

# Application for a §1915(c) Home and Community-Based Services Waiver

## PURPOSE OF THE HCBS WAIVER PROGRAM

The Medicaid Home and Community-Based Services (HCBS) waiver program is authorized in §1915(c) of the Social Security Act. The program permits a state to furnish an array of home and community-based services that assist Medicaid beneficiaries to live in the community and avoid institutionalization. The State has broad discretion to design its waiver program to address the needs of the waivers target population. Waiver services complement and/or supplement the services that are available to participants through the Medicaid State plan and other federal, state and local public programs as well as the supports that families and communities provide.

The Centers for Medicare & Medicaid Services (CMS) recognizes that the design and operational features of a waiver program will vary depending on the specific needs of the target population, the resources available to the state, service delivery system structure, state goals and objectives, and other factors. A State has the latitude to design a waiver program that is cost-effective and employs a variety of service delivery approaches, including participant direction of services.

## Request for an Amendment to a §1915(c) Home and Community-Based Services Waiver

### 1. Request Information

**A. The State of Nevada** requests approval for an amendment to the following Medicaid home and community-based services waiver approved under authority of §1915(c) of the Social Security Act.

**B. Program Title:**

**Waiver for the Frail Elderly**

**C. Waiver Number:** NV.0152

**Original Base Waiver Number:** NV.0152.

**D. Amendment Number:**

**E. Proposed Effective Date:** (mm/dd/yy)

07/01/21

**Approved Effective Date of Waiver being Amended:** 07/01/20

### 2. Purpose(s) of Amendment

**Purpose(s) of the Amendment.** Describe the purpose(s) of the amendment:

As a result of the 32nd (2021) Session of the Nevada Legislature, Fee-for-Service (“FFS”) rates for Nevada Medicaid Waiver providers that were reduced by 6% approved by CMS, with the effective date of December 1, 2020, has been deemed not necessary to continue and will be restored effective July 1, 2021.

The rate update can be found on Appendix I-2:a Rates

### 3. Nature of the Amendment

**A. Component(s) of the Approved Waiver Affected by the Amendment.** This amendment affects the following component(s) of the approved waiver. Revisions to the affected subsection(s) of these component(s) are being submitted concurrently (*check each that applies*):

Component of the Approved Waiver	Subsection(s)
Waiver Application	
Appendix A	

Component of the Approved Waiver	Subsection(s)
Waiver Administration and Operation	
Appendix B Participant Access and Eligibility	<input type="text"/>
Appendix C Participant Services	<input type="text"/>
Appendix D Participant Centered Service Planning and Delivery	<input type="text"/>
Appendix E Participant Direction of Services	<input type="text"/>
Appendix F Participant Rights	<input type="text"/>
Appendix G Participant Safeguards	<input type="text"/>
Appendix H	<input type="text"/>
Appendix I Financial Accountability	<input type="text"/>
Appendix J Cost-Neutrality Demonstration	<input type="text"/>

**B. Nature of the Amendment.** Indicate the nature of the changes to the waiver that are proposed in the amendment (*check each that applies*):

- Modify target group(s)**
- Modify Medicaid eligibility**
- Add/delete services**
- Revise service specifications**
- Revise provider qualifications**
- Increase/decrease number of participants**
- Revise cost neutrality demonstration**
- Add participant-direction of services**

**Other**  
Specify:

**1. Request Information (1 of 3)**

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- A. The State of Nevada** requests approval for a Medicaid home and community-based services (HCBS) waiver under the authority of §1915(c) of the Social Security Act (the Act).
- B. Program Title** (*optional - this title will be used to locate this waiver in the finder*):

Waiver for the Frail Elderly

**C. Type of Request: amendment**

**Requested Approval Period:**(*For new waivers requesting five year approval periods, the waiver must serve individuals who are dually eligible for Medicaid and Medicare.*)

**3 years    5 years**

**Original Base Waiver Number: NV.0152**

**Draft ID:                NV.016.07.02**

**D. Type of Waiver** (*select only one*):

Regular Waiver

- E. Proposed Effective Date of Waiver being Amended: 07/01/20**
- Approved Effective Date of Waiver being Amended: 07/01/20**

**PRA Disclosure Statement**

The purpose of this application is for states to request a Medicaid Section 1915(c) home and community-based services (HCBS) waiver. Section 1915(c) of the Social Security Act authorizes the Secretary of Health and Human Services to waive certain specific Medicaid statutory requirements so that a state may voluntarily offer HCBS to state-specified target group(s) of Medicaid beneficiaries who need a level of institutional care that is provided under the Medicaid state plan. Under the Privacy Act of 1974 any personally identifying information obtained will be kept private to the extent of the law.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0938-0449 (Expires: December 31, 2023). The time required to complete this information collection is estimated to average 160 hours per response for a new waiver application and 75 hours per response for a renewal application, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: CMS, 7500 Security Boulevard, Attn: PRA Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland 21244-1850.

**1. Request Information (2 of 3)**

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- F. Level(s) of Care.** This waiver is requested in order to provide home and community-based waiver services to individuals who, but for the provision of such services, would require the following level(s) of care, the costs of which would be reimbursed under the approved Medicaid state plan (*check each that applies*):

**Hospital**

Select applicable level of care

**Hospital as defined in 42 CFR §440.10**

If applicable, specify whether the state additionally limits the waiver to subcategories of the hospital level of care:

**Inpatient psychiatric facility for individuals age 21 and under as provided in 42 CFR §440.160**

**Nursing Facility**

Select applicable level of care

**Nursing Facility as defined in 42 CFR ??440.40 and 42 CFR ??440.155**

If applicable, specify whether the state additionally limits the waiver to subcategories of the nursing facility level of care:

**Institution for Mental Disease for persons with mental illnesses aged 65 and older as provided in 42 CFR §440.140**

**Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) (as defined in 42 CFR §440.150)**

If applicable, specify whether the state additionally limits the waiver to subcategories of the ICF/IID level of care:

**1. Request Information (3 of 3)**

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**G. Concurrent Operation with Other Programs.** This waiver operates concurrently with another program (or programs) approved under the following authorities

Select one:

**Not applicable**

**Applicable**

Check the applicable authority or authorities:

**Services furnished under the provisions of §1915(a)(1)(a) of the Act and described in Appendix I**

**Waiver(s) authorized under §1915(b) of the Act.**

Specify the §1915(b) waiver program and indicate whether a §1915(b) waiver application has been submitted or previously approved:

**Specify the §1915(b) authorities under which this program operates (check each that applies):**

**§1915(b)(1) (mandated enrollment to managed care)**

**§1915(b)(2) (central broker)**

**§1915(b)(3) (employ cost savings to furnish additional services)**

**§1915(b)(4) (selective contracting/limit number of providers)**

**A program operated under §1932(a) of the Act.**

Specify the nature of the state plan benefit and indicate whether the state plan amendment has been submitted or previously approved:

**A program authorized under §1915(i) of the Act.**

**A program authorized under §1915(j) of the Act.**

**A program authorized under §1115 of the Act.**

*Specify the program:*

**H. Dual Eligibility for Medicaid and Medicare.**

Check if applicable:

**This waiver provides services for individuals who are eligible for both Medicare and Medicaid.**

**2. Brief Waiver Description**

**Brief Waiver Description.** *In one page or less*, briefly describe the purpose of the waiver, including its goals, objectives, organizational structure (e.g., the roles of state, local and other entities), and service delivery methods.

The Division of Health Care Financing and Policy (DHCFP) currently administers the Home and Community Based Waiver for the Frail Elderly (FE), a Medicaid Home and Community-Based Services waiver under the authority of Section 1915(c) of the Social Security Act. The provision of waiver services is based on the identified needs of the waiver recipient. Nevada is committed to the goal of providing the elderly with the opportunity to remain in a community setting in lieu of institutionalization, with the ultimate goals of self sufficiency and independence. This waiver has been in existence since July of 1992.

Aging and Disability Services Division (ADSD) operates the waiver, which includes data collection for eligibility verification, evaluation of Level of Care (LOC), Plan of Care (POC) development, and annual reassessments. The DHCFP exercises administrative authority over the operation of the waiver and issues policies, rules, and regulations related to the waiver.

The purpose of this waiver is to offer the option of Home and Community Based Services (HCBS) as an alternative to nursing facility care. Access to the services available in the waiver is voluntary and no individual is required to leave a nursing facility. The target population are individuals who are age 65 and older, has a need for at least one (1) waiver service, meet a Nursing Facility (NF) Level of Care (LOC) and financial income criteria.

Eligible applicants may be placed from an institution, another waiver program, or the community. An evaluation will be made to support that there is a reasonable indication that recipient would need nursing home services in the near future (30 days or less) unless he or she receives home and community based services, the cost of which would be reimbursed under the approved waiver.

The following services are included in this waiver: Case management, Homemaker, Respite care, Chore services, Personal Emergency Response Systems, Companion services, Adult Day Care, and Augmented Personal Care. Services will be provided in accordance with this waiver and by qualified Medicaid providers who have enrolled through DHCFP's fiscal agent.

**3. Components of the Waiver Request**

**The waiver application consists of the following components.** *Note: Item 3-E must be completed.*

- A. Waiver Administration and Operation.** Appendix A specifies the administrative and operational structure of this waiver.
- B. Participant Access and Eligibility.** Appendix B specifies the target group(s) of individuals who are served in this waiver, the number of participants that the state expects to serve during each year that the waiver is in effect, applicable Medicaid eligibility and post-eligibility (if applicable) requirements, and procedures for the evaluation and reevaluation of level of care.
- C. Participant Services.** Appendix C specifies the home and community-based waiver services that are furnished through the waiver, including applicable limitations on such services.
- D. Participant-Centered Service Planning and Delivery.** Appendix D specifies the procedures and methods that the state uses to develop, implement and monitor the participant-centered service plan (of care).
- E. Participant-Direction of Services.** When the state provides for participant direction of services, Appendix E specifies the participant direction opportunities that are offered in the waiver and the supports that are available to participants who

direct their services. (*Select one*):

<p><b>Yes. This waiver provides participant direction opportunities. Appendix E is required.</b></p> <p><b>No. This waiver does not provide participant direction opportunities. Appendix E is not required.</b></p>
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**F. Participant Rights. Appendix F** specifies how the state informs participants of their Medicaid Fair Hearing rights and other procedures to address participant grievances and complaints.

**G. Participant Safeguards. Appendix G** describes the safeguards that the state has established to assure the health and welfare of waiver participants in specified areas.

**H. Quality Improvement Strategy. Appendix H** contains the Quality Improvement Strategy for this waiver.

**I. Financial Accountability. Appendix I** describes the methods by which the state makes payments for waiver services, ensures the integrity of these payments, and complies with applicable federal requirements concerning payments and federal financial participation.

**J. Cost-Neutrality Demonstration. Appendix J** contains the state's demonstration that the waiver is cost-neutral.

#### 4. Waiver(s) Requested

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**A. Comparability.** The state requests a waiver of the requirements contained in §1902(a)(10)(B) of the Act in order to provide the services specified in **Appendix C** that are not otherwise available under the approved Medicaid state plan to individuals who: (a) require the level(s) of care specified in Item 1.F and (b) meet the target group criteria specified in **Appendix B**.

**B. Income and Resources for the Medically Needy.** Indicate whether the state requests a waiver of §1902(a)(10)(C)(i)(III) of the Act in order to use institutional income and resource rules for the medically needy (*select one*):

**Not Applicable**

**No**

**Yes**

**C. Statewideness.** Indicate whether the state requests a waiver of the statewideness requirements in §1902(a)(1) of the Act (*select one*):

**No**

**Yes**

If yes, specify the waiver of statewideness that is requested (*check each that applies*):

**Geographic Limitation.** A waiver of statewideness is requested in order to furnish services under this waiver only to individuals who reside in the following geographic areas or political subdivisions of the state. *Specify the areas to which this waiver applies and, as applicable, the phase-in schedule of the waiver by geographic area:*

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**Limited Implementation of Participant-Direction.** A waiver of statewideness is requested in order to make *participant-direction of services* as specified in **Appendix E** available only to individuals who reside in the following geographic areas or political subdivisions of the state. Participants who reside in these areas may elect to direct their services as provided by the state or receive comparable services through the service delivery methods that are in effect elsewhere in the state. *Specify the areas of the state affected by this waiver and, as applicable, the phase-in schedule of the waiver by geographic area:*

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#### 5. Assurances

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**In accordance with 42 CFR §441.302, the state provides the following assurances to CMS:**

- A. Health & Welfare:** The state assures that necessary safeguards have been taken to protect the health and welfare of persons receiving services under this waiver. These safeguards include:
1. As specified in **Appendix C**, adequate standards for all types of providers that provide services under this waiver;
  2. Assurance that the standards of any state licensure or certification requirements specified in **Appendix C** are met for services or for individuals furnishing services that are provided under the waiver. The state assures that these requirements are met on the date that the services are furnished; and,
  3. Assurance that all facilities subject to §1616(e) of the Act where home and community-based waiver services are provided comply with the applicable state standards for board and care facilities as specified in **Appendix C**.
- B. Financial Accountability.** The state assures financial accountability for funds expended for home and community-based services and maintains and makes available to the Department of Health and Human Services (including the Office of the Inspector General), the Comptroller General, or other designees, appropriate financial records documenting the cost of services provided under the waiver. Methods of financial accountability are specified in **Appendix I**.
- C. Evaluation of Need:** The state assures that it provides for an initial evaluation (and periodic reevaluations, at least annually) of the need for a level of care specified for this waiver, when there is a reasonable indication that an individual might need such services in the near future (one month or less) but for the receipt of home and community-based services under this waiver. The procedures for evaluation and reevaluation of level of care are specified in **Appendix B**.
- D. Choice of Alternatives:** The state assures that when an individual is determined to be likely to require the level of care specified for this waiver and is in a target group specified in **Appendix B**, the individual (or, legal representative, if applicable) is:
1. Informed of any feasible alternatives under the waiver; and,
  2. Given the choice of either institutional or home and community-based waiver services. **Appendix B** specifies the procedures that the state employs to ensure that individuals are informed of feasible alternatives under the waiver and given the choice of institutional or home and community-based waiver services.
- E. Average Per Capita Expenditures:** The state assures that, for any year that the waiver is in effect, the average per capita expenditures under the waiver will not exceed 100 percent of the average per capita expenditures that would have been made under the Medicaid state plan for the level(s) of care specified for this waiver had the waiver not been granted. Cost-neutrality is demonstrated in **Appendix J**.
- F. Actual Total Expenditures:** The state assures that the actual total expenditures for home and community-based waiver and other Medicaid services and its claim for FFP in expenditures for the services provided to individuals under the waiver will not, in any year of the waiver period, exceed 100 percent of the amount that would be incurred in the absence of the waiver by the state's Medicaid program for these individuals in the institutional setting(s) specified for this waiver.
- G. Institutionalization Absent Waiver:** The state assures that, absent the waiver, individuals served in the waiver would receive the appropriate type of Medicaid-funded institutional care for the level of care specified for this waiver.
- H. Reporting:** The state assures that annually it will provide CMS with information concerning the impact of the waiver on the type, amount and cost of services provided under the Medicaid state plan and on the health and welfare of waiver participants. This information will be consistent with a data collection plan designed by CMS.
- I. Habilitation Services.** The state assures that prevocational, educational, or supported employment services, or a combination of these services, if provided as habilitation services under the waiver are: (1) not otherwise available to the individual through a local educational agency under the Individuals with Disabilities Education Act (IDEA) or the Rehabilitation Act of 1973; and, (2) furnished as part of expanded habilitation services.
- J. Services for Individuals with Chronic Mental Illness.** The state assures that federal financial participation (FFP) will not be claimed in expenditures for waiver services including, but not limited to, day treatment or partial hospitalization, psychosocial rehabilitation services, and clinic services provided as home and community-based services to individuals with chronic mental illnesses if these individuals, in the absence of a waiver, would be placed in an IMD and are: (1) age 22 to 64; (2) age 65 and older and the state has not included the optional Medicaid benefit cited in 42 CFR §440.140; or (3) age 21 and under and the state has not included the optional Medicaid benefit cited in 42 CFR § 440.160.

