Proposed Service Definition Changes: Community Participation Supports
Everyday Lives

VALUES IN ACTION
Drivers of Change

HCBS Rule

Workforce Innovation and Opportunity Act (WIOA)

Everyday Lives

Advocacy

Gov’s Exec. Order
Employment 1st

Americans with Disabilities Act (ADA)
Goal and Scope of HCBS Rule

- To “ensure that individuals receiving services through HCBS programs have full access to the benefits of community living”

- To “further expand the opportunities for meaningful community integration in support of the goals of the ADA and the Supreme Court decision in Olmstead”
Characteristics of Home and Community Based Settings

An outcome oriented definition that focuses on the nature and quality of individuals’ experiences, including that the setting:

- Maximize opportunities for individuals to have access to the benefits of community living and the opportunity to receive services in the most integrated setting;
- Is integrated in and supports access to the greater community;
HCBS Setting Characteristics (cont’d)

- Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources
- Is selected by the individual from among setting options, including non-disability specific settings
- Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS
HCBS Setting Characteristics (cont’d 2)

- Ensures an individual’s rights of privacy, dignity, respect, and freedom from coercion and restraint

- Optimizes individual initiative, autonomy, and independence in making life choices

- Facilitates individual choice regarding services and supports, and who provides them
DRAFT PROPOSED
(SEE DRAFT IN APPENDIX C FOR COMPLETE DEFINITION)

COMMUNITY PARTICIPATION SUPPORTS

• Flexibly wrap around and support community life secondary to employment, as a primary goal.
• This service involves participation in integrated community settings, in activities that involve persons without disabilities who are not paid or unpaid caregivers.
The service should result in the person:

– increasing potential for employment;
– developing and sustaining a range of valued social roles and relationships;
– building natural supports;
– increasing independence;
– and experiencing meaningful community participation and inclusion.
Approach

Fluid service to meet a person's needs while minimizing need for ISP changes

Promote opportunities for provider transformation

Provide flexibility between and among service components

Build system capacity over time/phase in
Draft Proposed

Community Participation Supports are designed as an umbrella service which includes:

- Support related to pre-vocational skill development in Community Locations and Community Hubs (non-facility)
- Support related to community inclusion activities in Community Locations and Community Hubs (non-facility)
- Support related to pre-vocational skill development in Vocational Facilities (55 Pa. Code Chapter 2390)
- Support related to community participation in Adult Training Facilities (55 Pa. Code Chapter 2380) or Older Adult Daily Living Centers (6 Pa. Code Chapter 11)
Draft Proposed

Activities are expected to increase the individual’s opportunity to build connections within his/her local community and include (but are not limited to) the following supports for:

• Pre-vocational skill development;

• Participation in community activities, groups, associations, or clubs to develop social networks with community organizations and clubs;

• Identification of and participation in activities that provide purpose and responsibility;
WHAT SUPPORT IS PROVIDED

• Building and maintaining relationships and social networks that provide friendship and support;
• Participation in community opportunities related to the development of hobbies or leisure/cultural interests or to promote personal health and wellness (e.g. yoga class, hiking group, walking group, etc.);
• Engaging in community adult learning opportunities;
• Participation in formal/informal associations or community/neighborhood groups;
WHAT SUPPORT IS PROVIDED

• Selecting and participating in volunteer opportunities;
• Opportunities focused on training and education for self-determination and self-advocacy;
• Learning to navigate the local community, including using public transportation and/or private transportation and other transportation options available in the local area;
• Developing and/or maintaining reciprocal relationships with members of the broader community;
• Assisting individuals with disabilities and family caregivers with providing mutual support to one another (through service/support exchange) and contributing to others in the community.
The service includes planning and coordination for:
1) Developing basic skills and competencies necessary for an individual to pursue competitive integrated employment
2) Promoting a spirit of personal reliance and contribution, mutual support and community connection
3) Developing social networks and connections within local communities
4) Emphasizing, promoting and coordinating the use of unpaid supports to address individual and family needs in addition to paid services. Supports provided may include development of a comprehensive analysis of the person in relation to following:

- Strongest interests and personal preferences
- Skills, strengths, and other contributions likely to be valuable to employers or valuable to the community
- Conditions necessary for successful community inclusion and/or competitive integrated employment
Service Settings

Community Locations

Community Hubs

Prevocational Facilities

Day Habilitation Facilities
Community Locations (non-facility)

- Variety of integrated community settings offer opportunities for person to achieve personally identified goals for developing employment skills, community inclusion, involvement, exploration, and for developing and sustaining a network of positive natural supports.
- Must be non-disability specific. Does not take place in licensed facilities, or any type of facility owned, leased or operated by a provider of other ODP services.
- Maximum number of individuals with disabilities served simultaneously is 3 at any one time.
• Gathering place. Participant’s time will be primarily spent outside of the hub, engaged in community activities. Non-disability specific, accessible, provide shelter in inclement weather, and be locations used by the general public. Community hubs could be locations that are focused on a specialty area of interest for an individual or individuals served (for example, employment interest area, volunteer site, related to arts, outdoors, music or sports).
• Could be a private home but not home of support staff. Participant’s home may only serve as a hub on an occasional and incidental basis. The use of a community hub must be driven by the interest of the individual(s) served.
• Maximum number of individuals served gathering at any one point in time cannot exceed 6.
Phase-in of Standards

