



DEVELOPMENTAL PROGRAMS BULLETIN

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

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July 1, 2009

NUMBER

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SUBJECT:

Waiver Capacity Commitment for the Consolidated and Person/Family Directed Supports Waivers

BY:

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SCOPE:

Administrative Entity Administrators or Directors
County Mental Health and Mental Retardation Program Administrators or Directors
Supports Coordination Organization Administrators or Directors
Providers of Waiver Services

PURPOSE:

The purpose of this bulletin is to provide an overview of the policies necessary to support the standardization of the Office of Developmental Programs (ODP) waiver capacity commitment element that is part of the waiver capacity management process for the Consolidated and Person/Family Directed Support (P/FDS) Waivers (Waivers).

BACKGROUND:

Effective July 1, 2009, ODP implemented a waiver capacity management process for the Waivers. ODP no longer provides Administrative Entities (AEs) with a waiver allocation to pay for direct waiver services. The waiver capacity management process includes three parts: waiver capacity commitment, waiver residential vacancy management and waiver unanticipated emergency management. This bulletin outlines the process for waiver capacity commitment. Waiver capacity commitment is defined as the number of waiver recipients that can be enrolled on any given day in each AE in each of the Waivers. The residential vacancy management and emergency management processes are discussed in separate bulletins. Waiver Capacity commitment provides choice to waiver recipients and their families to select a provider that is most appropriate to meet their needs.

Beginning Fiscal Year (FY) 2009-2010, ODP provided a waiver capacity commitment letter to the AE. Funding for waiver services remains with the state and will be paid directly to providers through the Pennsylvania Treasury Department. ODP created the waiver capacity management process to support AEs in performing administrative functions for the Waivers as outlined in the Administrative Entity Operating Agreement.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

The Appropriate Regional Office of Developmental Programs

DISCUSSION:

Waiver capacity management is a statewide system that addresses unanticipated emergency situations, management of vacancies, ensures participants enrolled in the waiver program meet ODP established criteria and ensures waivers are consistently administered across the state. The waiver capacity management process provides ODP and AEs with a broader perspective on available resources so that emergency situations are supported in a timely fashion, thus preserving the health and welfare of the individual. This waiver capacity management process involves waiver capacity commitment, which is managed by each AE and detailed in this bulletin.

Initial Baseline Capacity Commitment

Waiver capacity commitments were established using an initial baseline determination supported by historic waiver capacity utilization by each AE. ODP developed the initial baseline commitment for FY 2009-2010 utilizing data from the FY 2008-2009 allocation letter and comparing it with the enrollment information in the Home and Community Services Information System (HCSIS) from both February 2009 and June 2009. The regional ODP staff consulted with AE staff to validate the initial baseline capacity derived from these comparisons.

Annual Waiver Capacity Commitment

ODP informs each AE of its waiver capacity commitment for each Waiver through a waiver capacity commitment letter prior to the beginning of each FY. The waiver capacity commitment for each Waiver cannot be shifted or combined from one Waiver to another Waiver and is not interchangeable. It is the responsibility of the AE to perform administrative functions for the Waivers and manage enrollment. The number provided for each waiver capacity commitment cannot be exceeded or modified without the approval of ODP. It is the responsibility of ODP to manage total waiver capacity statewide.

Utilizing statewide enrollment information in HCSIS, ODP monitors enrollment of individuals in the Waivers throughout the FY and makes adjustments to the AE's waiver capacity commitment as needed. AEs may enroll individuals in the Waivers up to the available waiver capacity for each Waiver and as per the waiver capacity commitment letter and the requirements outlined in the current AE Operating Agreement. The AEs continue to be responsible for ensuring that individuals needing services are enrolled in the Waivers when there is available capacity (for example, if the AE's waiver capacity in the Consolidated Waiver is 100 individuals, an AE can serve 100 individuals in the Consolidated Waiver).

