

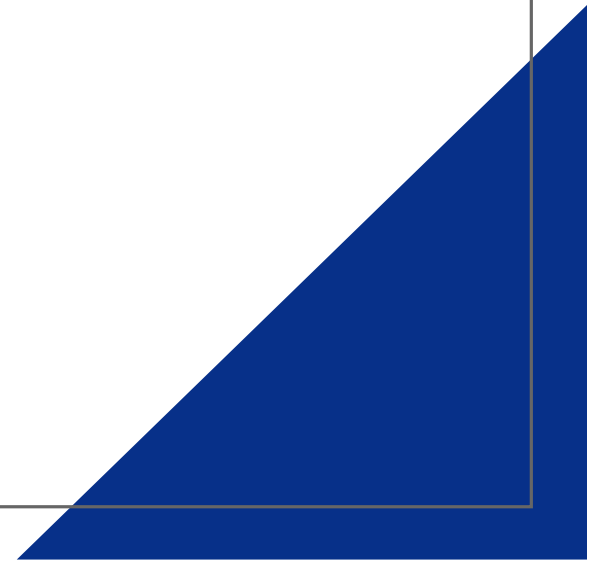
Conflict-Free Access and Planning Workgroup

Firewalls

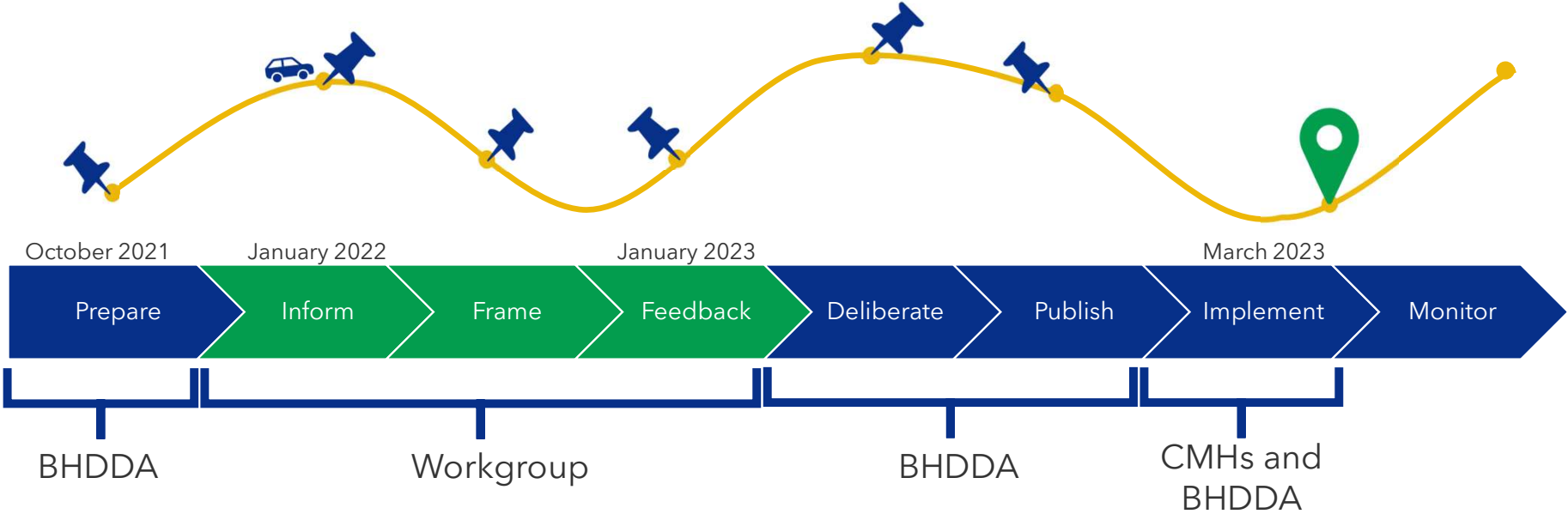
February 18, 2022



Gathering Feedback



Journey



What is Conflict?