## 6. Additional Requirements

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*Note: Item 6-I must be completed.*

- A. Service Plan.** In accordance with 42 CFR §441.301(b)(1)(i), a participant-centered service plan (of care) is developed for each participant employing the procedures specified in **Appendix D**. All waiver services are furnished pursuant to the service plan. The service plan describes: (a) the waiver services that are furnished to the participant, their projected frequency and the type of provider that furnishes each service and (b) the other services (regardless of funding source, including state plan services) and informal supports that complement waiver services in meeting the needs of the participant. The service plan is subject to the approval of the Medicaid agency. Federal financial participation (FFP) is not claimed for waiver services furnished prior to the development of the service plan or for services that are not included in the service plan.
- B. Inpatients.** In accordance with 42 CFR §441.301(b)(1)(ii), waiver services are not furnished to individuals who are in-patients of a hospital, nursing facility or ICF/IID.
- C. Room and Board.** In accordance with 42 CFR §441.310(a)(2), FFP is not claimed for the cost of room and board except when: (a) provided as part of respite services in a facility approved by the state that is not a private residence or (b) claimed as a portion of the rent and food that may be reasonably attributed to an unrelated caregiver who resides in the same household as the participant, as provided in **Appendix I**.
- D. Access to Services.** The state does not limit or restrict participant access to waiver services except as provided in **Appendix C**.
- E. Free Choice of Provider.** In accordance with 42 CFR §431.151, a participant may select any willing and qualified provider to furnish waiver services included in the service plan unless the state has received approval to limit the number of providers under the provisions of §1915(b) or another provision of the Act.
- F. FFP Limitation.** In accordance with 42 CFR §433 Subpart D, FFP is not claimed for services when another third-party (e.g., another third party health insurer or other federal or state program) is legally liable and responsible for the provision and payment of the service. FFP also may not be claimed for services that are available without charge, or as free care to the community. Services will not be considered to be without charge, or free care, when (1) the provider establishes a fee schedule for each service available and (2) collects insurance information from all those served (Medicaid, and non-Medicaid), and bills other legally liable third party insurers. Alternatively, if a provider certifies that a particular legally liable third party insurer does not pay for the service(s), the provider may not generate further bills for that insurer for that annual period.
- G. Fair Hearing:** The state provides the opportunity to request a Fair Hearing under 42 CFR §431 Subpart E, to individuals: (a) who are not given the choice of home and community-based waiver services as an alternative to institutional level of care specified for this waiver; (b) who are denied the service(s) of their choice or the provider(s) of their choice; or (c) whose services are denied, suspended, reduced or terminated. **Appendix F** specifies the state's procedures to provide individuals the opportunity to request a Fair Hearing, including providing notice of action as required in 42 CFR §431.210.
- H. Quality Improvement.** The state operates a formal, comprehensive system to ensure that the waiver meets the assurances and other requirements contained in this application. Through an ongoing process of discovery, remediation and improvement, the state assures the health and welfare of participants by monitoring: (a) level of care determinations; (b) individual plans and services delivery; (c) provider qualifications; (d) participant health and welfare; (e) financial oversight and (f) administrative oversight of the waiver. The state further assures that all problems identified through its discovery processes are addressed in an appropriate and timely manner, consistent with the severity and nature of the problem. During the period that the waiver is in effect, the state will implement the Quality Improvement Strategy specified in **Appendix H**.
- I. Public Input.** Describe how the state secures public input into the development of the waiver:



The State posted this amendment on August 14, 2020 for thirty days to solicit public comment, which ended September 14, 2020 at 5pm PST. The DHCFP posted a web link under the DHCFP Home Page with information about the FE Waiver amendment for the rate reduction, giving providers and the public the opportunity to offer their input for the proposed changes.

Here is the link to view the web-based notifications:

<http://dhcfnv.gov/uploadedFiles/dhcfpnhgov/content/Pgms/LTC/PD%202020%20Amendment%206%20updated.pdf>

The public comment letter of instruction listed the option to provide input by:

Mail: You may mail written comments to the following address: Division of Health Care Financing and Policy ATTN: LTSS – FE/PD Waiver Amendment 1050 E William Street, Suite 435 Carson City, Nevada 89701

Electronically: You may email comments with the subject line FE/PD Waiver Amendment to: [hcbn@dhcfnv.gov](mailto:hcbn@dhcfnv.gov).

Fax: You may fax comments to the following number: (775) 687-8724 ATTN: LTSS – FE/PD Waiver Amendment

Due to Nevada's Governor declaring a public state of emergency, the DHCFP held a public hearing via webex on August 13, 2020 at 9am PST. The public agenda was posted at

<https://dhcfnv.webex.com/dhcfp/onstage/g.php?MTID=e0866bf340f08107efb9b433aa2fb291c> and at the following locations:

1100 East William Street, Suite 111, Carson City, NV 89701 Carson City Central Office;  
1210 S. Valley View, Suite 104, Las Vegas, NV 89102 Las Vegas District Office;  
745 W. Moana Lane, Suite 200, Reno, NV 89509 Reno District Office and  
1010 Ruby Vista Drive, Suite 103, Elko, NV 89801 Elko District

Although, the FE Waiver rate reduction was not included in the public hearing, the FE Waiver proposed rate reduction was included in the public agenda.

The State sent tribal letter on July 23, 2020 to notify the tribal government of all Medicaid Provider (all provider types)rate reduction.

There were no comments received by mail or fax. However, the DHCFP received few comments/suggestions/concerns regarding the rate reduction and how it will impact their businesses via email:

With the rate reduction, it is difficult for provider agencies to maintain caregivers, which will impact the services provided to FE Waiver recipients. Another comment, indicated that with the rate reduction, many small businesses will not be able to keep employees for very much longer and afraid that they will close their businesses. One comment, expressed concern on how they will be able to hire/maintain qualified providers to serve the FE Waiver population. Some suggested to instead of reducing the rate, to cut the service hours per recipient. One commented that with the decrease in Medicaid service rate, comes the increase in minimum wage and how is the state expect for any business to survive.

Some concerns and comments pertained to rate reduction but not for FE Waiver - those were forwarded to the appropriate unit within the DHCFP to address.

State Response: The Division of Health Care Financing and Policy (DHCFP) understands your concern. But due to COVID-19 pandemic and economic downturn, NV faced a budget shortfall. NV held a special legislative session in July 2020 which approved the 6% rate reduction of Medicaid providers which unfortunately also affected provider types 48, 58, 57 and 59 providing waiver services. The division is unable to overturn that decision.

However, in 2017, the NV legislature passed Assembly Bill 108, which mandates that the DHCFP reviews Medicaid services rates at least every 4 years. This year's Medicaid rate reviews include waiver services rates. The division cannot promise or guarantee rate increase next year as those are reviewed and approves by the NV Legislature.

**J. Notice to Tribal Governments.** The state assures that it has notified in writing all federally-recognized Tribal

Governments that maintain a primary office and/or majority population within the State of the State's intent to submit a Medicaid waiver request or renewal request to CMS at least 60 days before the anticipated submission date is provided by Presidential Executive Order 13175 of November 6, 2000. Evidence of the applicable notice is available through the Medicaid Agency.

**K. Limited English Proficient Persons.** The state assures that it provides meaningful access to waiver services by Limited English Proficient persons in accordance with: (a) Presidential Executive Order 13166 of August 11, 2000 (65 FR 50121) and (b) Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003). **Appendix B** describes how the state assures meaningful access to waiver services by Limited English Proficient persons.

## 7. Contact Person(s)

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**A.** The Medicaid agency representative with whom CMS should communicate regarding the waiver is:

**Last Name:**

Coulombe

**First Name:**

Kirsten

**Title:**

Chief, Long Term Services and Supports

**Agency:**

Division of Health Care Financing and Policy

**Address:**

1050 E. William Street, Suite 435

**Address 2:**

**City:**

Carson City

**State:**

Nevada

**Zip:**

89701

**Phone:**

(775) 684-3747

Ext:

TTY

**Fax:**

(775) 687-8724

**E-mail:**

Kirsten.coulombe@dncfp.nv.gov

**B.** If applicable, the state operating agency representative with whom CMS should communicate regarding the waiver is:

**Last Name:**

Wren

**First Name:**

Crystal

**Title:**

**Agency:**

**Address:**

**Address 2:**

**City:**

**State:** **Nevada**

**Zip:**

**Phone:**  **Ext:**  **TTY**

**Fax:**

**E-mail:**

### 8. Authorizing Signature

This document, together with the attached revisions to the affected components of the waiver, constitutes the state's request to amend its approved waiver under §1915(c) of the Social Security Act. The state affirms that it will abide by all provisions of the waiver, including the provisions of this amendment when approved by CMS. The state further attests that it will continuously operate the waiver in accordance with the assurances specified in Section V and the additional requirements specified in Section VI of the approved waiver. The state certifies that additional proposed revisions to the waiver request will be submitted by the Medicaid agency in the form of additional waiver amendments.

**Signature:**

State Medicaid Director or Designee

**Submission Date:**

**Note: The Signature and Submission Date fields will be automatically completed when the State Medicaid Director submits the application.**

**Last Name:**

**First Name:**

**Title:**

**Agency:**

**Address:**

**Address 2:**

**City:**

**State:** Nevada

**Zip:**

**Phone:**  **Ext:**  **TTY**

**Fax:**

**E-mail:**

**Attachments**

**Attachment #1: Transition Plan**

Check the box next to any of the following changes from the current approved waiver. Check all boxes that apply.

- Replacing an approved waiver with this waiver.**
- Combining waivers.**
- Splitting one waiver into two waivers.**
- Eliminating a service.**
- Adding or decreasing an individual cost limit pertaining to eligibility.**
- Adding or decreasing limits to a service or a set of services, as specified in Appendix C.**
- Reducing the unduplicated count of participants (Factor C).**
- Adding new, or decreasing, a limitation on the number of participants served at any point in time.**
- Making any changes that could result in some participants losing eligibility or being transferred to another waiver under 1915(c) or another Medicaid authority.**
- Making any changes that could result in reduced services to participants.**

Specify the transition plan for the waiver:

a. Describe the differences between the services covered in the approved waiver and those covered in the new or renewed/amended waiver. Specifically, describe the rate reduction and all of the affected services?

All direct and non-direct waiver services affected by the rate reduction are:

- Case Management
- Homemaker
- Respite
- Adult Companion
- Adult Day Care
- Augmented Personal Care (APC)
- Chore Services
- Personal Emergency Response Systems (PERS)

The only change between the covered services (direct and non-direct) in the approved waiver and the amendment is the rate of each service provided. With the rate reduction, the impact on the provider agencies could be shortage of available caregivers to provide waiver services. However, in addition to the pool of provider agencies available and willing to provide services to waiver recipients, the state has a self-directed model, Intermediary Services Organization (ISO), where a live-in relative (not Legally Responsible Individual (LRI)), or a friend, or a neighbor can apply as paid caregiver through an ISO agency. This model is optional to all waiver recipients capable of directing their own care. As an ISO caregiver, the caregiver has the option to either just provide services solely to their family (waiver recipient) and/or extend the services to other recipients.

Based on the Nursing Facility (NF) level of Care (LOC), the Aging and Disability Services Division (ADSD) Case Managers (CM) will continue to assess and determines what waiver services a recipient needs to remain in the community.

b. How the health and welfare of persons who receive the affected services will be assured?

Waiver services is an extension of State Plan Option Personal Care Services (PCS). All waiver recipients are also receiving PCS in addition to the FE waiver services, and there are no changes in services or the hours that recipients are currently receiving.

The state also has other Medicaid State Plan option services that can supplement waiver services.

c. How the limitations will be implemented?

Once CMS approves the amendment, the fee schedule will be updated to reflect the adjusted rate, which will be entered into the Medicaid Management Information System (MMIS) Interchange. At this time, the rate change has not been implemented and no action has been taken. As indicated above the impact is on the provider agencies. ADSD CMs, through monthly contacts, inform recipients that there are no changes or reduction in their current services. On the recipient rights, it is stated that the recipient must notify their CM if there's no available caregiver who can provide the services. CM will assist in contacting the provider agency for list of caregivers. Moreover, during recipient's initial assessment and annually thereafter, recipients are informed to provide a back-up plan in the event that no caregiver is available to provide services, and this is also provided on the provider's agreement form signed by recipient. Further, provider agencies must have an agreement with another provider agency to serve as a back-up for each other, if one is unable to find available caregivers.

d. How and when the participants will be notified of the changes and will be informed of the opportunity to request a Fair Hearing?

There is no reduction in services and the rate reduction affects the Medicaid providers. The anticipated impact on the recipients, is the shortage of caregivers and as mentioned throughout this section, the state has other options available for the recipients. Recipient has the right to a fair hearing when they are denied of services, or when services are reduced, suspended or terminated, which none of the services specifications from the approved waiver have been changed on this amendment.

e. How the provider rate reduction does not adversely impact participant benefit services including:

i. Outline the process the state will implement to ensure participant services will not be reduced following implementation of the 6% provider rate reduction?

To ensure the health and welfare of recipients that might be affected due to the reduction of rate, the ADSD CMs conducts monthly contact with the recipients to ensure satisfaction with services, the health and welfare, and assist with additional services.

ii. Provide a back-up process the state will follow to ensure a seamless delivery of waiver services if providers dis-enroll resulting from the rate reduction?

With this rate reduction and COVID-19 pandemic, we've had providers closing their doors for all individuals and not just for waiver recipients. However, the state has approximately 100+ providers, which also include ISO agencies that have stepped up to the plate and accepted the recipients affected by the closure. ADSD case managers assisted in the transition of those

recipients.

iii. Provide the name of entities that will provide Medicaid services to supplant waiver services resulting from rate reduction? The state has approximately over 100 provider agencies that are still willing to provide the waiver and PCS services in light of the rate reduction. For continuity of services, the state also has safeguards in place to assure CMS that recipients will receive services without disruption. As Medicaid providers, they must adhere to their contract with Medicaid (Medicaid Service Manual Chapter 100) to provide services. Should the Medicaid provider decide to dis-enroll as a Medicaid provider, they must notify DHCFP and ADSD within 30 days prior to closing their agency. During the 30-day window, provider will assist ADSD CM in finding another placement for the affected recipients. Typically, ADSD CM will provide a list of providers to the affected recipients to choose from, and once recipient has chosen a provider, the closing provider will assist the recipient in transitioning to another provider. Furthermore, the state licensure agency, Bureau of Health Care Quality and Compliance (HCQC), is assisting ADSD and DHCFP for additional monitoring of state licensed providers to ensure the health and well-being of recipients and assisting with additional placement if needed. The state has few large provider agencies which also serve as PCS, Waiver and ISO agencies. As mentioned throughout this section, each provider already have an agreement (signed by both parties) in place with another provider as back-up for each other.

iv. Identify the process the ADSD, the Operating Agency, will implement to assist participants transfer to alternate agencies for personal care services?

ADSD case managers (CM) assist all recipients who are receiving waiver and non-waiver services in transitioning to another provider as needed and/or requested. When a recipient regardless of the reason, wish to change provider, the CM will provide the recipient a list of providers to choose from; once the recipient reviewed and chose a provider, the CM will assist the recipient from making a phone call to the chosen provider, request the necessary transfer of prior authorization (if applicable) to the DHCFP fiscal agent, etc.

#### **Attachment #2: Home and Community-Based Settings Waiver Transition Plan**

Specify the state's process to bring this waiver into compliance with federal home and community-based (HCB) settings requirements at 42 CFR 441.301(c)(4)-(5), and associated CMS guidance.

*Consult with CMS for instructions before completing this item. This field describes the status of a transition process at the point in time of submission. Relevant information in the planning phase will differ from information required to describe attainment of milestones.*

*To the extent that the state has submitted a statewide HCB settings transition plan to CMS, the description in this field may reference that statewide plan. The narrative in this field must include enough information to demonstrate that this waiver complies with federal HCB settings requirements, including the compliance and transition requirements at 42 CFR 441.301(c)(6), and that this submission is consistent with the portions of the statewide HCB settings transition plan that are germane to this waiver. Quote or summarize germane portions of the statewide HCB settings transition plan as required.*

*Note that Appendix C-5 HCB Settings describes settings that do not require transition; the settings listed there meet federal HCB setting requirements as of the date of submission. Do not duplicate that information here.*

*Update this field and Appendix C-5 when submitting a renewal or amendment to this waiver for other purposes. It is not necessary for the state to amend the waiver solely for the purpose of updating this field and Appendix C-5. At the end of the state's HCB settings transition process for this waiver, when all waiver settings meet federal HCB setting requirements, enter "Completed" in this field, and include in Section C-5 the information on all HCB settings in the waiver.*

“The state assures that this waiver renewal will be subject to any provisions or requirements included in the state’s most recent and/or approved home and community-based settings Statewide Transition Plan. The state will implement any required changes by the end of the transition period as outlined in the home and community-based settings Statewide Transition Plan.”

