



Waiver Reimagine Advisory Committee

Meeting 2 | April 28, 2022

Welcome!

Lea Bittner-Eddy | Facilitator

Meetings Via WebEx - Tips



Move your mouse on the screen to find your WebEx toolbar (shown to the left) for microphone and video functionality plus participant reactions (raising your hand) and chat.

If you have a question or comment during a meeting, breakout session, event, or webinar, and don't want to interrupt, raise your hand. Raising your hand alerts the host and a raised hand icon appears in your video. A raised hand icon also appears in the Participants panel.

If you don't see the option to raise your hand, the host or cohost [may not allow participants to raise their hands](#).



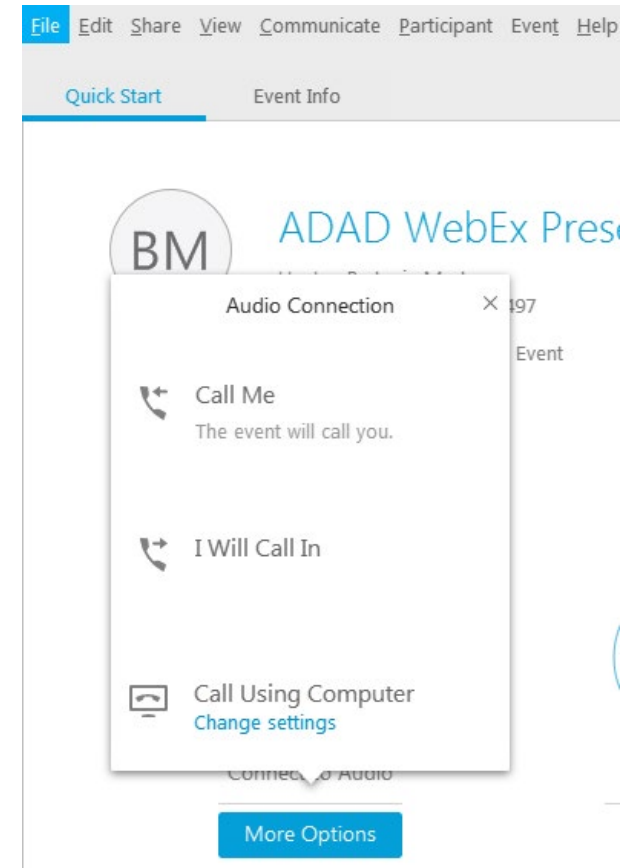
Welcome Everyone

Presenter audio is muted until the presentation begins.

If you are using your computer speakers and have trouble hearing the volume during the presentation, we recommend participating with a telephone line.

Members of the public are in listen-only mode.

Teleconference call information is available in the Event Info section



Ground Rules to Support Meeting Success

- When speaking, re-introduce yourself (and who you represent)
- Stay present giving your full attention to this discussion; let us know via chat if you need to leave the discussion and when you are back (further chat guidance)
- Please stay focused on the agenda item being discussed (Jot out note for reference later) (chat guidance)
- Share your main thoughts/key points early when speaking
- All members have the right to share their ideas and all ideas are valuable
- Be respectful of the process and other participants - including privacy (avoid names)
- Listen to other members and DHS with an open mind
- Focus on the issue, not the people
- Assume positive intent – embracing a mindset that will lead to something good
- Advocate for all, not individual situations - stories are shared to inform the policy
- Summarize what you heard to ensure understanding before reacting to another's comment

Members of the Public

- Listen and observe
- Submit questions and input for WRAC consideration to:
Waiver.reimagine@state.mn.us

Roadmap

Date	Topic
March 3, 2022	WRAC kick-off/Waiver reimagine overview
April 28, 2022	<ul style="list-style-type: none">• Waiver service menu - refresh on 2021 changes and evaluation• Waiver consolidation (transition to 2-waiver system)
June 30, 2022	Individual budgets overview
August 25, 2022	Waiver consolidation policy development: <ul style="list-style-type: none">• Services by waiver• Future of habilitation• Moving between waivers• Future of self-direction
October 27, 2022	<ul style="list-style-type: none">• Individual budgets policy/process
December 15, 2022	Waiver consolidation policy recommendations: <ul style="list-style-type: none">• Refine policy recommendations and operational guidance for services by waiver, future of habilitation, residential support service access, future of self-direction
Jan/Feb, 2023	<ul style="list-style-type: none">• Individual budget policy: review WRAC guidance for operationalizing policy
April 2023	<ul style="list-style-type: none">• Review draft report to legislature

WRAC updates

Hannah Lamb | Fiscal Policy Analyst

Committee Housekeeping

- Meeting materials will be sent to committee members via their preferred method of receipt at least one week before each meeting.
- Meeting materials will be posted to the public WRAC website after each meeting.
- We will start each meeting with a summary of some of the comments, questions, and input from the public and members received since the last meeting.
- Please continue to provide input throughout the process---we will be using your input to inform policy decisions, agenda topics, informational meetings, and our eventual report.

