter in the MPM.	Promulgated 1/1/2018  Available online at: <a href="#">Medicaid Provider Manual HCBS Chapter</a>	Start on 11/07/2016  Effective on 07/01/2018  Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<p><b>entrance doors lockable by the individual, with only appropriate staff having keys to doors.</b></p>	<p>Compliant</p>	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 9: 400.1409(1)(p)</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 407: R 400.14407 Rule 408: R 400.14408</p> <p>Licensing Rules for Adult Foster Care Large Group Homes: Rule 407: R 400.15407 Rule 408: R 400.15408</p>			<p>Completed</p>

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Provider owned or controlled residential settings: Individuals sharing units have a choice of roommates in that setting.</b>	Compliant	See Appendix A  PCP Values and Principles: Every individual has strengths, can express preferences, and can make choices.  <a href="#">Michigan Person-Centered Planning Policy and Practice Guideline</a>  Michigan Self-Determination Policy & Practice Guideline:			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		Page 14: definitions on “Freedom” and “Self-determination”:  <a href="#">Michigan Self-Determination Policy &amp; Practice Guideline</a>			
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed

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Section 1: Assessment Process

Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 9: R400.1409 Rule 31: R 400.1431</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 301: R 400.14301 Rule 408: R 400.14408</p> <p>Licensing Rules for Adult Foster Care Large Group Homes: Rule 301: R 400.15301 Rule 408: R 400.15408</p>	<p>MDHHS Created an addendum to the current standard residency agreement for adult foster care settings. Joint Guidance</p> <p><a href="#">Joint Guidance</a></p>	<p>Created document in conjunction with Department of Licensing and Regulatory Affairs, stakeholders.</p> <p>Engaged in public comment with residency agreement.</p>	10/01/2017 Completed
<b>Provider owned or controlled residential settings: Individuals have the freedom to furnish and decorate their</b>	Compliant	<p>See Appendix C - Licensing Rules</p> <p>Licensing Rules for Adult Foster Family Homes: Rule 9: 400.1409(1)(j)</p> <p>Licensing Rules for Adult Foster Care Small Group Homes: Rule 410: R 400.14410</p>			

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>sleeping or living units within the lease or other agreement.</b>		Licensing Rules for Adult Foster Care Large Group Homes: Rule 410: R 400.15410			
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>Provider owned or controlled residential and nonresidential settings: Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.</b>	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 9: R 400.1409(1)(h) Rule 19 R 400.1419  Licensing Rules for Adult Foster Care Small Group Homes: Rule 304: R 400.14304 Rule 313: R 400.14313  Licensing Rules for Adult Foster Care Large Group Homes: Rule 304: R 400.15304 Rule 313: R 400.15313			Complete
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Provider owned or controlled residential settings: Individuals are able to have visitors of their choosing at any time.</b>	Compliant	See Appendix C - Licensing Rules  Licensing Rules for Adult Foster Family Homes: Rule 9: 400.1409(1)(k)  Licensing Rules for Adult Foster Care Small Group Homes: Rule 304: R 400.14304 (k)  Licensing Rules for Adult Foster Care Large Group Homes: Rule 304: R 400.15304			Completed
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016  Effective on 07/01/2018  Completed

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Locations that have qualities of institutional settings, as determined by the Secretary. Any setting that is located in a building that is also a publicly or</b>	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016 Effective on 07/01/2018 Completed

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>privately operated facility that provides inpatient institutional treatment, or in a building on the grounds of, or immediately adjacent to, a public institution.</b>	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed
<b>Standards for Non-residential Settings</b>	Compliant	<p>Adult Day Care: MI Choice Contract - Attachment H: Minimum Operating Standards for MI Choice Waiver Program Services</p> <p>See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.</p> <p>Out of Home Non Vocational Habilitation: Section 15 in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p>			Complete

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Section 1a: Systemic Assessment					
Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		<p><a href="#">Medicaid Provider Manual</a></p> <p>Prevocational Service: Section 15 in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p> <p>Supported Employment: Section 15 in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p> <p>Community Living Services: Section 15 in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p>			

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
		<p>Community Living Services: Section 17.3.B in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p> <p>Skill Building Assistance Section 17.3.J in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p> <p>Supported Employment: Section 17.3.L in Behavioral Health and Intellectual and Developmental Disability Supports and Services Chapter of MPM</p> <p><a href="#">Medicaid Provider Manual</a></p>			

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Regulation	Status	Codes, Policies, MPM	Remediation Required	Action Steps	*Timeline
<b>Home and community-based settings do not include the following: a nursing facility; institution for mental diseases; an intermediate individuals with intellectual disabilities; a hospital.</b>	Compliant	MCL 400.703(4): <a href="#">mcl-400-703</a>			Complete
	Compliant	See Appendix A for the Michigan Medicaid Provider Manual			Start on 11/07/2016 Effective on 07/01/2018 Completed
	Compliant	See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.			Completed

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Section 1b: Systemic Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1.1	Children with Serious Emotional Disturbances and the Children's Waiver Program	Review state policies, procedures, and standards	<p>SEDW and CWP settings are presumed compliant with HCBS rules, and therefore it is not necessary to align policies, standards, and requirements  <a href="http://www.michigan.gov/documents/mdch/CMS_Letter_on_STP_499980_7.pdf">http://www.michigan.gov/documents/mdch/CMS_Letter_on_STP_499980_7.pdf</a></p> <ul style="list-style-type: none"> <li>• Michigan continues to require that children live in family homes/family foster homes prior to being approved for access to the waiver.</li> <li>• MDHHS does not plan to add new setting types to the waiver, so this review is considered complete.</li> </ul>	12/01/2014	01/31/2015 Complete	<a href="#">Licensing standards for residential settings</a> , provider contracts, site review protocols, waiver policies, provider monitoring protocols	MDHHS Federal Compliance Section, BHDDA

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Section 1b: Systemic Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1.2	MI Choice Waiver	Review contracts	<p>MI Choice: Current contracts are silent on the issue. As of FY 2017, all new providers must be in compliance. FY The 2018 contracts will include provider specifications, and the language will be finalized 07/31/2017.</p> <p>See Appendix B – Contract Information for changes made to the MI Choice Contract.</p>	MI Choice: 01/01/2017	<p>MI Choice: Review completed 08/31/2015;</p> <p>2018 contracts were finalized by 07/31/2017 and are now in effect.</p> <p>Complete</p>	MDHHS/MI Choice Waiver Agent contracts	MSA, BHDDA, waiver entities.

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Section 1b: Systemic Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1.3. a	Habilitation Supports Waiver	Review contracts	HSW: The PIHP contracts have been reviewed and brought into alignment with HCBS settings requirements.	06/01/2015	10/01/2015 - Complete	MDHHS/PIHP contracts,	MSA, BHDDA, waiver entities.
1.3. b	MSS&S Waiver -§1915(b)(3)	Review contracts	MSS&S Waiver - §1915(b)(3): The PIHP contracts have been reviewed and brought into alignment with HCBS settings requirements.	06/01/2015	10/01/2015 - Complete	MDHHS/PIHP contracts,	MSA, BHDDA, waiver entities.
1.4	All Waivers	Review Medicaid Provider Manual	The Medicaid Provider Manual is currently silent on the rule. New language will be added by 7/1/2018.  Medicaid Provider Manual Chapter promulgated.  See Appendix A for the Michigan Medicaid Provider Manual	09/01/2014	07/01/2018 Complete	<a href="#">Medicaid Provider Manual</a>	MSA, BHDDA, LARA, MDHHS, ORR, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1.5	MI Choice Waiver	Review waiver application	<p>Submit a Waiver Amendment which includes the MI Choice Transition Plan.</p> <p>The MI Choice Transition Plan will need to be updated once the STP is approved or if another amendment is submitted.</p>	Dependent on Approval for Statewide Transition Plan	Dependent on Approval for Statewide Transition Plan	<a href="#">MI Choice Waiver Application</a>	MSA, BHDDA, LARA, MDHHS, ORR, waiver entities, providers, waiver participants, advocacy groups
1.5.a	Habilitation Supports Waiver	Review waiver application	MDHHS submitted the HSW Waiver amendment to CMS following public comment period on the transition plan.	10/01/2014  Dependent on Approval for Statewide Transition Plan	12/17/2014  Dependent on Approval for Statewide Transition Plan	<a href="#">HSW Final Renewal Application -10-12010.pdf</a>	MSA, BHDDA, LARA, MDHHS, ORR, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
1.5. b	MSS&S Waiver -§1915(b)(3)	Review waiver application	MDHHS submitted a §1115 waiver.	Dependent on Approval for Statewide Transition Plan	Dependent on Approval for Statewide Transition Plan	<a href="#">Managed Specialty Services and Supports Waiver</a>	MSA, BHDDA, LARA, MDHHS, ORR, waiver entities, providers, waiver participants, advocacy groups
1.6	Children with Serious Emotional Disturbances	Submit waiver amendment	<p>MDHHS submitted the SEDW Waiver amendment to CMS following public comment period on the transition plan.</p> <p>MDHHS continues to require that children are living in family homes/family foster homes prior to being approved for access to the waiver program.</p> <p>MDHHS does not plan to add new setting types to</p>	12/30/2014  Dependent on Approval for Statewide	12/30/2014 - Completed  Dependent on Approval for Statewide	<a href="#">Waiver Document</a>	MDHHS Federal Compliance Section, BHDDA, MSA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			the waiver, so this review is considered complete.	Transition Plan	Transition Plan		
1.7	MI Choice Waiver	Review MI Choice Provider Monitoring Tool	The MDHHS Provider Monitoring Tool does not conflict with the rule. The tool was revised on 10/01/2015 (for inclusion into FY 2016 MI Choice contract) to include information about whether the setting had gone through the HCBS assessment process and further asking how the setting plans to come into compliance with the rule, if not yet in compliance.	09/01/2014	07/31/2017 Complete	Provider Monitoring Tool	MSA, BHDDA, LARA, MDHHS, ORR, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			<p>Beginning October 1, 2017, waiver agencies will use the Provider Assessment Tool that MDHHS added to the Provider Monitoring Tool to monitor settings. MDHHS also added wording in Attachment J to require waiver agencies to assess whether the provider complies with 42 CFR§441.301(c)(4).</p> <p>The MI Choice contract can be found online at EGrAMS website: <a href="https://egramsmi.com/mdhhs/User/home.aspx">https://egramsmi.com/mdhhs/User/home.aspx</a>. The setting had gone through the HCBS assessment process and further asking how the setting plans to come into compliance with the rule, if not yet in compliance.</p>				

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Section 1c: Setting Assessment							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
2	Habilitation Supports Waiver	Develop provider self-assessment tool	<p>BHDDA developed a tool, as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders, for providers to evaluate setting conformity to HCBS rules. The Developmental Disabilities Institute of Wayne State University (DDI) will validate the results of this survey via on-site assessments conducted by trained reviewers. The tool will be incorporated into provider enrollment policy and contracts.</p> <p>Sampling Methodology: a random proportionate sample of residential and nonresidential settings, that is statistically significant to the 95% confidence interval (pilot project)</p> <p>MDHHS is surveying all residential and non-</p>	10/01/2014	04/13/2015 – Complete	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, DDI, waiver entities, providers, QIC, waiver participants, advocacy groups
				04/01/2016	01/31/2017 Complete		

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			residential settings in two Phases.				
2.1	MSS&S Waiver §1915(b)(3)	Develop provider self-assessment tool	<p>BHDDA developed a tool, as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders, for providers to evaluate setting conformity to HCBS rules. The tool aligns with the HSW Survey Tool. DDI will validate the results of this survey via on-site assessments conducted by trained reviewers. The tool will be incorporated into provider enrollment policy and contracts.</p> <p>The waiver entities will survey all providers for CLS, Skill Building and Supported Employment.</p>	10/01/2014	04/13/2015 Complete	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, DDI, waiver entities, providers, QIC, waiver participants, advocacy groups
				05/01/2017	09/30/2018 Complete		

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
3	Habilitation Supports Waiver	Develop participant survey tool		10/01/2014	04/13/2015 -completed	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, DDI, HSW participants
3.1	MSS&S Waiver §1915(b)(3)	Develop participant survey tool		10/01/2015	05/01/2017 Completed	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, DDI, MSS&S W participants

