

# NCAPPS Support of HCBS Engagement

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The National Center on Advancing Person-Centered Practices and Systems (NCAPPS) is an initiative from the Administration for Community Living and the Centers for Medicare & Medicaid Services that helps States, Tribes, and Territories implement person-centered thinking, planning, and practice in line with U.S. Department of Health and Human Services policy.





The goal of NCAPPS is to promote systems change that makes person-centered principles not just an aspiration but a reality in the lives of people across the lifespan.

Funded by:

- ACL and CMS

Priorities:

- Participant and family engagement
- Cultural and linguistic humility
- Cross-system collaboration







# NCAPPS' Vision

- People know what to expect from planning processes, services, and supports
- Plan facilitators are well-qualified and well-supported
- Systems deliver services and supports in a manner consistent with person-centered values
- People with lived experience drive change at all levels of the system
- Quality measures document implementation, experience, and outcomes based on each person's preferences and goals
- Principles of continuous learning are applied throughout the system

# What is HCBS?

Home and Community Based Services are sometimes called “HCBS.” HCBS helps people with disabilities and older adults live in their communities.

HCBS provide funded support for:

- Employment
  - Transportation
  - Homecare/home health
    - Medications
    - Housekeeping
    - In-home therapy (PT, OT, Speech, etc.)
  - Activities of daily living
    - Bathing, dressing, toileting
  - Finances
  - Assistive Technology and Home Modifications
- In 2018, more than 4.7 million people received Medicaid-funded HCBS
  - Each state has its own system and decides which populations they will offer HCBS waivers to

# HCBS Final Rule Requirements for the Person-Centered Planning Process

- ❖ **Be led by the individual where possible**
- ❖ **Include**
  - people chosen by the individual
  - tactics to resolve any conflict or disagreement that may occur during the process, and addresses any potential conflicts of interest
  - a way for the individual to request updates to the plan as needed
- ❖ **Provide**
  - information that the individual needs in order to make sure that they are able to lead the planning process as much as possible, and make informed choices and decisions
  - informed choices to the individual regarding the services and supports they receive and from whom
- ❖ **Happen at times and places that are easily accessible for the individual**
- ❖ **Reflect cultural considerations of the individual and is conducted by providing information in plain language and in a manner that is accessible to them, and those who are limited English proficient**
- ❖ **Document if the individual considered any other settings (such as non-disability specific settings, which are settings where people with and without disabilities can go to participate or live)**



# HCBS Final Rule Requirements for the Person-Centered Plan

- ❖ Reflect
  - The setting where the individual lives or receives services was chosen by the individual
  - The individual's strengths and preferences
  - Clinical and support needs as determined through a functional assessment. A functional assessment analyzes the child or adult's "need" for Home and Community Based Services (HCBS).

- ❖ Identify
  - Who will be responsible for monitoring the plan
  - services and supports - both paid and unpaid - that will help the individual achieve their goals.
  - The provider of these supports and services must also be identified, along with any natural supports.
    - Natural supports are voluntary, unpaid supports that an individual receives from their everyday relationships.

- ❖ Include
  - Goals and desired outcomes identified by the individual
  - Risk factors and measures in place to reduce risk, including back-up plans and strategies as-needed
  - Any services that the individual may choose to self-direct
- ❖ Be
  - Written in plain language or in a manner that is understandable to the individual
  - Agreed to by the individual. They must provide written, informed consent to the plan and sign off on it. The providers who are responsible for carrying the plan out must also agree and sign the plan.
  - Attributed to the individual, and others involved in the plan
- ❖ Prevent any unnecessary or inappropriate services and supports

# HCBS Final Rule

## Documentation Required for Restrictions

- ❖ Identify a specific and individualized assessed need.
- ❖ Document
  - the positive interventions and supports used prior to any modifications to the person-centered service plan.
  - less intrusive methods of meeting the need that have been tried but did not work.
- ❖ Include
  - a clear description of the condition that is directly proportionate to the specific assessed need.
  - a regular collection and review of data to measure ongoing effectiveness.
  - established time limits for periodic reviews to determine if the modification is still necessary or can be terminated.
  - informed consent
  - an assurance that interventions and supports will cause no harm

# What is Engagement?

- Stakeholder engagement is the inclusion of service recipients, their family members, and their systems of support in the design or improvement of services. It's an essential component of any systems change effort, and it helps ensure that planned changes reflect the needs of those most impacted.



# HCBS Engagement Coalition

- ACL has funded HSRI via NCAPPS to convene a coalition of national organizations working to grow stakeholder engagement with the HCBS Final Rule.
- Funding for partners has enabled webinars, resource development, and advocacy support across the disability network nationally.