Summary of some input from Meeting 1

- How Public Meeting laws apply to the WRAC.
- Technical issues for committee members and the public.
- Hopes and concerns for Waiver Reimagine. We will continue to discuss these throughout the meeting and future meetings.
- Meeting more frequently and input in agenda setting.
 - Listening and additional information sessions between meetings about individual budgets and waivers
 - Homework and surveys in between meetings
 - Extend meeting time as needed
- Current timelines and future state and federal approval.
 - Extend 2-hour WRAC meeting times for some topics, with advanced notice and input from the WRAC

Charter Updates and Adoption

- Charter updates and edits made based on member feedback prior to and during Meeting 1
 - “Out of scope” updated to “related issues.”
 - Meeting frequency and flexibility
 - Defining of committee member roles
 - Decision-making process for members and DHS
 - DHS’s responsibility to inform members of the context for each decision presented.

WRAC Group Decision-Making Process

- The process is transparent and public.
- Recommendations made by the Committee are subject to agency approval, state legislative approval, and federal approval.
- Recommendations must be practical and feasible.
- All questions, comments, input from committee members will be documented along with our current responses. We will continue to share.
- DHS will communicate with the WRAC regarding final decisions on all recommendations.

WRAC Group Decision-Making Process continued

- There will not be a formal Yes/No structure for committee member decisions.
- Benefits of member-informed, gradient-based decision making:
 - The process provides an opportunity to practice diversity, equity, and inclusion with every member having an opportunity to provide specific feedback on their position.
 - The loudest voice doesn't necessarily dictate next steps because everyone's voice is equally valued.
 - Leadership can see and be informed by everyone's opinion.
 - Using a gradient ensures the variety of opinions in the room are seen and considered by everyone and that silence is not mistaken as consensus.

Charter adoption – committee poll

Poll Question:

To what extent do you support the vision, objectives, guiding principles and member responsibilities described in the updated Charter?

Scale for poll

1. Full endorsement – fully approve
2. Support with minor reservations
3. Ambivalent – mixed feelings; see pros and cons– I can live with it
4. Major reservations – serious contention; don't count on me for support

Simplified Service Menu – Implemented 2021

Stephen Horn and Maria Trueblood | Department of Human Services

Simplified Service Menu Timeline

2017-18:

- We conducted extensive research and stakeholder engagement that informed Waiver Reimagine recommendations.

2019:

- Simplifying the service menu changes were passed into law.
- Began developing waiver amendment language.
- Developed training material and training schedule







2020:

- Conducted trainings, updated published material, hosted a waiver amendment public comment training, and hosted stakeholder feedback events.
- Submitted waiver amendments to the federal government.

2021:

- Simplifying the service menu changes took effect Jan. 2021 through a rolling implementation.
- Conducted monthly Open Office Hours to support transition, Facebook Live events, and revised published material with Q&As.

Waiver Reimagine Phase 1: Simplifying the Service Menu

Corporate foster care Supported living service (SLS) corporate		Community residential services
Family foster care SLS family		Family residential services
Personal support Adult companion		Individualized home supports (without training)
Independent living skills, training Individualized home supports Supported living services (15 min unit)		Individualized home supports (with training)
In-home family supports		Individualized home supports (with family training)
Day training & habilitation Structured day program		Day support services

Additional Phase One Changes

Service

Change

Integrated community supports



New service

Remote delivery of services
(effective Jan. 1, 2022)



Adding a global definition and defining which services this is allowable

What is Integrated Community Supports (ICS)

- [Integrated Community Supports](#) (ICS) is a new 245D licensed service for adults. This service was designed based on what is commonly known as a supported apartment program service.
- Services are performed in a provider-controlled multi-family housing building (e.g., apartments) with an approved ICS Setting Capacity Report.
- The [July 27, 2021 Integrated Community Supports](#) training (link to PowerPoint) provides a comprehensive overview of the service.
- ICS launched on Jan. 11, 2021 for BI and CADI. Effective Jan. 1, 2023, (or upon federal approval) the service is available on CAC and DD.