Single Provider Organization

Eligibility and
Needs
Assessment

42 CFR 441.730(b)

Direct Service
Delivery

Single Provider Organization

Planning
Activities

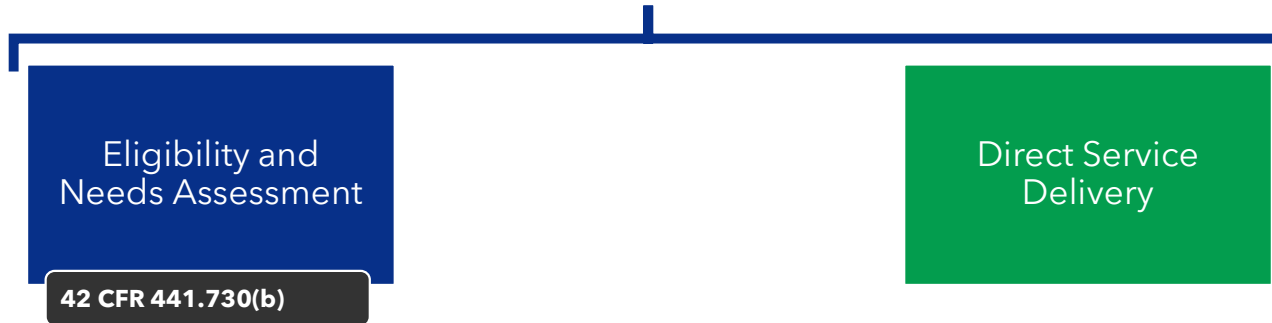
(Plan Development and
Monitoring)

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

Direct Service
Delivery

What is Conflict?*

Single Provider Organization



Per CMS, "Under no circumstance can a direct service provider determine eligibility."

Single Provider Organization



Per CMS, "Providers of HCBS... must not provide case management activities or develop the person-centered service plan."

*Alignment of most stringent 1915(c) and 1915(i) waiver language regarding conflict of interest.

Conflict Example



CMH

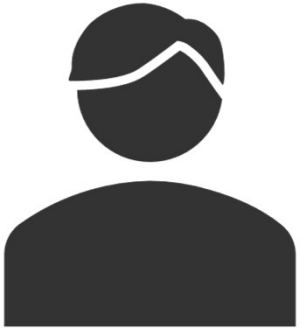
Eligibility and
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Planning
Activities
(Plan Development and
Monitoring)

Direct Service
Delivery

Conflict Example

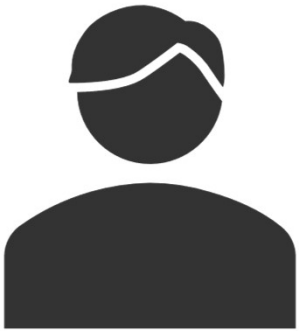
Eligibility/ Needs Assessment
Planning Activities
Direct Services



CMH

Conflict Example

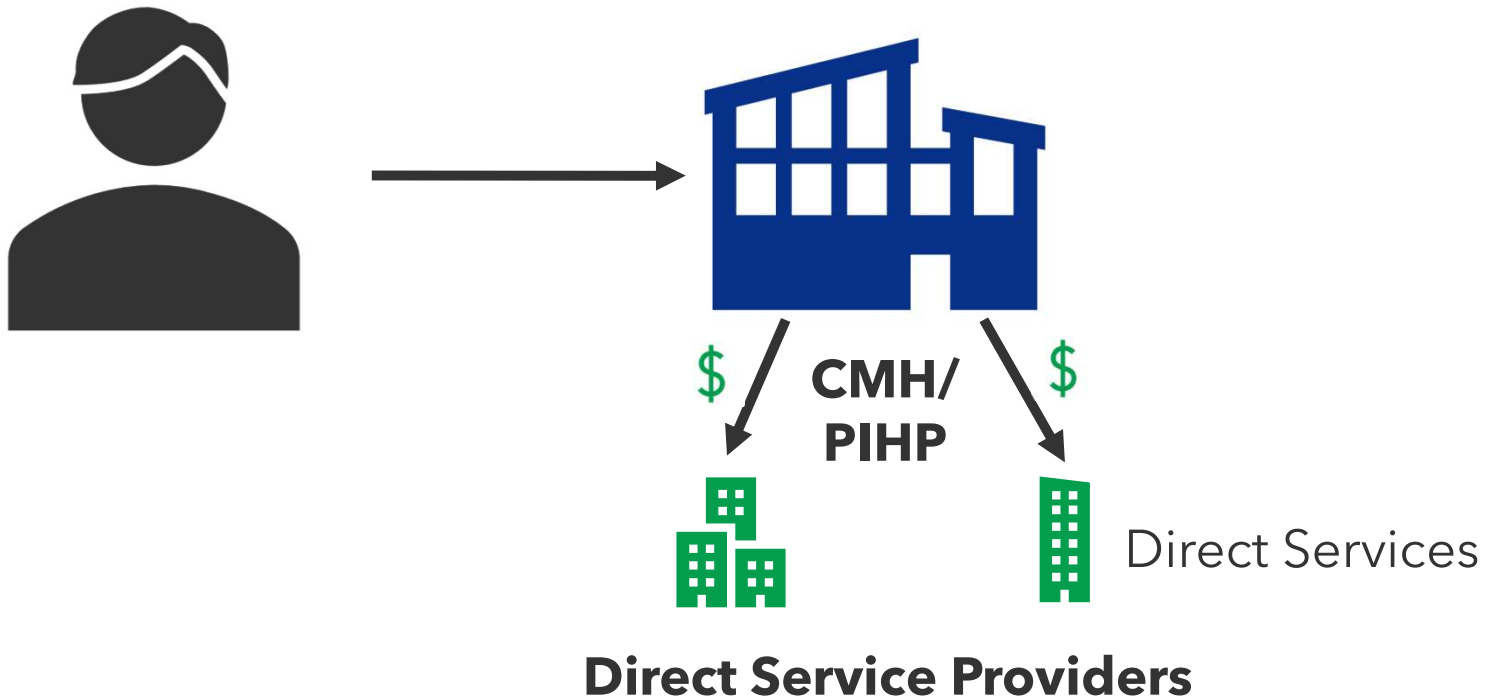
Eligibility/ Needs Assessment
Planning Activities
Direct Services



