



COMMONWEALTH of VIRGINIA

DEPARTMENT OF

BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

ALISON G. LAND, FACHE
COMMISSIONER

Post Office Box 1797
Richmond, VA 23218-1797

Telephone (804) 786-3921
Fax (804) 371-6638
www.dbhds.virginia.gov

Friday, October 9, 2020

The Honorable Janet D. Howell, Chair
Senate Finance Committee
14th Floor, Pocahontas Building
900 East Main Street
Richmond, VA 23219

Dear Senator Howell:

Item 320 S.1 of the 2019 *Appropriation Act*, required the Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) to report on waiver slots that become available for reallocation. The language states:

“The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.”

Please find enclosed the report in accordance with Item 320 S.1 Staff at the department are available should you wish to discuss this request.

Sincerely,

A handwritten signature in blue ink that reads "Alison Land".

Alison G. Land, FACHE

cc: Vanessa Walker Harris, M.D.
Susan Massart
Mike Tweedy



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Friday, October 9, 2020

The Honorable Luke E. Torian, Chair
House Appropriations Committee
13th Floor, Pocahontas Building
900 East Main Street
Richmond, VA 23219

Dear Delegate Torian:

Item 320 S.1 of the 2019 *Appropriation Act*, required the Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) to report on waiver slots that become available for reallocation. The language states:

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Fiscal Year 2020 Waiver Allocation Report

(Item 320 S.1 of the 2020 Appropriation Act)

Friday, October 9, 2020

DBHDS Vision: A Life of Possibilities for All Virginians

Item 320 S.1 Waiver Allocation Report

Preface

Item 320 S.1 of the 2020 *Appropriation Act* requires the Department of Behavioral Health and Developmental Services (DBHDS) to report on the allocation of Developmental Disability waivers annually. The language reads:

V. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that become available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.

Item 320 S.1 Waiver Allocation Report

Table of Contents

Introduction	1
Newly Funded Waiver Slot Allocation	1
Reassigned Slots.....	3
Emergency Slots.....	3
Reserve Slots	5
Conclusion.....	7

Introduction

This report covers the period of July 1, 2019 to June 30, 2020 and shows the allocation and distribution of waivers by type, region, and community services board (CSB).

Newly Funded DD Waiver Slot Allocations

DBHDS allocates DD waiver slots to each of the Community Services Boards (CSBs) according to the following rubric. When at least 40 new slots are funded by the General Assembly in either the Community Living or Family and Individual Supports waivers, one slot will be allocated by DBHDS to each CSB. Additional slots, up to the total number of available slots for a given waiver, will be allocated by DBHDS to each CSB for individuals living within that CSB's catchment area based upon the following factors and criteria:

1. The population within the specific CSB catchment area;
2. The percentage of Medicaid eligible individuals in the catchment area, and;
3. The percentage of individuals on the "Priority One" portion of the statewide waiting list.

If there are Building Independence waiver slots to be allocated, they are allocated by region.

Table 1 and Table 2 detail the distribution of the slots.

Table 1: FY20 Allocation of Building Independence Waiver Slots by Developmental Service Region	SFY20 BI slots
Central	7
Eastern	9
Northern	15
Southwestern	5
Western	4
Total	40

Table 2: FY20 Allocation of Community Living and Family & Individual Supports Waiver Slots by CSB	SFY20 CL slots	SFY20 FIS slots
Alexandria Community Services Board	2	13
Alleghany Highlands Community Services	1	2
Arlington County Community Services Board	3	18
Blue Ridge Behavioral Healthcare	4	26
Chesapeake Integrated Behavioral Healthcare	3	19
Chesterfield Community Services Board	7	42
Colonial Behavioral Health	3	16
Crossroads Community Services Board	1	9
Cumberland Mountain Community Services	1	8
Danville-Pittsylvania Community Services	2	12
Dickenson County Behavioral Health Services	1	1
District 19 Community Services Board	3	15
Eastern Shore Community Services Board	1	4
Fairfax-Falls Church Community Services	20	119
Goochland-Powhatan Community Services	1	4
Hampton-Newport News Community Services	5	29
Hanover County Community Services Board	2	13
Harrisonburg-Rockingham Community	1	14
Henrico Area Mental Health and Highlands Community Services	5	32
Horizon Behavioral Health	1	6
Loudoun County MH, SA and Developmental	4	21
Middle Peninsula-Northern Neck Community	7	39
Middle Peninsula-Northern Neck Community	1	12
Mount Rogers Community Services Board	2	11
New River Valley Community Services	3	18
Norfolk Community Services Board	4	24
Northwestern Community Services	2	22
Piedmont Community Services	2	12
Planning District One Behavioral Health	1	8
Portsmouth Department of Behavioral	1	9
Prince William County Community Services	8	48
Rappahannock Area Community Services	5	44
Rappahannock-Rapidan Community Services	3	17
Region Ten Community Services Board	4	25
Richmond Behavioral Health Authority	3	21
Rockbridge Area Community Services	1	3
Southside Community Services Board	1	7
Valley Community Services Board	2	13
Virginia Beach Community Services Board	6	36
Western Tidewater Community Services	1	14
Total	128	806

Reassigned Slots

When a person leaves his or her DD waiver slot due to death, relocation out of state, loss of eligibility, or declining further waiver services, that slot becomes available for reassignment by the local Waiver Slot Assignment Committee to another person in that CSB’s jurisdiction. A slot may turn over multiple times in a given year. Table 3 captures the total number of times slots turned over in the fiscal year.