Reshaping the Disability Waivers: The transition from 4 waivers to 2 waivers

Stephen Horn and Maria Trueblood | Department of Human Services

Scope of Discussion for Reshaping the Disability Waivers

The Transition from 4 to 2 Waivers

- Waiver Reimagine Phase 2 includes multiple changes.
- Today we are focusing on reshaping the four disability waiver programs into a two-waiver structure
- Reshaping the four disability waivers does not change the waiver eligibility criteria, remove consumer directed community supports (CDCS), or change the support planning process
- Within scope today
 - The waiver policy regarding how the four current disability waivers will be reshaped into two-waiver structure
 - We will ask for feedback focused on services available within the two waivers
- Within Authority but out of scope today:
 - Individual budgets (topic is scheduled for the next WRAC in June)
 - Policy changes to CDCS as directed by the Centers for Medicare & Medicaid Services (CMS); these are not related to Waiver Reimagine

Reconfigure the four disability waivers into two waivers

- The two new waivers will allow DHS to launch a program that is not connected to historical, diagnostic-specific waivers. Access to the reconfigured waiver structure is based upon a person's assessment and choice of preferred living arrangement. The changes will make the program easier to understand and provide more options, control and flexibility when choosing services and supports.
- One of the intended outcomes of waiver reimagine is to have the reconfigured waivers encompass the existing four levels of care and other eligibility requirements. This moves the diagnostic criteria into the background, ensures that, regardless of diagnosis, access to services is available and based on assessment and person's choice.

Breakout Session to Share Feedback on the Guiding Principles of Reshaping Waivers

We want to review and clarify feedback received during the first WRAC meeting on how to make policy decisions using the guiding principles of Waiver Reimagine.

- Make the waiver system easier for all to understand and use.
- Empower people with more choice and control over their services.
- Provide equitable access to services, regardless of disability and in which county or tribal nation a person lives.
- Create more flexibility within services and increase options to self-directed services, use technology and remote supports as alternative support options.

Material for this discussion is the handout “Guiding Principles”.

Reporting out: Summary of Breakout Feedback

- Group 1 - Make the waiver system easier for all to understand and use.
- Group 2 - Empower people with more choice and control over their services.
- Group 3 - Provide equitable access to services, regardless of disability and in which county or tribal nation a person lives.
- Group 4 - Create more flexibility within services and increase options to self-directed services, use technology and remote supports as alternative support options.