# Scope of HSRI's Contributions

- Improving engagement with state agencies implementing the rule
- Reviewing state drafts of transition plans and setting specific heightened scrutiny packages and submitting public comments, including the review of and comment on state settings assessment tools
- Building community-level awareness of the rule and its implications for individuals receiving HCBS
- Raising setting-specific issues with ACL and creating a better pathway to surface issues the individuals are experiencing in each state.
- With support from ACL, HSRI is collecting and organizing existing informational and training resources related to the HCBS final rule based on assessed needs of subcontractors.

# Subcontractors and Activities

## Funded Subcontractors

- APRIL
- ASAN
- AUCD
- NACDD
- NASILC
- NDRN
- SARTAC/SABE

## Activities

- Collect and organize existing informational and training resources related to the HCBS regulation for use in training and technical assistance
- Facilitate the lead organizations for the P&A network, CILS, DD Council and UCEDs, ASAN and SARTAC to plan and support advocacy efforts that will feedback to the state and CMS regarding the State Transition Plan and the state's efforts to implement the HCBS Final Rule
- Provide guidance on organizing cross disability efforts
- Provide guidance on prioritizing stakeholder feedback
- Assist in identifying training materials appropriate for the groups
- Provide guidance on developing capacity among self-advocates and families to engage meaningfully in stakeholder feedback and surfacing issues the individuals in the state experience



# Importance of Public Engagement

- ACL works closely with CMS to implement the HCBS Final Rule
- The Rule is a key to engaging community members in the development, provision, and oversight of HCBS programs.
- For the first time, ACL is specifically funding public engagement efforts.

# Who Do We Need to Hear From?

- Individual people with disabilities their families, and neighbors
- Protection from Harm resources:
  - State Protection & Advocacy
  - Ombudsman
  - Adult Protective Services
- Advocacy groups:
  - Parent groups
  - Sibling groups
  - Self-advocate groups
- State Independent Living Councils & Centers for Independent Living

# How to connect across the network

- Consider existing structures into which you can embed collaboration
  - Councils
  - CACs
  - SILC Boards
  - Medicaid Advisory Councils
- Attend to funding cross-disability efforts:
  - SILCs and ILCs as grantees
- Play the long game
  - Prepare now for coming waiver renewals and amendments
  - Meet regularly with advocacy groups to strategize
- Designate coordinating responsibilities clearly
  - Think Collective Impact



# NCAPPS Resource: *Toolkit for Stakeholder Asset Mapping*

- **What is Stakeholder Asset Mapping?:** It is the mapping out (with visuals or lists) of stakeholders and the ways they are engaged by your agency and/or your allies.
  - Helps understand existing stakeholders and it illustrates the ways they are already engaged in the design or implementation of programs so that the state/agency can build on rather than duplicate these efforts.
  - Can save time and resources while building trust with the communities served.

# NCAPPS Resource: *Toolkit for Stakeholder Asset Mapping (2)*

- **What is included in the toolkit?:** The toolkit contains a variety of resources – frequently asked questions, a glossary of terms, step-by-step instructions, facilitator tools, and example Asset Maps and Engagement Plans – to support human service agencies in their stakeholder engagement efforts
- Developed by Collective Insight in partnership with NCAPPS:
  - [Toolkit for Stakeholder Asset Mapping \(acl.gov\)](#)
  - [Stakeholder Asset Mapping: Workgroup Meeting Guidelines \(acl.gov\)](#)
  - [Stakeholder Engagement and Asset Mapping FAQ's \(acl.gov\)](#)

# Discussion Questions

- What are some strategies your Council has used to inform HCBS in your state that you find effective? What has been the result?
- What partners are you working with around HCBS? Who should be there that isn't and how do you plan on engaging with them?
- For those sitting on HCBS advisory committees, what are some effective ways to engage the state in these spaces? What can Councils do get the most of their time?

Anyone is welcome to share success stories and lessons learned.





Questions?