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
4	Habilitation Supports Waiver	Develop PIHP survey tool	<p>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. The tool will be incorporated into provider enrollment policy and contracts.</p> <p>Sampling Methodology: a random proportionate sample of residential and nonresidential settings, that is statistically significant to the 95% confidence interval.</p>	10/01/2014	04/13/2015 Completed	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	MDHHS 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
5	MI Choice Waiver	Develop MI Choice Waiver survey tool	Develop a tool as guided by the CMS Exploratory Questions Tool and vetted by key stakeholders for waiver agencies to use while evaluating provider conformity to and compliance with HCBS rules.	01/01/2015	04/01/2015 Completed	For more information about CMS exploratory tool and state developed assessment tools, see the Michigan HCBS <a href="#">website</a> for all survey tools.	BHDDA, MSA, DDI, waiver entities, providers, waiver participants, advocacy groups
6	Habilitation Supports Waiver	Obtain active list of residential settings	<p>BHDDA will identify the types of HSW residential services and the characteristics of the settings.</p> <p>During the preliminary assessment, MDHHS will draw a random proportionate sample that is statistically significant to the 95% confidence level from the participants who received residential services. The sample will be used for disseminating the PIHP, setting, and beneficiary surveys that are described in item 5-7 of the Assessment section of the transition plan.</p>	08/01/2014	04/01/2015 submitted to CMS  Complete	WSA and Data Warehouse RLA codes	MDHHS Federal Compliance Section, BHDDA, MSA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			Completed – The list was submitted to CMS in April 2015				
6.1	MSS&S Waiver §1915(b)(3)	The Waiver Entities will obtain active list of providers of CLS, Skill Building and Supported Employment	Identify the types of §1915(b)(3) services (CLS, Skill Building and Supported Employment) and the characteristics of those services.	03/01/2017	9/30/2018 Complete	Waiver Entity EMR, WSA and Data Warehouse	Waiver Entities and contracted entities
7	Habilitation Supports Waiver	Obtain active list of non-residential service types	BHDDA identified the types of HSW nonresidential services and the characteristics of the settings.  During the preliminary assessment, MDHHS drew a random proportionate sample that was statistically significant to the 95% confidence level from the participants who received non-residential services. The sample was used for disseminating the PIHP, setting, and beneficiary surveys that are	08/01/2014	04/01/2015 Complete	HCPCS codes of out of home non vocational, pre vocational, and supported employment services billed to HSW	MDHHS Federal Compliance Section, BHDDA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			<p>described in item 5-7 of the Assessment section of the transition plan.</p> <p>Completed – The list was submitted to CMS in April 2015</p>				

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
8	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.	07/01/2014	07/31/2014 Completed  Waiver agencies compiled their own lists, contacted the settings for an initial assessment, and submitted to MDHHS. List was sent to CMS on 04/20/2015	Waiver agency provider networks	MDHHS Medicaid LTC Division: HCBS Section and LTC Policy section, MI Choice waiver agencies
9.1	Children's Waiver Program	Assess settings covered by the waiver	MDHHS conducted a preliminary assessment of the types of CWP residential and non-residential services and the characteristics of the settings.  Family homes have presumed compliance with the rule.	12/01/2014	03/01/2015 Completed	State of Michigan Licensing Law and Rules	MDHHS Federal Compliance Section, BHDDA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
9.2	Children with Serious Emotional Disturbances Waiver	Assess settings covered by the waiver	<p>MDHHS conducted a preliminary assessment of the types of SEDW residential and non-residential services and the characteristics of the settings.</p> <p>Family homes and independent living settings (not provider-owned or operated) have presumed compliance with the rule.</p> <p>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.</p>	12/01/2014	03/01/2015 Completed	State of Michigan Licensing Law and Rules	MDHHS Federal Compliance Section, BHDDA

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
10.1	Habilitation Supports Waiver  and MSS&S Waiver §1915(b)(3)	Administer survey tools	<p>MDHHS is surveying all residential (provider owned or controlled) and nonresidential settings in two Phases:</p> <p>Residential Settings include:</p> <ul style="list-style-type: none"> <li>• Licensed specialized residential homes</li> <li>• Licensed general residential home</li> <li>• Private residence that is owned or controlled by the PIHP, CMHSP, or the contracted provider.</li> </ul> <p>Non-Residential Services include:</p> <ul style="list-style-type: none"> <li>• Out of Home Non-Vocational Habilitation</li> <li>• Prevocational Service</li> <li>• Supported Employment</li> </ul> <p>MSS&amp;S services and settings for beneficiaries age 21 and over who are receiving:</p> <ul style="list-style-type: none"> <li>• CLS in provider owned or controlled settings</li> <li>• Supported Employment</li> <li>• Skill Building</li> </ul> <p><b>100% of setting surveys will be validated</b></p>	04/01/2016	01/31/2017 Complete	BHDDA developed survey tools	MDHHS Federal Compliance & Performance Measurement Section

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			<p><b>Compliant settings</b> will have responses validated by the waiver entity. Upon validation work any settings that are found out of compliance or that should be moved to HS will be moved and corrective action work following the normal protocol will occur</p> <p><b>Out of compliance settings:</b> Settings that are out of compliance will be validated through the corrective action planning process with the waiver entities. This step has been completed for HSW and is well under way for MSS&amp;S</p> <p><b>Settings that require Heightened Scrutiny: 100% of HS settings will undergo onsite reviews.</b> Evidence will be gathered by Michigan State University-Institute for Health Policy who are contracted with MDHHS to gather evidence related to the HS status of settings. 100% of settings will be validated. Evidence gathered will be forward to MDHHS and the HS review process will continue.</p>	6/1/2020	12/1/2020		
				1/1/2020	8/1/2020		
				10/1/2019	9/1/2021		

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
11.1	Habilitation Supports Waiver	Administer self-assessment	<p>Waiver providers were required to conduct self-assessments of their settings to determine compliance to new rule or need for corrective action. This included collecting feedback from participants. BHDDA oversaw the process.</p> <p>Sampling Methodology: a random proportionate sample of residential and nonresidential settings, that is statistically significant to the 95% confidence interval. (Pilot project).</p> <p>MDHHS is surveying all residential and non-residential settings in two Phases</p>	04/01/2015	05/30/2015 completed	BHDDA developed survey tools, input from providers	BHDDA, providers, DDI, waiver participants, advocacy groups
				04/01/2016	01/31/2017 Complete		

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
11.2	MSS&S Waiver §1915(b)(3)	Administer self-assessment	Waiver providers were required to conduct self-assessments of their settings to determine compliance with new rule or need for corrective action.	03/01/2017	09/30/2018 Complete	BHDDA developed survey tools, input from providers	BHDDA, providers, DDI, advocacy groups
12	MI Choice Waiver	Assess all settings	MI Choice developed a tool, as guided by the CMS Exploratory Questions Tool for providers to evaluate conformity to HCBS rules. The tool aligns with the MI Choice Survey Tool. MI Choice staff will validate 100% of the results of the survey via on-site assessments conducted by trained waiver agency staff. The Waiver Agencies will visit administer and complete using the provider tools as part of the survey process. 100% of providers will be have an on-site visit and survey. Methods of validation include 100% review of responses from providers, onsite reviews, and/or MDHHS site reviews. All settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. Waiver agencies will verify that providers continue to meet	12/31/2015	03/31/2017 Complete  Ongoing compliance monitoring will continue	Residential and Non-Residential Assessment tools for MI Choice Waiver, Input from providers	MI Choice waiver agencies, provider network, MDHHS Medicaid LTC Division: HCBS Section

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			<p>all the settings criteria under CMS HCBS Final Rule. The State will ensure ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a combination of desk reviews and on-site reviews.</p> <p>MDHHS MI Choice has trained the Waiver agencies in the final rule and the expectations of the State of Michigan related to the quality of services and supports provided to HCBS participants. Additionally, bi weekly phone meetings and monthly Waiver Director Meetings are used to provide ongoing technical assistance and to develop consistency across regions. Beginning October 1, 2017, waiver agencies began using the provider assessment tool that MDHHS added to the Provider Monitoring Tool to monitor settings. MDHHS also added wording in Attachment J to require waiver agencies to assess whether the</p>				
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			<p>provider complies with 42 CFR §441.301(c)(4).</p> <p>See Appendix B – Contract Information for information on the MI Choice Contract.</p> <p>MDHHS will incorporate HCBS settings requirements into quality reviews, provider monitoring, and consumer satisfaction surveys to identify areas of non-compliance. Each of these processes will include an examination of provider-controlled settings as appropriate to assure all settings adhere to the ruling.</p> <p>Residential Settings include:</p> <ul style="list-style-type: none"> <li>▪ Assisted Living Facilities</li> <li>▪ Adult Foster Care</li> <li>▪ Homes for the Aged</li> <li>▪ Independent Retirement apartments</li> </ul> <p>Non-Residential Settings include:</p> <ul style="list-style-type: none"> <li>▪ Adult Day Care sites</li> </ul>				
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			<p>The state provided training to the waiver agencies and to the housing specialists who conduct the on-site assessments in 2014, prior to approval of the MI Choice transition plan provided in the waiver amendment. MI Choice regularly discusses issues related to compliance with waiver agencies during monthly Waiver Director Meetings, bi-weekly conference calls, quarterly Quality Management Collaboration meetings, the distribution of information and through technical assistance as needed when issues occur.</p> <p>See attached webinar presentations and Q&amp;A document. These documents are available online at:</p> <p><a href="http://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943_4857_5045-16263--,00.html">http://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943_4857_5045-16263--,00.html</a></p>				

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
13.1	Habilitation Supports Waiver	Submission of sampling methodology survey results to BHDDA	All active enrolled HCBS providers and HSW PIHP coordinators will submit the data from the assessment tool to Developmental Disabilities Institute. HSW enrollees will be given the opportunity to submit the assessment tool, through an online survey link provided to their support coordinator who then meets with the beneficiary with assistance from their family and other natural supports, to complete the survey, however will not be required to do so. Survey will include a prompt to indicate the relationship of the person assisting, as appropriate.	04/01/2015	05/30/2015 Completed	Assessment tool, Provider Network, PIHP HSW coordinators, beneficiary	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, Provider network, QIC
13.2	MSS&S Waiver §1915(b)(3)	Submission of survey results to BHDDA	All active enrolled HCBS providers and PIHP coordinators will submit the data from the assessment tool to Developmental Disabilities Institute. MSS&S enrollees will be given the opportunity to submit the assessment tool, through an online survey link provided to their support coordinator who then meets with the beneficiary with assistance from their family and other natural supports, to complete the survey with	07/01/2017	09/30/2018 Complete	Assessment tool, Provider Network, HCBS Leads.	Waiver entities and contracted entities.