#### **Additional Needed Information (Optional)**

Provide additional needed information for the waiver (optional):

Continued from Appendix I:2a Rates, Billing and Claims

Public Case Management - The Aging and Disability Services Division (ADSD) set the initial rates in 2002 using actual costs for case management. In 2005, the rate was reviewed, and a 20% increase was proposed by ADSD again using actual costs for case management in 2005. The rate increase was approved by DHCFP. Case Managers must provide recipients with appropriate amount of case management services necessary to ensure the recipient is safe and receives sufficient services. Case managers must, at a minimum, have monthly contact with recipients and/or the recipients authorized representative of at least 15 minutes per recipient, per month. Only costs directly attributable to case management services and a reasonable allocation of indirect costs are included in the rate. Indirect costs are developed in conformance with the Division's cost allocation plan and include agency administrative costs and travel, as ADSD is currently the single provider of case management services, including all rural Nevada. Rates that are active in the system as of December 1, 2020 will be reduced by 6% until June 30, 2021. Rates will be restored to the pre-reduction amount by July 1, 2021. This rate will be reviewed in the future on a legislated schedule, at least every 4 years.

Private Case Management - This is a wage-based rate developed in 2006 as part of the Behavioral Health Redesign approved by the 2005 Legislature. Through analysis of the skill level of individuals rendering service and the delivery model, a rate model was developed from an hourly base wage and increased to reflect service definitions, provider requirements, operational service delivery and administrative considerations.

1. Wage information is taken using State of Nevada Personnel 2006 Compensation Schedule for a Licensed Clinical Social Worker (SWSII). 2. Employee related expenses (ERE) percentage of 27% is based on input from Medicaid Staff and approved State Plan direct care service methodologies. It includes paid vacation, paid sick leave, holiday pay, health insurance, life insurance, disability, workers compensation, and legally required payroll taxes.

3. Productivity adjustment factor accounts for non-billable time spent by staff and includes "no shows", phone calls, etc. leaving "billable hours" equal to 6.4 hours per day or 80% based on an 8-hour day. Productivity assumptions are based on input from waiver policy staff and experience of ADSD case management staff.

4. Supervision Allowance of 5% is added to the base wage for supervision of case managers and divided by the number of individuals supervised (5) to arrive at an average supervisory cost per hour.

5. Administrative overhead, 10%, is the percentage of service costs allowed by Nevada Medicaid's State Plan for non-direct care activities including insurance, administrative staff, operations and management activities and office supplies. This does not exceed the percentage allowable by state law.

Augmented Personal Care – According to DHCFP's historical data rate were established based on Oregon's Medicaid rates for 2006. When the new Augmented Personal Care level 4 was approved along with a 15% increase, the DHCFP used Oregon's rate for level 4, to remain consistent, and then added the 15% rate increase approved by the Legislature. The rates were then rounded up to the nearest dollar.

Rates that are active in the system as of December 1, 2020 will be reduced by 6% until June 30, 2021. Rates will be restored to the pre-reduction amount by July 1, 2021.

Adult Day Care – The ADSD set the initial rates in 2004 using actual costs for Adult Day Care. In 2017, the State Legislature approved a 5% increase in the rate.

The following steps are used to determine the rates:

1. The State will use the hourly base wage.
2. The hourly amount is increased by the 27% ERE.
3. A productivity factor is applied to the hourly compensation increased by the ERE calculated in Item 2.
4. The wage arrived at in Step 2 is increased by the allowance for supervision.
5. Administrative overhead (10%) is applied to the adjusted hourly rate. (Item 4).
6. Total hourly rate is the sum of the adjusted hourly rate, increased for supervision and increased by the administrative overhead (Item 5).
7. Total hourly rate is scaled to the proper unit based on the unit of service.

This rate will be reviewed in the future on a legislated schedule, at least every 4 years.

Rates that are active in the system as of December 1, 2020 will be reduced by 6% until June 30, 2021. Rates will be restored to

the pre-reduction amount by July 1, 2021.

## Appendix A: Waiver Administration and Operation

**1. State Line of Authority for Waiver Operation.** Specify the state line of authority for the operation of the waiver (*select one*):

**The waiver is operated by the state Medicaid agency.**

Specify the Medicaid agency division/unit that has line authority for the operation of the waiver program (*select one*):

**The Medical Assistance Unit.**

Specify the unit name:

(Do not complete item A-2)

**Another division/unit within the state Medicaid agency that is separate from the Medical Assistance Unit.**

Specify the division/unit name. This includes administrations/divisions under the umbrella agency that has been identified as the Single State Medicaid Agency.

(Complete item A-2-a).

**The waiver is operated by a separate agency of the state that is not a division/unit of the Medicaid agency.**

Specify the division/unit name:

Aging and Disability Services Division (ADSD)

In accordance with 42 CFR §431.10, the Medicaid agency exercises administrative discretion in the administration and supervision of the waiver and issues policies, rules and regulations related to the waiver. The interagency agreement or memorandum of understanding that sets forth the authority and arrangements for this policy is available through the Medicaid agency to CMS upon request. (Complete item A-2-b).

## Appendix A: Waiver Administration and Operation

**2. Oversight of Performance.**

**a. Medicaid Director Oversight of Performance When the Waiver is Operated by another Division/Unit within the State Medicaid Agency.** When the waiver is operated by another division/administration within the umbrella agency designated as the Single State Medicaid Agency. Specify (a) the functions performed by that division/administration (i.e., the Developmental Disabilities Administration within the Single State Medicaid Agency), (b) the document utilized to outline the roles and responsibilities related to waiver operation, and (c) the methods that are employed by the designated State Medicaid Director (in some instances, the head of umbrella agency) in the oversight of these activities:

**As indicated in section 1 of this appendix, the waiver is not operated by another division/unit within the State Medicaid agency. Thus this section does not need to be completed.**

**b. Medicaid Agency Oversight of Operating Agency Performance.** When the waiver is not operated by the Medicaid agency, specify the functions that are expressly delegated through a memorandum of understanding (MOU) or other written document, and indicate the frequency of review and update for that document. Specify the methods that the Medicaid agency uses to ensure that the operating agency performs its assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify the frequency of Medicaid agency assessment of operating agency performance:



1. DHCFP monitors the unduplicated count of recipients being served year to date, including current open and closed cases.
2. DHCFP staff reviews a representative sample of eligibility packets to ensure waiver criteria is met.
3. DHCFP staff participates in quarterly Quality Management Committee meetings.
4. DHCFP staff completes an annual review to assess compliance of established policies and procedures and samples of provider billings. Findings are reported annually to CMS via the 372 report, including any necessary plans for improvement.
5. An Interlocal Agreement between DHCFP and ADSD delineates responsibilities and expectations of each entity and is monitored at Quality Management meetings. The interlocal was updated in 2019.

## Appendix A: Waiver Administration and Operation

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**3. Use of Contracted Entities.** Specify whether contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable) (*select one*):

**Yes. Contracted entities perform waiver operational and administrative functions on behalf of the Medicaid agency and/or operating agency (if applicable).**

Specify the types of contracted entities and briefly describe the functions that they perform. *Complete Items A-5 and A-6.:*

The fiscal agent is the Quality Improvement Organization (QIO)-like Vendor and operates as the utilization and quality control for all DHCFP Medicaid programs and is contracted by DHCFP. For the purpose of this FE Waiver renewal and for consistency, the QIO-like Vendor will be referred to as the fiscal agent.

The division has established program policies and procedure for all provider types – Medicaid Manual Service (MSM) Chapter 100 Medicaid Program. In addition, each provider type and specialty established additional policy and procedures. The fiscal agent implement those policies and procedures when enrolling provider applicants. Provider applicants submit application electronically through the fiscal agent's website; enrollment checklist is available on the website as well for instruction and required documents. All provider applicants are processed according to each provider type and specialty requirements.

The DHCFP Provider Enrollment Unit monitors and works closely with the fiscal agent. For example, when processing provider application (PT 48) and additional clarification pertaining to policy and approval is required, the provider enrollment unit will consult with the DHCFP LTSS Waiver Unit.

The fiscal agent's other responsibilities: claims processing, MMIS Interchange updates or fixing system errors, assists providers with claims denials, disseminating policy updates/changes to providers via web announcement posted on their website, reviews and approves authorization requests for several procedure/service codes requiring prior authorizations including pharmacy related requests, and prepares a monthly report of all provider enrollments by provider type for DHCFP review. Certain Medicaid State Plan Option programs such as State Plan PCS, the fiscal agent assess/re-assess and approves Medicaid recipients for the PCS program.

NOTE: Waiver services which require prior authorization is done by ADSD.

All provider agreements with DHCFP terminate 5 (five) years from the enrollment date. Providers must revalidate through the fiscal agent who verifies provider qualifications and revalidate providers.

**No. Contracted entities do not perform waiver operational and administrative functions on behalf of the Medicaid agency and/or the operating agency (if applicable).**

## Appendix A: Waiver Administration and Operation

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**4. Role of Local/Regional Non-State Entities.** Indicate whether local or regional non-state entities perform waiver operational and administrative functions and, if so, specify the type of entity (*Select One*):

**Not applicable**

**Applicable** - Local/regional non-state agencies perform waiver operational and administrative functions.

Check each that applies:

**Local/Regional non-state public agencies** perform waiver operational and administrative functions at the local or regional level. There is an **interagency agreement or memorandum of understanding** between the State and these agencies that sets forth responsibilities and performance requirements for these agencies that is available through the Medicaid agency.

*Specify the nature of these agencies and complete items A-5 and A-6:*

**Local/Regional non-governmental non-state entities** conduct waiver operational and administrative functions at the local or regional level. There is a contract between the Medicaid agency and/or the operating agency (when authorized by the Medicaid agency) and each local/regional non-state entity that sets forth the responsibilities and performance requirements of the local/regional entity. The **contract(s)** under which private entities conduct waiver operational functions are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

*Specify the nature of these entities and complete items A-5 and A-6:*

## Appendix A: Waiver Administration and Operation

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**5. Responsibility for Assessment of Performance of Contracted and/or Local/Regional Non-State Entities.** Specify the state agency or agencies responsible for assessing the performance of contracted and/or local/regional non-state entities in conducting waiver operational and administrative functions:

The DHCFP is responsible for assessing the performance of the fiscal agent.

## Appendix A: Waiver Administration and Operation

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**6. Assessment Methods and Frequency.** Describe the methods that are used to assess the performance of contracted and/or local/regional non-state entities to ensure that they perform assigned waiver operational and administrative functions in accordance with waiver requirements. Also specify how frequently the performance of contracted and/or local/regional non-state entities is assessed:

DHCFP is responsible for fiscal agent monitoring. The fiscal agency provides a series of reports to the Medicaid agency on a monthly basis using a system called ODRAS. These reports include provider enrollment, claims data, and prior authorization data.

In addition, individual units receive quarterly programmatic information directly from the fiscal agent.

Due to the complexity of waiver reporting, the fiscal agent provides an annual report on waiver utilization which includes:

- Unduplicated count
- Medicaid eligibility code
- Primary diagnosis
- Age
- Total expenditures for program
- Total expenditures by service
- Total state plan expenditures for waiver recipients
- Service utilization by recipient
- Expenditures by recipient

The fiscal agent is required to submit Key Performance Measures (KPI) on an ongoing basis to the DHCFP Information Systems Project Management Office who is responsible for overseeing the contract with the fiscal agent. There are other units within DHCFP who monitor the fiscal agent such as Provider Enrollment for enrollment and Fiscal Integrity for claims.

DHCFP has provider agreements in place with providers.

The fiscal agent enrolls providers initially and every five (5) years thereafter. During enrollment/revalidation, the fiscal agent reviews provider qualifications and does not enroll any provider who does not meet qualifications.

## Appendix A: Waiver Administration and Operation

**7. Distribution of Waiver Operational and Administrative Functions.** In the following table, specify the entity or entities that have responsibility for conducting each of the waiver operational and administrative functions listed (*check each that applies*):

In accordance with 42 CFR §431.10, when the Medicaid agency does not directly conduct a function, it supervises the performance of the function and establishes and/or approves policies that affect the function. All functions not performed directly by the Medicaid agency must be delegated in writing and monitored by the Medicaid Agency. *Note: More than one box may be checked per item. Ensure that Medicaid is checked when the Single State Medicaid Agency (1) conducts the function directly; (2) supervises the delegated function; and/or (3) establishes and/or approves policies related to the function.*

Function	Medicaid Agency	Other State Operating Agency	Contracted Entity
Participant waiver enrollment			
Waiver enrollment managed against approved limits			
Waiver expenditures managed against approved levels			
Level of care evaluation			
Review of Participant service plans			
Prior authorization of waiver services			
Utilization management			
Qualified provider enrollment			
Execution of Medicaid provider agreements			
Establishment of a statewide rate methodology			

Function	Medicaid Agency	Other State Operating Agency	Contracted Entity
Rules, policies, procedures and information development governing the waiver program			
Quality assurance and quality improvement activities			

**Appendix A: Waiver Administration and Operation**

**Quality Improvement: Administrative Authority of the Single State Medicaid Agency**

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

**a. Methods for Discovery: Administrative Authority**

*The Medicaid Agency retains ultimate administrative authority and responsibility for the operation of the waiver program by exercising oversight of the performance of waiver functions by other state and local/regional non-state agencies (if appropriate) and contracted entities.*

**i. Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Performance measures for administrative authority should not duplicate measures found in other appendices of the waiver application. As necessary and applicable, performance measures should focus on:*

- Uniformity of development/execution of provider agreements throughout all geographic areas covered by the waiver
- Equitable distribution of waiver openings in all geographic areas covered by the waiver
- Compliance with HCB settings requirements and other new regulatory components (for waiver actions submitted on or after March 17, 2014)

*Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of Medicaid expenditures of waiver recipients which are demonstrated and validated with the cost neutrality formula and compared to nursing facility costs of care. N: Total expenditures for waiver recipients. D: Total number of recipients reviewed.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

Responsible Party for data collection/generation( <i>check each that applies</i> ):	Frequency of data collection/generation( <i>check each that applies</i> ):	Sampling Approach( <i>check each that applies</i> ):
State Medicaid Agency	Weekly	100% Review
Operating Agency	Monthly	Less than 100% Review

<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input data-bbox="1042 365 1246 445" type="text"/>
<b>Other</b> Specify: <input data-bbox="328 589 588 669" type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input data-bbox="1042 589 1246 669" type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input data-bbox="1042 813 1246 893" type="text"/>
	<b>Other</b> Specify: <input data-bbox="659 1037 919 1117" type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input data-bbox="328 1664 748 1744" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input data-bbox="823 1955 1243 2036" type="text"/>

**Performance Measure:**

**Number and percent of intake packets that are accurately completed, including Level of Care and waiver service need. N: Number of intake packets that are accurately completed. D: Total number of packets submitted.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> ( <i>check each that applies</i> ):	<b>Frequency of data collection/generation</b> ( <i>check each that applies</i> ):	<b>Sampling Approach</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text" value="95/5"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

**Number and percent of recipients who were enrolled according to waiver and/or state policy. N: Number of recipients enrolled according to waiver and/or state policy. D: Number of recipient packets reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:

		<input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

Number and percent of providers who have executed Medicaid agreements prior to providing services to waiver recipients. N: Total number of providers who have executed Medicaid agreements. D: Total number of providers reviewed.

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation(check each that applies):</b>	<b>Frequency of data collection/generation(check each that applies):</b>	<b>Sampling Approach(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100%</b>



		<b>Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

- ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

The DHC FP Hearings Unit is responsible for all Medicaid participants' appeals; works closely and communicate with the specific Medicaid program specialist and other responsible state staff who made the adverse decision. The Hearings Unit also monitors and tracks hearings and appeals for waiver services as well as all Hearing Preparation Meetings (HPM), fair hearings and outcomes and the report is available upon request.

The DHC FP Nevada Medicaid Services Manual Chapter 100 is located on the DHC FP website and outlines provider requirements and administrative sanctions. The DHC FP has a Provider Support unit that tracks providers who are on sanction periods.

The DHC FP Quality Assurance (QA) Unit conducts annual programmatic and financial review of this waiver which is structured as a look back review of delegated functions. The DHC FP has the ability to break out the review findings by geographical office or Statewide, to identify trends that may be applicable to a specific regional office or generalized program issues.

