

Conflict-Free Access and Planning

Improving Outcomes Conference



Contact Information

Dana Moore

Department Specialist, Division of Adult Home and
Community-Based Services

moored61@michigan.gov

Josh Hagedorn

Chief Knowledge Officer, TBD Solutions

JoshH@TBDSolutions.com

Belinda Hawks

Director, Division of Adult Home and Community-Based
Services

hawksb@michigan.gov

Remi Romanowski-Pfeiffer

Consultant, TBD Solutions

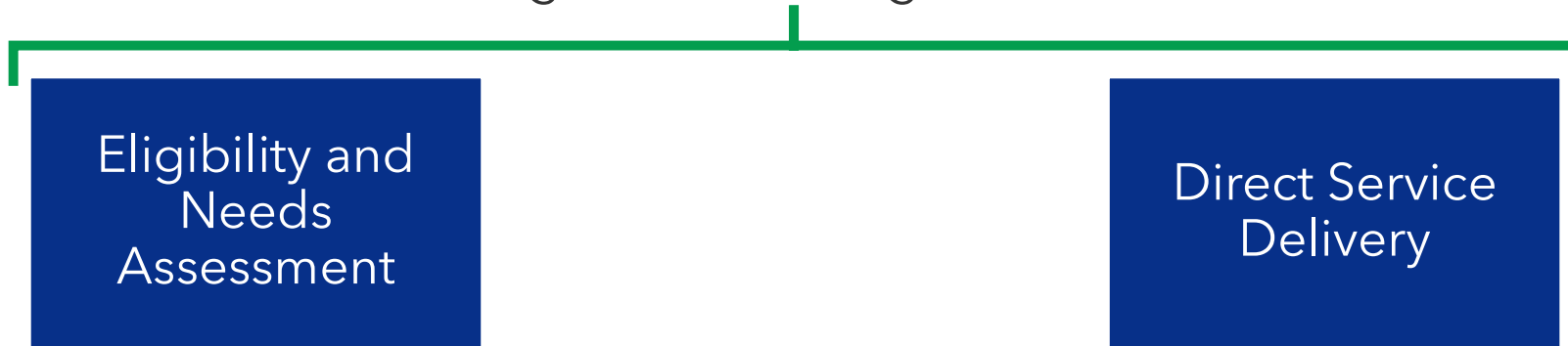
RemiR@TBDSolutions.com

[Workgroup
Website Link](https://www.michigan.gov/mdhhs/keep-mi-healthy/mentalhealth/mentalhealth/conflict-free-access-and-planning-workgroup)

[https://www.michigan.gov/
v/mdhhs/keep-mi-
healthy/mentalhealth/me
ntalhealth/conflict-free-
access-and-planning-
workgroup](https://www.michigan.gov/mdhhs/keep-mi-healthy/mentalhealth/mentalhealth/conflict-free-access-and-planning-workgroup)

What is Conflict?

Single Provider Organization



Single Provider Organization



What is Conflict?

Single Provider Organization

Eligibility and
Needs
Assessment

Planning
Activities
(Plan Development and
Monitoring)

Direct Service
Delivery

What is Conflict?

Single Provider Organization

Eligibility and Needs Assessment

42 CFR 441.730(b)

Providers responsible for evaluation of eligibility, assessment, or development of the IPOS cannot have financial interest in any direct provider.

Planning Activities

(Plan Development and
Monitoring)