Direct Service Provider

Conflict Example

Eligibility/ Needs Assessment
Planning Activities



What is a Firewall?



What are exceptions?

Exceptions are regions without sufficient willing and able providers to serve the population, as defined by the state.

The state will determine if exception criteria will be allowed.

Exception regions must implement protections within their organizations.



What are exceptions?

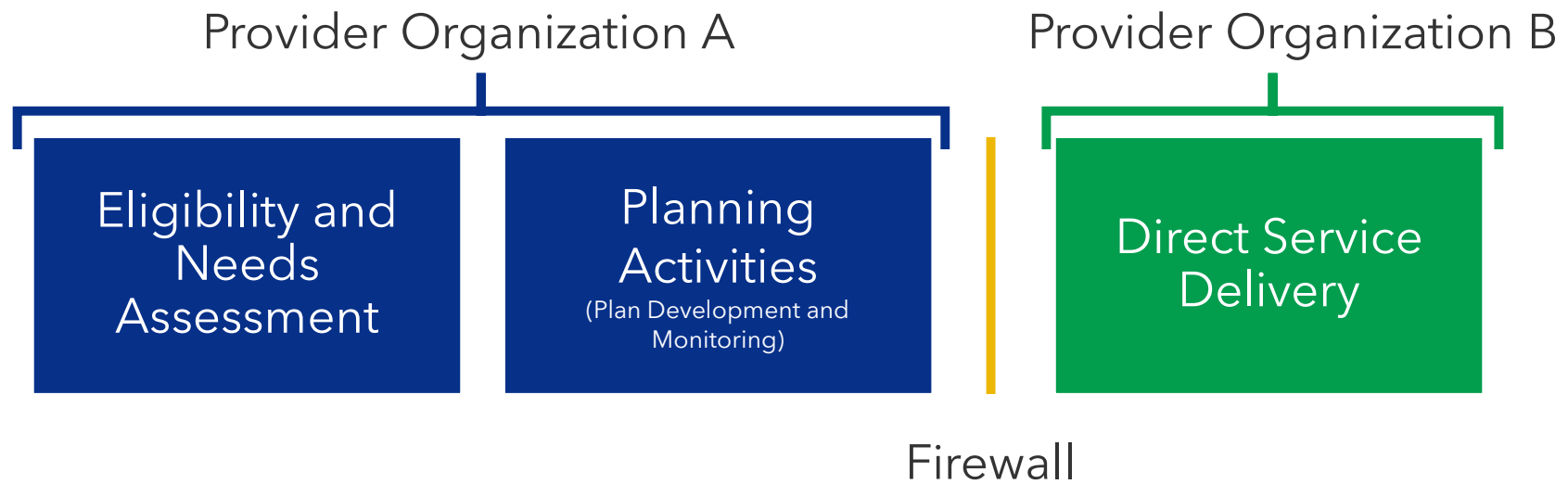
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What is a Firewall?



