



# COMMONWEALTH of VIRGINIA

## *Department of Medical Assistance Services*

KAREN KIMSEY  
DIRECTOR

December 14, 2021

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### MEMORANDUM

**TO:** The Honorable Janet D. Howell  
Chair, Senate Finance Committee

The Honorable Luke E. Torian  
Chair, House Appropriations Committee

The Honorable Mark D. Sickles  
Vice Chair, House Appropriations Committee

**FROM:** Karen Kimsey  
Director, Virginia Department of Medical Assistance Services

**SUBJECT:** Cost of Additional Developmental Disabilities Waiver Slots - Fiscal Year 2021 Annual Report

This report is submitted in compliance with the Virginia Acts of the Assembly – Item 313.J.4.d, which states:

*313.J.4.a. The Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 145 new slots effective July 1, 2020 and an additional 95 slots effective July 1, 2021. An amount estimated at \$5,653,333 the first year and \$9,357,240 the second year from the general fund and \$5,653,333 the first year and \$9,357,240 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assume that 20 of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the CL waiver to add the additional slots.*

*b. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 640 new slots effective July 1, 2020 and an additional 890 slots effective July 1, 2021. An amount estimated at \$10,581,760 the first year and \$25,143,816 the second year from the general fund and \$10,581,760 the first year and \$25,143,816 the second year from nongeneral funds is provided to cover the anticipated costs of the new slots. These estimated amounts assumes that five of the additional slots in each year may be filled with individuals transitioning from facility care. DMAS shall seek federal approval for necessary changes to the FIS waiver to add the additional slots.*

*c. In addition to the new slots added in 4.a. and b., the Department of Medical Assistance Services (DMAS) shall amend the CL waiver to add 15 new slots effective July 1, 2020 and*

*an additional 15 slots effective July 1, 2021. The Department of Medical Assistance Services (DMAS) shall amend the FIS waiver to add 10 new slots effective July 1, 2020 and an additional 10 slots effective July 1, 2021. These slots shall be held as reserve capacity by the Department of Behavioral Health and Developmental Services (DBHDS) to address emergency situations. An amount estimated at \$750,168 the first year and \$1,500,335 the second year from the general fund and \$750,168 the first year and \$1,500,335 the second year from nongeneral funds is provided to cover the anticipated costs of the emergency slots. DMAS shall seek federal approval for necessary changes to the CL and FIS waivers to add the additional slots. Beginning July 1, 2018, DBHDS shall provide a quarterly report on the use of the emergency slots provided in this paragraph.*

*The Department of Medical Assistance Services, in collaboration with the Department of Behavioral Health and Developmental Services, shall separately track all costs, placements and services associated with the additional slots added in paragraphs J.4.a, J.4.b, and J.4.c above. By October 1 of each year, the department shall report this data to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget.*

Should you have any questions or need additional information, please feel free to contact me at (804) 786-8099.

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Enclosure

Pc: The Honorable Daniel Carey, M.D., Secretary of Health and Human Resources



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Enclosure

Pc: The Honorable Daniel Carey, M.D., Secretary of Health and Human Resources

# Cost of Additional Developmental Disabilities Waiver Slots - Fiscal Year 2021 Annual Report

A Report to the Virginia General Assembly

October 1, 2021

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**DMAS's mission is to improve the health and well-being of Virginians through access to high-quality health care coverage.**

DMAS administers Virginia's Medicaid and CHIP programs for more than 1.8 million Virginians. Members have access to primary and specialty health services, inpatient care, dental, behavioral health as well as addiction and recovery treatment services. In addition, Medicaid long-term services and supports enable thousands of Virginians to remain in their homes or to access residential and nursing home care.

Medicaid members historically have included children, pregnant women, parents and caretakers, older adults, and individuals with disabilities. In 2019, Virginia expanded the Medicaid eligibility rules to make health care coverage available to more than 500,000 newly eligible, low-income adults.

Medicaid and CHIP (known in Virginia as Family Access to Medical Insurance Security, or FAMIS) are jointly funded by Virginia and the federal government under Title XIX and Title XXI of the Social Security Act. Virginia generally receives a dollar-for-dollar federal spending match in the Medicaid program. Medicaid expansion qualifies the Commonwealth for a federal funding match of no less than 90 percent for newly eligible adults, generating cost savings that benefit the overall state budget.

## Executive Summary

For FY 2021, the General Assembly approved funding for 810 new Developmental Disabilities (DD) waivers slots in the Community Living (CL) waiver and the Family and Individual Supports (FIS) waiver. This report provides an overview of the number of those slots that have been assigned to date (786) and the expenditures in SFY 21 for those slots per service. It also specifies the number of individuals living in each of six types of living situations as captured in the Waiver Management System (WaMS). Finally, it details the number of individuals occupying FY 21 slots authorized for each of the waiver services.