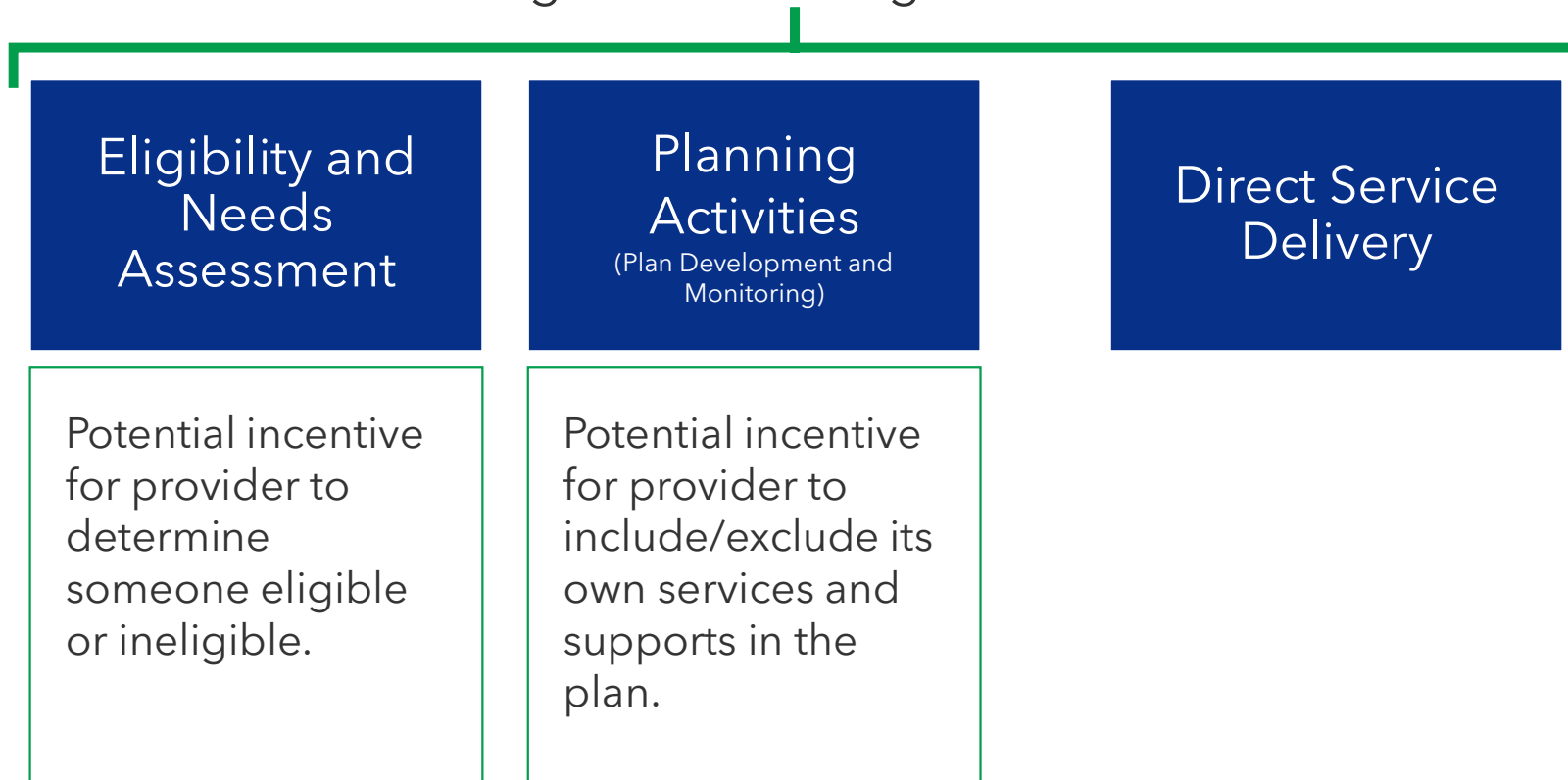
42 CFR 441.301(c)(1)(vi)

Providers of direct services must not provide case management or develop the IPOS.

Direct Service Delivery

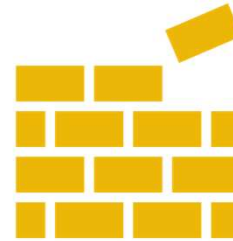
What is Conflict?

Single Provider Organization



Discussed in [January Workgroup Meeting](#)

What Mitigates Conflict?



"Entities that evaluate eligibility or provide case management services cannot...have a financial interest in any entity paid to provide care to the individual."*

Provider Organization A



Provider Organization B



Financial Firewall

*CMS COI in Medicaid Authorities Training (reference to 1915(i) State Plan Requirements), 2016
42 CFR 441.301(c)(1)(vi)

What is the Scope?

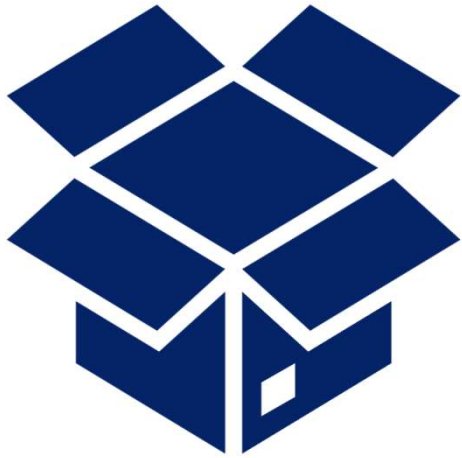
Scope of Requirement

Per the HCBS Final Rule, conflict-free requirements apply to all HCBS Waivers including:

- Habilitation Supports Waiver
- Children's Waiver Program
- SED Waiver
- MI Health Link
- 1115 BH Demonstration Waiver
- 1915(i)/State Plan Amendment

To avoid fragmented service plan development, MDHHS intends for the scope of implementation to include all Medicaid Behavioral Health Beneficiaries.

Framing the Decision



Option

What are the choices for implementation?

Options are possible ways the system might be transformed to align with Conflict-Free Access and Planning requirements. Options still need to be developed. The State has not chosen an option.