Firewall Example

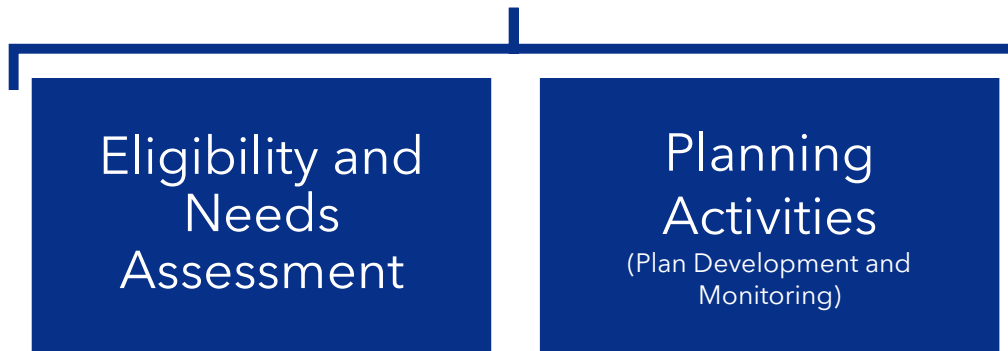
For example...
and not a
proposed
approach



CMH



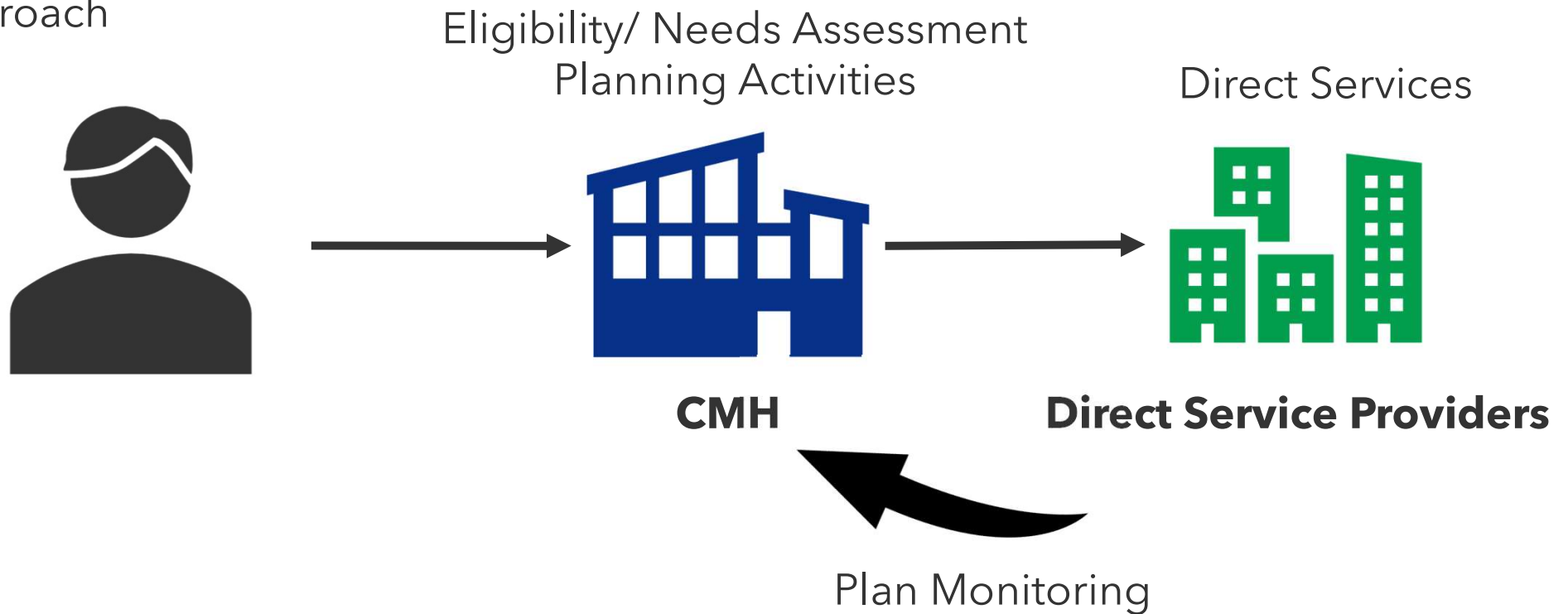
Direct Service Providers



Firewall

Firewall Example

For example...
and not a proposed
approach



Discussion

Who is a “point person?”

- Can convene experts.
- Can speak to a broad range of experience.
- Can communicate with peers and experts at organization about options.
- Does not have to have a specific job title.
- Because the workgroup is not a decision-making body, decision-making authority is not required.
- Members were assembled from volunteers from QIC, DDPIT, PIHP CEO meeting, and CMH Director’s forum.

Summary of Charter Changes

1. Guiding Principles were added.
2. Workgroup membership maximum was removed. BHDDA Liaisons will manage workgroup membership.
3. *Conflict resolution section was edited as consensus is not required for an advisory/decision-support group.*
4. *Added "Managed Care Information Systems (MCIS)" to references to EMR/EHR.*
5. Formatting changes.