# NCAPPS Resources

- [Person-Centered Practices Self-Assessment \(acl.gov\)](#)
  - Plain language version: [NCAPPS Person-Centered Self-Assessment for Systems: Plain Language Overview \(acl.gov\)](#)
  - Spanish version: [Autoevaluación de prácticas centradas en la persona \(acl.gov\)](#)
- [Five Competency Domains for Staff Who Facilitate Person-Centered Planning \(acl.gov\)](#)
  - Plain Language version: [Person-Centered Planning: Five Skill Areas Facilitators Should Have \(acl.gov\)](#)
- [Toolkit for Stakeholder Asset Mapping \(acl.gov\)](#)
- [Stakeholder Asset Mapping: Workgroup Meeting Guidelines \(acl.gov\)](#)
- [Stakeholder Engagement and Asset Mapping FAQ's \(acl.gov\)](#)



# HCBS Resources and Toolkits



## HCBS Settings Rule Implementation – Moving Forward Toward March 2023 & Beyond

## This Rule Rules! The HCBS Settings Rule and You

- Designed for state programs to strengthen their infrastructure and develop stronger HCBS for beneficiaries
- Toolkit contains four modules
  - State strategies to help increase the share of long-term services and supports (LTSS) provided in community-based settings (history/context of LTSS reform and rebalancing)
  - Tools designed to assist states with policy and programmatic strategies (describes key elements of HCBS systems that are economically sustainable and equitable for all individuals with LTSS needs)
  - Cases studies of innovative programs and creative ways states are leveraging available federal authorities to transform LTSS systems (describes the various Medicaid authorities that states can choose from to cover their HCBS programs)
  - Links to resources (provides examples of state models of care and strategies to reform LTSS systems and expand HCBS)
- Go to <https://www.medicaid.gov/medicaid/home-community-based-services/guidance/home-community-based-services-final-regulation/index.html>
- Published a toolkit for advocates, families, and administrators on how to ensure that people with disabilities receive Medicaid-funded HCBS in integrated settings that offer full access to the community
- Includes four different resources
  - A resource for advocates and their families that explains what the new HCBS rule means and how to make their voices heard as their states make their transition plans. It also includes scripts for writing to their state's Medicaid agencies on how they think their state's HCBS program needs to change
  - A resource for state administrators and professionals on how to come into compliance with the new rule. It includes detailed guidance on the implications of the new rule, suggestions for elements to be included in the transition plan, and examples of useful tools and questionnaires for accessing provider compliance.
  - A research brief explaining how scattered-site supported housing can help states meet the integration and choice standards in the new rule.
  - A fact sheet on integrated housing for people with disabilities.
- Go to <https://autisticadvocacy.org/policy/toolkits/hcbsrule/>

# HCBS Resources

## VIDEOS

- [HCBS Video: Overview](https://www.youtube.com/watch?v=xnbtb5Jpz7c) (7:26 minutes) at <https://www.youtube.com/watch?v=xnbtb5Jpz7c>
- [HCBS Video: What does the Rule Guarantee?](https://www.youtube.com/watch?v=8sJl-LF5ufg) (5:17) at <https://www.youtube.com/watch?v=8sJl-LF5ufg>
- [HCBS Video: Provider Requirements for Residential Settings](https://www.youtube.com/watch?v=sjy334aMXXk&feature=youtu.be) (6:32) at <https://www.youtube.com/watch?v=sjy334aMXXk&feature=youtu.be>
- [HCBS Video: Rights Restrictions & Modifications](https://www.youtube.com/watch?v=Vg5DA_ouOwY) (3:44) [https://www.youtube.com/watch?v=Vg5DA\\_ouOwY](https://www.youtube.com/watch?v=Vg5DA_ouOwY)
- [HCBS Video: Your Services Should Be All About You](https://www.youtube.com/watch?v=-xqttdcAkM) – for people receiving HCBS that discusses rights and choice. <https://www.youtube.com/watch?v=-xqttdcAkM>

## INTERACTIVE GUIDES

- [HCBS Guide: Your Right To A Community Life](https://www.c-q-l.org/resources/guides/hcbs-guide-your-right-to-a-community-life/) (for people receiving HCBS) <https://www.c-q-l.org/resources/guides/hcbs-guide-your-right-to-a-community-life/>
- [HCBS Guide: Supporting The Right To A Community Life](https://www.c-q-l.org/resources/guides/hcbs-guide-supporting-the-right-to-a-community-life/) (for staff who support people receiving HCBS – focuses on community) <https://www.c-q-l.org/resources/guides/hcbs-guide-supporting-the-right-to-a-community-life/>

# Medicaid HCBS Tracking

<https://www.medicaid.gov/medicaid/home-community-based-services/statewide-transition-plans/index.html>



# Access Rule - Input Needed

ACL Blog:

<https://acl.gov/news-and-events/acl-blog/input-needed-cms-proposes-rule-improve-access-and-quality-medicaid>

Federal Register:

<https://www.federalregister.gov/documents/2023/05/03/2023-08959/medicaid-program-ensuring-access-to-medicaid-services>

# Thank You.

Register for upcoming webinars at

[ncapps.acl.gov](https://ncapps.acl.gov)

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