## FY2021 Slot Distribution

**Table 1: DD Waiver Slot Distribution for FY 2021**

Slot Type - FY 2021	# of Slots Appropriated	# of FY21 Slots Assigned
CL - Facility	20	0
CL - Regular (No Restriction)	125	125
CL - Reserve	15	15
FIS - Facility	5	1
FIS - Regular (No Restriction)	635	635
FIS - Reserve	10	10
Total	810	786

For this reporting period, data supporting the assignment of 786 FY 2021 slots has been reported. The 760 “no restriction” slots were allocated to the Community Services Boards (CSBs) in August of 2020. Following CSB distribution, the local Waiver Slot Assignment Committee in conjunction with Department of Behavioral Health and Developmental Services (DBHDS) staff assigns the slots to individuals.

Two other types of DD waiver slots are reflected in the chart above: “Reserve” slots and “Facility” slots. Reserve slots are assigned by DBHDS to individuals who must move from one DD waiver to another in order to receive a service available in the waiver to which they move. Facility slots are for the use of individuals seeking to exit an Intermediate Care Facility for Individuals with Intellectual Disabilities (either a state Training Center or privately operated “ICF-IID”), a nursing facility, or a state mental hospital. All of the 25 reserve slots were assigned; however, not all of the FY 2021 facility slots were assigned. These are held for assignment to individuals seeking to exit designated facilities in the upcoming year. Due to having unassigned facility slots at this time, no additional funding for facility slots will be requested of the General Assembly for FY 2023.

Once a slot is assigned, time is necessary for case managers to help connect the individual with services and even more time is necessary for the chosen provider to begin billing for services. In order to account for the timing of the operational process, it was determined by both agencies (the Department of Medical Assistance Services (DMAS) and DBHDS) that reporting statistics for the year post-assignment provides the most accurate information.

For the 786 FY 2021 slots that were assigned, this report itemizes costs, reported living situation, and authorized services. As the details of this report are reviewed, it is important to remember that this is only a cohort of the larger population of active DD waivers.

## **Cost Tracking**

In order to track costs, DBHDS identified the 786 slots by their slot identification number and the individuals were associated with the slots by unique identifiers (Client ID and Medicaid ID number). DBHDS used the DMAS Budget methodology for all waiver expenditure reporting and captured claims paid thus far for DD waivers services provided to individuals assigned FY21 slots. Not all authorized services may have yet been delivered and not all services delivered may have yet been billed. This accounts for some discrepancies between Table 2 and Table 4. In addition, Consumer Directed Services Facilitation services are not service authorized, therefore they are missing from Table 4, but the costs of these services are represented in Table 2.

Expenditures in this report only include services which are explicitly tied to the DD waivers.

**Table 2: DD Waiver Expenditures for FY 2021 Slots (as of October 6, 2021)**

<b>Procedure Code</b>	<b>Procedure Description</b>	<b>Expenditures for DD Waivers FY21 Slots</b>
T1999	Assistive Technology	\$25,761.61
T1023	Benefits Planning Services	\$1,703.54
H2000	CD Services Facilitation - Comprehensive Visit	\$25,057.77
99509	CD Services Facilitation - Routine Visit	\$50,953.55
S5109	CD Services Facilitation – Employee Management Training	\$27,337.30
S5116	CD Services Facilitation - Management Training	\$12,282.36
T1028	CD Services Facilitation - Reassessment Visit	\$16,797.36
H2011	Center-Based Crisis Supports	\$30,207.45
T2013	Community Coaching	\$4,649.16
T2021	Community Engagement	\$74,075.12
H2015	Community Guide	\$18,708.38
H0040	Community-Based Crisis Supports (old procedure code)	\$8,045.28
S5135	Companion – Agency Directed	\$30,390.66
S5136	Companion – Consumer Directed	\$146,018.46
T2034	Crisis Support Services	\$3,182.76
A9279	Electronic Home-Based Supports	\$2,520.00

97150	Group Day Support	\$135,491.97
H2022	Group Home Residential Supports	\$4,756.18
H2014	In-Home Residential Support	\$1,348,616.31
T1019	Personal Assistance – Agency Directed	\$842,186.66
S5126	Personal Assistance – Consumer Directed	\$2,028,106.49
T1003	Private Duty Nursing, LPN	\$329,262.48
T1002	Private Duty Nursing, RN	\$39,194.22
T1005	Respite – Agency Directed	\$31,734.54
S5150	Respite – Consumer Directed	\$188,957.50
S9124	Skilled Nursing, LPN	\$1,714.05
H2024	Supported Employment, Group	\$19,521.38
H2023	Supported Employment, Individual	\$52,409.95
H0043	Supported Living	\$84,486.04
97530	Therapeutic Consultation, Other Professionals	\$45,446.40
97139	Therapeutic Consultation, Therapists, Behavior Analysts, Rehab. Engineers	\$154,945.71

## **Living Situation**

For each individual occupying one of the FY 21 slots who is currently receiving services, the corresponding Waiver Management System (WaMS) living situation is reported below. This is defined by the chosen living situation entered in WaMS by the support coordinator.