Table 3: Number of Existing Slots by Waiver Reassigned in FY20	
Waiver	Number of Slots Reassigned (Turn Over)
Building Independence	16
Family & Individual Supports	231
Community Living	447
TOTAL	694

Emergency Slots

DBHDS maintains a pool of Community Living waiver slots that may be assigned to individuals deemed in an emergency status according to the following criteria:

1. Child protective services has substantiated abuse/neglect against the primary caregiver and has removed the individual from the home; or for adults where
 - a) adult protective services has found that the individual needs and accepts protective services, or
 - b) abuse/neglect has not been founded, but corroborating information from other sources (agencies) indicate that there is an inherent risk present and there are no other caregivers available to provide support services to the individual.
2. Death of primary caregiver or lack of alternative caregiver coupled with the individual's inability to care for himself and endangerment to self or others without supports.

Requests for emergency slots are forwarded by the CSB to DBHDS to determine if the individual’s situation meets the above criteria. Once the pool of emergency slots reaches a minimum of three slots, the next nonemergency waiver slot that becomes available at the CSB in receipt of an emergency slot shall be reassigned to the emergency slot pool in order to ensure emergency slots remain to be assigned to future emergencies within the Commonwealth's fiscal year.

Table 4 details the waivers and CSBs to which emergency slots were assigned.

Table 4: Emergency Slots Assigned in FY20 by CSB				
Q FY	CSB	Community Living Waiver	Family and Individual Support	Total
1Q FY20	CITY OF VA BEACH CSB MHMRSAS	1		1
1Q FY20	DANVILLE-PITTSYLVANIA COM SERV	1		1
1Q FY20	DISTRICT 19 MEN HLTH SER	1		1
1Q FY20	FAIRFAX FALLS CHURCH CSB	3		3
1Q FY20	HAMPTON-NN CSB		1	1
1Q FY20	HANOVER COUNTY COMMUNITY SERVICES		1	1
1Q FY20	HARRISONBURG-ROCKINGHAM CSB	1		1
1Q FY20	MIDDLE PENINSULA NORTHERN NECK CSB	3		3
1Q FY20	NORTHWESTERN COMMUNITY SVCS	2		2
1Q FY20	PRINCE WILLIAM COUNTY CSB	1		1
1Q FY20	RICHMOND BHVRL HLTH AUTHORITY	2		2
1Q FY20	VALLEY CSB	1		1
1Q FY20	WESTERN TIDEWATER COMMUNITY SERVICES BOA	1		1
1Q FY20	BLUE RIDGE CSB	1		1
2Q FY20	CROSSROADS CSB	1		1
2Q FY20	FAIRFAX FALLS CHURCH CSB	3		3
2Q FY20	HAMPTON-NN CSB	1		1
2Q FY20	NORTHWESTERN COMMUNITY SVCS	2		2
2Q FY20	PRINCE WILLIAM COUNTY CSB	3		3
2Q FY20	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD	1		1
2Q FY20	RAPPAHANNOCK RAPIDAN CSB	1		1
2Q FY20	VALLEY CSB	1		1
2Q FY20	SOUTHSIDE CSB	1		1
3Q FY20	CHESAPEAKE INTERGRATED BEHAV HEALTHCARE		1	1
3Q FY20	CROSSROADS CSB	1		1
3Q FY20	DANVILLE-PITTSYLVANIA COM SERV	1		1
3Q FY20	FAIRFAX FALLS CHURCH CSB	3		3
3Q FY20	HAMPTON-NN CSB	3		3
3Q FY20	HANOVER COUNTY COMMUNITY SERVICES	1		1
3Q FY20	HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1		1
3Q FY20	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD	1		1
3Q FY20	SOUTHSIDE CSB	1		1
4Q FY20	CHESTERFIELD CSB	2	1	3
4Q FY20	DANVILLE-PITTSYLVANIA COM SERV	2		2

4Q FY20	DISTRICT 19 MEN HLTH SER	1		1
4Q FY20	FAIRFAX FALLS CHURCH CSB	3		3
4Q FY20	HAMPTON-NN CSB	1	1	2
4Q FY20	LOUDOUN COUNTY CSB	1		1
4Q FY20	PRINCE WILLIAM COUNTY CSB	2		2
4Q FY20	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD		1	1
4Q FY20	RAPPAHANNOCK RAPIDAN CSB	1		1
4Q FY20	REGION TEN CMMNTY SVCS BRD	3		3
4Q FY20	BLUE RIDGE CSB	1		1
4Q FY20	COLONIAL BEHAVIORAL HEALTH	1		1
4Q FY20	PIEDMONT COMMUNITY SERVICES	2		2
		64	6	70

Reserve Slots

Reserve slots may be used for transitioning an individual who, due to documented changes in his support needs or a preference for supports found in a waiver with a less comprehensive array of supports, requires or requests a move from the DD waiver in which he or she is presently enrolled into another of the DD waivers to access necessary services.

