



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of
Health and Social Services**

Governor's Council on Disabilities
& Special Education

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June 2, 2017

Jetta Whittaker
Division of Senior and Disabilities Services
240 Main St.
Juneau, AK 99801

RE: Comments on the Proposed Changes - Medicaid Coverage, Home & Community-Based Waiver Services, Person-Centered & Settings Amendments, & General Provisions

Dear Ms. Whittaker:

The Governor's Council on Disabilities and Special Education (the Council) fills a variety of federal and state roles, including serving as the State Council on Developmental Disabilities (SCDD) under the Developmental Disabilities Assistance and Bill of Rights Act. As the SCDD, the Council works with Senior and Disabilities Services (SDS) and other state agencies to ensure that people with developmental disabilities and their families receive the services and supports they need, as well as participate in the planning and design of those services. One of the duties of the SCDD is providing comments on proposed regulations. The Developmental Disabilities (DD) Committee is a standing committee of the Council and is responsible for the day to day work to create change that improves the lives of people with developmental disabilities and their families. The Medicaid Ad Hoc Committee was established by the Council to review and comment, in conjunction with the DD Committee, on proposed changes to Medicaid regulations and policies when they are released for public comment.

We appreciate the opportunity to comment on the proposed changes related to Medicaid coverage, Home & Community-Based Waiver Services, person-centered & settings amendments, & general provisions. The Council's comments are as follows:

Person-Centered Practice and Settings Amendments

130.200 Purpose

The Council supports the additions to the Purpose of the chapter, emphasizing that home and community based services will be implemented through person-centered plans and will "provide opportunities for eligible individuals to receive services in the community and to maximize engagement in community life."

130.213 Assessment and reassessment

The Council supports the addition to this section authorizing SDS to schedule assessment and reassessment by video teleconferencing for recipients and applicants located outside of Anchorage or Fairbanks. The Council urges SDS to adopt quality assurance criteria for video teleconference assessment and reassessment methods that align with professional standards for tele-practice within specific health care and related service practices, and to include specific provider training. The Council wishes to commend SDS on its integration of previous feedback related to reassessments. The Council was pleased to see an alternative to constant annual reassessment for those who have a situation which is unlikely to change. This is a positive cost saving measure as well as sparing the individual and family from the undue and unnecessary burden of the full assessment process annually.

130.217 Plan of care development and amendment

The Council appreciates that both in-person and electronic signature will be acceptable for this process.

130.218 Person-centered practice

The Council supports this section incorporating person-centered practices in plan of care development and amendment. This section makes clear that, based on capacity and interest in participation, the recipient shall lead the planning process that results in a plan of care. The Council strongly approves the addition of language describing the development of informed, supported, person-centered plans of care which address clinical and support needs identified through a functional assessment; reflect the recipient's strengths, and preferences for delivery of services and supports; and identify the elements important to the recipient to achieve the quality of life the recipient wishes, including the recipient's goals and desired outcomes.

130.220 Provider Certification, subsections (m) and (n)

The Council approves the addition of these subsections that clarify the obligation of certified providers to offer services in integrated settings that are selected by the recipient; that ensure rights to privacy, dignity and respect; that optimize independence and autonomy; and that implement the recipient's choices regarding services and supports and who will provide them. The Council would also like to specifically note appreciation for the inclusion of the following Employment First language in this section, "employment and work in competitive, integrated settings."

Conditions of Participation (COPs)

The Council commends the Division on its integration of person-centered practice language into the provider Conditions of Participation (COPs). The Council suggests adding the following training components to both the Care Coordination and Supported Employment COPs: 1) Financial Work Incentive Advisor training (or equivalent), 2) Certificate in Employment Services training (or equivalent). This would greatly strengthen the Alaska service system in progressing forward with Employment First by making sure that those who would work the most closely with individuals regarding employment have a strong understanding of the interplay between benefits and work as well as core employment support resources and system components. The Council was pleased to see the new paragraph added to the Supported Employment COPs which includes Employment First related narrative around competitive and integrated employment. The Council understands that the Division is working on a regulation package in the next year to allow for more clarification between Supported Employment and Pre-Employment services. The Council appreciates this work and stands ready to assist.

Greater clarification between what is covered in these two different employment services would be a welcome revision to the Supported Employment COPs.

The Council thanks SDS for its consideration of our comments and adoption of prior suggestions, and we look forward to continued collaboration on proposed policy, program and regulation changes.

Respectfully,

A handwritten signature in black ink, reading "Jeanne Gerhardt-Cyrus". The signature is written in a cursive style with a large, looped "J" and a long, sweeping underline.

Jeanne Gerhardt-Cyrus
Developmental Disabilities Committee Chair

A handwritten signature in black ink, reading "Dean Gates". The signature is written in a cursive style with a large, looped "D" and a long, sweeping underline.

Dean Gates
Medicaid Ad Hoc Committee Chair