The State strives for a sample size producing a probability of a 95% and a confidence level of 5%. The State accomplishes this in the following ways:

A 95/5 sample of chart reviews is completed by combining annual supervisory chart reviews with annual QA reviews, utilizing the same review tool;

A 95/5 sample of participant satisfaction is completed by combining ADSD PES reviews with the annual QA PES reviews, utilizing the same tool;

A 95/10 sample of recipient financials is completed annually by QA staff. The state is unable to complete a 95/5 sample of financials due to lack of resources; however, there are other reviews completed by PERM, Fiscal Integrity, and the DHC FP Surveillance Utilization Unit that cover waiver financials.

100% of providers are reviewed annually for compliance with provider requirements by a combination of the DHC FP and the Aging and Disability Services Division (ADSD) staff. The ADSD QA performs annual on-site reviews of providers. During this review the provider qualifications, employee files, training, recipient files, and one month billing is reviewed and verified. A maximum of 5 employee files are reviewed, a maximum of 5 recipient files and billing for one month for each recipient are reviewed. If a facility has less than 5 recipients or caregivers, then the review is 100%. If they have more than 5 of each, a random sample of 5 is pulled. Then all review results are entered into the ALiS Database, which was built to hold with a maximum of 5 recipients or caregivers at a time. The sample size of 5 recipients/caregivers is determined by HCQC, state licensure agency. Training is provided during reviews to include as appropriate a copy of the Medicaid Services Manual, Serious Occurrence power point and forms, and Activities of Daily Living (ADL) Log power point and forms. An alert memo is created and stored in the electronic Provider Database that is shared between ADSD and DHC FP which includes training materials given to the provider. ADSD maintains a spreadsheet of trainings provided which is reviewed on an ongoing basis and if there are any trends they are discussed at the quarterly Quality Management (QM) meetings. Follow up visits by designated QM staff is completed when indicated. Providers can also request additional training on topics of their choice.

A management report of the annual review is prepared and distributed as applicable, which includes the review findings listed above. An important goal of the annual review is to address and document broad issues and outcome measures, incorporating methods and criteria for prioritizing findings, and to improve documentation of remediation efforts and successes. The priority for these improvements is balanced by available staff and other necessary resources.

This annual report is used to identify any problems or issues with the waiver, to include training for case managers or providers, systems issues, or policy clarifications that both DHC FP and ADSD will work to resolve over the next year.

**b. Methods for Remediation/Fixing Individual Problems**

i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

Deficiencies are remediated through corrective strategies discussed in the quarterly quality management meetings to assure coordination of processes across the state and based on findings in the annual review and subsequent plan of improvement. The ADSD quality management specialist is responsible for monitoring progress based on established timelines and for reporting progress to the DHCFP.

The monthly unduplicated list of waiver participants, ongoing caseload and wait list is used to check accuracy of information on waiver and DHCFP fiscal agent to assure accuracy of information on waiver eligibility status whenever claims are denied. If needed, corrections are sent to the DHCFP Long Term Services and Support (LTSS) staff who corrects the data for the monthly report. Continued discrepancies are reported to the ADSD Community Based Care Chief, who reviews the issue with the DHCFP for resolution.

As issues arise, the ADSD and the DHCFP have meetings to discuss and solve problems. The issue is prioritized and incorporated into a priority spreadsheet, and monitored, until resolution occurs.

The ADSD staff participates in the review and revision of the Medicaid Service Manual policy updates to ensure that waiver requirements are met.

The DHCFP has a contractual agreement with the fiscal agent to enroll qualified providers. The contract identifies the responsibilities of the fiscal agent. The fiscal agent is required to enroll only qualified providers and prepare a monthly report by provider type on enrolled providers and providers who did not meet qualifications. The DHCFP staff reviews these reports on an ongoing basis.

Additionally, the ADSD supervisory staff intervenes and counsels case managers to resolve individual client problems or documentation issues. If an issue has the potential to recur, it is reviewed with all supervisors during the monthly supervisors meeting to ensure that they are aware and can take steps to prevent recurrence.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design

methods for discovery and remediation related to the assurance of Administrative Authority that are currently non-operational.

**No**

**Yes**

Please provide a detailed strategy for assuring Administrative Authority, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

**Appendix B: Participant Access and Eligibility**

**B-1: Specification of the Waiver Target Group(s)**

**a. Target Group(s).** Under the waiver of Section 1902(a)(10)(B) of the Act, the state limits waiver services to one or more groups or subgroups of individuals. Please see the instruction manual for specifics regarding age limits. *In accordance with 42 CFR §441.301(b)(6), select one or more waiver target groups, check each of the subgroups in the selected target group(s) that may receive services under the waiver, and specify the minimum and maximum (if any) age of individuals served in each subgroup:*

Target Group	Included	Target SubGroup	Minimum Age	Maximum Age	
				Maximum Age Limit	No Maximum Age Limit
<b>Aged or Disabled, or Both - General</b>					
		Aged	65	<input type="checkbox"/>	<input type="checkbox"/>
		Disabled (Physical)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Disabled (Other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Aged or Disabled, or Both - Specific Recognized Subgroups</b>					
		Brain Injury	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		HIV/AIDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Medically Fragile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Technology Dependent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Intellectual Disability or Developmental Disability, or Both</b>					
		Autism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Developmental Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Intellectual Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Mental Illness</b>					
		Mental Illness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Serious Emotional Disturbance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**b. Additional Criteria.** The state further specifies its target group(s) as follows:

1. Individuals may be placed from a nursing facility, an acute care hospital, another Home and Community Based Waiver, or the community.
  2. Individuals who, but for provision of services, would require a Nursing Facility Level of Care that would meet imminent placement in a nursing facility within 30 days.

**c. Transition of Individuals Affected by Maximum Age Limitation.** When there is a maximum age limit that applies to

individuals who may be served in the waiver, describe the transition planning procedures that are undertaken on behalf of participants affected by the age limit (*select one*):

**Not applicable. There is no maximum age limit**

**The following transition planning procedures are employed for participants who will reach the waiver's maximum age limit.**

*Specify:*

## Appendix B: Participant Access and Eligibility

### B-2: Individual Cost Limit (1 of 2)

**a. Individual Cost Limit.** The following individual cost limit applies when determining whether to deny home and community-based services or entrance to the waiver to an otherwise eligible individual (*select one*). Please note that a state may have only ONE individual cost limit for the purposes of determining eligibility for the waiver:

**No Cost Limit.** The state does not apply an individual cost limit. *Do not complete Item B-2-b or item B-2-c.*

**Cost Limit in Excess of Institutional Costs.** The state refuses entrance to the waiver to any otherwise eligible individual when the state reasonably expects that the cost of the home and community-based services furnished to that individual would exceed the cost of a level of care specified for the waiver up to an amount specified by the state. *Complete Items B-2-b and B-2-c.*

**The limit specified by the state is (*select one*)**

**A level higher than 100% of the institutional average.**

Specify the percentage:

**Other**

*Specify:*

**Institutional Cost Limit.** Pursuant to 42 CFR 441.301(a)(3), the state refuses entrance to the waiver to any otherwise eligible individual when the state reasonably expects that the cost of the home and community-based services furnished to that individual would exceed 100% of the cost of the level of care specified for the waiver. *Complete Items B-2-b and B-2-c.*

**Cost Limit Lower Than Institutional Costs.** The state refuses entrance to the waiver to any otherwise qualified individual when the state reasonably expects that the cost of home and community-based services furnished to that individual would exceed the following amount specified by the state that is less than the cost of a level of care specified for the waiver.

*Specify the basis of the limit, including evidence that the limit is sufficient to assure the health and welfare of waiver participants. Complete Items B-2-b and B-2-c.*

The cost limit specified by the state is (select one):

The following dollar amount:

Specify dollar amount:

The dollar amount (select one)

Is adjusted each year that the waiver is in effect by applying the following formula:

Specify the formula:

May be adjusted during the period the waiver is in effect. The state will submit a waiver amendment to CMS to adjust the dollar amount.

The following percentage that is less than 100% of the institutional average:

Specify percent:

Other:

Specify:

## Appendix B: Participant Access and Eligibility

### B-2: Individual Cost Limit (2 of 2)

Answers provided in Appendix B-2-a indicate that you do not need to complete this section.

**b. Method of Implementation of the Individual Cost Limit.** When an individual cost limit is specified in Item B-2-a, specify the procedures that are followed to determine in advance of waiver entrance that the individual's health and welfare can be assured within the cost limit:

**c. Participant Safeguards.** When the state specifies an individual cost limit in Item B-2-a and there is a change in the participant's condition or circumstances post-entrance to the waiver that requires the provision of services in an amount that exceeds the cost limit in order to assure the participant's health and welfare, the state has established the following safeguards to avoid an adverse impact on the participant (check each that applies):

**The participant is referred to another waiver that can accommodate the individual's needs.**

**Additional services in excess of the individual cost limit may be authorized.**

Specify the procedures for authorizing additional services, including the amount that may be authorized:

Other safeguard(s)

Specify:

**Appendix B: Participant Access and Eligibility**

**B-3: Number of Individuals Served (1 of 4)**

**a. Unduplicated Number of Participants.** The following table specifies the maximum number of unduplicated participants who are served in each year that the waiver is in effect. The state will submit a waiver amendment to CMS to modify the number of participants specified for any year(s), including when a modification is necessary due to legislative appropriation or another reason. The number of unduplicated participants specified in this table is basis for the cost-neutrality calculations in Appendix J:

**Table: B-3-a**

Waiver Year	Unduplicated Number of Participants
Year 1	2771
Year 2	2862
Year 3	2954
Year 4	3046
Year 5	3138

**b. Limitation on the Number of Participants Served at Any Point in Time.** Consistent with the unduplicated number of participants specified in Item B-3-a, the state may limit to a lesser number the number of participants who will be served at any point in time during a waiver year. Indicate whether the state limits the number of participants in this way: *(select one)* :

**The state does not limit the number of participants that it serves at any point in time during a waiver year.**

**The state limits the number of participants that it serves at any point in time during a waiver year.**

The limit that applies to each year of the waiver period is specified in the following table:

**Table: B-3-b**

Waiver Year	Maximum Number of Participants Served At Any Point During the Year
Year 1	2231
Year 2	2322
Year 3	2414
Year 4	2506
Year 5	2598

**Appendix B: Participant Access and Eligibility**

**B-3: Number of Individuals Served (2 of 4)**

**c. Reserved Waiver Capacity.** The state may reserve a portion of the participant capacity of the waiver for specified purposes (e.g., provide for the community transition of institutionalized persons or furnish waiver services to individuals experiencing a crisis) subject to CMS review and approval. The State (*select one*):

**Not applicable. The state does not reserve capacity.**

**The state reserves capacity for the following purpose(s).**

## Appendix B: Participant Access and Eligibility

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### B-3: Number of Individuals Served (3 of 4)

**d. Scheduled Phase-In or Phase-Out.** Within a waiver year, the state may make the number of participants who are served subject to a phase-in or phase-out schedule (*select one*):

**The waiver is not subject to a phase-in or a phase-out schedule.**

**The waiver is subject to a phase-in or phase-out schedule that is included in Attachment #1 to Appendix B-3. This schedule constitutes an intra-year limitation on the number of participants who are served in the waiver.**

**e. Allocation of Waiver Capacity.**

*Select one:*

**Waiver capacity is allocated/managed on a statewide basis.**

**Waiver capacity is allocated to local/regional non-state entities.**

Specify: (a) the entities to which waiver capacity is allocated; (b) the methodology that is used to allocate capacity and how often the methodology is reevaluated; and, (c) policies for the reallocation of unused capacity among local/regional non-state entities:

**f. Selection of Entrants to the Waiver.** Specify the policies that apply to the selection of individuals for entrance to the waiver:



To improve applicants' wait time to get on the waiver program, the new process for eligibility for the Home and Community-Based Services Waiver for the Frail Elderly is determined by the combined efforts of the ADSD and the DWSS. These two State agencies will work collaboratively to determine eligibility. This new process will also be adopted by other Nevada's Home and Community Based Services Waivers.

The ADSD case managers gather data and evaluate applicants or recipients to ensure they are 65 years of age or older, meet and maintain a nursing facility Level of Care, require an ongoing monthly waiver service and who, but for the provisions of services, would require imminent placement in a nursing facility within 30 days if HCBS were not available.

Referrals come from many different means to include family members, providers, hospitals, nursing facilities, non-profit organizations, and recipients themselves. Applicants are all evaluated and if deemed to meet eligibility requirements, and no slots are available, applicants are placed on the waitlist by priority. The waitlist priority is as follows:

1. Applicants currently in an acute care or NF and desiring discharge;
2. Applicants who require maximum assistance and/or are dependent in all three areas of eating, bathing, and toileting;
3. Applicants requiring services due to a crisis or emergency such as a significant change in support system;
4. Applicants transitioning from another waiver;
5. Applicants with a terminal illness; or
6. Applicants who do not meet the criteria for priority levels 1-5.

The operating agency is responsible for management of the wait list and allocation of available slots.

The DHCFP monitors the unduplicated count of recipients being served year to date, including current open and closed cases using monthly reports sent to the DHCFP Central Office by the ADSD. On a monthly basis, the DHCFP LTSS Unit staff reviews a retrospective random sample using 95/5 of the approved intake packets to ensure the packet is complete for entrance onto the waiver. This review includes: a) The Comprehensive Social Health Assessment (CSHA) Form (all pages included); b) nursing facility level of care criteria is met; c) there is a waiver service need; d) financial eligibility established or pending with the DWSS; e) Statement of Understanding (SOU) signed, initialed, and dated by the recipient or designated representative; f) Acknowledgement Form signed, initialed, and dated by the recipient or designated representative; g) Individualized goals are identified on the POC and h) the applicant has been informed of their right to participate in the development of the plan of care (POC) using the person centered approach with the support systems, friends, family of their choice involved.

Findings of these packet reviews are prepared quarterly and sent to the ADSD quality assurance specialist for inclusion in the quarterly quality management meeting. The DHCFP staff attends the quality management meeting and provide feedback to the ADSD regarding packet review findings. Data gathered is incorporated into the evidentiary report and corrective action plans as appropriate.

The DWSS validates that the applicant/recipient is eligible for Medicaid waiver services using institutional income and resource guidelines.

## Appendix B: Participant Access and Eligibility

### B-3: Number of Individuals Served - Attachment #1 (4 of 4)

Answers provided in Appendix B-3-d indicate that you do not need to complete this section.