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			assistance from their family and other natural supports, however will not be required to do so. Survey will include a prompt to indicate the relationship of the person assisting, as appropriate.				
14	Habilitation Supports Waiver	Compile and analyze assessment data from the sampling Methodology	BHDDA will compile the data from settings, beneficiaries, and PIHP HSW coordinators to determine those HCBS settings that meet, do not meet, and could come into compliance with HCBS settings requirement. 100% setting validation as outlined in Row 10.2 will occur.	06/01/2015	09/30/2015 -completed	Self-Assessment tool, data analysis	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, Provider network, QIC
15	Habilitation Supports Waiver		BHDDA will present the results of the assessment data to stakeholders and post results on the MDHHS website (pilot project).	09/01/2015	11/30/2015 Completed	Self-Assessment tool, data analysis	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, Provider networks, QIC, waiver

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							participants, waiver entities, advocacy groups
16	MI Choice Waiver	Compile, analyze, and review assessment data. Report findings to stakeholders.	Compile the data from settings and beneficiaries to determine those HCBS settings that meet, do not meet, and could come into compliance with HCBS guidance. MDHHS will present the results of the assessment data to stakeholders. Validation as outlined in Row 12 will occur.	01/20/2016	09/30/2017 Completed	Self-Assessment tool, data analysis	MSA, waiver entities, settings, waiver participants, and advocacy groups
17	MI Choice	Determine compliance of residential and non-residential settings.	Participants’ private homes are compliant with the Federal requirements. It is the presumption that privately owned or rented homes and apartments of people living with family members, friends, or roommates meet the home and community-based settings requirements if they are integrated in typical community neighborhoods where people who do not receive home and community-based services	03/31/2016	09/30/2017 - ongoing	Waiver Agencies,	MSA, waiver entities, providers, waiver participants, and advocacy groups

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			<p>also reside. Provider owned and/or operated locations do not meet the provider requirements and will need to be assessed for compliance.</p> <p>The following settings are non-compliant: hospitals, nursing facilities, and institutions for mental diseases. None of the MI Choice participants reside in hospitals, nursing facilities, or institutions for mental diseases. Regulations prohibit enrollment in MI Choice while residing in nursing facility or an institution for mental diseases. Individuals do not reside in hospitals, but may be temporarily admitted for medical treatment.</p> <p>The state provided training to the waiver agencies and to the housing specialists who conduct the on-site assessments in 2014, prior to approval of the MI Choice transition plan provided in the waiver amendment. MI Choice regularly discusses issues related to compliance with waiver agencies during monthly Waiver Director Meetings, bi-weekly</p>	01/01/2017	06/30/2017 Complete		



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			<p>community as part of their remediation plans to come into full compliance with the setting criteria.</p> <p>MI Choice has furnished tailored technical assistance to residential and non-residential providers based on the results of the provider assessment survey analysis. Topics that have identified based on the results of the provider assessment include a basic overview of the HCB settings requirements, with particular attention paid to community integration, reverse integration, beneficiary rights and choices, and person-centered planning. These topics have been covered through bi-weekly phone calls, monthly waiver director meetings, on-site technical assistance training, and via materials posted to our state-specific HCBS Settings website. MI Choice expects this dialogue to be ongoing throughout the assessment process. All settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. MI Choice developed</p>			Ongoing compliance monitoring will continue	
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			<p>a tool, as guided by the CMS Exploratory Questions Tool for providers to evaluate conformity to HCBS rules. The tool aligns with the MI Choice Survey Tool. MI Choice staff will validate 100% of the results of the survey via on-site assessments conducted by trained waiver agency staff. The Waiver Agencies will visit administer and complete using the provider tools as part of the survey process. 100% of providers will be have an on-site visit and survey. Methods of validation include 100% review of responses from providers, onsite reviews, and/or MDHHS site reviews. All settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. Waiver agencies will verify that providers continue to meet all the settings criteria under CMS HCBS Final Rule. The State will ensure ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a</p>				

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			<p>combination of desk reviews and on-site reviews.</p> <p>Waiver agencies will verify that providers continue to meet all the settings criteria under CMS HCBS Final Rule. The State will ensure ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a combination of desk reviews and on-site reviews.</p>				
18.1	Habilitation Supports Waiver	Assess settings on a statewide basis	<p>PIHPs contract directly with providers. Waiver entities will be required to conduct on-site assessments of all settings to determine compliance to new rule or need for corrective action. This will include collecting feedback from participants. BHDDA will oversee the process. Waiver entities will report this data to BHDDA. The HSW survey tools will be used for the assessment.</p> <p>Residential Settings to be assessed include:</p> <ul style="list-style-type: none"> <li>Group Home: Specialized AFC</li> </ul>	04/01/2016	01/31/2017 Complete – ongoing monitoring will continue	Assessment tool, Input from providers	MDHHS Federal Compliance & Contracts Section, BHDDA, MSA, Provider networks, QIC, waiver participants, waiver entities,

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			<ul style="list-style-type: none"> <li>Provider owned or controlled settings</li> </ul> <p>Settings to be assessed where Non-Residential Services are delivered include:</p> <ul style="list-style-type: none"> <li>Out of Home Non Vocational Habilitation</li> <li>Prevocational Service Supported Employment</li> <li>CLS in provider owned or controlled settings</li> </ul>				advocacy groups
18.2	MSS&S Waiver §1915(b)(3)	Assess settings on a statewide basis	<p>PIHPs contract directly with providers. The waiver entities will be required to conduct on-site assessments of all settings to determine compliance to new rule or need for corrective action. This will include collecting feedback from participants. BHDDA will oversee the process. The waiver entities will report this data to BHDDA. The §1915(b)(3) survey tools will be used for the assessment.</p> <p>Assessment of settings for beneficiaries age 21 and over include:</p>	03/01/2017	09/30/2018 Completed – ongoing monitoring will continue	Assessment tool, Input from providers	Waiver entities and contracted entities.

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			<ul style="list-style-type: none"> <li>▪ Supported Employment</li> <li>▪ Skill Building</li> </ul> CLS in provider owned or controlled settings Which would include settings where the beneficiary lives in a private residence owned by an unrelated caregiver (who is paid for providing HCBS services to the individual),				
19.1	Habilitation Supports Waiver	Compile, analyze, and review assessment data.	MDHHS will compile the data from settings and beneficiaries to determine those HCBS settings that meet, do not meet, and could come into compliance with HCBS guidance.	01/01/2016	01/01/2018 Complete	Self-Assessment tool, data analysis	MSA, waiver entities, providers, waiver participants, and advocacy groups
19.2	MSS&S Waiver §1915(b)(3)	Compile, analyze, and review assessment data.	Waiver entities will compile the data from settings to determine those HCBS settings that meet, do not meet, and could come into compliance with HCBS guidance.	03/01/2017	09/30/2018 Completed	Self-Assessment tool, data analysis	BHDDA, MSA, waiver entities, settings, waiver participants, and advocacy groups

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21.1	MI Choice Waiver	Design statewide remediation strategy	MDHHS 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.	12/01/2015	06/30/2016 Complete	CMS HCBS guidelines	BHDDA, MSA, Waiver Providers, Advocates, MDHHS, LARA, ORR, Waiver participants, advocacy groups
21.2	Habilitation Supports Waiver and MSS&S Waiver §1915(b)(3)	Design statewide remediation strategy	MDHHS has developed and implemented a review process that surveys both the settings and participants of the HSW. This process utilizes the exploratory questions identified by CMS to determine whether settings are HCBS compliant and to assess whether they will require a Heightened Scrutiny review. <ul style="list-style-type: none"> <li>Licensed specialized residential homes</li> </ul>	12/01/2015	06/30/2016 Completed	CMS HCBS guidelines	BHDDA, MSA, Waiver Providers, Advocates, MDHHS, LARA, ORR, Waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>Private residences that are owned and/or controlled by the PIHP, CMHSP or the contracted provider.</p> <p>MSS&amp;S settings that will be assessed are:</p> <ul style="list-style-type: none"> <li>• CLS in provider owned or controlled settings</li> <li>• Supported Employment</li> <li>• Skill Building</li> </ul> <p>MDHHS BHDDA has supported stakeholders in the development of readiness tools to support waiver entities and providers in making the necessary changes to services and supports to move to full HCBS compliance. These tools are available to any interested parties on the <a href="#">MDHHS webpage</a>.</p>		Completed		
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			<p>Outreach and education efforts continue with presentations at conferences and stakeholder meetings to keep stakeholders informed regarding progress toward HCBS compliance</p> <p>Site reviews have moved from an advisory stance related to HCBS rule requirements to a more comprehensive view of the waiver entities movement toward compliance and supportive intervention when indicated.</p> <p>BHDDA continues to hold regularly scheduled meetings with waiver entities to discuss needs and current efforts underway in our transition process.</p> <p>Efforts are underway to collaborate with state level</p>		<p>Ongoing activity</p> <p>Ongoing activity</p> <p>Ongoing activity</p> <p>Ongoing activity</p>		
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			<p>groups focused on housing needs.</p> <p>BHDDA continues to work with state level employment specialists to ensure future updates on employment policy are in compliance with HCBS requirements</p> <p>BHDDA staff are collaborating with other MDHHS staff to update policy language including an amended HCBS Medicaid Provider Manual, updates of service code descriptions to strengthen compliance with HCBS rule and ongoing efforts to update and maintain a comprehensive webpage dedicated to HCBS efforts and that provide a variety of education materials and resources for stakeholder with various perspectives including those of</p>		<p>Ongoing activity</p> <p>Ongoing activity</p>		
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			participants, their families and service providers.				
22	All Waivers	Develop a list of settings based upon current compliance status	<p>MDHHS will develop a list of those settings that are:</p> <ul style="list-style-type: none"> <li>• assumed to be in compliance</li> <li>• out of compliance (but may come into compliance)</li> </ul> <p>MI Choice Waiver: As of 3/17/2019, there have been 846 total residential settings assessed and submitted to the Medicaid Services Administration (MSA). MSA completed reviews of</p>	03/01/2017	01/31/2017 Completed - MI Choice Waiver	CMS HCBS guidelines	BHDDA, MSA, waiver entities, waiver providers, MDHHS, LARA, ORR, Waiver participants, advocacy groups

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			<p>all 846 of these settings. 833 were found in compliance. 13 have been identified as possible heightened scrutiny.</p> <p>As of 3/17/2019, there have been 89 total non-residential settings assessed and submitted to MSA. MSA completed reviews of all 89 of these settings. 85 were found in compliance. 4 have been identified as possible heightened scrutiny.</p> <p>MDHHS and the waiver agencies have been working with the settings on CAP to bring these settings into compliance.</p> <p>All MI Choice assessments have been submitted. As of October 1, 2018, all new settings must be immediately compliant.</p>		<p>3/17/2019 Complete</p> <p>3/17/2019 Complete</p> <p>3/17/2019 Completed</p>		
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			<p>The numbers on Row 22 for HSW and MSS&amp;S have been updated to reflect changes due to: 1) settings being closed; and 2) change on settings status after completion of corrective action or validation of survey data via desk review or site review.</p> <p>Habilitation Supports Waiver (HSW): MDHHS has surveyed all HSW settings and participants. This list has been shared with the PIHP leads who will work with settings that are noncompliant to develop remediation plans</p> <p>Results of <b>HSW</b> assessment process:</p> <p>Full compliance: Residential 6 settings Non-residential 47 settings</p>	03/01/2017	10/01/2018		
				10.1.2018	03/01/2019 Complete		

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			<p>Do not comply but could come into compliance: Residential 797 settings Non-residential 112 settings</p> <p>Require Heightened Scrutiny: Residential 433 settings Non-residential 27 settings</p> <p>MSS&amp;S Waiver - §1915(b)(3) MDHHS has surveyed all MSS&amp;S settings and participants. This list has been shared with the PIHP leads who will work with settings that are noncompliant to develop remediation plans.</p> <p>Results of MSS&amp;S assessment process-</p> <p>Full Compliance: 180 settings</p> <p>Do not comply but could come into compliance: 1105 settings</p>				
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			<p>Require heightened scrutiny: 303 settings</p> <p>HSW and MSS&amp;S Settings who have institutional characteristics have been identified through the assessment process. These providers responses have been validated and those who remain on HS will be reviewed by MDHHS BHDDA contracted reviewers from MSU-IHP. All settings that are identified as requiring HS due to institutional qualities will receive an onsite review.</p> <p>Additional detail on the HS process is available on Pages 138-140</p>				
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
23.1	MI Choice Waiver	Update MDHHS policies, procedures, standards, contracts as necessary	<p>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.</p> <p>These updates may include legislation, administrative rules, and contracting procedures.</p>	10/01/2015	03/31/2017 Complete	MDHHS staff, waiver policy, provider contracts, monitoring tool	MSA, BHDDA, LARA, MDHHS Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
23.2	Habilitation Supports Waiver	Update MDHHS policies, procedures, standards, contracts as necessary	<p>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.</p> <p>These updates may include legislation, administrative rules, and contracting procedures.</p>	10/01/2015	1/31/2017 Complete	MDHHS staff, waiver policy, provider contracts, monitoring tool	MSA, BHDDA, LARA, MDHHS Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
23.3	MSS&S Waiver §1915(b)(3)	Update MDHHS policies, procedures, standards, contracts as necessary	<p>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.</p> <p>These updates may include legislation, administrative rules, and contracting procedures.</p>	10/01/2015	03/01/2017 Complete	MDHHS staff, waiver policy, provider contracts, monitoring tool	MSA, BHDDA, LARA, MDHHS Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups
24	All waivers	Revise policy	Revise Michigan Medicaid Provider Manual to address new Federal requirements.	10/01/2015	07/01/2018 Complete	Medicaid Provider Manual	MSA, BHDDA, LARA, MDHHS Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups

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24.1	All waivers	Revise provider contracts	Revised waiver entity contract to address new requirements.				BHDDA, MSA, waiver entities, waiver providers
			HSW: The PIHP contracts have been reviewed and brought into alignment with HCBS settings requirements.	06/01/2015	10/01/2015 Completed	PIHPs' contracts:  HSW: MA/PIHP Contract	
			MI Choice Waiver: Current contracts are silent on the issue. As of FY 2017, all new providers must be in compliance. FY 2018 contracts will include provider specifications, and the language will be finalized 07/31/2017.	06/01/2015	07/31/2017 Complete	Waiver Agencies' contracts:	
			MSS&S Waiver - §1915(b)(3)  The PIHP contracts have been reviewed and brought into alignment with HCBS settings requirements.	06/01/2015	10/01/2015  - completed	PIHPs' contracts:  MA/PIHP Contract	

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
24.2	All waivers	Provide technical assistance with licensing issues	<p>MDHHS will work with LARA to provide various types of technical assistance around licensing issues including the following:</p> <ul style="list-style-type: none"> <li>▪ General Licensing Questions: MDHHS and LARA issued a joint communication to address questions around lockable doors and visiting hours in 2015. MDHHS and LARA will issue additional guidance on the following issues in 2016: (1) lockable doors; (2) visiting hours; (3) residency agreements and state landlord-tenant law; (4) house rules; (5) choice of providers; (5) freedom of movement; (6) choice of roommate; and (7) access to earned income.</li> <li>▪ Residency</li> </ul>	09/01/2014	02/29/2016 Complete	Residential Agreement Guidance  Joint Guidance	BHDDA, MSA, waiver entities, waiver providers, waiver participants

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			Agreements: MDHHS and LARA will create an attachment to				
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			<p>residential agreements to address new Federal requirements on participant rights regarding discharge and complaints</p> <p>MDHHS continues to work with LARA to incorporate policy language into the Medicaid Provider Manual regarding Emergency and Non-Emergency Involuntary Discharge. Regulations and policy will be promulgated</p> <ul style="list-style-type: none"> <li>On 10/18/2016, MDHHS received CMS comments back on the Joint Communication on the HCBS Rule and</li> </ul>	11/01/2016	02/01/2017 Complete  12/31/2018		
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			<p>Licensing Issues. MDHHS will complete new revisions to the document.</p> <ul style="list-style-type: none"> <li>MDHHS is working with LARA and Michigan Administrative Hearing System (MAHS) to develop a process to provide comparable protections aligning with landlord tenant laws in Michigan.</li> </ul>				
24.3	MI Choice Waiver	Submit Waiver Renewal	MDHHS submitted a waiver renewal to the MI Choice Waiver which includes incorporating compliance with the HCBS Final Rule in the MI Choice	Dependent on Approval of Statewide Transition Plan	Dependent on Approval of Statewide Transition Plan	Waiver Application	MSA, LARA, waiver entities, providers, waiver participants,

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			Waiver. Currently the MI Choice Contracts reflect providers must be in compliance with the HCBS Final Rule.				advocacy groups
24.4	MI Choice Waiver	Create MI Choice Provider Monitoring Tool	The MI Choice provider monitoring tool currently in use. MDHHS added the Provider Assessment Tool to the Provider Monitoring Tool in Attachment J of the MI Choice contract. MDHHS also added wording in Attachment J to require waiver agencies to assess whether the provider complies with 42 CFR §441.301(c)(4). This revised tool was included with the FY 2018 MI Choice contracts.	01/01/2017	07/31/2017 Complete	See Appendix B – Contract Information for changes made to the MI Choice Contract.	MSA, BHDDA, LARA, MDHHS Federal Compliance & Contracts Section, QIC, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
25	MI Choice Waiver, Habilitation Supports Waiver and MSS&S Waiver §1915(b)(3)	Establish requirements for new providers	MDHHS will include language in the contracts of waiver entities and provider manuals to ensure that all new providers are assessed for HCB settings compliance prior to providing services. Upon enrollment in the waiver program, providers who offer HCBS will be provided technical assistance on HCBS setting requirement by MDHHS and waiver entities. This activity will be ongoing.	01/01/2015	03/17/2017 Complete	Provider monitoring tool and instructions	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups

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26.1	MI Choice Waiver	Develop and implement corrective action plans for individual non-compliant settings	<p>MDHHS will change the dates as the original dates were not met as projected. Compliance will be determined by 01/01/2017. CAPs started in January 2016 for settings that have been determined out of compliance and notified of such. Once these settings indicate they are in compliance, they will be reassessed to verify compliance.</p> <p>MDHHS has updated the corrective action process for MI Choice waiver agencies. As stated in the Contract, Attachment H, the corrective action process will be as follows:</p> <ol style="list-style-type: none"> <li>1) MDHHS will notify both the provider and the MI Choice waiver agency regarding the provider's compliance based upon the completed</li> </ol>	MI Choice: 01/01/2016	MI Choice: 3/17/2022	CMS HCBS guidelines, revised MDHHS policies and procedures, remediation plans for individual settings, remediation strategy	MSA, waiver entities, providers, waiver participants, advocacy groups, MDHHS, LARA, ORR, CMS
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>survey tool that was submitted to MDHHS.</p> <p>2) For providers who are non-compliant, the provider will have 90 days to correct all issues that cause the noncompliance.</p> <p>3) Once the issues are corrected, the provider will notify the waiver agency and schedule another on-site survey.</p> <p>4) The waiver agency will have 90 days to complete another on-site survey and submit the survey to MDHHS for review.</p> <p>5) If a provider does not notify the waiver agency within 90 days, the waiver agency will contact the provider to determine progress on the corrective</p>				
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			<p>action and schedule another on-site visit accordingly.</p> <p>6) If the provider has not satisfactorily resolved the compliance issues, the waiver agency will suspend the provider from receiving new MI Choice participants until such time as the provider comes into compliance.</p> <p>7) Regardless of the original notification date, all providers in all MI Choice provider networks must be compliant with the ruling no later than September 30, 2018 or show significant progress towards their</p>				
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>approved corrective action plan</p> <p>8) Waiver agencies will start transition plans with individuals being served by providers not willing to come into compliance, unable to come into compliance, or are not making significant progress towards their corrective action plan as of October 1, 2018. This planning will be person-centered and will focus on meeting the wishes of each participant regarding their preference of a qualified provider and enrollment in</p>				
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			the MI Choice program. 9) By March 17, 2019, no MI Choice participants will be served by non-compliant providers.				

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
26.2	Habilitation Supports Waiver	Develop and implement corrective action plans for individual non-compliant settings	Settings will receive a notification letter to identify their status as either complaint or non-compliant. This communication will include a template for settings that are non-compliant to submit a Corrective Action Plan (CAP). This CAP will be due 30 days from receipt and will outline how the setting intends to reach compliance. The PIHP lead will review, approve or deny, and verify that required changes have been made and that the setting is compliant. Verification of CAP completion may occur through onsite reviews or desk reviews.	01/01/2017	04/01/2018 Complete		BHDDA, waiver entities, providers, waiver participants, advocacy groups, MDHHS, LARA, ORR, CMS
26.3	MSS&S Waiver §1915(b)(3)	Develop and implement corrective action plans for individual non-compliant settings	Settings will receive notification to identify their status as either complaint or noncompliant. This communication will include a template for settings that are non-compliant to submit a Corrective Action	1/01/2019	5/01/2020		BHDDA, waiver entities, providers, waiver participants, advocacy groups, MDHHS, LARA, ORR, CMS

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			Plan (CAP). This CAP will be due 30 days from receipt and will outline how the setting intends to reach compliance. The waiver entity will review, approve or deny, and verify that required changes have been made and that the setting is compliant. Verification of CAP completion may occur through onsite reviews or desk reviews. Waiver entities will start to collect CAPs from the settings 5/1/2017.				
27.1	MI Choice Waiver	Notify providers who do not and cannot meet the HCB setting requirements. Notify any affected participants of these providers.	MDHHS will notify providers who are found to not meet and are unable to meet the Federal requirements. These provider types include nursing facilities, hospitals, and institutes for mental diseases. These providers are ineligible to participate in the program. Participants will also be notified that their provider cannot meet requirements.	MI Choice: 06/01/2016	MI Choice: 09/16/2018	Assessment tool responses	MSA, waiver entities, providers, participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

27.2	Habilitation Supports Waiver and MSS&S Waiver §1915(b)(3)	Notify providers who do not and cannot meet the HCB setting requirements. Notify any affected participants of these providers.	<p>MDHHS will notify all participants whose settings are unable to come into HCBS compliance no later than September 1, 2021.</p> <ul style="list-style-type: none"> <li>MDHHS will communicate directly with the participant's case manager through email.</li> <li>The case manager will then facilitate communication with the individual related to the HS process and need for transition planning. This will allow a minimum of 6 months for transition planning to occur.</li> <li>Transition planning will be consistent with the state of Michigan's Person-Centered Planning policy and the Michigan Mental Health Code. Waiver participants will be supported by their case managers to schedule a person-centered</li> </ul>	<p>HSW: 10/1/20 20</p> <p>MSS&amp;S Waiver §1915(b)(3): 10/01/20 20</p>	<p>HSW: 9/01/2021</p> <p>MSS&amp;S Waiver §1915(b)(3): 9/01/2021</p>		BHDDA, waiver entities, providers, waiver participants, advocacy groups, MDHHS, LARA, ORR, CMS
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>planning meeting. In this meeting the individual who receives services along with his or her supports (family and /or friends) and case manager will discuss the individual’s preferences and consider service and provider options available to the person. The individual’s preferences will be formalized in the Individualized Plan of Service.</p> <p>Support coordinators will provide an attestation for each individual who transitions to a new service or setting that a PCP meeting was held and that a new IPOS was developed consistent with the HCBS rule and securing services from settings who are HCBS compliant.</p>				
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

28	MI Choice Waiver and Habilitation Supports Waiver, MSS&S Waiver §1915(b)(3)	Create Heightened Scrutiny Process for Presumed Institutional Settings	<p>MDHHS will create a heightened scrutiny process for all residential and non-residential settings that are:</p> <ul style="list-style-type: none"> <li>• Settings located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment;</li> <li>• Settings in a building on the grounds of, or immediately adjacent to, a public institution;</li> <li>• Any other setting that has the effect of isolating individuals receiving Medicaid home and community-based services from the broader community of individuals not receiving Medicaid home and community-based services.</li> </ul>	07/01/2016	1/01/2017 Complete	CMS HCBS guidelines	MSA, BHDDA waiver entities, providers, waiver participants, advocacy groups
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
29	All waivers	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, MDHHS 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. MDHHS will submit this list and any corresponding evidence to CMS for the heightened scrutiny process.			Assessment tool responses	BHDDA, MSA, waiver entities, providers, waiver participants, CMS
	MI Choice Waiver		MSA is currently compiling a list of these settings. MSA will collect evidence including proof that the institution and HCBS setting are separate business entities, do not share staff, and that the HCBS setting is truly home and community based. Evaluations of these settings will be put out for public comment. Once all	06/01/2016	03/17/2019	Assessment tool responses	BHDDA, MSA, waiver entities, providers, waiver participants, CMS

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			data and input is gathered, MSA will submit data to CMS for review.				
	Habilitation Supports Waiver		<ul style="list-style-type: none"> <li>MDHHS has developed a list of HSW settings that are presumed not to be HCB.</li> <li>MDHHS and its contractor Michigan State University will gather evidence from those settings that wish to pursue HS.</li> <li>This evidence will be reviewed by the Heightened Scrutiny Review Committee (HSRC) who will submit their recommendations regarding the HCB status of the provider to MDHHS.</li> <li>MDHHS will review all evidence and the recommendations of the HSRC.</li> </ul>	04/01/2015  01/01/2019  09/01/2020  09/01/2020	04/30/2017  12/01/2020  3/01/2021  3/01/2021	Assessment tool responses	BHDDA, MSA, waiver entities, providers, waiver participants, CMS

