



Department of Medicaid

John R. Kasich, Governor

John B. McCarthy, Director

HCBS Statewide Transition Plan

Summary of Public Comment on the Revised
Draft Statewide Transition Plan

December 2, 2015



Summary of the Comment Period

- Seven submissions were received from October 15 through November 15, 2015.
- Five submissions commented on a variety of themes.
- No changes were made to plan as a result of the comments.



Summary of the Comment Period

The principle that individuals and families determine what integration means must permeate the plan.

- *The plan provides opportunities for the experience of individuals to inform the implementation and ongoing assessment of compliance. No change to the plan.*

The on-site evaluations should include a broader sample of settings, not just those based on provider self-assessments.

- *The ongoing provider oversight process does incorporate a review of the settings, as appropriate, beyond those identified in the proposed plan. No change to the plan.*

Summary of the Comment Period

Benchmarks and timelines are needed to make sure sufficient progress is made and process is transparent.

- *The plan outlines the proposed timelines for each component. The State will use existing stakeholder communication avenues to report on implementation progress. No change made to the plan.*

Enforcement mechanism for individuals to challenge non-compliant settings.

- *Using the existing complaint processes, individuals have the right to file a complaint regarding a specific setting and/or to report directly to the State any concerns with a setting's ability to comply. Upon receiving a report by an individual or another entity, the State will initiate a formal review, as appropriate. No change made to the plan.*

Summary of the Comment Period

Clarify the individual has a right to due process upon proposed modifications.

- *Due process is currently afforded if individuals have concerns with the scope, duration, or frequency of services authorized in the person-centered service plan, including any modifications proposed to the plan. No change made to the plan.*

Ongoing education is needed about the new rule and subsequent changes.

- *The state will continue to share information about changes and status updates through the established stakeholder groups, routine publications, and websites. The design of the communication strategy included in the plan is underway as well as the development of “easy read” documents for individuals served by the ICF-IID system. No change made to the plan.*

Summary of the Comment Period

The Office of the State Ombudsman is supportive of the ombudsman's role in the education and relocation process. The Ombudsman recommends flexibility with timeframes for relocation, depending on the number of settings, to ensure smooth transition for individuals.

- *The existing relocation team protocols will be used to ensure smooth transitions for individuals, including determining time frames for relocations. No change made to the plan.*

Personal needs allowance for individuals enrolled on the waiver is inadequate to promote community inclusion.

- *The state will consider the personal needs allowance policy in future waiver design. No change made to the plan.*

Summary of the Comment Period

Full inclusion requires enhanced literacy.

- *Case managers are responsible for linking individuals with supports necessary to support their desired outcomes. This may include referrals to literacy organizations, as appropriate. No change to the plan.*

The transition plan committee, which advised the development of the ICF-IID remediation plan, should be reassembled.

- *Ongoing communication will be provided and feedback will be solicited through existing stakeholder workgroups and publications, as well as through future public comment periods related to updates to the statewide transition plan and resulting waiver or rule amendments. No change to the plan.*

Summary of the Comment Period

Additional training and technical assistance is required to assist providers with complying with the regulation.

- *Information regarding the requirements for all HCBS settings has been provided via regional forums, conferences, webinar presentations, and written publications. Because the characteristics of HCBS settings are determined through the experiences of individuals receiving supports, training efforts have been focused on the person-centered planning process. DODD has contracted with national experts to provide training and technical assistance to county board personnel and providers. In addition, local training sessions have been made available to individuals and families. Resources to support team members with person-centered planning are also available on DODD's website. To support providers who are transitioning from facility-based day services to integrated community supports, DODD has awarded project transformation grants and has fostered communities of practices for providers to share their experiences with transformation with one another. No change made to the plan.*

Summary of the Comment Period

A question was raised about whether a formal strategic plan is required by providers of HCBS.

- *A question was raised about whether a formal strategic plan is required by providers of HCBS. No change made to the plan.*

Revised service definitions for adult day waiver services and new rate methodologies should be adopted prior to plan implementation.

- *DODD continues to meet with stakeholders and respond to feedback regarding proposed service definitions and rates. The planned implementation date remains October 2016. Nothing in the current rules prevents or prohibits compliance. Many providers have already made, or are in the process of making, necessary changes to increase individuals' access to the broader community. No change made to the plan.*



Summary of the Comment Period

Concern was expressed that the HCBS settings evaluation tool was developed by a group of stakeholders chosen by DODD.

- *DODD invited individuals, advocates, providers, and county board personnel who provided public input on the initial posting of the statewide transition plan. No change made to the plan.*

The HCBS settings evaluation tool should be posted to the website.

- *A copy of the final HCBS evaluation tool will be posted to DODD's website. No change made to the plan.*

Summary of the Comment Period

State provider compliance reviews need to occur more often than once every three years.

- *In addition to the formal provider compliance reviews conducted by DODD and county boards, service and support administrators conduct ongoing monitoring of service plan implementation. No change made to the plan.*

The State should conduct on-site reviews until county boards have resolved the conflict of interest.

- *All initial onsite reviews will be conducted by the State. County board personnel will receive training on the HCBS settings evaluation tool for use in the ongoing compliance process. Reviews by county board personnel will focus on residential settings, as long as boards continue to provide adult day waiver (non-residential) services. No change made to the plan.*



Summary of the Comment Period

County board personnel should be permitted to accompany DODD personnel during on-site visits.

- *County board personnel will receive training on the HCBS settings evaluation tool for use during the ongoing compliance process. No change made to the plan.*

Empower SSAs in evaluating service setting compliance with integration mandate.

- *County board personnel will receive training on the HCBS settings evaluation tool for use during the ongoing compliance process. No change made to the plan.*

Summary of the Comment Period

A question was raised about the role of protection and advocacy entities in the ongoing monitoring of site-specific settings.

- *Protection and advocacy entities are key partners in ongoing compliance by informing individuals of their right to file a complaint regarding a specific setting and/or to report directly to the State any concerns with a setting's ability to comply. Upon receiving a report by an individual or another entity, the State will initiate a formal review, as appropriate. No change made to the plan.*

A question was raised about how the public will be able to comment on the results of the onsite evaluations.

- *Future public comment periods related to updates to the statewide transition plan and resulting waiver or rule amendments will be available. No change made to the plan.*