

Notice of Agency Waiver Renewal

AGENCY: Department of Health and Human Services, MaineCare Services

RULE TITLE OR SUBJECT: Chapter 101, MaineCare Benefits Manual, Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder.

WAIVER: ME.0159, Intellectual Disabilities or Autism Spectrum Disorder Waiver

CONCISE SUMMARY: The Department is planning to renew the Intellectual Disabilities or Autism Spectrum Disorder waiver, known in Maine as Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autism Spectrum Disorder. This waiver renewal incorporates internally-generated updates to the waiver's appendices. The following are appendix updates:

- **Appendix A:** Waiver Operational and Administrative Functions have been updated.
- **Appendix B:** Eligibility Groups Served in the Waiver and Post-Eligibility Treatment of Income have been updated.
- **Appendix C:**
 - Service Definitions for Per Diem Home Support, Adult Foster Care/Shared Living, Home Support – Quarter Hour, Work Support-Individual, Work Support-Group, Community Support, Career Planning, and Family Centered Support have been revised to incorporate requirements for the federal Home and Community-Based Services Settings Rule.
 - Service Definitions for Per Diem Home Support, Adult Foster Care/Shared Living, Community Support, Work Support-Group, Work Support-Individual, Family Centered Support, Employment Specialist, Career Planning, and Counseling have been updated for accuracy and completeness.
 - Provider Qualifications have been updated for Direct Support Professional for Career Planning, Employment Specialist, Work Support-Group, and Work Support-Individual.
 - Counseling Services will be phased out, effective December 31, 2020. These services are accessible through the State Plan.
 - Work Support-Group will be phased out effective December 31, 2020, consistent with the federal Home and Community-Based Services Settings Rule.
 - No new participants and no new providers will be added to Family-Centered Support effective December 31, 2020. Members currently living in these homes may continue to receive this service.
 - Payment for services furnished by relatives (C-2-e) has been revised/updated to bring consistency between the waiver and the MaineCare rule regarding payment to legal guardians for providing Shared Living services.
 - A Provisional Provider Approval was added to C-2-f.
- **Appendix D:**
 - Plan Development has been updated.
 - Qualifications for Mental Health and Children's Case Management have been added.
- **Appendix F:** The State Grievance and Complaint System has been updated.
- **Appendix G:**
 - Protocols and processes for reportable events; critical incidents; and allegations of abuse, neglect and/or exploitation have been updated and included.
 - Removed one performance measure in G-c.
 - Added one performance measure in G-d.

- **Appendix H:** The System Improvement Plan has been updated.
- **Appendix I:** Financial Integrity, Accountability, and Rate Setting Methodology have been updated.
- **Appendix J:** Cost Neutrality and Derivation of Estimates for the five years of the waiver renewal (through June 30, 2025) have been updated and included.

DHHS is accepting comments February 3, 2020 through March 4, 2020. Any interested party may obtain a copy of the waiver application by going to the website noted below or at any regional Office for Family Independence (a list of the offices and locations can be found at this link <http://www.maine.gov/dhhs/ofi/offices/index.html>). A printed copy may be obtained by calling Thomas Leet at (207) 624-4068 or emailing thomas.leet@maine.gov .

See <http://www.maine.gov/dhhs/oms/rules/index.shtml> for waiver renewal and to submit comments

STATUTORY AUTHORITY: CFR §441.304

DEADLINE FOR COMMENTS: Comments must be received by midnight, Wednesday, March 4, 2020.

AGENCY CONTACT PERSON: Thomas Leet, Long-Term Services and Supports Manager
AGENCY NAME: MaineCare Services
ADDRESS: 109 Capitol Street
11 State House Station
Augusta, Maine 04333-0011
Thomas.leet@maine.gov

TELEPHONE: 207-624-4068 FAX: (207) 287-1864 TTY: 711