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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>The settings that MDHHS believes are HCB will be posted for public comments.</li> <li>Once all data is gathered, MDHHS will submit information to CMS for those settings that MDHHS believes are HCB for review.</li> </ul>	10/01/2020	4/01/2021		
				11/1/2020	9/01/2021		
	MSS&S Waiver §1915(b)(3)		<ul style="list-style-type: none"> <li>Following the process utilized for the HSW MDHHS will develop a list of settings that are presumed not to be HCB.</li> <li>MDHHS's contractor, Michigan State University, will gather evidence from those settings that wish to pursue HS.</li> <li>This evidence will be reviewed by the HSRC who will submit their recommendations regarding the HCB status of the setting to MDHHS.</li> </ul>	03/01/2019	02/01/2021	Assessment tool responses	BHDDA, MSA, waiver entities, providers, waiver participants, CMS
				03/01/2019	12/01/2020		
				09/01/2020	03/01/2021		

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			<ul style="list-style-type: none"> <li>• MDHHS will review all evidence and the recommendations of the HSRC.</li> <li>• The settings that MDHHS believes may be HCB will be posted for public comment.</li> <li>• Once all data is gathered, MDHHS will submit information to CMS for those settings that MDHHS believes are HCB for review.</li> </ul>	09/01/2020	03/01/2021		
				10/01/2020	04/01/2021		
				11/1/2020	9/01/2021		
30	MI Choice Waiver, Habilitation Supports Waiver, and MSS&S Waiver §1915(b)(3)	Develop statewide protocols and procedures for site specific reviews	MDHHS will develop protocols and procedures to address ongoing monitoring and compliance.	10/01/2015	09/30/2016 Complete	MDHHS	BHDDA, MSA, waiver entities, providers, QIC, advocacy groups, waiver participants
				01/2020	Ongoing		

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31.1	MI Choice Waiver and Habilitation Supports Waiver	Conduct ongoing monitoring of compliance	<p>MDHHS will incorporate HCBS settings requirements into quality reviews, provider monitoring, and consumer satisfaction surveys to identify areas of non-compliance. This activity will be on an annual basis.</p> <p>Participants' private homes are compliant with the Federal requirements. It is the presumption that privately owned or rented homes and apartments of people living with family members, friends, or roommates meet the home and community-based settings requirements if</p>	10/01/2015	03/17/2022	Monitoring will occur annually and on an ongoing basis	MSA, BHDDA waiver entities, providers, waiver participants, advocacy groups

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			<p>they are integrated in typical community neighborhoods where people who do not receive home and community-based services also reside. Provider owned and/or operated settings do not meet the provider requirements and will need to be assessed for compliance.</p> <p>After the initial HCBS compliance determination, provider owned and/or provider operated settings will be reassessed for compliance each contract renewal or at least annually.</p> <p>Participants in private homes are presumed to live in compliant homes, however, the participants’ supports coordinators conduct annual home visits with all participants. During these home visits, the supports coordinators will</p>				
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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			verify the participants' private home is compliant with the HCBS Final Rule.				
31.2	MI Choice Waiver	Conduct provider monitoring	<p>The MI Choice provider monitoring tool currently in use. MSA incorporated HCBS settings requirements into the MI Choice Provider Monitoring Tool. Waiver agencies are expected to review settings, on-site, to ensure they meet requirements prior to contracting with them for the MI Choice waiver program.</p> <p>MDHHS added the Provider Assessment Tool to the Provider Monitoring Tool in Attachment J of the MI Choice contract. MDHHS also added wording in Attachment J to require waiver agencies to</p>	10/01/2016	03/17/2019 Complete	MI Choice Consumer Satisfaction Survey	MSA, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>assess whether the provider complies with 42 CFR §441.301(c)(4). This revised tool was included with the FY 2018 MI Choice contracts.</p> <p>See Appendix B – Contract Information for changes made to the PIHP and MI Choice Contracts.</p>				
31.3	MI Choice Waiver	Conduct quality review	MSA will incorporate HCBS settings requirements into the MI Choice Administrative Quality Assurance Reviews (AQAR) starting in FY 2017 and each year thereafter (this will be ongoing, hence the 3/17/2019 date). This review will include ensuring that waiver agencies only contract with settings that meet requirements and include requirements in their contracts with the settings. The Administrative Quality Assurance Reviews and the Clinical Quality Assurance Reviews are not	10/01/2016	03/17/2019 Complete	AQAR Site Review Protocol	MSA, BHDDA waiver entities, providers, waiver participants, advocacy groups

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			<p>part of the HCBS compliance process. AQAR and CQAR conduct annual reviews. Part of the CQAR annual review process is participant home visits. If AQAR or CQAR see anything in their annual review process that conflicts with the HCBS Final Rule, they will inform MDHHS. MDHHS will ensure any setting AQAR or CQAR reported as possible non-compliance with the HCBS Final Rule will be reviewed. Methods of validation include 100% review of responses from providers, onsite reviews, and/or MDHHS site reviews. All settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. Waiver agencies will verify that providers continue to meet all the settings criteria under CMS HCBS Final Rule. The State will ensure</p>				
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			ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a combination of desk reviews and on-site reviews.				
31.4	MI Choice Waiver	Conduct MI Choice Consumer Satisfaction Survey	Consumer satisfaction surveys - MSA will add at least one question to the MI Choice Consumer Satisfaction Survey asking if participants they feel the setting they live in is home and community based.	10/01/2016	03/17/2019 Complete	MI Choice Consumer Satisfaction Survey	MSA, BHDDA waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

31.5	Habilitation Supports Waiver	Conduct provider monitoring	<p>MDHHS BHDDA will require the ongoing reassessment of HSW and MSS&amp;S settings to ensure they remain HCB. This ongoing monitoring will occur through the survey process which will be administered to both the setting and the participant. All HCBS providers will be required to complete the assessments.</p> <p>Assessments will be validated by the waiver entities which may include a site visit. Any settings that rise to the level of HS will be referred to MDHHS for review.</p> <p>The waiver entities will work with settings that are non-compliant to develop and implement a Corrective Action Plan (CAP). MDHHS BHDDA will maintain oversight of the PIHP process and will utilize the</p>	10/01/2017	<p>03/17/2019</p> <p>Initial assessment Analysis completed</p> <p>Monitoring for continued compliance will occur on an ongoing basis</p>	Provider Monitoring Tool	MDHHS, waiver entities, providers, waiver participants, advocacy groups
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			site review process to verify that the PIHP is consistently reassessing settings and participants, implementing CAPs as needed and ensuring after the CAP has been completed that the setting is in fact HCB compliant. Waiver entities will be required to review settings, on-site as needed, to ensure they meet requirements prior to contracting with them for the HSW program.				
31.6	MSS&S Waiver §1915(b)(3)	Conduct provider monitoring	MDHHS BHDDA will require the ongoing reassessment of HSW and MSS&S settings to ensure they remain HCB. This ongoing monitoring will occur through the survey process which will be administered to both the setting and the participant.	10/01/2017	03/17/2019 Completed Ongoing	Provider Monitoring Tool	MDHHS, waiver entities, providers, waiver participants, advocacy groups

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>All HCBS providers will be required to complete the assessments.</p> <p>Assessments will be validated by the waiver entities which may include a site visit. Any settings that rise to the level of HS will be referred to MDHHS for review.</p> <p>The waiver entities will work with settings that are non-compliant to develop and implement a Corrective Action Plan (CAP). MDHHS BHDDA will maintain oversight of the PIHP process and will utilize the site review process to verify that the PIHP is consistently reassessing settings and participants, implementing CAPs as needed and ensuring after the CAP has been completed that the setting is in fact HCB compliant. Waiver entities will be required to review settings,</p>				
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			on-site as needed, to ensure they meet requirements prior to contracting with them for the HSW program.				
31.7	Habilitation Supports Waiver	Conduct quality review	MDHHS will incorporate HCBS settings requirements into the Site Review Process starting in FY 2017 and each year thereafter (this will be ongoing, hence the 3/17/2019 date). This review will include ensuring that waiver agencies only contract with providers that meet requirements and include HCBS requirements in their contracts with the settings.	10/01/2016	03/17/2019 Completed  Use of the tools will be ongoing	Site Review Protocol	MDHHS. waiver entities, providers, waiver participants, advocacy groups
31.8	MSS&S Waiver §1915(b)(3)	Conduct quality review	MDHHS will incorporate HCBS settings requirements into the Site Review Process starting in FY 2017 and each year thereafter (this will be ongoing, hence the 3/17/2019 date). This	10/01/2016	03/17/2019 Completed  Use of the tools will be ongoing	Site Review Protocol	MDHHS. waiver entities, providers, waiver participants, advocacy groups

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			review will include ensuring that waiver agencies only contract with providers that meet requirements and include requirements in their contracts with the settings.				
31.9	Habilitation Supports Waiver	BHDDA site review team will assess for ongoing compliance of HCBS settings in residential and nonresidential settings	<p>Amend BHDDA site review team protocols to include a review of HCBS characteristics in HSW residential and non-residential settings.</p> <p>Site review staff will complete an assessment tool developed by BHDDA and will include a review of HCBS characteristics in MSS&amp;S residential and non-residential settings.</p> <p>Any deficits will be cited and will become part of the PIHP/CHMSPs CAP. Waiver entities will receive a copy of the HCB</p>	10/01/2015	Protocols for HSW completed 10/1/2017 will be used ongoing	Site Review protocols	MDHHS Federal Compliance and contracts Section, BHDDA, MSA, waiver entities, providers, QIC

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			assessment to follow up with the provider and CMHSP.				
31.10	MSS&S Waiver §1915(b)(3)	BHDDA site review team will assess for ongoing compliance of providers for supported employment, skill building and CLS.	<p>Amend BHDDA site review team protocols to include a review of HCBS characteristics in HSW residential and non-residential settings.</p> <p>Site review staff will complete an assessment tool developed by BHDDA and will include a review of HCBS characteristics in MSS&amp;S residential and non-residential settings.</p> <p>Any deficits will be cited and will become part of the PIHP/CHMSPs CAP.</p>	10/01/2015	Protocols for MSS&S completed 10/1/2017 will be used ongoing	Site Review protocols	MDHHS Federal Compliance and contracts Section, BHDDA, MSA, waiver entities, providers, QIC

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Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			Waiver entities will receive a copy of the HCB assessment to follow up with the provider and CMHSP.				