If there are insufficient reserve slots in a given waiver to accommodate the needs of individuals whose needs qualify them to move from their current waiver, the names of those individuals meeting the criteria will be kept on a chronological list until such time as a slot in that waiver is available.

The proposed permanent DD waivers’ regulations include a requirement that CSBs make vacated “turn-over” slots available to individuals from that CSB who are waiting for a reserve slot in that waiver. The slot of the individual moving into the awaited reserve slot is then assigned by the usual means (Waiver Slot Assignment Committee) to a person on the waiting list. Some CSBs have opted to adopt this practice now, even though the regulations are not final. DMAS has been made aware and expressed no objections. This has resulted in much greater movement between the waivers when needed.

There is currently one person on the chronological list of people waiting to transfer to a Community Living waiver slot.

Table 5 details the movement of unique individuals between waivers and Table Six details the CSB at which each transfer occurred.

Table 5: Total Reserve Slot Transitions in FY20 by Waiver	
Transition from Building Independence to Family and Individual Supports	11
Transition from Building Independence to Community Living	7
Transition from Family and Individual Supports to Community Living	42
TOTAL	60

Table 6: Reserve Slots Assigned in FY20 by CSB		
CSB	Waiver of Origin	Waiver to which Transferred
Arlington	Family and Individual Supports	Community Living
Arlington	Family and Individual Supports	Community Living
Blue Ridge	Family and Individual Supports	Community Living
Blue Ridge	Family and Individual Supports	Community Living
Blue Ridge	Family and Individual Supports	Community Living
Blue Ridge	Family and Individual Supports	Community Living
Blue Ridge	Family and Individual Supports	Community Living
Blue Ridge	Building Independence	Community Living
Chesapeake	Building Independence	Family and Individual Supports
Chesapeake	Family and Individual Supports	Community Living
Chesapeake	Family and Individual Supports	Community Living
Chesapeake	Family and Individual Supports	Community Living
Chesterfield	Building Independence	Community Living
Chesterfield	Family and Individual Supports	Community Living
Colonial	Family and Individual Supports	Community Living
Crossroads	Family and Individual Supports	Community Living
Danville-Pittsylvania	Family and Individual Supports	Community Living
Danville-Pittsylvania	Family and Individual Supports	Community Living
Eastern Shore	Family and Individual Supports	Community Living
Fairfax	Family and Individual Supports	Community Living
Hampton	Family and Individual Supports	Community Living
Hampton-Newport News	Family and Individual Supports	Community Living
Hampton-Newport News	Building Independence	Community Living
Hampton-Newport News	Family and Individual Supports	Community Living
Hanover	Building Independence	Family and Individual Supports
Hanover	Building Independence	Family and Individual Supports
Hanover	Building Independence	Family and Individual Supports
Hanover	Family and Individual Supports	Community Living
Harrisonburg-Rockingham	Building Independence	Family and Individual Supports

Harrisonburg-Rockingham	Family and Individual Supports	Community Living
Harrisonburg-Rockingham	Family and Individual Supports	Community Living
Henrico	Building Independence	Family and Individual Supports
Henrico	Building Independence	Family and Individual Supports
Henrico	Family and Individual Supports	Community Living
Henrico	Family and Individual Supports	Community Living
Henrico	Family and Individual Supports	Community Living
Henrico	Building Independence	Community Living
Henrico	Family and Individual Supports	Community Living
Horizon	Family and Individual Supports	Community Living
Loudoun	Building Independence	Family and Individual Supports
Loudoun	Family and Individual Supports	Community Living
Loudoun	Building Independence	Community Living
Mt. Rogers	Family and Individual Supports	Community Living
Mt. Rogers	Building Independence	Community Living
Norfolk	Family and Individual Supports	Community Living
Norfolk	Family and Individual Supports	Community Living
Norfolk	Family and Individual Supports	Community Living
Northwestern	Building Independence	Family and Individual Supports
Northwestern	Family and Individual Supports	Community Living
Prince William	Building Independence	Family and Individual Supports
Prince William	Family and Individual Supports	Community Living
Prince William	Family and Individual Supports	Community Living
Rappahannock-Rapidan	Family and Individual Supports	Community Living
Rappahannock-Rapidan	Family and Individual Supports	Community Living
Region Ten	Building Independence	Family and Individual Supports
Region Ten	Family and Individual Supports	Community Living
Region Ten	Family and Individual Supports	Community Living
Richmond	Building Independence	Community Living
Rockbridge	Family and Individual Supports	Community Living
Southside	Family and Individual Supports	Community Living

Conclusion

DBHDS continues to work with families of individuals in need of services to ensure they have access to those services most appropriate for their needs. DBHDS also continues to work to make sure that the waivers allocated to serve Virginians with disabilities are being used as effectively as possible.