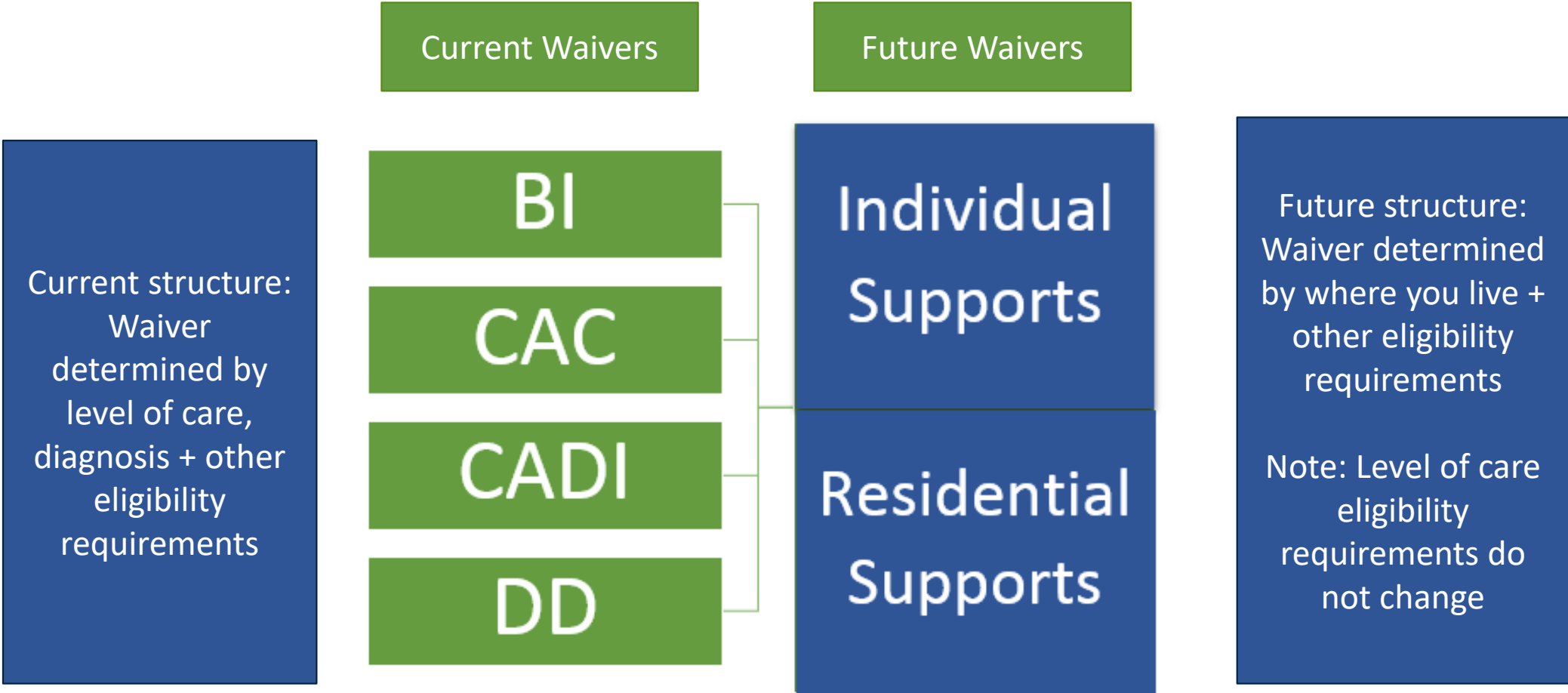
Reshaping the Disability Waivers

- Waiver reimagine Phase 2 passed into law during the 2021 1st special session
- [Minnesota Session Laws, 2021 1st Special Session](#), Chapter 7 Article 13 Section 73, paragraph (a)
 - “[The commissioner] must implement a two-home and community-based services waiver program structure ...”
 - The 2-waiver structure maintains all current levels of care:
 - Nursing home
 - Hospital
 - Neurobehavioral Hospital
 - Intermediate care facility for persons with developmental disability
 - Expanding use of self-direction (Note: we are not removing self-direction from the waivers. In Minnesota, CDCS is how we currently self-direct services.)

Why two waivers? Why by living arrangement?

- Why two waivers?
- Separating the two-waiver structure by living arrangement is driven by:
 - Prior stakeholder engagement recommendations from 2017-2020
 - Reducing administrative complexities (example: There are additional requirements for residential services that apply differently than to own home services, such as parts of the HCBS rule)
 - Increasing service integrity, minimizing implicit bias and providing equity to people across waiver programs
- Separating the two-waiver structure by living arrangement also helps address the legislative directive that “waiver reimagine [phase 2] does not result in unintended service disruptions.”
 - 2021 Session Law, 1st special session, Chapter 7 Article 13 Section 73, paragraph (b) “The commissioner must ensure, within available resources and subject to state and federal regulations and law, that waiver reimagine [phase 2] does not result in unintended service disruptions.”

Reshaping the Waivers



Residential Waiver and Individual Waiver

Residential Support Waiver (provider-controlled):

Community Residential Setting

Family Foster Care Setting

Life Sharing

Integrated Community Supports

Customized Living

Individual Support Waiver (own home)

Living with family

Living Independently

Provider-controlled residential settings vs. Own home

- For the purposes of waiver services, the terms of “own home” and “provider controlled setting” describe the location where people live.
 - **Own home:** A single-family home or multi-family home (e.g., apartment) where a person age 18 or older lives or a person, regardless of age, lives with their family, and the person or their family owns/rents and maintains control over the individual unit, demonstrated by a lease agreement (if applicable).
 - **Provider-controlled residential setting:** A service provider owns, operates or leases the home/unit and/or has direct or indirect financial interest in the person's housing.
- The terms “own home” and “provider-controlled settings” are used for technical program requirements to ensure appropriate services, regulations and protections are in place.
- We recognize where a person lives is considered their home regardless of the technical program terminology. A person should have control over their home as much as possible.