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32.1	MI Choice Waiver	Assist participants in non-compliant settings with transition to compliant setting	<p>If after initial assessment any settings are found to be not in compliance and unable to come into compliance, participants will be given the option to either transition to a new setting within their service area or dis-enroll from the waiver program.</p> <p>MDHHS will send a letter to the beneficiary whose setting cannot be or choose not to be compliant with the HCBS Final Rule. This letter will provide contact information of the supports coordinator/case manager who will assist the beneficiary in transitioning to a compliant setting of their choosing through the person centered plan process. The corresponding waiver</p>	01/01/2016	3/17/2019	Provider network listings, assessment data	MSA, MI Choice Waiver agents, waiver participants, advocacy groups

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			<p>entities will received of list of beneficiaries who need to be transition to a compliant setting. The letter will be sent to the beneficiary six month ahead of time to allow for a smooth transition. The letter will give the option to move to a compliant setting and continue to enrollment in the waiver program (funded by Medicaid) or stay in the current non-compliant setting and be dis-enrolled from the waiver program. All transitions made from MI Choice participants will be done using person-centered planning. Person-centered planning is included as Attachment M of the MI Choice contract.</p> <p>See Appendix B – Contract Information for changes</p>				
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			made to the PIHP and MI Choice Contracts.				
32.2	Habilitation Supports Waiver	Assist participants in non-compliant setting with transition to compliant setting	Those participants receiving services from settings that are unable to come into compliance or to overcome HS will be contacted by their CMHSP service provider. The CMHSP staff will convene a person centered planning meeting with the individual and their family and friends to identify the needs, desires and preferences of the individual related to where they wish to live and/or what services or supports they wish to receive and from whom. The participant will have the choice to continue to receive services from their setting through a different funding stream if possible or will have a minimum of six	03/01/2017	9/1/2021	Provider network listings, assessment data	MDHHS, waiver participants, waiver entities, advocacy groups

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			<p>months to transition from their current setting.</p> <p>The state is taking the following steps to build capacity among settings to increase access to non-disability specific setting options across home and community-based services:</p> <p>Revised Person Centered Planning Policy</p> <p>Revised Medicaid Provider Manual HCBS Chapter</p> <p>Developed residential and non-residential provider readiness tools</p> <p>Facilitating ongoing provider development through our work with the Implementation Advisory group, the monthly meetings with the PIHP HCBS leads,</p>				
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			and the PIHP and CMHSP CEO's  Ongoing discussions with residential and non-residential provider associations through the HCBS leaders group.				
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32.3	MSS&S Waiver §1915(b)(3)	Assist participants in non-compliant setting with transition to compliant setting	Those participants receiving services from settings that are unable to come into compliance or to overcome HS will be contacted by their CMHSP service provider. The CMHSP staff will convene a person centered planning with the individual and their family and friends to identify the needs, desires and preferences of the individual related to where they wish to live and/or what services or supports they wish to receive and from whom. The participant will have the choice to continue to receive services from their setting through a different	06/01/2020	9/1/2021	Provider network listings, assessment data	MDHHS, waiver participants, waiver entities, advocacy groups
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Michigan's Statewide Transition Plan for Home and Community-Based Services

Section 3: Transition Process							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders

			<p>funding stream if possible or will have a minimum of six months to transition from their current setting.</p> <p>The state is taking the following steps to build capacity among settings to increase access to non-disability specific setting options across home and community-based services:</p> <p>Revised Person Centered Planning Policy</p> <p>Revised Medicaid Provider Manual HCBS Chapter</p> <p>Developed a residential and non-residential provider readiness tools</p> <p>Facilitating ongoing provider development through our work with the Implementation Advisory group, the monthly meetings</p>				
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Michigan's Statewide Transition Plan for Home and Community-Based Services

Section 3: Transition Process							
Row #	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
			with the PIHP HCBS leads, and the PIHP and CMHSP CEO's  Ongoing discussions with residential and non-residential provider associations through the HCBS leaders group				
33	MI Choice Waiver, Habilitation Supports Waiver and MSS&S Waiver §1915(b)(3)	Ongoing transition	MDHHS will work with waiver agencies to remain in compliance. For those that are unable to remain in compliance, participants will be given the option to either transition to a new setting within their service area or disenroll from the waiver program.	03/17/2019	Ongoing	Provider network listings, assessment data	MSA, BHDDA, waiver entities, waiver participants, advocacy groups

Michigan's Statewide Transition Plan for Home and Community-Based Services

Section 4: Outreach and Engagement							
Row#	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
34	All waivers	Hold stakeholder meetings to develop and inform Statewide Transition Plan	MDHHS has participated in a wide variety of meetings to share information across programs, gather stakeholder concerns, and incorporate them into our Statewide Transition Plan. MDHHS will continue to meet with stakeholders through several ongoing forums. Details on stakeholder engagement efforts can be found in the Stakeholder Engagement and Outreach Strategy in this STP.	08/12/2014	Ongoing	CMS written guidance, MDHHS staff, data analysis	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
35	All waivers	Create and distribute public notice for Statewide Transition Plan	MDHHS notified stakeholders that a draft transition plan had been developed to address new rule that included links to the full plan and the waiver amendment document. Notices included MDHHS website postings and mailings.	11/24/2014	12/24/2014 Completed	Draft transition plan, waiver amendment document, MDHHS website, policy, stakeholder letter	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups

Michigan's Statewide Transition Plan for Home and Community-Based Services

Section 4: Outreach and Engagement							
Row#	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
36	All waivers	Collect and distribute public comment to stakeholders	MDHHS collected public comments on the draft transition plan through multiple methods including e-mail, US mail, and stakeholder meetings. MDHHS made appropriate changes to the plan and posted comments and responses on the MDHHS website.	11/24/2014	12/24/2014 Completed	E-mail comments, US mail, meeting minutes, MDHHS website	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
37	All waivers	Revise Transition Plan and post on MDHHS website	MDHHS incorporated appropriate changes to Transition Plan based on public comments and posted rationale for substantive change to the plan. The plan and comments are available on the MDHHS website.	12/25/2014	01/16/2015 Completed	Draft transition plan, modified transition plan, public comments notes, responses, MDHHS website	MSA, BHDDA, waiver entities, providers, waiver participants, advocacy groups
38	All waivers	Submit initial Transition Plan to CMS	MDHHS submitted the initial Transition Plan and summary of comments to CMS for approval.	01/16/2015	01/16/2015 Completed	Draft Transition Plan and comments from public	MSA, BHDDA, and CMS

Michigan's Statewide Transition Plan for Home and Community-Based Services

Section 4: Outreach and Engagement							
Row#	Applicable Waiver(s)	Action Item	Description	Start Date	End Date	Sources	Key Stakeholders
39	All waivers	Revise STP to include systemic assessment/re mediation and inclusion of §1915(b)(3) settings.	Development of revised STP for initial approval by CMS.	09/01/2016	12/01/2016	Assessment results, key stakeholder input results	MDHHS, waiver entities, providers, advocacy groups, waiver participants
40	All waivers	Conduct public comment on revised STP	Public comment period for the revised STP	12/01/2016	01/03/2017	Revised STP	MDHHS, waiver entities, providers, waiver participants, advocacy groups
41	All waivers	Collect and distribute public comment to stakeholders	Collection of public comments on and make the appropriate changes to revised STP. The responses to the public comment and revised STP will be posted on the MDHHS website.	01/04/2017	02/28/2017	Public comments and revised STP	MDHHS, waiver entities, providers, waiver participants, advocacy groups
42	All waivers	Submit revised STP to CMS	Submission of revised STP and summary of public comments for initial approval by CMS.	03/31/2017	03/31/2017	Revised STP and Consultation Summary	MDHHS and CMS

Michigan's Statewide Transition Plan for Home and Community-Based Services

**Other Components of the Statewide Transition Plan**

Table of Settings to be Assessed

Waiver	Type of Setting	Residential or Non-Residential	Number of Individuals	Number of Settings	Lead Agency	Survey Organization	Final Compliance Date
Habilitation Supports Waiver	Group Home, Private Residence owned by the PHIP, CMHSP, or the contracted setting	Residential	4142*	1241*	Behavioral Health and Developmental Disabilities Administration	Developmental Disabilities Institute	09/17/2021
Habilitation Supports Waiver	Out of Home Non Vocational Habilitation, Prevocational Service, or Supported Employment	Non-Residential	3218*	195*	Behavioral Health and Developmental Disabilities Administration	Developmental Disabilities Institute	09/17/2021
Managed Specialty Services and Supports Waiver Program - §1915(b)(3)	Settings for beneficiaries age 21 and over who are receiving CLS in provider owned or controlled settings, Supported Employment, and Skill Building	Residential and Non-Residential	14489*	2459*	Behavioral Health and Developmental Disabilities Administration	Prepaid Inpatient Health Plans	09/17/2021

Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

Waiver	Type of Setting	Residential or Non-Residential	Number of Individuals	Number of Settings	Lead Agency	Survey Organization	Final Compliance Date
MI Choice	Adult Foster Care	Residential	1275**	679**	Medical Services Administration	MI Choice Waiver Agency	09/17/2021
MI Choice	Homes for the Aged	Residential	593**	95**	Medical Services Administration	MI Choice Waiver Agency	09/17/2021
MI Choice	Assisted Living	Residential	390**	72**	Medical Services Administration	MI Choice Waiver Agency	09/17/2021
MI Choice	Independent Living	Residential	150**	56**	Medical Services Administration	MI Choice Waiver Agency	09/17/2021
MI Choice	Adult Day Center	Non-Residential	1986**	89**	Medical Services Administration	MI Choice Waiver Agency	09/17/2021

\* Figures for the HSW and the MSS&S are as of 12/27/2018.

\*\* Figures for MI Choice settings are as of 2/5/2020. Figures for non-residential settings as of 2/5/2020.

Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

**Assessment Results**  
**MI Choice Waiver**

MDHHS has started the statewide assessment process for all settings under the MI Choice Waiver. MDHHS has been working with Michigan's MI Choice Waiver agents to identify and assess all settings under the waiver. MDHHS expects this process to be concluded by December 31, 2015. The preliminary results from the statewide assessment process are included below.

The assessment results have been loaded into an access database. Based on the responses provided, MDHHS is able to determine if the setting meets requirements. If so, a letter is sent to the provider and the Waiver Agency. If not, a letter is sent that identifies what needs to be done to become compliant and what the CAP must contain. The setting has 90 days to execute the CAP. After 90 days, the setting will be reassessed to determine if the CAP was executed properly. If so, a letter is issued to the provider and Waiver Agency to indicate compliance with the rule. The heightened scrutiny process is the same for all settings and defined in the HCBS Chapter of the Michigan Medicaid Provider Manual. Ongoing monitoring will consist of all settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. MI Choice developed a tool, as guided by the CMS Exploratory Questions Tool for providers to evaluate conformity to HCBS rules. The tool aligns with the MI Choice Survey Tool. MI Choice staff will validate 100% of the results of the survey via on-site assessments conducted by trained waiver agency staff. The Waiver Agencies will visit administer and complete using the provider tools as part of the survey process. 100% of providers will be have an on-site visit and survey. Methods of validation include 100% review of responses from providers, onsite reviews, and/or MDHHS site reviews. All settings will be reviewed for settings compliance every year at a minimum using the MDHHS survey monitoring tool. Waiver agencies will verify that providers continue to meet all the settings criteria under CMS HCBS Final Rule. The State will ensure ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a combination of desk reviews and on-site reviews. All settings must be compliant by March 2019. All new settings and all settings after March 2019 must be in immediate compliance.

Waiver agencies will verify that providers continue to meet all the settings criteria under CMS HCBS Final Rule. The State will ensure ongoing compliance by auditing a statistically significant sample of the settings surveyed each year using a combination of desk reviews and on-site reviews.

**Other Components of the Statewide Transition Plan**

MDHHS is contracting with MSU to collect evidence from settings identified as requiring heightened scrutiny (HS) based on any of the three characteristics:

1. Settings located in a building that is also a publicly or privately operated facility that provides inpatient institutional treatment
2. Settings in a building on the grounds of, or immediately adjacent to, a public institution
3. Any other setting that has the effect of isolating individuals receiving Medicaid home and community-based services from the broader community of individuals not receiving Medicaid home and community-based services

MDHHS in coordination with MSU is developing a training curriculum for the review of settings that require HS, HCBS Final Rule and specific requirements of MDHHS.

MDHHS began its HS process in March 2019.

MDHHS will establish a HSRC to assist in the review of evidence supplied by MSU. The HSRC consist of waiver beneficiaries and/or their family members, advocates, provider organizations and community mental health services providers. The HSRC will be trained using the curriculum established by MDHHS and MSU.