In addition to the 739 individuals for whom a living situation is identified below, there are 47 individuals not included in this table because their slot status is “projected,” meaning that they have not yet started waiver services. Therefore, their “living situation while on waiver” cannot yet be identified.



**Table 3: DD Waiver WaMS Living Situations for Individuals Occupying FY 21 DD Waiver Slots**

Living Situation	Definition	# of Ind. in this setting
Building Independence	(1) Services are provided to adults (18 and older) by a provider that provides supports to secure and maintain a self-sustaining, independent living situation in the community  (2) All persons on BI regardless of living situation.	0 *
Group Home	Services are provided in a DBHDS licensed group home which provides direct supports as necessary to each person to enable him/her to reside successfully in the community.	49
Living Independently	An individual resides in his/her own apartment/house in the community. Individual may reside with a roommate of the individual's choice.	37
Living with Family	Services take place in the individual's family home or community settings. Services are designed to ensure the health, safety and welfare of the individual. Family is parents or relatives who are typically unpaid.	631
Sponsored Residential	Services take place in a DBHDS licensed sponsored residential home where the homeowners (sponsors) are the paid caregivers who provide support as necessary so that the individual can reside successfully in the community.	6
Supported Living	Services take place in an apartment setting operated by a DBHDS licensed provider that provides 'round the clock availability of staff who have the ability to respond in a timely manner enabling individuals to reside successfully in the community.	16
	Total:	739

\* There were no new Building Independence waiver slots funded in FY 2021.

### Authorized Services

Table 4 provides insight into the DBHDS authorized DD waiver services attached to the individuals occupying the FY 21 DD waivers slots. An authorized service does not equate to a utilized service. Utilization is determined by expenditures (see Table 2 above). Individuals may (and typically do) receive more than one waiver service.

**Table 4: Authorized DD Waiver Services for Persons Occupying FY 21 DD Waiver Slots (as of September 28, 2021)**

<b>Procedure Code</b>	<b>Procedure Description</b>	<b>Unique # Persons Authorized Services</b>
T1999	Assistive Technology Only	27
T1999	Assistive Technology, Maintenance Costs Only	1
T1023	Benefits Planning Services	9
H2011	Center-Based Crisis Supports	8
T2013	Community Coaching	6
T2021	Community Engagement	56
H2015	Community Guide	16
H0040	Community-Based Crisis Supports (old procedure code)	11
S9484	Community-Based Crisis Supports (new procedure code)	2
S5135	Companion – Agency Directed	10
S5136	Companion – Consumer Directed	65
T2034	Crisis Support Services	3
A9279	Electronic Home-Based Supports	8
99199	Environmental Modification, Maintenance Costs Only	1
S5165	Environmental Modifications Only	5
97150	Group Day Support	96
T2016	Group Home (Customized Rate)	3
H2022	Group Home Residential Supports - 4 or Fewer Person Homes	52
H2022	Group Home Residential Supports - 5 Person Group Homes	5
H2022	Group Home Residential Supports - 6 Person Group Homes	10
H2022	Group Home Residential Supports - 8 Person Group Homes	3
S5111	Individual & Family Caregiver Training	1
H2014	In-Home Residential Support, 1 person	170
H2014	In-Home Residential Support, 2 people	2

S5160	PERS Installation	2
S5161	PERS Monitoring	4
T1019	Personal Assistance – Agency Directed	81
S5126	Personal Assistance – Consumer Directed	287
T1003	Private Duty Nursing, LPN	19
T1002	Private Duty Nursing, RN	4
RESPI	Respite – Agency Directed	78
S5150	Respite – Consumer Directed	276
S9124	Skilled Nursing, LPN	2
S9123	Skilled Nursing, RN	1
T2033	Sponsored Residential	11
H2024	Supported Employment, Group - 2 or Fewer Members per Staff	2
H2024	Supported Employment, Group - More Than 2, Up to 4 Members per Staff	5
H2024	Supported Employment, Group - More Than 4 Members per Staff	3
H2023	Supported Employment, Individual	21
H0043	Supported Living	8
97530	Therapeutic Consultation, Other Professionals	29
97139	Therapeutic Consultation, Therapists, Behavior Analysts, Rehab. Engineers	79

## **Conclusion**

All costs incurred up to this point, individuals' living situations, and authorized services for the FY 2021 DD waivers slots have been captured and presented in this report.