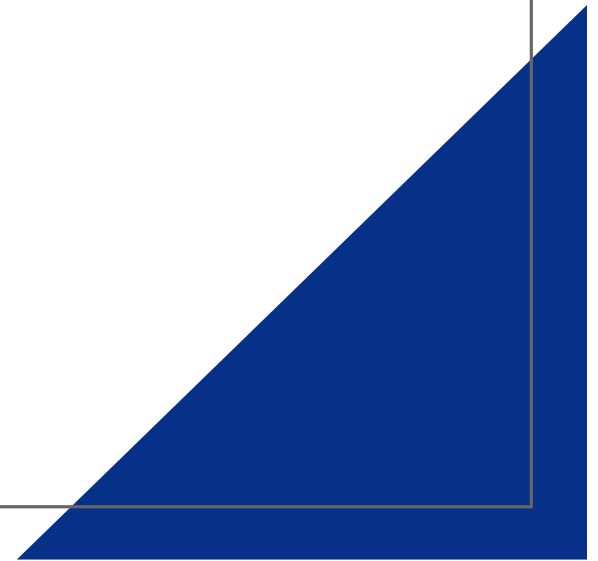
Criteria

What makes a good choice?

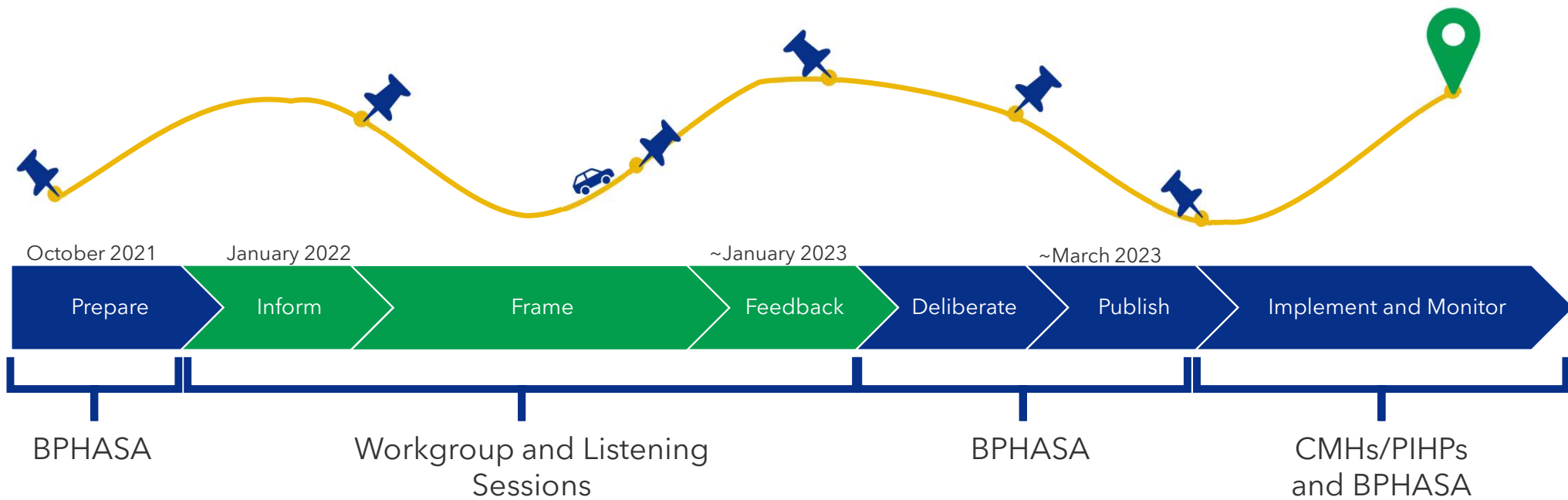
Criteria are areas that may be impacted (positively or negatively) by changes to the system.

Concepts discussed in [May Workgroup Meeting](#)

Workgroup Journey



Workgroup Journey



Review Workgroup Efforts

Inform

Frame

Feedback



Introduce
Requirements



Review Current
Landscape

What is the process for decision-making?

What policies are involved?

What is currently happening in the state?

What are high-level examples of implementation?

The *Inform* phase took place in [workgroup meetings](#) from January to April of 2022

Review Workgroup Efforts

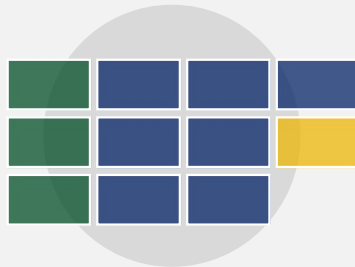
Inform

Frame

Feedback



Define Problem



Define Criteria



Develop Options



Evaluate Options

How is the problem defined?

What are the potential impacts of implementation?

How might we categorize those impacts?

What is most important for the state to consider?

What are the detailed options?

The *Frame* phase took place in [workgroup meetings](#) beginning in May

Review Workgroup Efforts

Inform

Frame

Feedback

Self-Assessment

A self-assessment was developed with workgroup members and launched in May of 2022. The self-assessment was intended to elicit additional feedback from workgroup members.