MDHHS will follow the protocol outlined below:

- Settings will be identified as requiring HS based on the based upon information gathered during the survey process
- Providers and beneficiaries will receive a communication from MDHHS informing them of the intention to require a HS review and requesting a response to whether the beneficiaries wish to remain in the setting and whether the providers wish to apply for HS review.
- Evidence gathered by MSU consist of:
  - Geo-locater, google maps, photos
  - Review of staff training and any cross over of staff to other facilities as applicable
  - Review of services and supports provided within the setting
  - Policies and procedures in place that promote and require HCBS Final Rule philosophy of integration, respect, dignity and privacy
  - Review of a participants' IPOS that focus on integration, freedom of movement

**Other Components of the Statewide Transition Plan**

- Review of recent (within 30 days) progress notes to support inclusion and integration in the community.
- Review of provider and beneficiary surveys with attention to any discrepancies.
- Site visit to assess physical structure and environment of setting. During these visits reviewers will respond to any questions posed by beneficiaries or providers. The reviewers may contact MDHHS transition team and/or the PIHP leads as a source of information to those beneficiaries and providers within their regions
- Articles of incorporation, license information for all settings on campus
- Staffing rosters for different settings on campus
- Resident Agreement
- Resident Handbook
- Roster of all agencies supporting client
- Setting photographs
- Calendar of events over past 3 months
- Staff Policy & Procedures and Training Materials/Logs for:
  - Supporting Person Centered Care
  - Providing Culturally Competent Care
  - Implementing/Modifying Client Care Plan
  - Prohibition of Restraint or Seclusion
  - Restrictive Interventions
- Setting Operations Review:
  - Institutional characteristics
  - Community integration
  - Person-centered and culturally competent care planning
  - Rights/autonomy
- Interviews with the residents and/or their supports
- Interviews with the setting staff
- Reviewers will submit their findings to MDHHS who will meet with the HSRC to review the evidence

**Other Components of the Statewide Transition Plan**

- MDHHS will convene the HSRC on a bi-weekly basis to review HS packets.
- HSRC will submit their recommendations to MDHHS who will make the final determination regarding whether to refer settings to CMS for the HS review.
- Those given preliminary approval by MDHHS will be posted for public comment.
- The feedback from the public comment period will be considered in the final decision made by MDHHS regarding whether to refer settings to CMS for the HS review.
- MDHHS will submit the settings and its evidence that has the potential to be compliant with the rule to CMS for the HS process
- MDHHS expects to submit information to CMS on a no less than quarterly basis.

Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

MI Choice Waiver	
Current Assessment Status	Statewide Assessment in Progress
Assessment Time Period	04/01/2015 – 12/31/2015
Date That Summary Data Was Compiled	11/15/2016
Start Date for Heightened Scrutiny Process	TBD

Assessment Status	Residential	Percent	Non-Residential	Percent
Total Settings That Have Been Assessed and Submitted to MDHHS	846	100%	89	100%
Assessments MDHHS reviewed, validated, and determined setting compliance	846	100%	89	100%

Assessment Status	Residential	Percent	Non-Residential	Percent
Currently In Compliance	833	98.46%	85	95.51%
Could Come Into Compliance	All residential settings are compliant or under the heightened scrutiny process	0.00%	All non-residential settings are compliant or under the heightened scrutiny process	0.00%

Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

Require Heightened Scrutiny	13	1.54%	4	4.49%
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Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

Habilitation Supports Waiver and MSS&S Waiver

Pilot Project: MDHHS used a sampling process to get a better understanding of how the final rule will affect settings under the Habilitation Supports Waiver. MDHHS only surveyed a sample of settings as opposed to all settings under the Habilitation Supports Waiver. The results of the assessment will be used to evaluate the accuracy of the survey tools and inform the development of the Statewide Assessment Process. The data and information about this project can be found at: <http://ddi.wayne.edu/hcbs.php> under the Survey Section.

Full Assessment: In April 2016, MDHHS started to assess all residential and non-residential settings. The assessment will be divided into two Phases:

HSW	
Current Assessment Status	Statewide Assessment Completed
Assessment Time Period	Phase One: 4/1/2016 – 8/4/2016 Phase Two: 11/18/2016 – 1/31/2017
Date That Summary Data Was Compiled	11/17/2016
Start Date for Heightened Scrutiny Process	1/1/2019

Types of Surveys	Number of Surveys Completed *
Residential Setting	3672
Non-Residential Setting	3021
Participant	5433

\*Providers complete one survey for each HSW participant served

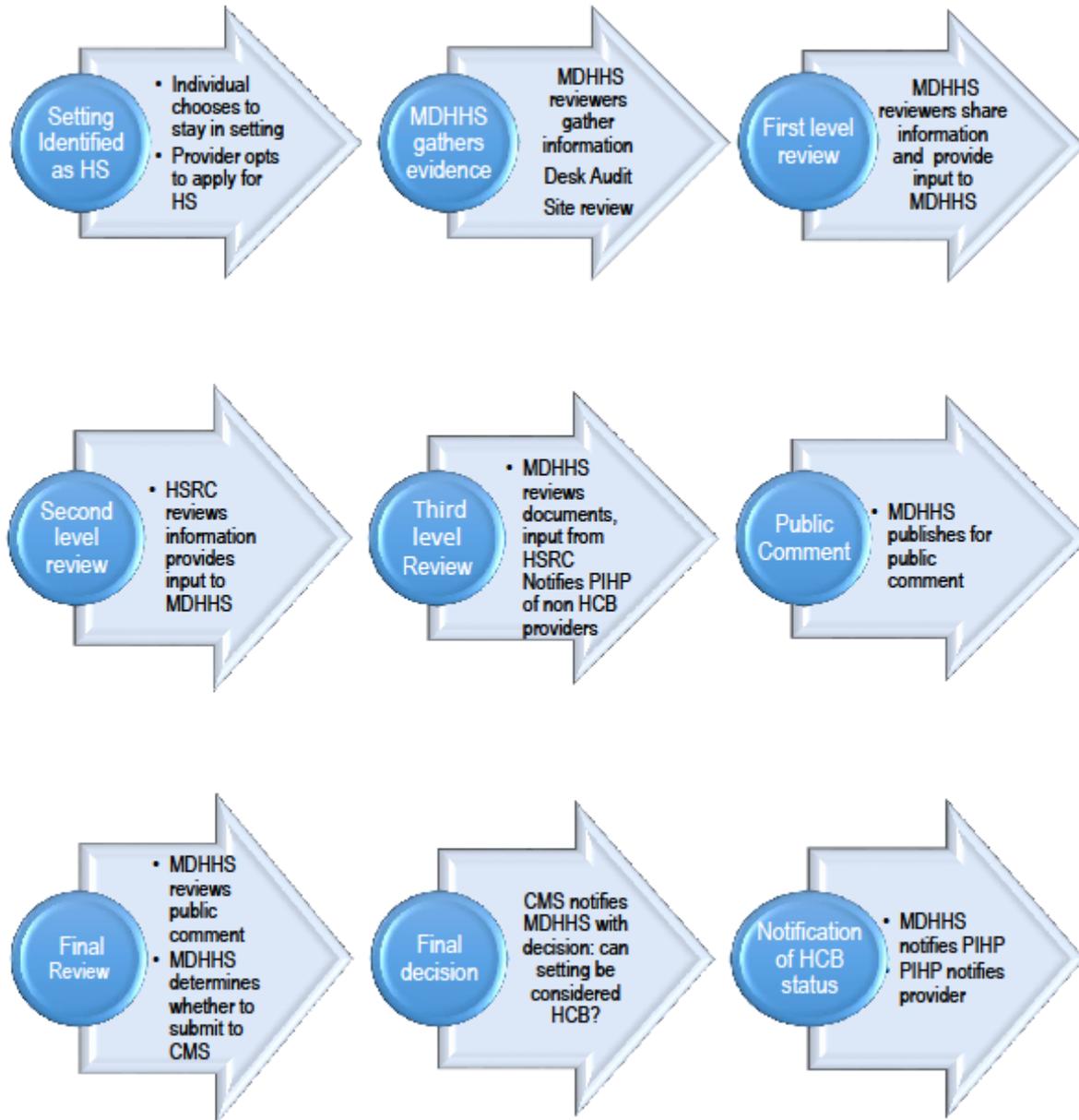
Michigan's Statewide Transition Plan for Home and Community-Based Services  
**Other Components of the Statewide Transition Plan**

MSS&S	
Current Assessment Status	Statewide Assessment Completed

Types of Surveys	Number of Surveys Completed *
Setting	8739
Participant	5755

\*Providers complete one survey for each MSS&S participant served

### MDHHS/BHDDA Heightened Scrutiny Process



### Setting identified as requiring heightened Scrutiny (HS)

- Individuals receiving HCBS are asked if they wish to remain in the home if it is able to become HCB (HCB) compliant
- Providers are asked if they wish to pursue a HS review

### MDHHS gathers evidence

- MDHHS accepts evidence from settings to support their claim to be home and community based
- MDHHS contracted reviewers conduct site visits

### First level review

- MDHHS contractors, Michigan State University, submit evidence gathered at site visits to MDHHS
- MDHHS convenes Heightened Scrutiny Review Committee (HSRC)

### Second level review

- HSRC considers evidence submitted by settings and MDHHS contractors, Michigan State University, to support that a setting is HCB
- HSRC members provide MDHHS with their perspective regarding whether the site is HCB

### Third level review

- MDHHS reviews documents received and recommendations from HSRC members regarding HCB compliance
- Those settings that MDHHS believes cannot become HCB compliant will be notified of the intent to transition individuals from their setting

### Public comment

- MDHHS will publish for public comment those settings that may still be submitted to the Centers for Medicare and Medicaid Services (CMS)

### Final review

- MDHHS reviews public comment
- MDHHS makes the decision whether or not the setting will be submitted to CMS for further review

### Final decision

- CMS notifies MDHHS whether the setting is found to be HCB compliant

### Notification of HCB status

- MDHHS notifies Waiver Entity regarding setting's status.
- Waiver Entity notifies providers

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- Individuals residing in non HCB compliant settings will be transitioned to compliant setting using the person centered planning process

Stakeholder Engagement and Outreach Strategy

As part of implementing the Statewide Transition Plan, MDHHS will seek to engage Michiganders in a discussion on the Statewide Transition Process. The Stakeholder Outreach and Engagement Strategy outlines MDHHS's historical efforts to engage stakeholders on this issue and provides perspective on MDHHS's ongoing strategy for connecting with Michiganders during the implementation process. MDHHS participated in the following events as part of engaging stakeholders in a statewide discussion on the rule and transition process.

Event Title	Date
Meeting with Developmental Disability Advocacy Groups	07/16/2014
Kick-Off Meeting for the Home and Community-Based Services Program Transition Project	08/12/2014
MI Health Link Demonstration Implementation Meeting	09/04/2014
LeadingAge Michigan Conference	09/17/2014
First Webinar for the Home and Community-Based Services Program Transition Project	10/01/2014
Michigan Developmental Disabilities Council Meeting	10/10/2014
Michigan Association of Community Mental Health Boards Conference	10/27/2014
Meeting with Developmental Disabilities Providers	10/29/2014
Olmstead Coalition Meeting	11/06/2014
Self-Determination Leadership Implementation Seminar	11/11/2014

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Second Webinar for the Home and Community-Based Services Program Transition Project	11/13/2014
Re:Con Conference	11/14/2014
Michigan Assisted Living Association Meeting	11/17/2014
Waiver Conference for the Behavioral Health and Developmental Disabilities Administration	11/18/2014
Meeting with the Michigan Disability Housing Work Group	11/20/2014
Start of the Public Comment Period for the Statewide Plan	11/24/2014
MI Choice Quality Management Collaborative	12/02/2014
Michigan Center for Assisted Living Meeting	12/09/2014
End of the Public Comment Period for the Statewide Plan	12/24/2014
Michigan Developmental Disabilities Council Meeting	01/06/2015
LeadingAge Training Day	03/03/2015
MACMHB Provider Alliance Meeting	03/23/2015
Self-Determination Leadership Meeting	03/25/2015
Developmental Disability Public Policy Meeting	04/07/2015
LeadingAge Regulatory Day	04/29/2015

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Oakland County RICC Meeting	05/08/2015
Michigan Developmental Disability Council Meeting	05/19/2015
HCBS Regional Forum	06/19/2015
Developmental Disability Practice Improvement Team	07/08/2015
Michigan Disability Housing Working Group	07/16/2015
Michigan Assisted Living Association Meeting	07/17/2015
Developmental Disability Practice Improvement Team	08/12/2015
Planning and Implementation Summit for the Habilitation Supports Waiver	09/25/2015
LeadingAge Regulatory Day	10/22/2015
MACMHB Fall Conference	10/26/2015
MARO Conference	11/05/2015
Developmental Disability Practice Improvement Team	11/12/2015
HCBS Waiver Conference	11/18/2015
MACMHB Director's Forum	11/15/2015
Update for the MI Choice Waiver Agents and Integrated Care Organizations	11/15/2015
Waiver Director's Meeting	02/24/2016