## Appendix B: Participant Access and Eligibility

### B-4: Eligibility Groups Served in the Waiver

- a. **1. State Classification.** The state is a (*select one*):

§1634 State

SSI Criteria State

209(b) State

**2. Miller Trust State.**

Indicate whether the state is a Miller Trust State (*select one*):

No

Yes

**b. Medicaid Eligibility Groups Served in the Waiver.** Individuals who receive services under this waiver are eligible under the following eligibility groups contained in the state plan. The state applies all applicable federal financial participation limits under the plan. *Check all that apply:*

---

**Eligibility Groups Served in the Waiver (excluding the special home and community-based waiver group under 42 CFR §435.217)**

---

**Low income families with children as provided in §1931 of the Act**

**SSI recipients**

**Aged, blind or disabled in 209(b) states who are eligible under 42 CFR §435.121**

**Optional state supplement recipients**

**Optional categorically needy aged and/or disabled individuals who have income at:**

*Select one:*

**100% of the Federal poverty level (FPL)**

**% of FPL, which is lower than 100% of FPL.**

Specify percentage:

**Working individuals with disabilities who buy into Medicaid (BBA working disabled group as provided in §1902(a)(10)(A)(ii)(XIII) of the Act)**

**Working individuals with disabilities who buy into Medicaid (TWWIIA Basic Coverage Group as provided in §1902(a)(10)(A)(ii)(XV) of the Act)**

**Working individuals with disabilities who buy into Medicaid (TWWIIA Medical Improvement Coverage Group as provided in §1902(a)(10)(A)(ii)(XVI) of the Act)**

**Disabled individuals age 18 or younger who would require an institutional level of care (TEFRA 134 eligibility group as provided in §1902(e)(3) of the Act)**

**Medically needy in 209(b) States (42 CFR §435.330)**

**Medically needy in 1634 States and SSI Criteria States (42 CFR §435.320, §435.322 and §435.324)**

**Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the state plan that may receive services under this waiver)**

*Specify:*

---

*Special home and community-based waiver group under 42 CFR §435.217) Note: When the special home and community-based waiver group under 42 CFR §435.217 is included, Appendix B-5 must be completed*

---

**No. The state does not furnish waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217. Appendix B-5 is not submitted.**

**Yes. The state furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217.**

*Select one and complete Appendix B-5.*

**All individuals in the special home and community-based waiver group under 42 CFR §435.217**

**Only the following groups of individuals in the special home and community-based waiver group under 42 CFR §435.217**

*Check each that applies:*

**A special income level equal to:**

*Select one:*

**300% of the SSI Federal Benefit Rate (FBR)**

**A percentage of FBR, which is lower than 300% (42 CFR §435.236)**

Specify percentage:

**A dollar amount which is lower than 300%.**

Specify dollar amount:

**Aged, blind and disabled individuals who meet requirements that are more restrictive than the SSI program (42 CFR §435.121)**

**Medically needy without spend down in states which also provide Medicaid to recipients of SSI (42 CFR §435.320, §435.322 and §435.324)**

**Medically needy without spend down in 209(b) States (42 CFR §435.330)**

**Aged and disabled individuals who have income at:**

*Select one:*

**100% of FPL**

**% of FPL, which is lower than 100%.**

Specify percentage amount:

**Other specified groups (include only statutory/regulatory reference to reflect the additional groups in the state plan that may receive services under this waiver)**

*Specify:*

**Appendix B: Participant Access and Eligibility**

**B-5: Post-Eligibility Treatment of Income (1 of 7)**

*In accordance with 42 CFR §441.303(e), Appendix B-5 must be completed when the state furnishes waiver services to individuals in the special home and community-based waiver group under 42 CFR §435.217, as indicated in Appendix B-4. Post-eligibility applies only to the 42 CFR §435.217 group.*

**a. Use of Spousal Impoverishment Rules.** Indicate whether spousal impoverishment rules are used to determine eligibility for the special home and community-based waiver group under 42 CFR §435.217:

*Note: For the period beginning January 1, 2014 and extending through September 30, 2019 (or other date as required by law), the following instructions are mandatory. The following box should be checked for all waivers that furnish waiver services to the 42 CFR §435.217 group effective at any point during this time period.*

**Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group. In the case of a participant with a**

**community spouse, the state uses *spousal* post-eligibility rules under §1924 of the Act.**

*Complete Items B-5-e (if the selection for B-4-a-i is SSI State or §1634) or B-5-f (if the selection for B-4-a-i is 209b State) and Item B-5-g unless the state indicates that it also uses spousal post-eligibility rules for the time periods before January 1, 2014 or after September 30, 2019 (or other date as required by law).*

*Note: The following selections apply for the time periods before January 1, 2014 or after September 30, 2019 (or other date as required by law) (select one).*

**Spousal impoverishment rules under §1924 of the Act are used to determine the eligibility of individuals with a community spouse for the special home and community-based waiver group.**

In the case of a participant with a community spouse, the state elects to (*select one*):

**Use spousal post-eligibility rules under §1924 of the Act.**

*(Complete Item B-5-b (SSI State) and Item B-5-d)*

**Use regular post-eligibility rules under 42 CFR §435.726 (SSI State) or under §435.735 (209b State)**

*(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)*

**Spousal impoverishment rules under §1924 of the Act are not used to determine eligibility of individuals with a community spouse for the special home and community-based waiver group. The state uses regular post-eligibility rules for individuals with a community spouse.**

*(Complete Item B-5-b (SSI State). Do not complete Item B-5-d)*

**Appendix B: Participant Access and Eligibility**

**B-5: Post-Eligibility Treatment of Income (2 of 7)**

*Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.*

**b. Regular Post-Eligibility Treatment of Income: SSI State.**

The state uses the post-eligibility rules at 42 CFR 435.726 for individuals who do not have a spouse or have a spouse who is not a community spouse as specified in §1924 of the Act. Payment for home and community-based waiver services is reduced by the amount remaining after deducting the following allowances and expenses from the waiver participant's income:

**i. Allowance for the needs of the waiver participant (*select one*):**

**The following standard included under the state plan**

*Select one:*

**SSI standard**

**Optional state supplement standard**

**Medically needy income standard**

**The special income level for institutionalized persons**

*(select one):*

**300% of the SSI Federal Benefit Rate (FBR)**

**A percentage of the FBR, which is less than 300%**

Specify the percentage:

**A dollar amount which is less than 300%.**

Specify dollar amount:

**A percentage of the Federal poverty level**

Specify percentage:

**Other standard included under the state Plan**

*Specify:*

**The following dollar amount**

Specify dollar amount:  If this amount changes, this item will be revised.

**The following formula is used to determine the needs allowance:**

*Specify:*

**Other**

*Specify:*

The maintenance needs allowance is equal to the individuals total income as determined under the post-eligibility process which includes income that is placed in a Miller Trust.

---

**ii. Allowance for the spouse only (select one):**

---

**Not Applicable**

**The state provides an allowance for a spouse who does not meet the definition of a community spouse in §1924 of the Act. Describe the circumstances under which this allowance is provided:**

*Specify:*

**Specify the amount of the allowance (select one):**

**SSI standard**

**Optional state supplement standard**

**Medically needy income standard**

**The following dollar amount:**

Specify dollar amount:  If this amount changes, this item will be revised.

**The amount is determined using the following formula:**

*Specify:*

---

**iii. Allowance for the family (select one):**

---

**Not Applicable (see instructions)**

**AFDC need standard**

**Medically needy income standard**

**The following dollar amount:**

Specify dollar amount:  The amount specified cannot exceed the higher of the need standard for a family of the same size used to determine eligibility under the state's approved AFDC plan or the medically needy income standard established under 42 CFR §435.811 for a family of the same size. If this amount changes, this item will be revised.

**The amount is determined using the following formula:**

Specify:

**Other**

Specify:

**iv. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 §CFR 435.726:**

- a. Health insurance premiums, deductibles and co-insurance charges
- b. Necessary medical or remedial care expenses recognized under state law but not covered under the state's Medicaid plan, subject to reasonable limits that the state may establish on the amounts of these expenses.

Select one:

**Not Applicable (see instructions)***Note: If the state protects the maximum amount for the waiver participant, not applicable must be selected.*

**The state does not establish reasonable limits.**

**The state establishes the following reasonable limits**

Specify:

**Appendix B: Participant Access and Eligibility**

**B-5: Post-Eligibility Treatment of Income (3 of 7)**

*Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.*

**c. Regular Post-Eligibility Treatment of Income: 209(B) State.**

**Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.**

**Appendix B: Participant Access and Eligibility**

**B-5: Post-Eligibility Treatment of Income (4 of 7)**

*Note: The following selections apply for the time periods before January 1, 2014 or after December 31, 2018.*

**d. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules**

The state uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care if it determines the individual's eligibility under §1924 of the Act. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the state Medicaid Plan. The state must also protect amounts for incurred expenses for medical or remedial care (as specified below).

**i. Allowance for the personal needs of the waiver participant**

*(select one):*

**SSI standard**

**Optional state supplement standard**

**Medically needy income standard**

**The special income level for institutionalized persons**

**A percentage of the Federal poverty level**

Specify percentage:

**The following dollar amount:**

Specify dollar amount:  If this amount changes, this item will be revised

**The following formula is used to determine the needs allowance:**

*Specify formula:*

**Other**

*Specify:*

The maintenance needs allowance is equal to the individuals total income as determined under the post-eligibility process which includes income that is placed in a Miller Trust.

**ii. If the allowance for the personal needs of a waiver participant with a community spouse is different from the amount used for the individual's maintenance allowance under 42 CFR §435.726 or 42 CFR §435.735, explain why this amount is reasonable to meet the individual's maintenance needs in the community.**

Select one:

**Allowance is the same**

**Allowance is different.**

*Explanation of difference:*

**iii. Amounts for incurred medical or remedial care expenses not subject to payment by a third party, specified in 42 CFR §435.726:**

- a. Health insurance premiums, deductibles and co-insurance charges
- b. Necessary medical or remedial care expenses recognized under state law but not covered under the state's Medicaid plan, subject to reasonable limits that the state may establish on the amounts of these expenses.

Select one:

**Not Applicable (see instructions)***Note: If the state protects the maximum amount for the waiver participant, not applicable must be selected.*

**The state does not establish reasonable limits.**

**The state uses the same reasonable limits as are used for regular (non-spousal) post-eligibility.**

## Appendix B: Participant Access and Eligibility

### B-5: Post-Eligibility Treatment of Income (5 of 7)

*Note: The following selections apply for the five-year period beginning January 1, 2014.*

- e. Regular Post-Eligibility Treatment of Income: SSI State - 2014 through 2018.**

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**Answers provided in Appendix B-5-a indicate the selections in B-5-b also apply to B-5-e.**

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## Appendix B: Participant Access and Eligibility

### B-5: Post-Eligibility Treatment of Income (6 of 7)

*Note: The following selections apply for the five-year period beginning January 1, 2014.*

- f. Regular Post-Eligibility Treatment of Income: 209(B) State - 2014 through 2018.**

---

**Answers provided in Appendix B-4 indicate that you do not need to complete this section and therefore this section is not visible.**

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## Appendix B: Participant Access and Eligibility

### B-5: Post-Eligibility Treatment of Income (7 of 7)

*Note: The following selections apply for the five-year period beginning January 1, 2014.*

- g. Post-Eligibility Treatment of Income Using Spousal Impoverishment Rules - 2014 through 2018.**

The state uses the post-eligibility rules of §1924(d) of the Act (spousal impoverishment protection) to determine the contribution of a participant with a community spouse toward the cost of home and community-based care. There is deducted from the participant's monthly income a personal needs allowance (as specified below), a community spouse's allowance and a family allowance as specified in the state Medicaid Plan. The state must also protect amounts for incurred expenses for medical or remedial care (as specified below).

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**Answers provided in Appendix B-5-a indicate the selections in B-5-d also apply to B-5-g.**

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## Appendix B: Participant Access and Eligibility

### B-6: Evaluation/Reevaluation of Level of Care

*As specified in 42 CFR §441.302(c), the state provides for an evaluation (and periodic reevaluations) of the need for the level(s) of care specified for this waiver, when there is a reasonable indication that an individual may need such services in the near future (one month or less), but for the availability of home and community-based waiver services.*

- a. Reasonable Indication of Need for Services.** In order for an individual to be determined to need waiver services, an individual must require: (a) the provision of at least one waiver service, as documented in the service plan, and (b) the provision of waiver services at least monthly or, if the need for services is less than monthly, the participant requires regular monthly monitoring which must be documented in the service plan. Specify the state's policies concerning the



reasonable indication of the need for services:

**i. Minimum number of services.**

The minimum number of waiver services (one or more) that an individual must require in order to be determined to need waiver services is:

**ii. Frequency of services.** The state requires (select one):

**The provision of waiver services at least monthly**

**Monthly monitoring of the individual when services are furnished on a less than monthly basis**

*If the state also requires a minimum frequency for the provision of waiver services other than monthly (e.g., quarterly), specify the frequency:*

**b. Responsibility for Performing Evaluations and Reevaluations.** Level of care evaluations and reevaluations are performed (*select one*):

**Directly by the Medicaid agency**

**By the operating agency specified in Appendix A**

**By a government agency under contract with the Medicaid agency.**

*Specify the entity:*

**Other**

*Specify:*

**c. Qualifications of Individuals Performing Initial Evaluation:** Per 42 CFR §441.303(c)(1), specify the educational/professional qualifications of individuals who perform the initial evaluation of level of care for waiver applicants:

Individuals performing initial evaluation must have the following educational or professional qualifications: licensed as a Social Worker by the State of Nevada Board of Examiners for Social Workers, licensed as a Registered Nurse by the State of Nevada Board of Nursing, or have a professional license or certificate in a medical specialty applicable to the assignment; one year of professional experience providing case management services in a social or health related field is preferred but can be obtained through on the job training; or have an equivalent combination of education and experience.

Additional criteria:

- \* Has a valid driver's license to enable home visits.
- \* Follows Health Insurance Portability and Accountability Act (HIPAA) requirements.
- \* FBI Criminal History Background check - A criminal history background check is to be completed on all individuals providing direct service to program recipients to ensure those with a previous history of abuse or other violent crimes are not placed in a recipient's home.

**d. Level of Care Criteria.** Fully specify the level of care criteria that are used to evaluate and reevaluate whether an individual needs services through the waiver and that serve as the basis of the state's level of care instrument/tool. Specify the level of care instrument/tool that is employed. State laws, regulations, and policies concerning level of care criteria and the level of care instrument/tool are available to CMS upon request through the Medicaid agency or the operating agency (if applicable), including the instrument/tool utilized.

The name of the LOC tool is: NEVADA MEDICAID LEVEL OF CARE (LOC). This tool is used for all programs requiring determination of nursing facility level of care.

The Level of Care Tool consists of five categories which include: ability to self administer medication, treatments and special needs, activities of daily living, need for supervision, and instrumental activities of daily living.

The total numeric score from the assessment tool determines whether an applicant meets nursing facility LOC. There are 13 total functional deficits identified on the Level of Care Assessment Tool. An eligible recipient or pending applicant must meet at least 3 deficits out of the 13 possible.

The five categories are broken down as follows:

Ability to self-administer medication: the inability to safely administer one's own medication counts as one functional deficit - (1);

Treatments and special needs: may include suctioning, ventilator dependent, feeding tube, wound care, glucose monitoring, IV lines, oxygen dependent, and pediatric specialty care among others. Treatments or conditions that an individual performs as self-care aren't included as a functional deficit. A recipient/applicant is only required to have one treatment or special need for this category to be counted - (1);

Activities of daily living: a total of eight functional deficits are possible in the areas of bathing, dressing, grooming, eating, mobility, transferring, ambulation, and continence - (8)

In this category, there are four (4) identifiable levels of assistance. 1) Independent (I) which means the recipient can independently perform this activity or requires no assistance to perform the activity with use of an adaptive device. 2) Supervision (S) which means to the recipient's safety, a caregiver must oversee this activity. 3) Assistance (A) which means the recipient requires help. 4) Dependent (D) which means the recipient is totally dependent on the caregivers to complete this activity for him or her. If any of the areas is determined S, A or D, it counts as a deficit. An area determined as an "I" does not count as a deficit;

Need for supervision: a total of one functional deficit is possible for the areas of wandering, resists care, behavior problem, safety risk, socially inappropriate, verbally abusive, and physically abusive - (1);

Instrumental activities of daily living in the areas of meal preparation and homemaking services - (2);

Total Possible - 13

Total Needed to Meet Level of Care - 3

- e. **Level of Care Instrument(s).** Per 42 CFR §441.303(c)(2), indicate whether the instrument/tool used to evaluate level of care for the waiver differs from the instrument/tool used to evaluate institutional level of care (*select one*):

**The same instrument is used in determining the level of care for the waiver and for institutional care under the state Plan.**

**A different instrument is used to determine the level of care for the waiver than for institutional care under the state plan.**

Describe how and why this instrument differs from the form used to evaluate institutional level of care and explain how the outcome of the determination is reliable, valid, and fully comparable.

- f. **Process for Level of Care Evaluation/Reevaluation:** Per 42 CFR §441.303(c)(1), describe the process for evaluating waiver applicants for their need for the level of care under the waiver. If the reevaluation process differs from the evaluation process, describe the differences:

The LOC assessment tool is used to screen, assess and reassess that a nursing facility level of care exists to establish eligibility criteria for the waiver. The LOC evaluation and re-evaluation are completed and reimbursed as an administrative function by the operating agency qualified staff with the initial screening visit, annually, and if there is a significant change in condition or circumstances that may affect eligibility. These duties are separate and distinct from case management services covered in the waiver. When a referral is received and assigned, the Intake Specialist makes phone/verbal contact with the applicant or his or her representative within 15 working days of receipt of the referral. Subsequently, there is a face to face visit with the recipient to process the referral, complete the necessary forms, and gather the required documentation necessary to establish program eligibility. The face to face assessment to determine level of care and waiver service need should occur within 45 calendar days of the referral date to assure timely access to services. A screening assessment for level of care is completed to determine if the individual has functional deficits and requires the level of services offered in a nursing facility or a more integrated service that may be community based. The screening tool and the process to assess the level of care is the same for assessments and reassessments. Clients must be assessed at minimum annually while receiving waiver services to reaffirm eligibility, including level of care. If there is a significant change in the client's condition that would affect program eligibility, reassessment is made at that time. The same screening tool is used that nursing facilities utilize.

