

Division of Health Care Policy
Community Supports and Services
Tenth Floor East
(785) 296-3561
FAX #: (785) 296-0557

POLICY MEMORANDUM

TO: Independent Living Counseling Agencies
Area Medicaid Managers

DATE: February 19, 2003

In accordance with the fiscal year 2003 November allotment, SRS has implemented changes throughout several divisions that affect individuals on the HCBS/PD waiver. The changes administered by the Community Supports and Services division are outlined below. The implemented changes are, through this policy memorandum, incorporated into the HCBS/PD Policy and Procedure Manual and overrule any information in the April 1, 2002 version of the HCBS/PD Policy and Procedure Manual with which it may conflict.

1. Individuals being served by the HCBS/PD waiver with a long term care score of 15-25 will no longer be eligible for the HCBS/PD waiver after January 31, 2003. These individuals may only be reassessed if their annual reassessment was due in January or February 2003, or there has been a documented change in the individual's condition. If individuals are taken off of the waiver, and then request a reassessment and are found to have a score equal to or above 26, their name will be placed at the bottom of the waiting list.
2. Effective February 1, 2003, the long term care score required to meet eligibility for the HCBS/PD waiver will be 30. Individuals who have a score between 26-29, and are currently in service may continue services. No new individuals will be placed in service with a score below 30. (In the FY 2004 budget proposal the Governor has recommended the score be returned to 26. Due to this recommendation, individuals who are currently on the HCBS/PD waiver waiting list with a score between 26-29 will remain on the waiting list and new individuals who are assessed and have a score of 26 and above may be added to the waiting list. If for any reason an individual's name would come to the top of the waiting list with a score between 26-29, they would be passed over until the FY 2004 budget is final.)

3. The HCBS/PD waiver waiting list was frozen effective December 11, 2002. No new consumers will be able to access services, unless the individual is determined to be in a crisis situation. It is anticipated this freeze will be in effect through FY 2003.
4. Effective March 1, 2003, criteria for being considered for a crisis exception to the waiting list and immediate placement on the HCBS/PD waiver include the following:
 - Significant, imminent risk of serious harm because the primary caregiver(s) is/are no longer able to provide the level of support necessary to meet the person's basic needs due to the primary caregiver(s) own disabilities, return to full time employment, hospitalization or placement in an institution, moving out of the area in which the consumer lives or death;
 - Require protection from SRS APS confirmed abuse, neglect, or exploitation;
 - Risk of family unit dissolution (break-up), involving minor dependent child or dependent spouse; or
 - End stages of a terminal illness, and life expectancy is documented by a physician to be less than six (6) months.
5. Effective March 1, 2003, any individual on the HCBS/PD waiver who needs assistance with IADL tasks and lives with a person with whom they have a significant relationship and who is capable of performing the IADL tasks is expected to rely on informal supports for this assistance, unless extenuating circumstances have been documented in the individual's file and approved by AMM staff. In accordance with this expectation, the following restrictions apply:
 - No time will be allowed on the POC for lawn care;
 - No time will be allowed on the POC for snow removal;
 - No time will be allowed on the POC for shopping, as this can be completed in conjunction with the shopping done by the individual with whom the consumer lives;
 - No time will be allowed on the POC for housekeeping or laundry, unless excessive amounts of either are necessary, as these tasks can be completed in conjunction with the housekeeping/laundry done by the individual with whom the consumer lives;
 - No time will be allowed on the POC for meal preparation during times when the individual with whom the consumer lives is at home and normally preparing meals for themselves.

If the individual with whom the consumer lives refuses to perform any of the above tasks, and this is documented in writing in the consumer's file, the HCBS/PD waiver will pay for any needed assistance, but no individual with whom the consumer lives will be reimbursed to perform these tasks.

Policy Memorandum
February 19, 2003
Page Three

In the FY 2004 budget proposal the Governor has recommended that many of the reductions made by the FY 2003 November allotment be restored. With this in mind, the HCBS/PD Policy and Procedure Manual may be revised again on or after July 1, 2003. SRS is pleased with this possibility, yet continues to experience serious budgetary constraints for FY 2003, and it continues to be important that we reach the savings that were directed by the FY 2003 November allotment. This may be confusing to individuals affected by the changes, so we ask that Independent Living Counseling Agencies and Area Medicaid Management Staff keep communication open so questions may be answered in the best possible way.

If you have any questions regarding this, please contact Jenny Hendrix by phone at 785-296-1708 or by e-mail at jkxh@srskansas.org.

Margaret Zillinger, Acting Director
Community Supports and Services