HOME & COMMUNITY-BASED SERVICES (HCBS) UPDATE

Human Services Committee
Representative Karen Rohr, Chairman

Aging Services Division
Nancy Nikolas Maier, Director
HCBS IN NORTH DAKOTA

- Range of home and community-based service options.
- Available to eligible older adults and individuals with physical disabilities.
LEGISLATIVE INVESTMENTS IN HCBS

- Specialized role HCBS Case Manager
- New services
  - HCBS waiver
    - Companionship
    - Residential Habilitation
    - Community Supports
- Updated SPED client cost share/ fee schedule
- Updated SPED functional eligibility to increase access for less impaired
- HCBS Informed Choice Referrals - Rulemaking
- Expand Aging & Disability Resource Link (ADRL) to include centralized intake
## SPED Functional Eligibility Impact

<table>
<thead>
<tr>
<th>CY 2020</th>
<th># Clients Added</th>
<th># Clients Closed</th>
<th>Gain/Loss</th>
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<tbody>
<tr>
<td>January</td>
<td>124</td>
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<td>February</td>
<td>101</td>
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<td>March</td>
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<td>May</td>
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<td>July</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>483</strong></td>
<td><strong>228</strong></td>
<td><strong>255</strong></td>
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<table>
<thead>
<tr>
<th>CY 2019</th>
<th># Clients Added</th>
<th># Clients Closed</th>
<th>Gain/Loss</th>
</tr>
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<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>585</strong></td>
<td><strong>540</strong></td>
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Senate Bill 2012

SECTION 44. HOME AND COMMUNITY-BASED SERVICES TARGETED POPULATION.
The department of human services shall adopt rules, on or before January 1, 2021, establishing a process and requirements to involve public and private entities in identifying individuals who are at serious risk of accessing Medicaid-funded long-term care in a nursing facility and inform them about home and community-based services options.
**WHO ARE WE TRYING TO REACH?**

**TARGET POPULATION**

**Basic Eligibility**
- Individual with physical disability
- Over age 21
- Eligible or likely to become eligible to receive Medicaid long-term services and supports (LTSS)
- Is likely to require LTSS for at least 90 days.

**IF in skilled nursing setting**
- Receive Medicaid-funded nursing facility services AND
  - Likely to require long term services and supports
- Receive nursing facility services AND
  - Likely to become eligible for Medicaid within 90 days, have submitted a Medicaid application, and have approval for a long-term nursing facility stay
- Referred for a nursing facility level of care determination AND
  - Likely to need services long term
- Need services to continue living in the community AND
  - Currently have a HCBS Case Manager or have contacted the ADRL
The Americans with Disabilities Act (ADA) requires public agencies to eliminate unnecessary segregation of persons with disabilities and provide services in the most integrated setting appropriate to the needs of the individual.

In 1999 the Federal Supreme Court Olmstead decision affirmed the ADA requirements.
Most integrated setting means, a setting where individuals with disabilities can fully interact with individuals with non-disabilities and take advantage of community living as much as possible.

- Usually a private residence owned or leased by the individual or their family.
- Most integrated setting for each individual is determined through person centered planning and informed choice.
Public entities are required to provide community-based services when:
- Community-based services are appropriate for the individual; and
- The individual does not oppose community-based treatment; and
- Community-based treatment can be reasonably accommodated, taking into account the resources available to the entity and the needs of others receiving disability services.
Informed Choice is made after person has been provided with information about options for integrated settings and engaged in person-centered planning.

**Informed Choice Referral Process Goals**

- Process to refer must be simple and easy to understand.
- All consumer choices are supported through the person-centered planning/informed choice process.
- Person centered planning conversations need to be timely and happen when people are making critical LTC decisions.
- Discharge professionals and the State staff completing person centered planning process will collaborate to best serve the consumer.
- Public comment and professional feedback is important.
INFORMED CHOICE STRATEGY

**In-Reach & Outreach**
- Process to identify individuals and give them an opportunity to make an informed decision about where to receive services.
- In-Reach: Making connections when individual is in hospital or skilled nursing facilities.
- Out-Reach: Connecting with someone who is living in their home and searching for care.

**Person Centered Plans**
- Process, driven by the individual that identifies supports and services that are necessary to meet the individual's needs in the most integrated setting.
- Consumer works with HCBS case manager to examine range of options.

**Informed Choice**
- The choice that is made after person has been provided with information about options for integrated settings and engaged in person-centered planning.
- Finalization of Care Plan and connection to resources as needed.

**LTC Services & Support Decision**
- Decision about individual care. All decisions are respected, and consumer is assisted in accessing HCBS if desired.
- Individual receives services in the setting and manner they selected; periodic follow up with case manager continues.
ADRL – CENTRALIZED INTAKE

- Process to receive HCBS referrals and determine if it’s appropriate to assign a case manager to complete a home visit.
  - ADRL serves anyone seeking LTC services regardless of age, income or type of disability.
- Based on no wrong door (NWD) approach which is a network built to support individuals needing LTC services by simplifying and streamlining access to information and services.
  - 7 out of 10 Americans 65+ will need LTC services for an average of 3 years.
  - Individuals and their caregivers sometimes make decisions on incomplete and sometimes inaccurate information about service options.
THE AGING AND DISABILITY RESOURCE-LINK (ADRL) OF NORTH DAKOTA

Explore this site, or contact the free and confidential ADRL to guide you to services and supports available in your community.

Toll Free: 1-855-462-5465 | ND 711 (TTY)

Contact Us
MEDICAID INFORMED CHOICE REFERRALS

Individual, family, professional makes referral
ADRL centralized intake or NF LOC screening tool

ADRL Intake Specialist Assigns to Aging Services Staff

Aging Services staff complete PCP/informed consent process virtually or in-person

Consumer Makes Informed Decision

If HCBS Chosen
Aging Services staff continue with HCBS eligibility process

A SNF Chosen
Discharge professional completes placement process

Informed Choice Process Complete
Aging & Disability Resource Link

Toll-Free Aging & Disability Resource Link:
1-855-462-5465

E-mail: carechoice@nd.gov

Website:
https://carechoice.nd.assistguide.net

ACCESSING SERVICES & SUPPORTS

To find out more about any program or to enroll as a provider