- g. Reevaluation Schedule.** Per 42 CFR §441.303(c)(4), reevaluations of the level of care required by a participant are conducted no less frequently than annually according to the following schedule (*select one*):

**Every three months**

**Every six months**

**Every twelve months**

**Other schedule**

*Specify the other schedule:*

- h. Qualifications of Individuals Who Perform Reevaluations.** Specify the qualifications of individuals who perform reevaluations (*select one*):

**The qualifications of individuals who perform reevaluations are the same as individuals who perform initial evaluations.**

**The qualifications are different.**

*Specify the qualifications:*

- i. Procedures to Ensure Timely Reevaluations.** Per 42 CFR §441.303(c)(4), specify the procedures that the state employs to ensure timely reevaluations of level of care (*specify*):

The level of care assessment is an integral part of case management services. Evaluation and annual reevaluation of eligibility, assessments, level of care, and POC development are performed and reimbursed as an administrative function by qualified staff of the operating agency. DWSS NOMADS system identifies individuals requiring financial eligibility redetermination which occurs annually. ADSD maintains a case management database, which provides notification when a reassessment is due. ADSD staff also utilizes a tickler system and/or calendar to ensure reassessments are completed as required. Waiver eligibility must be reassessed annually. The ADSD case managers schedule the reassessment visits up to a month prior to the annual anniversary, or as deemed necessary by the ADSD supervisory staff. In order to eliminate the need to conduct multiple home visits with a recipient to complete applications for various programs, reassessments dates may be changed to line up with other programs due dates. The ADSD supervisory staff review a sample size of assessment and reassessments to assure levels of care are accurate.

- j. Maintenance of Evaluation/Reevaluation Records.** Per 42 CFR §441.303(c)(3), the state assures that written and/or electronically retrievable documentation of all evaluations and reevaluations are maintained for a minimum period of 3 years as required in 45 CFR §92.42. Specify the location(s) where records of evaluations and reevaluations of level of care are maintained:

An individual record is established for each waiver recipient in written and/or electronic formats. Records of assessments and reassessments of level of care are maintained in the following location(s): by the agency designated in Appendix A as having primary authority for the daily operation of the waiver program; at the office for the geographic area in which the recipient resides; by the persons or agencies designated as responsible for the performance of assessments and reassessments. A copy of the plan of care is provided to the recipient or his/her designated representatives and waiver service providers. Written or electronically retrievable documentation of all assessments and reassessments are maintained for a minimum period of 6 years after the last day of HCBS Waiver Eligibility by the ADSD. Written or electronic documentation are maintained for a minimum period of 6 years after the date the last claim was paid for waiver services for each recipient by the DHCFP.

## Appendix B: Evaluation/Reevaluation of Level of Care

### Quality Improvement: Level of Care

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

**a. Methods for Discovery: Level of Care Assurance/Sub-assurances**

*The state demonstrates that it implements the processes and instrument(s) specified in its approved waiver for evaluating/reevaluating an applicant's/waiver participant's level of care consistent with level of care provided in a hospital, NF or ICF/IID.*

**i. Sub-Assurances:**

- a. Sub-assurance:** *An evaluation for LOC is provided to all applicants for whom there is reasonable indication that services may be needed in the future.*

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of new applicants who meet Level of Care prior to receiving services. Numerator: Number of new applicants who meet Level of Care prior to receiving services. Denominator: Number of new applicants who meet a level of care.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100%</b>

		<b>Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:

<b>Responsible Party for data aggregation and analysis</b> (check each that applies):	<b>Frequency of data aggregation and analysis</b> (check each that applies):

**b. Sub-assurance: The levels of care of enrolled participants are reevaluated at least annually or as specified in the approved waiver.**

**Performance Measures**

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**Number and percentage of enrolled recipients whose Level of Care was reevaluated annually. Numerator: Number of enrolled recipients whose Level of Care was reevaluated annually. Denominator: Number of enrolled recipients reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> (check each that applies):	<b>Frequency of data collection/generation</b> (check each that applies):	<b>Sampling Approach</b> (check each that applies):
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>

	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>
	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>

**c. Sub-assurance: The processes and instruments described in the approved waiver are applied appropriately and according to the approved description to determine participant level of care.**

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of recipients whose Level of Care (LOC) eligibility was based on accurate application of policy resulting in accurate LOC determinations. N: number of recipients who's LOC eligibility was based on accurate application of policy resulting in accurate LOC determinations, D: number of recipients reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input data-bbox="1078 1025 1264 1111" type="text"/>
<b>Other</b> Specify: <input data-bbox="408 1249 647 1335" type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input data-bbox="1078 1249 1264 1335" type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input data-bbox="1078 1473 1264 1559" type="text"/>
	<b>Other</b> Specify: <input data-bbox="718 1697 954 1783" type="text"/>	

**Data Aggregation and Analysis:**



Responsible Party for data aggregation and analysis (check each that applies):	Frequency of data aggregation and analysis (check each that applies):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input data-bbox="405 577 798 660" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input data-bbox="868 864 1260 947" type="text"/>

ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

After a referral for services is received, a qualified case manager (intake specialist) contacts the recipient within fifteen business days to arrange a face-to face meeting within 45 days to complete a LOC screening to determine program eligibility. The same instrument is used in determining the Level of Care for the waiver and for institutional care under the State plan.

If the recipient meets LOC and has a waiver service need, they are placed on a wait list while financial eligibility is determined and for a waiver slot to become available. Once a waiver slot becomes available, a qualified ADSD case manager conducts a face-to-face meeting to complete the initial assessment. This assessment is conducted as an administrative function of the waiver program and evaluates service needs based on functional deficits, support systems, and imminent risk of institutionalization.

ADSD supervisory staff reviews initial assessments to assure accurate LOC determination based on the recipients' functional deficits and appropriateness for program eligibility using the Case File Review Form.

At the quarterly quality management meetings between ADSD and DHCFP, DHCFP will report on the findings of intake packets reviewed on a monthly basis.

ADSD supervisory staff reviews LOC reevaluations to help ensure accurate LOC determinations. Case Managers track redetermination dates as an activity/referral in Social Assistance Management Software(SAMS), which notifies case managers when reassessments are due. After the LOC reassessment is completed, the supervisor reviews the LOC reassessments for timeliness and accuracy. At the time of review, any errors or concerns the supervisor identifies are addressed with the individual case manager for correction or clarification. The LOC reevaluation has been incorporated into the social health assessment. These reviews are submitted to ADSD QM staff monthly, entered into a database, and tracked for timely reassessments, issues, or concerns. The data is reported at the quarterly quality management meetings for recommendations, remedial action, and improvement strategies.

Other monitoring by DHCFP is accomplished using an annual review approach. The DHCFP annual review is designed as a look-back review to confirm the operating agency data. If issues are discovered during the annual review, the review is expanded to determine the extent of the problem, which will be addressed in the Plan of Improvement response to the annual review.

ADSD managers and supervisors have monthly meetings to bring issues to the group so that trends can be identified and addressed statewide.

Identified training needs are incorporated into planning educational offerings for ADSD staff.

**b. Methods for Remediation/Fixing Individual Problems**

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

ADSD supervisory staff addresses concerns or issues as they are identified with the case manager. The supervisor reviews the assessment to assure the individual meets the required LOC score, has a waiver service need, and meets all eligibility criteria. When the supervisor identifies errors, omissions, or concerns they are addressed with the case manager for correction at that time.

Deficiencies are remediated through corrective strategies discussed in the quarterly quality management meetings to assure coordination of processes across the state. The ADSD quality management specialist is responsible for monitoring progress based on established timelines and for reporting progress to DHCFP.

Monthly manager/supervisor meetings are held to discuss issues so statewide trends among the ADSD District Offices can be identified. Issues addressed at these meetings are discussed and remediation is completed through feedback and discussion of additional training needs at team meetings with ADSD staff. Training is provided to staff during monthly meetings and as needed. Procedures and processes are reviewed to ensure consistency and effectiveness.

Deficiencies are remediated through corrective strategies discussed in the quarterly quality management meetings to assure coordination of statewide processes. If an issue is identified to be widespread, a workgroup will be formed to develop and implement a corrective action plan and identify additional training needs. The ADSD quality management specialist is responsible for monitoring progress based on established timelines and follow-up to DHCFP.

ADSD participates with DHCFP in updating policy changes to the Medicaid Services Manual. In working together, policy changes are identified based on Quality Management meetings, deficiencies noted in annual reviews, and trending reports.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Level of Care that are currently non-operational.

**No**

**Yes**

Please provide a detailed strategy for assuring Level of Care, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

## Appendix B: Participant Access and Eligibility

### B-7: Freedom of Choice

**Freedom of Choice.** As provided in 42 CFR §441.302(d), when an individual is determined to be likely to require a level of care for this waiver, the individual or his or her legal representative is:

- i. informed of any feasible alternatives under the waiver; and
- ii. given the choice of either institutional or home and community-based services.

**a. Procedures.** Specify the state's procedures for informing eligible individuals (or their legal representatives) of the feasible alternatives available under the waiver and allowing these individuals to choose either institutional or waiver services. Identify the form(s) that are employed to document freedom of choice. The form or forms are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Applicants/recipients are given a description of services available through the waiver during the initial and annual re-assessment. The case manager informs the applicant/recipient of their choice between waiver services and institutional care, in addition to their choice of qualified providers.

Service providers are required to be an agency employee for billing, oversight, and or training purposes. For Augmented Personal Care, the applicant/recipient will be notified of group care homes that are contracted to provide Medicaid services to eligible individuals and other service options.

The person centered planning process is driven by the individual, personal representative, legal guardian or other supports chosen by the individual and includes necessary information and support to ensure that the individual directs the process to the maximum extent possible.

The Statement of Understanding/Choice form is used to inform applicants and on annual re-assessment of their rights and the right to choose between home and community based waiver services or placement in a nursing facility and is signed by the recipient/personal representative.

The information reviewed with the recipient/personal representative include: process for development of the plan of care, services to be provided, and choice of service provider. The recipient may request a change in services or service provider at any time.

Case managers will assist the recipient in gaining access to necessary state plan and waiver services as well as needed medical, social, educational, and other services, regardless of funding sources.

For applicants/recipients who are non-English speakers, DHCFP utilizes Limited English Proficiency services through Language Link, which also provides Sign Language Interpretation Services and is contracted by DHCFP. Additionally, DHCFP also utilizes staff who are bilingual.

**b. Maintenance of Forms.** Per 45 CFR §92.42, written copies or electronically retrievable facsimiles of Freedom of Choice forms are maintained for a minimum of three years. Specify the locations where copies of these forms are maintained.

A record is established for each recipient. One copy of the Statement of Choice is filed in the recipient's case record in the office of the geographic region that the recipient resides and a copy is provided to the recipient. The recipient's permanent case file will be located at the office for the geographic area in which the recipient resides. Case files (hard copy or electronic) are maintained for as long as an individual is on the waiver, or for six (6) years after waiver services end.

## Appendix B: Participant Access and Eligibility

### B-8: Access to Services by Limited English Proficiency Persons

**Access to Services by Limited English Proficient Persons.** Specify the methods that the state uses to provide meaningful access to the waiver by Limited English Proficient persons in accordance with the Department of Health and Human Services "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (68 FR 47311 - August 8, 2003):

The State makes every effort to inform recipients of waiver information in their language. The Nevada State Purchasing Division has awarded contracts for telephone based interpreter services to CTS Language Link, Language Line Services, Pacific Interpreters and Transcend for document translation services. ADSD employs bilingual staff. For those languages where bilingual staff are not available, translation services are utilized through the contracted state vendors. Vendors, rates, and contract expiration dates are posted on the State of Nevada Department of Administration Purchasing Division website.

## Appendix C: Participant Services

### C-1: Summary of Services Covered (1 of 2)

**a. Waiver Services Summary.** List the services that are furnished under the waiver in the following table. If case management is not a service under the waiver, complete items C-1-b and C-1-c:

Service Type	Service		
Statutory Service	Case Management		
Statutory Service	Homemaker		
Statutory Service	Respite		
Other Service	Adult Companion		
Other Service	Adult Day Care		
Other Service	Augmented Personal Care (APC)		
Other Service	Chore		
Other Service	Personal Emergency Response System (PERS)		

## Appendix C: Participant Services

### C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Statutory Service

**Service:**

Case Management

**Alternate Service Title (if any):**

**HCBS Taxonomy:**

**Category 1:**

01 Case Management

**Sub-Category 1:**

01010 case management

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**



**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**



Services which will assist individuals who receive waiver services in gaining access to needed waiver and other State plan services, as well as needed medical, social, educational and other services, regardless of the funding source for the services to which access is gained. Case managers are responsible for ongoing monitoring of the provision of services included in the individuals plan of care. Case Management services can be provided by ADSD or provider agencies.

Assessment and assistance of an institutionalized individual wanting to transition to community is part of the administrative case management. Direct case management is not billed until an individual is already on the waiver program as determined when the Division of Welfare and Supportive Services (DWSS) approved the applicant's Medicaid application, all waiver intake process is complete, individual has transition out of the institution, POC is developed and signed.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

**Service Delivery Method (check each that applies):**

**Participant-directed as specified in Appendix E**

**Provider managed**

**Specify whether the service may be provided by (check each that applies):**

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Case Management (Private)
Agency	Case Management (Public)

### Appendix C: Participant Services

#### C-1/C-3: Provider Specifications for Service

**Service Type: Statutory Service**

**Service Name: Case Management**

**Provider Category:**

**Provider Type:**

**Provider Qualifications**

**License (specify):**

Employees of the case management provider agencies who provide direct service case management must be licensed as a Social Worker by the State of Nevada Board of Examiners for Social Workers; licensure as a Registered Nurse by the Nevada State Board of Nursing; or have a professional license or certificate in a medical specialty applicable to the assignment.

**Certificate** (*specify*):

**Other Standard** (*specify*):

Case Management providers must be enrolled as a Waiver Case Management Provider Agency through DHCFP’s fiscal agent. The following requirements are verified upon enrollment:

- Documentation of taxpayer ID
- Business license as required by city, county, or state government
- Proof of Workers Compensation Insurance
- Proof of Unemployment Insurance Account
- Proof of Commercial General Liability
- Proof of Business Automobile Liability Coverage
- Proof of Commercial Crime Insurance
- Fixed business landline telephone number published in a public telephone directory
- Business office that is accessible to the public during established and posted business hours

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Fiscal Agent for DHCFP.

Division of Health Care Financing and Policy and Aging and Disability Services Division.

**Frequency of Verification:**

Upon initial enrollment with DHCFP's Fiscal Agent and every five (5) years at re-validation. Annually as part of Quality Assurance activities and waiver review. State Licensing Agency Requirements.

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Statutory Service**  
**Service Name: Case Management**

**Provider Category:**

Agency

**Provider Type:**

Case Management (Public)

**Provider Qualifications**

**License** (*specify*):

Employees of ADSD who provide direct service case management must be licensed as a Social Worker by the State of Nevada Board of Examiners for Social Workers; licensure as a Registered Nurse by the Nevada State Board of Nursing; or have a professional license or certificate in a medical specialty applicable to the assignment.

**Certificate** (*specify*):

[Empty text box]

**Other Standard** (specify):

Must be enrolled as a waiver case management provider agency through DHCFP's fiscal agent. Employees who provide case management must have licensure as required above and:  
1. A valid driver's license and means of transportation to enable home visits.  
2. Adheres to Health Insurance Portability and Accountability Act (HIPAA) requirements.  
3. FBI criminal history background check

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

Aging and Disability Services Division (ADSD).

**Frequency of Verification:**

Upon initial employment and every year thereafter the ADSD verifies current Social Worker or Professional license.

**Appendix C: Participant Services**

**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Statutory Service

**Service:**

Homemaker

**Alternate Service Title (if any):**

[Empty text box]

**HCBS Taxonomy:**

**Category 1:**

08 Home-Based Services

**Sub-Category 1:**

08050 homemaker

**Category 2:**

[Empty text box]

**Sub-Category 2:**

[Empty text box]

**Category 3:**

[Empty text box]

**Sub-Category 3:**

[Empty text box]



**Service Definition** (*Scope*):

**Category 4:**

**Sub-Category 4:**



Services consisting of the performance of general household tasks (e.g. light housekeeping, meal preparation, essential shopping, and laundry and routine household care). These services are provided when the individual regularly responsible for these activities is temporarily absent or unable to manage the home.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

**Service Delivery Method** (*check each that applies*):

**Participant-directed as specified in Appendix E**

**Provider managed**

**Specify whether the service may be provided by** (*check each that applies*):

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Homemaker

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Statutory Service**

**Service Name: Homemaker**

**Provider Category:**

**Provider Type:**

**Provider Qualifications**

**License** (*specify*):

Current enrollment as a Provider Type 30 (Personal Care Services – Provider Agency) or PT 83 (Personal Care Service – Intermediary Services Organization (ISO) in the Nevada Medicaid Program.