Workgroup members were encouraged to collaborate with content experts at their organizations to complete the self-assessment.

Questions Included...

Are you an individual or an entity? Public or Private Organization?

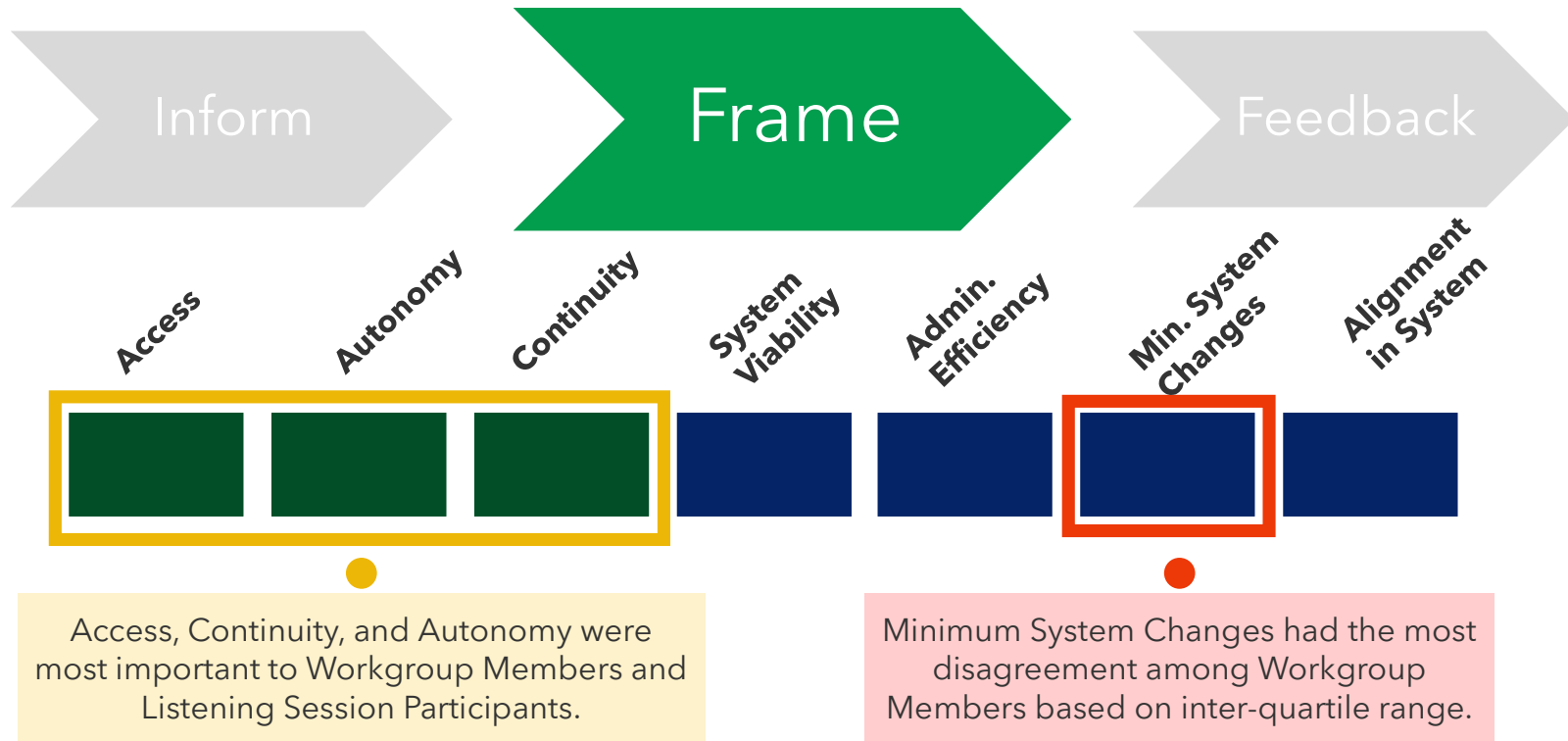
Which duties do you directly perform?

- Eligibility Assessment and Determination
- Assessment of Need
- Planning
- Authorizations
- Direct Services

Does your organization allow...

- Relatives to provide planning or direct services
- People who are financially/legaly responsible for a beneficiary to provide planning or provide direct services?

Review Workgroup Efforts



Criteria were finalized in the [August workgroup meeting](#)
Criteria priority was finalized in the [October workgroup meeting](#)
The initial listening session summary was provided in November workgroup meeting

Review Workgroup Efforts

Inform

Frame

Feedback

What should the state know
as it makes its decision?





Next Steps and Questions

- Updated timeline based on discussion with leadership
- Continued internal MDHHS discussions
- Next workgroup meeting is January