Jan 1, 2018
25%+ time in Community locations and hubs

July 1, 2018
50%+ time in Community locations and hubs

Jan 1, 2019
75%+ time in Community locations and hubs

Percentages based on weekly averages.
Starting January 1, 2018

Up to 75%, or three-fourths (3/4) of a person’s Community Participation Support time can be provided in a facility (Adult Training Facility, Day Program, or Vocational Facility).

Up to 25%, or one-fourth (1/4) of a person’s Community Participation Support time must be provided in the community.

Community Participation Support

Example: A person who receives 20 hours per week of Community Participation Support may spend up to 15 hours in the facility and at least 5 hours in the community.
Starting July 1, 2018

Up to 50%, or half (1/2) of a person’s Community Participation Support time can be provided in a facility (Adult Training Facility, Day Program, or Vocational Facility).

Up to 50%, or half (1/2) of a person’s Community Participation Support time must be provided in the community.

Community Participation Support

Example: A person who receives 20 hours per week of Community Participation Support may spend up to 10 hours in the facility and at least 10 hours in the community.
Starting January 1, 2019

Up to 25%, or a quarter (1/4) of a person’s Community Participation Support time can be provided in a facility (Adult Training Facility, Day Program, or Vocational Facility).

Up to 75%, or three quarters (3/4) of a person’s Community Participation Support time must be provided in the community.

Example: A person who receives 20 hours per week of Community Participation Support may spend up to 5 hours in the facility and at least 15 hours in the community.
Draft Rate Framework

- 4 sets of Procedure Codes (at ratios on next slide)
  1. <25% of time in community
  2. 25 – 49% of time in community
  3. 50-74% of time in community
  4. 75-99% of time in community
- Procedure Code for 100% of time in community
- Older Adult Day W7094 (not subject to time in community standards; no new admissions under age 60)
- USE INFORMATIONAL MODIFIER when billing for time spent "IN COMMUNITY"
- EXCEPTION PROCESS TO BE USED WITH 2:1 STAFFING --- TO BE DEVELOPED
## SAMPLE for Tiers of Time in Community Locations, Community Hubs
### 25-49% Tier

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<th>Procedure Code</th>
<th>Details</th>
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<tr>
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<td>25% community with 1:2 or 1:3 plus facility based services with 1:11 to 1:15</td>
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<tr>
<td></td>
<td>25% community with 1:2 or 1:3 plus facility based services with 1:7 to 1:10</td>
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<td>25% community with 1:2 or 1:3 plus facility based services with 1:2 to 1:6</td>
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<td></td>
<td>25% community with 1:1 plus facility based services with 1:7 to 1:15</td>
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<td></td>
<td>25% community with 2:3 plus facility based services with 1:2 to 1:6</td>
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<tr>
<td></td>
<td>25% community with 1:1 Level 3 Enhanced plus facility based services with 1:1 Level 3 Enhanced</td>
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<tr>
<td></td>
<td>25% community with 2:1 Level 4 Enhanced plus facility based services with 2:1 to 1:1. level 4 Enhanced</td>
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<td>25% community with 2:1 plus facility based services with 2:1 to 1:1</td>
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<tr>
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<tr>
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<tr>
<td>Proc. Code</td>
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<td>Proc. Code</td>
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<td>Proc. Code</td>
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</table>
Facility Characteristics

- Must meet all federal standards for HCBS settings
- Community Participation Supports may not be provided in a licensed 2380 or 2390 facility that enrolls as a Medical Assistance provider after July 1, 2017 and exceeds a program capacity of 15 at any one time.
- After January 1, 2019, Community Participation Supports services may not be provided in any facility required to hold a 2380 or 2390 license that exceeds a program capacity of 100.
DRAFT EXCEPTIONS AND LIMITATIONS

- Exception process when medical, mental health or behavioral needs or condition affects individual’s ability to participate in the community at the standards specified.

- In Consolidated Waiver, limit of 14 hours per day of In-Home and Community Support, Companion and Community Participation Supports (whether utilized alone or in combination with one another).
  - Exception process when medical, mental health or behavioral needs or condition affects their ability to maintain health and safety.
Draft Proposed: New certifications requirements

- Pre-vocation services (facility and non-facility)

Certified Employment Support Professional (CESP) credential from the Association of People Supporting Employment First (APSE), or Basic Employment Services Certificate of Achievement or a Professional Certificate of Achievement in Employment Services from an Association of Community Rehabilitation Educators (ACRE) organizational member that has ACRE-approved training.

- Community Inclusion Certificate