OR EACH OF THE FOLLOWING:

- Licensure as a Personal Care Attendant issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH).
- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance.
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Proof of Commercial Crime Insurance for employee dishonesty with a minimum of \$25,000 per loss. Policy must name DHCFP as an additional insured.
- Proof of Business Automobile Insurance with a minimum coverage of \$750,000 combined single limit for bodily injury and property damage for any owned, leased, hired and non-owned vehicles used in the performance of the Medicaid provider’s Contract. The policy must name DHCFP as an additional insured and shall be endorsed to include the following language: "The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor."
- Signed Business Associate Addendum (NMH-3820).
- Completed Medicaid Electronic Visit Verification (EVV) Provider System Selection Form and attach to your enrollment/revalidation.

**Certificate** (specify):

[Empty text box for Certificate specification]

**Other Standard** (specify):

[Empty text box for Other Standard specification]

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years for revalidation.

**Appendix C: Participant Services**

**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Statutory Service

**Service:**

Respite

**Alternate Service Title (if any):**

**HCBS Taxonomy:**

**Category 1:**

09 Caregiver Support

**Sub-Category 1:**

09012 respite, in-home

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

Services provided to individuals unable to care for themselves; furnished on a short-term basis because of the absence or need for relief of those persons normally providing the care. Respite providers provide general assistance with ADLs and IADLs, as well as provide supervision for recipients with functional impairments in their home or place of residence (community setting). Services may be for 24-hour periods, and the goal is relief of the primary caregiver.

Respite services are only provided in the recipient's home.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

Respite care is limited to 336 hours for the duration of the Plan of Care.  
Services must be prior authorized by ADSD.

**Service Delivery Method (check each that applies):**

**Participant-directed as specified in Appendix E**

**Provider managed**

**Specify whether the service may be provided by (check each that applies):**

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Respite, waiver

**Appendix C: Participant Services**

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### C-1/C-3: Provider Specifications for Service

**Service Type: Statutory Service**

**Service Name: Respite**

**Provider Category:**

Agency

**Provider Type:**

Respite, waiver

**Provider Qualifications**

**License (specify):**

Current enrollment as a Provider Type 30 (Personal Care Services - Provider Agency) or 83 (Personal Care Services -Intermediary Service Organization) in the Nevada Medicaid Program.

OR EACH OF THE FOLLOWING

- Licensure as a Personal Care Agency issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH).
- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance.
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Proof of Commercial Crime Insurance for employee dishonesty with a minimum of \$25,000 per loss. Policy must name DHCFP as an additional insured.
- Proof of Business Automobile Insurance with a minimum coverage of \$750,000 combined single limit for bodily injury and property damage for any owned, leased, hired and non-owned vehicles used in the performance of the Medicaid provider’s Contract. The policy must name DHCFP as an additional insured and shall be endorsed to include the following language: ”The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor.”
- Signed Business Associate Addendum (NMH-3820).
- Completed Medicaid Electronic Visit Verification (EVV) Provider System Selection Form and attach to your enrollment/revalidation.

**Certificate (specify):**

**Other Standard (specify):**

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years for revalidation.

## Appendix C: Participant Services

### C-1/C-3: Service Specification

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

**Service Title:**

Adult Companion

**HCBS Taxonomy:**

**Category 1:**

08 Home-Based Services

**Sub-Category 1:**

08040 companion

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

Non-medical care, supervision and socialization, provided to a functionally impaired adult in his/her own home. Adult Companion may assist or supervise the recipient with such tasks as meal preparation and clean up, laundry, light housekeeping, shopping and facilitate transportation and escort, but do not perform these activities as distinct services. Providers may also perform light housekeeping tasks, which are incidental to the care and supervision of the recipient. When the recipient receives Personal Care, Chore and/or Homemaker services, Adult Companion service must not duplicate the delivery of these services. This service is provided in accordance with a goal in the Plan of Care, and is not purely diversional in nature.

The Case Manager assesses and authorized the Adult Companion based on the LOC needs of the individual using NF LOC tool.

Adult Companion services must be identified on the POC and have prior authorization in place before provision of services can start. This service must not be provided in a residential for group or assisted living facility.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

**Service Delivery Method (check each that applies):**

**Participant-directed as specified in Appendix E**

**Provider managed**

Specify whether the service may be provided by (check each that applies):

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Adult Companion

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Other Service**

**Service Name: Adult Companion**

**Provider Category:**

Agency

**Provider Type:**

Adult Companion

**Provider Qualifications**

**License (specify):**

Current enrollment as a Provider Type 30 (Personal Care Services - Provider Agency) or 83 (Personal Care Services - Intermediary Service Organization) in the Nevada Medicaid Program.

OR EACH OF THE FOLLOWING

- Licensure as a Personal Care Agency issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH).
- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Proof of Commercial Crime Insurance for employee dishonesty with a minimum of \$25,000 per loss. Policy must name DHCFP as an additional insured.
- Proof of Business Automobile Insurance with a minimum coverage of \$750,000 combined single limit for bodily injury and property damage for any owned, leased, hired and non-owned vehicles used in the performance of the Medicaid provider’s Contract. The policy must name DHCFP as an additional insured and shall be endorsed to include the following language: "The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor."
- Signed Business Associate Addendum(NMH 3820)
- Complete the Medicaid Electronic Visit

**Certificate (specify):**

**Other Standard (specify):**

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years at revalidation.

**Appendix C: Participant Services**

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**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

**Service Title:**

Adult Day Care

**HCBS Taxonomy:**

**Category 1:**

04 Day Services

**Sub-Category 1:**

04060 adult day services (social model)

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

Adult day care is a service provided for one or more days per week as authorized in the POC. These services are furnished in a non-institutional community based setting, encompassing social services needed to ensure the optimal functions of the recipient. Meals provided as part of these services shall not constitute a full nutritional regime (three meals per day). This service is provided in accordance with the personalized goals in the POC.

Transportation is not provided as a component of Adult Day Care service; however, providers can get reimburse under State Plan Non - Emergency Transportation (NET). DHCFP contracted a vendor to handle and pay for all Medicaid recipients non-emergency transportation requests.

Therapies (if needed) are furnished separate from the adult day care waiver service and is paid for under the State Plan programs.

The Case Manager assesses and authorized the number of hours for Adult Day Care service. During the POC development, the ADSD CM utilizes the CSHA (NF LOC included) to determine applicant/recipient's need for Adult Day Care service based on the LOC needs, risk factor such as available or lack of support, wandering, etc., and other waiver/non-waiver services the individual is receiving.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

Adult Day Care can be authorized per diem maximum of 6 hours, or per unit (15 minutes) if the recipient is in attendance for less than 6 hours.

**Service Delivery Method** *(check each that applies):*

- Participant-directed as specified in Appendix E**
- Provider managed**

**Specify whether the service may be provided by** *(check each that applies):*

- Legally Responsible Person**
- Relative**
- Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Adult Day Care Facility

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Other Service**  
**Service Name: Adult Day Care**

**Provider Category:**

Agency

**Provider Type:**

Adult Day Care Facility

**Provider Qualifications**

**License** *(specify):*



- Licensure as an Adult Day Care (ADC) facilities agency issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH).
- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance.
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Proof of Commercial Crime Insurance for employee dishonesty with a minimum of \$25,000 per loss. Policy must name DHCFP as an additional insured.
- Do you provide transportation in any owned, leased, hired and non-owned vehicles?
- Yes No If you answered “Yes” you must provide Proof of Business Automobile Insurance, with a minimum coverage of \$750,000 combined single limit for bodily injury and property damage for any owned, leased, hired and non-owned vehicles used in the performance of the Medicaid provider’s Contract. The policy must name DHCFP as an additional insured and shall be endorsed to include the following language: ”The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor.”
- Signed Business Associate Addendum (NMH-3820).

**Certificate** (*specify*):

**Other Standard** (*specify*):

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years at revalidation.

**Appendix C: Participant Services**

**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

**Service Title:**

Augmented Personal Care (APC)

**HCBS Taxonomy:**

**Category 1:**

02 Round-the-Clock Services

**Sub-Category 1:**

02013 group living, other

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

Personal care and supportive services (homemaker, chore, attendant services, meal preparation) that are furnished to waiver participants who reside in a setting that meets the HCB setting requirements and includes 24-hour on-site response capability to meet scheduled or unpredictable resident needs and to provide supervision, safety and security. Services also include social and recreational programming, and medication assistance (to the extent permitted under state law). Services that are provided by third parties must be coordinated with the assisted living provider.

Augmented personal care is over and above the mandatory service provision required by regulation, which includes the coordination of transportation to and from the residential facility for groups to the hospital, a nursing facility, routine medical appointments and social outings organized by the facility. This service includes 24-hour in home supervision to meet scheduled or unpredictable needs.

Other individuals or agencies may also furnish care directly, or under arrangement with the group home or assisted living, but the care provided by these other entities is supplemental and does not relieve the group home or assisted living facility from their primary care duties.

Nursing and skilled therapy services (except periodic nursing evaluations if specified above) are incidental, rather than integral to the provision of group care and assisted living services. Payment will not be made for 24-hour skilled care or supervision. Federal Financial Participation (FFP) is not available for room and board, items of comfort or convenience, or the costs of facility maintenance, upkeep and improvement. The costs of room and board are excluded from payments for assisted living services.

There are four levels of augmented personal care covered in this waiver. The service level provided is based on the recipients functional, cognitive and behavioral needs to ensure his or her health, safety and welfare in the community. The case manager determines the service level. If the case manager is an employee of ADSD, they also complete the prior authorization for services. If the case manager is from a provider agency, that case manager must communicate the service level to ADSD for completion of the prior authorization for services.

#### Level One Daily (minimum assistance)

Requires supervision and cueing to complete basic self care and ADLs with minimum hands on care; in home supervision when direct care tasks are not being completed. Minimum assistance with laundry; housekeeping; meal preparation and eating; bed mobility and transfers; bathing, dressing and grooming; mobility and ambulation.

#### Level Two Daily (moderate assistance)

Requires physical assistance to complete ADLs with moderate hands on care; in home supervision with regularly scheduled checks as needed. Moderate assistance with increased laundry needs; housekeeping; special meal prep and eating; bed mobility and transfers; bathing, dressing and grooming; mobility and ambulation.

#### Level Three Daily (maximum assistance)

Requires physical assistance to complete ADLs with maximum hands on care; direct 24 hour supervision and/or safety system (alarm) to ensure safety when supervision is not direct. Maximum assistance with increased laundry needs; housekeeping; special meal prep and eating; bed mobility and transfers; bathing, dressing and grooming; mobility and ambulation.

#### Level Four Daily (Critical Behaviors)

In addition to meeting a level of one, two or three for ADL/IADL care, level 4 requires substantial and/or extensive assistance with critical behaviors: Behavioral Problems, Resists Care, Socially Inappropriate, Wandering, Physically Abusive to self and/or others, Verbally Abusive, and behaviors that represent a safety risk. Requiring the full attention of staff member when behaviors are present and/or presents a need for additional staffing to redirect and address behaviors. Additional documentation and agency approval required.

\*All service levels are reassessed annually, or as significant changes occur, and may increase or decrease to reflect the recipients current level of need. Cognitive and/or critical behaviors are considered in the Level of Care Determination and may cause a recipient to be assessed at a different APC Level than originally determined.

\*Documentation on the daily log is required to justify amount and types of care for service level determination and

verification of proper billing.

Case Manager assesses and authorized APC service level based on the level of care needs using CSHA which the NF LOC tool is incorporated.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

The only limit is licensure by the Bureau of Health Care Quality and Compliance (HCQC). HCQC licenses residential facilities for group based on the level of service as identified under the service specifications.

APC can only be provided in the residential group home or assisted living and not to be combine with State Plan PCS. APC must be prior authorized before services can start and identified on the POC.

**Service Delivery Method** *(check each that applies):*

- Participant-directed as specified in Appendix E**
- Provider managed**

**Specify whether the service may be provided by** *(check each that applies):*

- Legally Responsible Person**
- Relative**
- Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Assisted Living
Agency	Residential Facility for Groups

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Other Service**  
**Service Name: Augmented Personal Care (APC)**

**Provider Category:**

Agency

**Provider Type:**

Assisted Living

**Provider Qualifications**

**License** *(specify):*

- Licensure as an agency to provide Residential Facilities for Groups issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH).
- Documentation showing Taxpayer Identification Number (SS-4, CP575, W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance.
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Proof of Commercial Crime Insurance for employee dishonesty with minimum of \$25,000 per loss. Policy must name DHCFP as an additional insured.
- Proof of Business Automobile Insurance, with a minimum coverage of \$750,000 combined single limit for bodily injury and property damage for any owned, leased, hired and non-owned vehicles used in the performance of the Medicaid provider’s Contract. The policy must name DHCFP as an additional insured and shall be endorsed to include the following language: ”The State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of, the Contractor, including automobiles owned, leased, hired or borrowed by the Contractor.”
- Signed Business Associate Addendum (NMH-3820).

**Certificate** (*specify*):

**Other Standard** (*specify*):

Additional Qualifications for Assisted Living Providers include:  
 Assisted Living staff will be trained in the functional care skills that are needed to care for each unique recipient. Training will include but not be limited to techniques such as transfers, mobility, positioning, use of special equipment, identification of signs of distress, First Aid and CPR.

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's Fiscal Agent

**Frequency of Verification:**

Upon initial enrollment and every five (5) years at revalidation.

**Appendix C: Participant Services**

**C-1/C-3: Provider Specifications for Service**

**Service Type: Other Service**

**Service Name: Augmented Personal Care (APC)**

**Provider Category:**

Agency

**Provider Type:**

Residential Facility for Groups

**Provider Qualifications**

**License** (*specify*):

- Licensure as an agency to provide Residential Facilities for Groups issued by the State of Nevada Department of Health and Human Services Division of Public and Behavioral Health (DPBH)- Bureau of Health Care Quality and Compliance (HCQC).
- Documentation showing Taxpayer Identification Number (SS-4, CP575, W-9 or Social Security Card).
- Proof of Worker’s Compensation Insurance.
- Proof of Commercial General Liability Insurance of not less than \$2 million general aggregate and \$1 million each occurrence, with the Nevada Division of Health Care Financing and Policy (DHCFP) named as an additional insured. DHCFP’s address is 1100 E. William St., Ste. 101, Carson City, Nevada 89701.
- Signed Business Associate Addendum (NMH-3820).

**Certificate** (*specify*):

**Other Standard** (*specify*):

Group home staff will be trained in the functional care skills that are needed to care for each unique recipient. Training will include but not be limited to techniques such as transfers, mobility, positioning, use of special equipment, identification of signs of distress, First Aid and CPR.

Per HCQC all employees/caregivers of residential group homes must have the following qualifications and training:  
 NAC449.196Qualifications and training of caregivers <https://www.leg.state.nv.us/NRS/NRS-449.html#NRS449Sec0302>

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's Fiscal Agent, HCQC and ADSD

In addition to HCQC oversight, ADSD QA conducts provider reviews of the Residential Facility for Groups and all waiver providers annually. As part of case management service, ADSD case manager (CM) also contacts recipients (in their place of residency) to ensure safety and well-being of the recipient. The CM contact can be monthly or as indicated on the POC and by telephone or home/facility visit. During CM’s visit, they also obtain daily records/logs of the recipients for review.

**Frequency of Verification:**

Fiscal Agent - Upon initial enrollment and every five (5) years at revalidation

ADSD QA - Annually

CM - monthly or as needed phone or face-to-face visit contact (per POC))with recipient in the residential group home or assisted living.

**Appendix C: Participant Services**

**C-1/C-3: Service Specification**

State laws, regulations and policies referenced in the specification are readily available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

**Service Title:**

Chore

**HCBS Taxonomy:**

**Category 1:**

08 Home-Based Services

**Sub-Category 1:**

08060 chore

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

Services needed to maintain a clean, sanitary and safe home environment. This service includes heavy household chores such as cleaning windows and walls, shampooing carpets, tacking down loose rugs and tiles, moving heavy items of furniture in order to provide safe access and egress, minor home repairs and removing trash and debris from the yard.