Individual Support Waiver

Examples of current own home living situations include:

- A person is living with their family and has a community provider come in to provide assistance with meeting their goals, support them in the community. There is a second community provider who supports the person in reducing unwanted behavior.
- A person is living with their family and has a parent assist with hands on care for bathing, dressing and grooming. The person has a staff come in to provide respite services.
- A person lives on their own in an apartment. They have a community provider come in weekly to help maintain the home and do heavy housekeeping. The person has another community provider that comes twice a week and helps them with budgeting and finding activities in the community
- A person is living in an apartment and has a roommate. The person and their roommate share chores like cleaning and grocery shopping. The roommate provides some formal supports for the person to assist them in meeting their goal of learning how to cook a meal from start to finish independently. The person has transportation and uses buses to get around their community.

Residential Support Waiver

Examples of current provider-controlled living situations include:

- A person lives in a family foster care. They have foster parents who provide assistance with transferring, dressing, bathing and grooming. The foster parents support the person in accessing the community by helping them schedule activities and driving them to attend.
- A person lives in a corporate residential setting. There are shift staff who come into their house. The person has several roommates. The person has supports around unwanted behavior due to positive symptoms of schizophrenia which manifest as auditory and visual hallucinations, physical aggression toward others, self-harm, property damage and elopement. The person has difficulty sleeping through the night and there is always a staff person awake.
- A person lives in an assisted living in a one room suite with a kitchenette. There are many other people in their building and shared common spaces including a full kitchen and family rooms. The person needs support from staff with transferring, walking, grooming, bathing and dressing. The person needs transportation arranged for them by staff.
- A person lives in an integrated community support setting in a studio apartment. They receive support in household management, community participation and help navigate relationships with their neighbors. Staff provide scheduled support twice a day and have a staff office located in the apartment complex to assist with unplanned assistance.

Services Only Available on the Residential Waiver

The residential services only available on the residential waiver are:

- Community residential services
- Customized living
- Family residential services
- Integrated community supports

Services Only Available on the Individual Waiver

- 24 hour emergency assistance
- Caregiver Living Expenses
- Individualized home supports with family training
- Night supervision

Self-Direction: Consumer Directed Community Supports (CDCS)

- Consumer Directed Community Supports (CDCS) is a service option available to people on the home and community-based services (HCBS) waivers and Alternative Care (AC) program.
- CDCS gives a person flexibility in service planning and responsibility for self-directing his or her services, including hiring and managing support workers. CDCS may include traditional services and goods, and self-designed services.

- Currently, If you live in a community residential setting (like a group home or provider-controlled setting), you cannot use the CDCS (Consumer Directed Community Supports) option.
- When the four waivers are consolidated into two waivers, many people will use the Residential Support Waiver.
- As part of our policy development, we will need to consider which categories of services can be self-directed in different living settings (more to come in August)

Large Group: Feedback Opportunity

- Handouts used for this discussion are the “Service definition summary” and “Services by waiver”
- Feedback is focused on the draft list of "services by waiver"
 - Remember, the topic of self-direction will be discussed at the August 2022 WRAC.
- The draft list of services is based on current service policies
 - If making recommendations or changes, describe your recommendation / change with the guiding principles in mind as discussed earlier

Services by waiver feedback: What decisions can be changed?

- Does the list of services for each waiver makes sense? What does or does not make sense about these proposed service menu?
- What changes would you make to the service menus on each waiver?
 - If eliminating services on a waiver, what suggestions do you have to reduce disruption or loss of service?
 - How does the change provide equitable access to services, regardless of disability and in which county or tribal nation a person lives.
- How do you see this proposed service menu supporting what is important to and for you?
- What additional feedback do you have on the 2-waiver structure?

Upcoming feedback opportunities on Reshaping the Waivers (August 2022)

- Habilitation requirement
 - Moving between waivers
 - Services able to self-direct
-
- Between now and then, feel free to draft your thoughts, send them to waiver reimagine mailbox, and prep for that meeting. It will be more conversational than informational.

Clarifying Questions?

Reminders and Next meeting

Homework:

- Information on individual budgets to review
- What will members need to know or do before June's meeting to fully and effectively participate in the meeting's discussion?
- Reimbursement Form
- Read legislative report if desired (see website)
- Optional: Share additional input on the Reshaping the Waivers feedback questions

Next meeting:

- Thursday, June 30th
- Individual Budgets

Waiver Reimagine Advisory Committee Meeting Schedule

Time: 10:00 AM – 12:00 PM

- Thursday, March 3, 2022
- Thursday, April 28, 2022
- **Thursday, June 30, 2022**
- Thursday, August 25, 2022
- Thursday, October 27, 2022
- Thursday, December 15, 2022

Thank You!

Waiver.reimagine@state.mn.us