



Kevin Corbett | Chief Executive Officer

J. Kevin Stitt | Governor

I/T/U Public Notice 2021-01

January 25, 2021

RE: Oklahoma Health Care Authority Proposed 1915(c) Home and Community-Based Services Waiver Renewal and Amendment Requests

Dear Tribal Representative:

The purpose of this letter is to give you notice of proposed 1915(c) Home and Community-Based Services (HCBS) waiver renewals and amendments that are pending submission to the U.S. Centers for Medicare & Medicaid Services (CMS). Please note that these proposed changes have not yet taken effect and prior to implementation, 1915(c) waiver amendments, renewals, and applications must obtain federal approval by CMS. The Agency is committed to active communication with tribal governments during the decision-making and priority-setting process to keep you apprised of all proposed changes and welcomes any comments regarding the proposals herein.

The following items request an expedited 14-day tribal consultation comment period from January 25, 2021 through February 24, 2021. If you have any questions or comments about the proposed policy changes, please use the online comment system found on the [Policy Change Blog](#) and/or the [Native American Consultation Page](#).

1915(c) HCBS Community Waiver Renewal effective: 07/01/2021 through 06/30/2026; contingent upon CMS approval

The Oklahoma Department of Human Services (OHS) is seeking a 5-year renewal of the Community Waiver which serves individuals with intellectual disabilities beginning at age three. Services are provided with the goal of promoting independence through the strengthening of the member's capacity for self-care and self-sufficiency.

The waiver renewal will decrease the unduplicated number of participants, reserved capacity, and the State's financial estimates for waiver years 1-5 and increases the 12-month period amount for all prevocational services and supported employment services combined. The renewal adds remote supports services, the provision of habilitation training specialist (HTS) within an acute care hospital, as well as a participant-directed service delivery method and a quality payment option for supported employment services. Additional service updates include increasing the number of members receiving specialized foster care in the home and adding a telehealth delivery option for the



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following services: speech therapy, physical therapy, occupational therapy, audiology, psychology, nutrition, family training, family counseling, nursing, and dental services. Further updates allow for the option of electronic signature for service plan developments as well as the option of monitoring members in their own home via phone calls or video conferencing for OHS/DDS case management and quality assurance staff. Critical event or incident reporting requirements are also updated.

1915(C) HCBS Homeward Bound Waiver Renewal effective: 07/01/2021 through 06/30/2026; contingent upon CMS approval

The Oklahoma Department of Human Services (OHS) is seeking a 5-year renewal of the Homeward Bound Waiver. The Homeward Bound waiver is intended to better meet the needs of members representing the Plaintiff Class in Homeward Bound et al v. The Hissom Memorial Center et al, United States District Court, Northern District of Oklahoma, Case No. 85-C-437-e. The Homeward Bound waiver is a self-determined waiver which services include residential and comprehensive supports for class members.

The waiver renewal will decrease the number of participants served and update the unduplicated number of participants, the State's financial estimates, and add the supported employment service quality payment sub-component for waiver years 1-5. The 12-month period amount for all prevocational services and supported employment services combined will increase. The renewal adds remote supports services, the provision of habilitation training specialist (HTS) within an acute care hospital, as well as a participant-directed service delivery method and a quality payment option for supported employment services. Additional service updates include increasing the number of members receiving specialized foster care in the home and adding a telehealth delivery option for the following services: speech therapy, physical therapy, occupational therapy, audiology, psychology, nutrition, family training, family counseling, nursing, and dental services. Further updates allow for the option of electronic signature for service plan developments as well as the option of monitoring members in their own home via phone calls or video conferencing for OHS/DDS case management and quality assurance staff. Critical event or incident reporting requirements are also updated.

1915(C) HCBS ADvantage Waiver Renewal effective: 07/01/2021 through 06/30/2026; contingent upon CMS approval

The Oklahoma Department of Human Services (OHS) is seeking a 5-year renewal of the



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ADvantage Waiver. The goal of the program is to provide services for members ages 21-64 with a physical disability and/or members age 65 and older who are Medicaid eligible and who meet nursing facility level of care to remain at home or in the residential setting of their choosing while receiving the necessary care.

The waiver renewal updates the unduplicated number of participants and the State's financial estimates for waiver years 1-5. The waiver renewal also allows the contracted Financial Management Services provider (FMS) the option to provide self-directed services via the Electronic Visit Verification system (EVV) in order to comply with federal regulation. Additional service updates include: adding the option to complete medical eligibility assessments through an electronic format (phone, video conference, etc.); updating services and supports provided by a legally responsible individual to reflect current OHCA policy; and removing the self-evaluation tool as means to evaluate the Case Managers Interdisciplinary Team meeting (IDT) facilitation performance. Further updates include escalated issues processes and timelines; how to notify Adult Protective Services of abuse, neglect, and exploitation (a/n/e); OHS fair hearing notification language; references to Oklahoma Administrative Code policies; and revising rates for waiver services to match OHCA rate methodologies. Other changes include general clarification, alignment with state statute, and clean-up throughout the waiver document.

1915(C) HCBS In-Home Supports Waiver for Adults Amendment effective: upon CMS approval or July 1, 2021, whichever is earlier

The Oklahoma Department of Human Services (OHS) is seeking to amend the In-Home Supports Waiver for Adults. The purpose of the In-Home Supports Waiver for Adults (IHSW-A) is to assist members in their goal to lead healthy, independent, and productive lives to the fullest extent possible; promote the full exercise of their rights as citizens of their community, state, and country; and promote the integrity and well-being of their families.

The waiver amendment increases the unduplicated number of participants and updates the participant-directed and quality payment sub-components to the supported employment services for waiver year 5. The amendment adds remote supports services, the provision of habilitation training specialist (HTS) within an acute care hospital, as well as a participant-directed service delivery method and a quality payment option for supported employment services. Additional service updates include increasing the number of members receiving specialized foster care in the home and adding a telehealth delivery option for the following services: speech therapy, physical therapy, occupational therapy, audiology, psychology, nutrition, family training, family counseling, nursing, and dental services. Further updates allow



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for the option of electronic signature for service plan developments as well as for OHS/DDS case management and quality assurance staff the option of monitoring members in their own home via phone calls or video conferencing. Critical event or incident reporting requirements are also updated.

1915(C) HCBS In-Home Supports Waiver for Children Amendment effective: upon CMS approval or July 1, 2021, whichever is earlier

The Oklahoma Department of Human Services (OHS) is seeking to amend the In-Home Supports Waiver for Children serving individuals ages 3-17 through a combination of community resources, SoonerCare services such as the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program, and waiver services. OHS/DDS case managers help identify concerns and coordinate, locate, and secure needed services. OHS/DDS case managers also help families recognize natural supports that may already be available.

The waiver amendment proposes to decrease the unduplicated number of participants for waiver year 5. The amendment adds a telehealth delivery option for Family Training services and the option for electronic signature for service plan developments. Further updates allow for OHS/DDS case management and quality assurance staff the option of monitoring members in their own home via phone calls or video conferencing. Critical event or incident reporting requirements are also updated.

The OHCA posts all proposed changes on the Agency's [Policy Change Blog](#) and the [Native American Consultation Page](#). These public website pages are designed to give all constituents and stakeholders an opportunity to review and make comments regarding upcoming policy changes. To ensure that you stay informed of proposed policy changes, you may sign up for web alerts to be automatically notified when any new proposed policy changes are posted for comment.

The OHCA values consultation with tribal governments and will provide your representatives a reasonable amount of time to respond to this notification.

Sincerely,

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Dana Miller



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Health Care Authority

Serving Oklahomans
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