

## Louisiana Office of Aging and Adult Services HCBS Settings Rule Transition Plan

The Office and Aging and Adult Services (OAAS) submits the following plan for its 1915(c) waivers. OAAS plans to implement a managed care delivery system with a tentative start date of March 1, 2016. Action steps and timelines included in this transition plan align with this start date and our implementation of managed care.

| ID                            | Action Step   | Start    | End                     | Comments/Status   |
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| <b>Stakeholder Engagement</b> |   |          |                         |   |
| A1                            | Convene Interagency group to manage planning process.   | 9/22/14  | Ongoing                 | A formal workgroup between the Offices was convened and will continue on an ad hoc basis until the transition plan period ends.   |
| A2                            | Identify all potential stakeholders including consumers, providers, family-members, state associations; advocacy organizations, and self-advocates. | 10/1/14  | 10/15/14                |   |
| A3                            | Create portal on State Medicaid website. Include e-mail address to submit comments. Provide end date to submit comments.                            | 10/1/14  | 10/29/14                | OAAS website created on 10/29/14  |
| A4                            | Develop summary of new rule and impact to State programs.   | 10/1/14  | 10/15/14                | Created HCBS Settings Rule Fact Sheet ( <a href="http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Rule-Fact-Sheet.pdf">http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Rule-Fact-Sheet.pdf</a> )<br>Scope of Rule will impact Adult Day Health Care services in the ADHC and Community Choices waivers   |
| A5                            | Create a Frequently Asked Question document and other training materials to educate participants and stakeholders.                                  | 10/15/14 | 11/15/14<br><br>2/18/15 | Created HCBS Settings Rule Fact Sheet ( <a href="http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Rule-Fact-Sheet.pdf">http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Rule-Fact-Sheet.pdf</a> )<br><br>Created a FAQ document for participants ( <a href="http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Settings-Rule-FAQ.pdf">http:// new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/HCBS-Settings-Rule-FAQ.pdf</a> ) |
| A6                            | Reach-out to providers and  | 3/1/15   | Ongoing                 | Correspondence was sent via fax to ADHC providers throughout the state on 3/13/15   |

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|                                      | provider associations to increase understanding of rule and maintain open lines of communication.                           |          |                       | providing an overview of the Rule and detailing next steps including in-person provider meetings and a self-assessment. The provider meeting is tentatively scheduled to be held in April 2015 and invitees will include providers and stakeholders.  |
| A7                                   | Create method to track and respond to public comments.  | 10/15/14 | 10/30/14              | A spreadsheet was created to log all comments received  |
| A8                                   | Release draft transition plan to the web portal for public comments. Publicize 30 day end period.                           | 10/15/14 | 3/13/15               | The draft transition plan was posted to the OAAS website on 10/29/14. Initial end date to submit comments set as 12/31/14, however; a second comment period was added and the end date to submit comments was extended to 3/13/15 to account for public notice issued in newspapers statewide.  |
| A9                                   | Circulate public notice in newspapers inviting comment on the plan. Publicize 30 day end period.                            | 2/9/15   | 3/13/15               | A public notice was published in eight major, daily newspapers across the state on 2/9/15 with a statement to provide comments by 3/13/15.  |
| A10                                  | Meet with associations and stakeholders to provide education and solicit public input.                                      | 10/15/14 | Ongoing               | Convened stakeholder group meeting to provide an overview of the rule, discuss its impact, and invite comments on 11/19/14. OAAS will schedule a meeting specifically for providers and associations in April 2015 and will continue to keep stakeholders up-to-date on progress of its transition plan activities during OAAS stakeholder and provider meetings.   |
| A11                                  | Collect all public comments. Synthesize comments and develop responses to comments. (Will go into transition plan for CMS). | 10/29/14 | 3/13/15               | A spreadsheet was created to log all comments received and OAAS' response to each comment was posted on its website.<br><a href="http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/Response-to-Comments-HCBS-Settings-Transition-Plan.pdf">http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/Response-to-Comments-HCBS-Settings-Transition-Plan.pdf</a><br>Comments were incorporated into the 3/13/15 revision of the transition plan. |
| A12                                  | Continue on-going stakeholder engagement through State Associations and Website.  | 10/1/14  | Ongoing               | As appropriate, progress and status updates will be provided at upcoming stakeholder and provider meetings to update stakeholders on transition plan activities.  |
| A13                                  | Develop and update website on a regular basis on external stakeholder comments.   | 10/1/14  | Ongoing               | Will post additional documents and revised draft transition plans as they become available  |
| <b>Program Review and Assessment</b> |   |          |                       |   |
| B1                                   | Review licensure and certification rules & operations   | 3/1/15   | 3/31/15               | OAAS will conduct a review of its licensure and certification rules and procedures that are affected by the HCBS Settings Rule and will submit amendments/revisions to these as needed.   |
| B2                                   | Analyze and include additional requirements to certification  | 12/1/14  | Completed 1/23/15; In | Included language in Managed Care RFP requiring MCOs to verify compliance with Settings Rule prior to credentialing and contracting with ADHC providers.  |