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Autism Council Meeting	02/26/2016
MACMHB Director's Forum	03/01/2016
Developmental Disability Practice Improvement Team	03/09/2016
American Association on Intellectual and Developmental Disabilities Conference	04/16/2016
Implementation Advisory Group Meeting	07/27/2016, 09/19/2016 11/17/2016 01/19/2017 03/09/2017 06/13/2017 10/19/2017 01/18/2018 04/26/2018
Webinar: HCBS reports in WSA	09/29/2016
DDI: Outreach and Education Materials	10/05/2016 and 10/12/2016
PIHP Directors' Forum	Monthly 09/2016 - ongoing
MACMHB Conference	10/24/2016
HCBS Waiver Conference	11/16/2016
MI Choice Bi-Weekly Phone Conference	11/18/2016 Ongoing

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MI Choice Waiver Directors' Meeting	10/26/2016 Ongoing
PIHP HCBS Lead Meetings	01/17/2017- Ongoing
Provider Alliance Committee	01/23/2017
Medicaid Autism Webinar	03/15/2017
Developmental Disabilities Council	04/18/2017
Licensing and Regulatory Affairs Presentation	06/13/2017
Recipient Rights Conference	09/20/2017
MACMHB Conference	10/19/2017
MDHHS Waiver Conference	11/15/2017
American Association on Intellectual and Developmental Disabilities Conference	04/17/2018

The Developmental Disabilities Institute Outreach and Education: <http://ddi.wayne.edu/hcbs.php>

Statewide Assessment, Remediation, and Transition Strategy: [http://www.michigan.gov/mdhhs/0,5885,7-339-71547\\_2943-334724--,00.html](http://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943-334724--,00.html)

MDHHS will also continue to engage stakeholders through different ongoing forums, which are outlined below:

- **Habilitation Supports Waiver and the Managed Specialty Services and Supports Waiver Program - §1915(b)(3):** MDHHS will work with the Michigan Association of Community Mental Health Boards to create an ongoing forum for stakeholders to assist and advise MDHHS on the transition process. The new forum, called the Implementation Advisory Group, has launched in May 2016 and continues to meet every other month. MDHHS will also engage and provide updates to stakeholders through the following forums: the Developmental Disabilities Council, the Developmental Disability Practice Improvement Team, the MACMHB Directors' Forum, and the Quality Improvement Collaborative.
- **MI Choice Waiver:** MDHHS will continue to work with the Quality Management Collaborative to review the status of the transition process and develop strategies to improve the implementation of the rule for the MI Choice Waiver.

Michigan’s Statewide Transition Plan for Home and Community-Based Services

Version History

Version Number	Major Changes since Last Version	Public Comment Period	Current Status
Version 1.0	Version 1.0 was the original version of the STP.	The formal public comment period for Version 1.0 was conducted between November 24, 2014 and December 24, 2014.	MDHHS submitted the final draft of Version 1.0 to the CMS on January 16, 2015. CMS responded to Version 1.0 with a list of recommended changes and clarifications in August 2015.
Version 2.0	<p>Version 2.0 included several major updates and revisions to the STP, which include the following:</p> <ol style="list-style-type: none"> <li>1. Addition of a new introduction section</li> <li>2. Updates and changes to previous milestones and timelines</li> <li>3. Addition of new milestones and timelines</li> <li>4. Addition of systemic assessment</li> <li>5. Addition of table of settings to be assessed</li> </ol>	The formal public comment period for Version 2.0 was conducted between December 16, 2015 and January 22, 2016.	The MDHHS released Version 2.0 of the STP for public comment on December 16, 2015. The public comment period began on December 16, 2015 and will end on January 22, 2016. MDHHS will respond to public comment and submit a revised STP to the CMS by March 11, 2016.

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	<ol style="list-style-type: none"> <li>6. Addition of assessment results for the MI Choice Waiver and Habilitation Supports Waiver</li> <li>7. Addition of the Statewide Assessment, Remediation, and Transition Strategy</li> <li>8. Addition of the “Presumed Not To Be Home and Community-Based” Process</li> <li>9. Addition of the stakeholder engagement and outreach strategy</li> </ol>		
Version 3.0 and Version 3.1	<ol style="list-style-type: none"> <li>1. Revised systemic assessment section</li> <li>2. Update milestones and timelines</li> <li>3. Addition of settings for §1915(b)(3) services (skill building, supported employment and CLS)</li> </ol>	The formal public comment period for Version 3.0 was conducted between November 29, 2016 and January 3, 2017.	Version 3.1 is a modified form of Version 3.0 based on feedback from CMS seeking clarification on specific items in the Systemic Assessment Section of the STP.
Version 4.0	<ol style="list-style-type: none"> <li>1. Revised Heightened Scrutiny Chart for all the waivers</li> <li>2. Detailed plan for heightened scrutiny process</li> <li>3. Updated settings assessments</li> <li>4. Update milestones and timelines</li> </ol>	The formal public comment period for Version 4.0 was conducted between February 20th and March 22, 2018	Version 4.0 was submitted to CMS. Version 5.0 and 5.1 have been amended based on their feedback.

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Version 5.0 and 5.1	<ol style="list-style-type: none"> <li>1. Added Appendices for ease of reference to the Medicaid Provider Manual, Contract Information, and Licensing Rules</li> <li>2. Updated Timelines</li> <li>3. Updated Compliance Numbers</li> <li>4. Discussion of Quality Assurance Reviews and Self-Assessments</li> </ol>	<p>The formal public comment period for Version 5.0 was conducted between September 26 and October 30, 2018. Version 5.1 is amended based on submitted comments.</p>	<p>Version 5.1 is a modified version of 5.0 based on feedback provided during the public comment period.</p>

Version Number	Major Changes since Last Version	Public Comment Period	Current Status
5.2	<p><b>1. Row 22 and Section 10.1</b> Comprehensive summary of completed assessments of all HCBS setting, validation methods and outcomes of activities</p> <p><b>2. Row 21.2</b> Remediation strategies and timelines</p> <p><b>3. Row 27.2</b> Process for communicating with beneficiaries currently in settings that cannot or will not come into compliance</p> <p><b>4. Row 22</b> Detailed plan completed for identifying and evaluating those settings presumed to have institutional characteristics</p> <p><b>5. Row 31.5/31.6</b> Description of ongoing monitoring and Quality assurance processes that will ensure all settings providing HCB remain HCB compliant going forward</p> <p><b>6. Row 10.1</b> Inclusion of validation process and dates for completion.</p>		Version 5.2

Process

Appendix A

Michigan Codes, Regulations, Policies, and Guidelines

Michigan Medicaid Provider Manual

On January 1, 2018, MDHHS promulgated a new Home and Community-Based Services chapter of the Michigan Medicaid Provider Manual.

Chapter language fully comports with 42 CFR §441.301.

This chapter was published for public comment and feedback was incorporated into the final version published in the manual on April 1, 2018. This chapter will continue to be updated as necessary.

Michigan Person-Centered Planning Policy and Practice Guideline

MDHHS Continues to follow the provisions set forth in the Michigan Person-Centered Planning Policy and Practice Guideline

Michigan Self-Determination Policy and Practice Guideline

MDHHS Continues to follow the provisions set forth in the Michigan Self-Determination Policy and Practice Guideline.

Appendix B

Contract Information

PIHP Contract

§1915(b)/(c) waiver program FY17: 18.1.13 HCBS  
Transition Implementation.

PIHP Contract

MI Choice Contract

The MI Choice contract can be found online at EGrAMS website: <https://egramsmi.com/dch/user/home.aspx> . On the left side of the screen under “Current Grants” scroll down to “Medicaid / Care for the Elderly” and click on it. In the center screen, click on “MED-2018” for the current MI Choice contract. In the window that opens, click on the “Documents” folder. This will provide you with hyperlinks to the entire MI Choice contract and its attachments (A through Q).

Attachment K:

Supports Coordination Performance Standards and MI Choice Operating Criteria

Any modifications to a setting for physically accessible must be based upon a specific assessed health and safety need and justified in the person centered service plan, and meet the following federal criteria in 42 CFR §441.301(c)(4)(vi)(F) which are:

- Identify the specific assessed need,
- Document the positive interventions and supports used previously,
- Document less intrusive methods that were tried and did not work, including how and why they did not work
- Include a clear description of the condition that is directly proportionate to the assessed need,
- Include regular collection and review of data to measure the effectiveness of the modification,
- Include established time limits for periodic review of the modification,

- Include informed consent of the individual, and include assurances that the modifications will cause no harm to the individual.

#### Attachment H

##### Minimum Operating Standards for MI Choice Waiver Program Services

The following paragraph was added to Attachment H, page 4 of the MI Choice contract:

Each waiver agency and direct service provider must comply with the Federal Home and Community-Based Services Settings Requirements as specified in 42 CFR §441.301(c)(4). Direct service providers with subcontracts secured prior to September 30, 2015 will have until March 17, 2019 to become fully compliant with this regulation. All direct service providers added to the waiver agency's provider network after September 30, 2015 must be compliant with this ruling before the direct service provider may furnish services to a waiver participant. Direct service providers who fail to become compliant with this regulation by March 17, 2019 will be removed from the provider network and will not receive Medicaid reimbursement for services provided to MI Choice participants after March 17, 2019.

Appendix C

Licensing Rules

Applicable licensing rules for adult foster care homes are split into three volumes. Each volume applies to different types of foster care homes and rules from each volume are frequently provided to cover multiple residence types. These volumes are

Licensing Rules for Adult Foster Care Family Homes;  
Licensing Rules for Adult Foster Care Small Group Homes (12 or less); and  
Licensing Rules for Adult Foster Care Large Group Homes (13-20).

Additional rules apply to Homes for the Aged.

For each volume, the following rules are referenced in the Statewide Transition Plan.

Licensing Rules for Adult Foster Family Homes

Rule 7: R 400.1407- Resident Admission and Discharge Criteria; Resident Assessment Plan; Resident Care Agreement; House Guidelines; Fee Schedule; Physician's Instructions; Health Care Appraisal

Rule 8: R 400.1408 - Resident Care; Licensee Responsibilities

Rule 9: R 400.1409 - Resident Rights; Licensee Responsibilities

Rule 12: R 400.1412 – Resident Behavior Management; Prohibitions

Rule 19: R 400.1419 – Resident Nutrition

Rule 21: R 400.1421 - Handling of resident funds and valuables

Rule 31: R 400.1431 – Bedrooms generally

#### Licensing Rules for Adult Foster Care Small Group Homes (12 or less)

Rule 301: R 400.14301- Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.

Rule 302: R 400.14302 - Resident admission and discharge policy; house rules; emergency discharge; change of residency; restricting resident's ability to make living arrangements prohibited; provision of resident records at time of discharge.

Rule 303: R 400.14303 - Resident Care; Licensee Responsibilities

Rule 304: R 400.14304 - Resident Rights; Licensee Responsibilities

Rule 313: R 400.14313 – Resident Nutrition

Rule 315: R 400.14315 - Handling of resident funds and valuables

Rule 407: R 400.14407 - Bathrooms

Rule 408: R 400.14408 - Bedrooms generally

Licensing Rules for Adult Foster Care Large Group Homes (13-20)

Rule 301: R 400.15301 Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal

Rule 302: R 400.15302 - Resident admission and discharge policy; house rules; emergency discharge; change of residency; restricting resident's ability to make living arrangements prohibited; provision of resident records at time of discharge

Rule 303: R 400.15303 - Resident care; licensee responsibilities

Rule 304: R 400.15304 - Resident rights; licensee responsibilities

Rule 305: R 400.15305 - Resident protection

Rule 307: R 400.15307 - Resident behavior interventions generally

Rule 308: R 400.15308 - Resident behavior interventions prohibitions

Rule 313: R 400.15313 – Resident Nutrition

Rule 407: R 400.15407 - Bathrooms

Rule 408: R 400.15408 - Bedrooms generally

Licensing Rules for Homes for the Aged

Rule 22: R 325.1922 - admission and retention of residents