Annual Waiver Capacity Commitment Adjustments

While waiver capacity commitment is established on an annual basis, ODP anticipates that waiver capacity may require adjustments throughout the year. ODP may increase or decrease waiver commitments due to changes in anticipated enrollment needs.

Examples of adjustments to waiver capacity commitments include but are not limited to the following:

- Individual transfers between AEs. (ODP will adjust each AE's waiver capacity to reflect the transfer).
- Unanticipated emergencies (as defined in ODP bulletin #00-10-03, *Planning and Managing Unanticipated Emergencies*) and committed capacity of an AE.
- Special initiatives/Waiting list expansion.
- Budget shortfalls.

Intent to Enroll in a Waiver

If an AE has available waiver capacity in either the Consolidated or P/FDS Waiver, and intends to enroll an individual into the appropriate waiver, the AE must complete the intent to enroll information in HCSIS. This indicates that the AE has affirmed its intent to enroll the individual, and the AE places the individual into the reserved status for the appropriate Waiver. The "Intent to Enroll" letter must be sent by the AE to the individual or surrogate within three business days after the information has been entered in HCSIS on the Intent to Enroll Screen. An individual may remain in the reserved status for a maximum of 45 calendar days.

If an individual's status is reserved for more than 45 calendar days, the following events will occur:

- The AE will add a comment in the appropriate field to indicate why the individual has exceeded the 45 day limit.
- A manual override in HCSIS will be necessary to account for extenuating circumstances. To ensure this occurs, the AE waiver capacity point person will contact the regional Waiver Capacity Manager (WCM) if the steps that must be taken to enroll an individual into the Waiver, such as completing the paperwork, confirmation of eligibility by the County Assistance Office (CAO) or development of the Individual Support Plan (ISP), will not be completed within the 45 calendar day timeframe. The regional WCM will ensure the manual override has been completed, if needed, to allow the individual to remain in the reserved status until the final determination is complete.

Transfers from AE to AE

If an individual transfers from one AE to another, the waiver capacity will be added to the receiving AE and subtracted from the sending AE. Transfers will be completed according to the requirements of bulletin #00-06-05, *County-to-County Relocations* or any ODP-approved revisions.

Change of Enrollment from One Waiver to Another within the AE

The AE may disenroll an individual from the P/FDS Waiver and enroll the individual in the Consolidated Waiver or disenroll an individual from the Consolidated Waiver and enroll the individual in the P/FDS Waiver only if the AE has available capacity within the appropriate Waiver. If the AE does not have Consolidated waiver capacity, a P/FDS waiver participant should have a Prioritization of Urgency of Need for Services (PUNS) completed or updated in HCSIS that reflects the current needs. The AE would then prioritize the participant's needs according to the established process in the AE Operating Agreement.

Suspension of Enrollment

ODP has the authority to suspend enrollments by an AE, or on a statewide basis, to ensure budget integrity and solvency when necessary or when sanctions have been imposed on a specific AE. The reasons that ODP may suspend enrollment include, but are not limited to:

- ODP is not in compliance with state and federal policies or regulations.
- AE is not in compliance with the AE Operating Agreement and federal policies or regulations.
- ODP's statewide budget is reduced.
- ODP is approaching the statewide waiver capacity ceiling.
- ODP analyzes utilization and determines that there are significant service increases that require detailed review or explanation.

Monitoring and Reporting

The AE is responsible for ensuring that each individual's waiver eligibility and enrollment is entered in HCSIS and is kept updated at all times. The AE shall work with its local CAO offices to resolve any enrollment discrepancies. The information contained within HCSIS regarding enrollment of individuals in the Consolidated or P/FDS Waivers will be the basis for the waiver capacity commitment for each AE.

ODP utilizes reports generated by HCSIS to track utilization of waiver capacity by Waiver and AE. The AE has access to reports in HCSIS that are specific to its individual waiver capacity commitment.