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|    | standards, processes and frequency of review in order to comply with HCBS settings rule.  |          | place beginning 3/1/16 (Start of Managed Care)                       | As described in the 1915(c) waiver amendments, MCOs will review and verify compliance with HCBS Settings Rule during the initial credentialing and contracting period and annually thereafter.   |
| B3 | Review provider qualifications to identify areas requiring modifications to comply with settings rule.  | 12/1/14  | Completed 1/23/15; In place beginning 3/1/16 (Start of Managed Care) | In addition to the MCO's review of provider qualifications, ADHC providers will sign an attestation document confirming they are in compliance with the Settings Rule as part of the credentialing process with the MCO.   |
| B4 | Review and revise all existing 1915(c) Waivers  | 10/1/14  | 3/31/15  | 1915(c) waivers will be revised: <ul style="list-style-type: none"> <li>- Transition plan posted in waiver document (Attachment #2 and Appendix C-5)</li> <li>- A performance measure (A.a.i.5) was added to the Administrative Authority QIS to monitor whether providers, if necessary, implemented corrective action plans to bring their service setting into compliance with the Rule.</li> <li>- Service definition for ADHC was revised to reflect the requirement that providers must be compliant with the HCBS Settings Rule</li> </ul>  |
| B5 | Prepare list of services subject to new rule.   | 10/10/14 | 10/17/14   | Completed OAAS HCBS Settings Analysis document and determined that only Adult Day Health Care services offered in ADHC and CCW are subject to the Rule. Settings were categorized as one of the following: <ul style="list-style-type: none"> <li>- Settings presumed to be fully compliant with HCBS characteristics</li> <li>- Settings may be compliant, or with changes will comply with HCBS characteristics</li> <li>- Settings are presumed non-HCBS but evidence may be presented to CMS for Heightened Scrutiny Review</li> <li>- Settings do not comply with HCBS characteristics</li> </ul> |
| B6 | Develop a self-assessment tool that familiarizes providers with the new settings rule and allows an opportunity to measure compliance with the new requirements. The assessment tool will identify areas for the new rule for which the provider is non-compliant and will allow providers to target compliance | 12/19/14 | 3/13/15  | Non-residential Provider Self-Assessment draft completed<br><a href="http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/OAAS-Provider-Self-Assessment-Draft.pdf">http://new.dhh.louisiana.gov/assets/docs/OAAS/publications/HCBS/OAAS-Provider-Self-Assessment-Draft.pdf</a>  |

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|            | efforts. The tool will include questions that accurately assess provider compliance; and methods to quantify provider assessment results.                       |  |  |  |
| <b>B7</b>  | Issue draft self-assessment tool to stakeholders for comment.   | 3/16/15  | 4/15/15  |  |
| <b>B8</b>  | Draft participant survey to validate the results of the provider self-assessment.   | 4/1/15   | 4/30/15  |  |
| <b>B9</b>  | Issue draft participant survey to stakeholders for comment.   | 5/1/15   | 5/31/15  |  |
| <b>B10</b> | Modify self-assessment tool and participant survey based on stakeholder comments.   | 4/15/15  | 6/30/15  |  |
| <b>B11</b> | Determine the method of distribution and the parties responsible for conducting the self-assessment.  | 3/1/15   | 3/31/15  | The self-assessment will be made available and administered to providers online.   |
| <b>B12</b> | Distribute self-assessment to providers and participant survey to consumers.  | Providers:<br>5/1/15<br><br>Participants:<br>9/1/16* | Providers:<br>5/31/15<br><br>Participants:<br>2/28/17* | *OAAS will administer the participant survey during the initial 1915(c) quality assurance monitoring period under managed care (9/1/16 – 2/28/17). This will be incorporated into the current participant interview and will involve a representative random sample of 1915(c) waiver participants receiving ADHC. |
| <b>B13</b> | Conduct random site reviews to validate the self-assessment findings  | 7/1/15   | 12/31/15   | OAAS monitoring staff will begin random site review visits after providers have completed self-assessments and have had opportunities to receive technical assistance from DHH.  |
| <b>B14</b> | Analyze the results of the on-site survey assessment to identify specific issues and challenges that will need to be addressed throughout the transition phase. | 3/1/16   | 5/31/16  |  |
| <b>B15</b> | Collect self-assessment information, aggregate, and analyze. Include findings and analysis on the Website and   | 5/1/15   | 8/31/15  |  |

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|                               | prepare report for CMS.  |         |         |  |
| <b>B16</b>                    | Analyze the findings for the participant survey. Include findings and analysis on the Website.   | 3/1/17  | 5/31/17 |  |
| <b>Remediation Strategies</b> |  |         |         |  |
| <b>C1</b>                     | Identify and send letters to providers who are not compliant with HCB settings rule  | 6/1/15  | ongoing | Based on results of the self-assessment and our analyses of settings, OAAS will send letters to those providers who are not or may not be currently compliant with the rule. OAAS will work with providers and provide technical assistance to bring each identified provider into compliance.   |
| <b>C2</b>                     | Providers who are not in compliance and wish to remain enrolled as waiver providers will submit a corrective action plan. Non – compliance may not extend beyond March 17, 2019.                     | 3/1/16  | 2/28/17 | Beginning 3/1/16, OAAS will require MCOs to monitor compliance with the Settings Rule and to notify DHH when they discover a provider that is out of compliance. At discovery of non-compliance, DHH/OAAS and the MCO will notify the provider and provide technical assistance to bring the provider into compliance.<br>As part of the managed care transition plan, MCOs will contract with all current ADHC providers during the initial year. At the onset of year two (3/1/17), MCOs will verify and ensure compliance with the rule prior to contracting with an ADHC provider. |
| <b>C3</b>                     | Technical assistance will be available to providers to ensure that the interpretation of the HCBS Settings Rule is consistent and the provider is implementing necessary changes to meet compliance. | 5/1/15  | ongoing |  |
| <b>C4</b>                     | Louisiana will conduct on-site reviews to evaluate validity of remediation compliance.   | 9/16    | 2/17    | If any providers are out of compliance following managed care implementation and are required to submit a corrective action plan, OAAS and the MCO will monitor effectiveness of these plans during an on-site review of the facility.   |
| <b>C5</b>                     | A disenrollment process on non-compliant providers will be developed and consist of: 1) provider disenrollment, 2) transition plan for participants, and 3) provider appeal process                  | 10/1/15 | 12/1/15 | If OAAS and/or the MCO identify providers who are noncompliant and unwilling to implement a corrective action plan or accept technical assistance, the MCO will proceed with terminating the provider’s contract and offering participants freedom of choice to select a new provider. If an alternate provider is not available, the ADHC waiver slot will be converted to a Community Choices Waiver slot and the participant will be transitioned to the CCW to ensure continuity of HCBS.  |
| <b>C6</b>                     | Develop monitoring instrument to ensure setting compliance. May include random,  | 6/1/15  | 9/1/15  | Monitoring review elements will be added to the current quality assurance procedures to monitor for provider compliance.<br>Included language in RFP requiring MCOs to verify that providers initially and continuously  |

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|            | unannounced site visits.   |              |            | comply with Settings Rule through their initial and recurring credentialing processes<br>- Will be in place at launch of managed care (10/15)  |
| <b>C7</b>  | Implementation of a transition plan will be developed for those needing to transfer to an appropriate HCBS setting. Individuals will be given timely notice and a choice of alternative providers. Transition of individuals will be tracked to ensure successful placement and continuity of service. | 3/1/16       | 3/1/17     |  |
| <b>C8</b>  | All rules, policy and procedures, standards and other documents are revised to reflect the HCBS Settings Rule.   | 2/15         | 8/15       | Both 1915(c) waiver applications will be amended to reflect requirements of the Rule. Additionally, all internal DHH/OAAS rules, policies, and Quality documents will be reviewed and revised as necessary.                  |
| <b>C9</b>  | Specific quality assurance and improvement strategies are developed to ensure providers are evaluated against the HCBS Settings Rule prior to contracting with MCO and continuing.   | 3/1/16       | Ongoing    | MCOs will be required to confirm provider compliance prior to contracting with each ADHC provider. MCOs will verify provider qualifications (compliance with Rule) during both the initial and annual credentialing process. |
| <b>C10</b> | Practical performance measures are created to ensure providers continue to meet the HCBS Settings rule.  | 1/15         | 3/15       | A performance measure was added to each 1915(c) waiver application in the Administrative Authority QIS (A.a.i.5). This new measure will be included in OAAS' next waiver amendment submission to CMS                         |
| <b>C11</b> | A participant survey is developed to be administered annually to monitor the individual's experience with the HCBS Settings Rule.  | 6/15         | Ongoing    | Survey questions will be developed beginning 6/15 and shall be administered by OAAS annually during the 1915(c) waiver monitoring period and/or during any experience of care or consumer satisfaction surveys.              |