Chore services are intermittent in nature and may be authorized as a need arises for the completion of a specific task which otherwise left undone poses a home safety issue. The service must be identified on the POC, is approved by the ADSD CM, authorization must be in place and must be clearly documented on the CSHA the need for Chore service.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

**Service Delivery Method (check each that applies):**

**Participant-directed as specified in Appendix E**

**Provider managed**

**Specify whether the service may be provided by (check each that applies):**

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Chore

## Appendix C: Participant Services

### C-1/C-3: Provider Specifications for Service

**Service Type: Other Service**

**Service Name: Chore**

**Provider Category:**

Agency

**Provider Type:**

Chore

**Provider Qualifications**

**License (specify):**

- Current enrollment as a Provider Type 30 (Personal Care Services - Provider Agency) or 83 (Personal Care Services -Intermediary Service Organization) in the Nevada Medicaid Program.

OR EACH OF THE FOLLOWING

- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card).
- Proof of Worker's Compensation Insurance.
- Copy of business license from the Nevada Secretary of State (for in-state providers) or a copy of the Secretary of State business license in the provider's home state (for out-of-state providers).
- Signed Business Associate Addendum (NMH 3820)
- Complete the Medicaid Electronic Visit Verification (EVV) Provider System Selection Form and attach to your enrollment/revalidation.

**Certificate (specify):**

**Other Standard (specify):**

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years at revalidation.

## Appendix C: Participant Services

### C-1/C-3: Service Specification



the Medicaid agency or the operating agency (if applicable).

**Service Type:**

Other Service

As provided in 42 CFR §440.180(b)(9), the State requests the authority to provide the following additional service not specified in statute.

**Service Title:**

Personal Emergency Response System (PERS)

**HCBS Taxonomy:**

**Category 1:**

14 Equipment, Technology, and Modifications

**Sub-Category 1:**

14010 personal emergency response system (PERS)

**Category 2:**

**Sub-Category 2:**

**Category 3:**

**Sub-Category 3:**

**Service Definition (Scope):**

**Category 4:**

**Sub-Category 4:**

PERS is an electronic device which enables waiver participants to secure help in an emergency. The individual may also wear a portable "help" button to allow for mobility. The system is connected to the person's phone and programmed to signal a response center once a "help" button is activated. The response center is staffed by trained professionals. The service components include both the installation of the unit and monthly monitoring. Two separate authorizations are required for payment; the initial installation fee for the device and a monthly fee for continuous monitoring.

**Specify applicable (if any) limits on the amount, frequency, or duration of this service:**

**Service Delivery Method (check each that applies):**

**Participant-directed as specified in Appendix E**

**Provider managed**

**Specify whether the service may be provided by (check each that applies):**

**Legally Responsible Person**

**Relative**

**Legal Guardian**

**Provider Specifications:**

Provider Category	Provider Type Title
Agency	Personal Emergency Response System (PERS)

## Appendix C: Participant Services

### C-1/C-3: Provider Specifications for Service

**Service Type: Other Service**

**Service Name: Personal Emergency Response System (PERS)**

**Provider Category:**

Agency

**Provider Type:**

Personal Emergency Response System (PERS)

**Provider Qualifications**

**License** (*specify*):

- Documentation showing Taxpayer Identification Number (SS-4 or CP575 or W-9 or Social Security Card)
- Copy of business license from the Nevada Secretary of State (for in-state providers) or a copy of the Secretary of State business license in the provider's home state (for out of state providers)
- Signed Business Associate Addendum (NMH-3820).

**Certificate** (*specify*):

**Other Standard** (*specify*):

**Verification of Provider Qualifications**

**Entity Responsible for Verification:**

DHCFP's fiscal agent.

**Frequency of Verification:**

Upon initial enrollment and every five (5) years at revalidation.

## Appendix C: Participant Services

### C-1: Summary of Services Covered (2 of 2)

**b. Provision of Case Management Services to Waiver Participants.** Indicate how case management is furnished to waiver participants (*select one*):

**Not applicable** - Case management is not furnished as a distinct activity to waiver participants.

**Applicable** - Case management is furnished as a distinct activity to waiver participants.

*Check each that applies:*

**As a waiver service defined in Appendix C-3.** Do not complete item C-1-c.

**As a Medicaid state plan service under §1915(i) of the Act (HCBS as a State Plan Option).** Complete item C-1-c.

**As a Medicaid state plan service under §1915(g)(1) of the Act (Targeted Case Management).** Complete item

*C-1-c.*

**As an administrative activity.** *Complete item C-1-c.*

**As a primary care case management system service under a concurrent managed care authority.** *Complete item C-1-c.*

**c. Delivery of Case Management Services.** Specify the entity or entities that conduct case management functions on behalf of waiver participants:

## Appendix C: Participant Services

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### C-2: General Service Specifications (1 of 3)

**a. Criminal History and/or Background Investigations.** Specify the state's policies concerning the conduct of criminal history and/or background investigations of individuals who provide waiver services (select one):

**No. Criminal history and/or background investigations are not required.**

**Yes. Criminal history and/or background investigations are required.**

Specify: (a) the types of positions (e.g., personal assistants, attendants) for which such investigations must be conducted; (b) the scope of such investigations (e.g., state, national); and, (c) the process for ensuring that mandatory investigations have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid or the operating agency (if applicable):

**AGING AND DISABILITY SERVICES DIVISION (ADSD) EMPLOYEES:**

The ADSD, in compliance with the Department of Health and Human Services (DHHS), requires a criminal background check of any person appointed to a position in the classified or unclassified service whose duties include regular or potential contact with clients of the Division or access to client records. State agencies use NRS 239B.010 “request by agency of State or political subdivision for information on certain persons from Federal Bureau of Investigation” as the citation to request background checks. A criminal background check is required as a condition of employment for any person accepting employment with the agency, to include appointment as a new hire, reinstatement, reemployment, reappointment or transfer.

Employees are fingerprinted within five working days of their date of hire or appointment.

It is the responsibility of an employee’s supervisor to ensure fingerprint cards are completed and submitted to the designated Division Personnel Staff who has the responsibility of submitting the fingerprint cards to Central Repository for Nevada Records of Criminal History, an agency of the Nevada Department of Public Safety, Records and Technology Division. The results of the state and national FBI criminal history search are transmitted back to Personnel, who notify the ADSD Administrator or Deputy Administrator of any positive results. The ADSD Administrator or Deputy Administrator takes any action necessary as a result of the background check.

**WAIVER PROVIDERS:**

The DHCFF policy requires all waiver providers to have State and Federal criminal history background checks completed. Based on the results of the background check, the DHCFF fiscal agent will not enroll any provider agency whose operator has been convicted of a felony under Federal or State law for any offense which DHCFF determines is inconsistent with the best interest of recipients.

A fingerprint based criminal background check is required for all employees who provide direct care to recipients, as well as owners and administrators. Internet based background checks are not acceptable.

The DHCFF policy requires all providers have a fingerprint based criminal history completed prior to service initiation, and every five years thereafter. The DHCFF fiscal agent will not enroll any provider agency whose owner or operator has been convicted of a felony under State or Federal law for any offense which the DHCFF determines is inconsistent with the best interest of recipients. Additional information may be found in MSM Chapter 100, Section 102.2, which outlines a list of crimes which are inconsistent with the best interests of the recipients.

Criminal background checks must be conducted through the Nevada Department of Public Safety (DPS). Agencies do not have to have a DPS account. Individuals may request their own personal criminal history directly from DPS and the FBI and must have the results sent directly to the employer. Information and instructions may be found on the DPS website at: <http://nvrepository.state.nv.us/criminal/forms/PersonalNevadaCriminalHistory.pdf>

The employer is responsible for reviewing the results of employee criminal background checks and maintaining the results within the employee’s personnel records. Continued employment is at the sole discretion of the servicing agency. However, the DHCFF has determined certain felonies and misdemeanors to be inconsistent with the best interests of recipients. Additional information may be found in the <http://dhcfc.nv.gov/> MSM Chapter 100, Section 102.2.

The employer should gather information regarding the circumstances surrounding the conviction when considering ongoing employment and have this documented in the employee’s personnel file. Providers are required to initiate diligent and effective follow up for results of background checks within ninety (90) days of submission of prints and continue until results are received. An “undecided” result is not acceptable. If an employee believes that the information provided as a result of the criminal background check is incorrect, the individual must immediately inform the employing agency in writing. Information regarding challenging a disqualification is found on the DPS website at: <http://dps.nv.gov> under Records and Technology.

**Residential Facilities for Groups:**

Additional requirements for Residential Facilities for Groups under Nevada Revised Statute 449.

Employers of residential facilities for groups are required to conduct FBI background checks on all employees within 10 days after hiring an employee and must:

- (a) Obtain a written statement from the employee stating whether he has been convicted of any crime listed in NRS 449.188;
- (b) Obtain an oral and written confirmation of the information contained in the written statement obtained pursuant to paragraph (a);
- (c) Obtain from the employee two sets of fingerprints and a written authorization to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the FBI for its report; and
- (d) Submit to the Central Repository for Nevada Records of Criminal History the fingerprints obtained pursuant to paragraph

**b. Abuse Registry Screening.** Specify whether the state requires the screening of individuals who provide waiver services through a state-maintained abuse registry (select one):

**No. The state does not conduct abuse registry screening.**

**Yes. The state maintains an abuse registry and requires the screening of individuals through this registry.**

Specify: (a) the entity (entities) responsible for maintaining the abuse registry; (b) the types of positions for which abuse registry screenings must be conducted; and, (c) the process for ensuring that mandatory screenings have been conducted. State laws, regulations and policies referenced in this description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):

## Appendix C: Participant Services

### C-2: General Service Specifications (2 of 3)

**c. Services in Facilities Subject to §1616(e) of the Social Security Act.** *Select one:*

**No. Home and community-based services under this waiver are not provided in facilities subject to §1616(e) of the Act.**

**Yes. Home and community-based services are provided in facilities subject to §1616(e) of the Act. The standards that apply to each type of facility where waiver services are provided are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).**

**i. Types of Facilities Subject to §1616(e).** Complete the following table for each type of facility subject to §1616(e) of the Act:

Facility Type	
Residential Facility for Groups	
Assisted Living	

**ii. Larger Facilities:** In the case of residential facilities subject to §1616(e) that serve four or more individuals unrelated to the proprietor, describe how a home and community character is maintained in these settings.

“Required information is contained in response to C-5”

**Appendix C: Participant Services**

**C-2: Facility Specifications**

**Facility Type:**

Residential Facility for Groups

**Waiver Service(s) Provided in Facility:**

Waiver Service	Provided in Facility
Respite	
Adult Companion	
Adult Day Care	
Case Management	
Chore	
Homemaker	
Personal Emergency Response System (PERS)	
Augmented Personal Care (APC)	

**Facility Capacity Limit:**

This is based on Bureau of Health Care Quality and Compliance review by facility,

**Scope of Facility Standards.** For this facility type, please specify whether the state's standards address the following topics (*check each that applies*):

Scope of State Facility Standards	
Standard	Topic Addressed
Admission policies	
Physical environment	
Sanitation	
Safety	
Staff : resident ratios	
Staff training and qualifications	
Staff supervision	
Resident rights	
Medication administration	
Use of restrictive interventions	
Incident reporting	
Provision of or arrangement for necessary health services	

**When facility standards do not address one or more of the topics listed, explain why the standard is not included or is not relevant to the facility type or population. Explain how the health and welfare of participants is assured in the standard area(s) not addressed:**

**Appendix C: Participant Services**

**C-2: Facility Specifications**

**Facility Type:**

Assisted Living

**Waiver Service(s) Provided in Facility:**

Waiver Service	Provided in Facility
Respite	
Adult Companion	
Adult Day Care	
Case Management	
Chore	
Homemaker	
Personal Emergency Response System (PERS)	
Augmented Personal Care (APC)	

**Facility Capacity Limit:**

This is based on Bureau of Health Care Quality and Compliance review by facility,

**Scope of Facility Sandards.** For this facility type, please specify whether the state's standards address the following topics (*check each that applies*):

**Scope of State Facility Standards**

Standard	Topic Addressed
Admission policies	
Physical environment	
Sanitation	
Safety	
Staff : resident ratios	
Staff training and qualifications	
Staff supervision	
Resident rights	
Medication administration	
Use of restrictive interventions	
Incident reporting	
Provision of or arrangement for necessary health services	

**When facility standards do not address one or more of the topics listed, explain why the standard is not included or is not relevant to the facility type or population. Explain how the health and welfare of participants is assured in the standard area(s) not addressed:**

## Appendix C: Participant Services

### C-2: General Service Specifications (3 of 3)

**d. Provision of Personal Care or Similar Services by Legally Responsible Individuals.** A legally responsible individual is any person who has a duty under state law to care for another person and typically includes: (a) the parent (biological or adoptive) of a minor child or the guardian of a minor child who must provide care to the child or (b) a spouse of a waiver participant. Except at the option of the State and under extraordinary circumstances specified by the state, payment may not be made to a legally responsible individual for the provision of personal care or similar services that the legally responsible individual would ordinarily perform or be responsible to perform on behalf of a waiver participant. *Select one:*

**No. The state does not make payment to legally responsible individuals for furnishing personal care or similar services.**

**Yes. The state makes payment to legally responsible individuals for furnishing personal care or similar services when they are qualified to provide the services.**

Specify: (a) the legally responsible individuals who may be paid to furnish such services and the services they may provide; (b) state policies that specify the circumstances when payment may be authorized for the provision of *extraordinary care* by a legally responsible individual and how the state ensures that the provision of services by a legally responsible individual is in the best interest of the participant; and, (c) the controls that are employed to ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 the personal care or similar services for which payment may be made to legally responsible individuals under the state policies specified here.*

**Self-directed**

**Agency-operated**

**e. Other State Policies Concerning Payment for Waiver Services Furnished by Relatives/Legal Guardians.** Specify state policies concerning making payment to relatives/legal guardians for the provision of waiver services over and above the policies addressed in Item C-2-d. *Select one:*

**The state does not make payment to relatives/legal guardians for furnishing waiver services.**

**The state makes payment to relatives/legal guardians under specific circumstances and only when the relative/guardian is qualified to furnish services.**

Specify the specific circumstances under which payment is made, the types of relatives/legal guardians to whom payment may be made, and the services for which payment may be made. Specify the controls that are employed to ensure that payments are made only for services rendered. *Also, specify in Appendix C-1/C-3 each waiver service for which payment may be made to relatives/legal guardians.*



**Relatives/legal guardians may be paid for providing waiver services whenever the relative/legal guardian is qualified to provide services as specified in Appendix C-1/C-3.**

Specify the controls that are employed to ensure that payments are made only for services rendered.

Relatives, who are NOT legal guardians, may be paid for providing waiver services. Nevada's Legally Responsible Individual include spouses, legal guardians, and parent(s), stepparent(s), foster parent(s), and adoptive parent(s) of minor children.

Relatives must adhere to all waiver providers' requirements as stated in the FE Waiver Medicaid Services Manual (MSM) Chapter 2200, Section 2203.3B Provider Responsibilities and Intermediary Service Organization (ISO) MSM Chapter 2600 Section 2603.8 Provider Responsibilities. All relative caregivers are responsible to ensure they are in compliance with required training as a FE waiver provider, only provide services in accordance with the waiver recipient's service plan, and Plan of Care must be developed and signed by all applicable participants: recipient, relative caregiver and case manager. Additionally, all waiver services must be prior authorized prior to providing services; and, ISO entities are subject to DHCFP and ADSD Quality Assurance (QA) units' review, which is reported to CMS. Relative caregivers also have individual case file kept in the ISO agency and are reviewed annually. The case file must contain training certificate, plan of care, daily logs signed by recipient and caregiver (NOTE: if recipient is unable to sign daily logs and documented in the POC, the log must be signed by another relative, who is not the caregiver).

When during the QA review, it was determined that caregiver was non-compliant, the case is also referred to DHCFP Surveillance and Utilization Review (SUR), for further investigation and possible recoupment.

**Other policy.**

Specify:

**f. Open Enrollment of Providers.** Specify the processes that are employed to assure that all willing and qualified providers have the opportunity to enroll as waiver service providers as provided in 42 CFR §431.51:

Any willing provider that meets the established criteria for a specific provider type may enroll with the DHCFP through their fiscal agent. Enrollment is continuously open for all potential waiver providers.

The fiscal agent website [www.medicaid.nv.gov](http://www.medicaid.nv.gov) lists required documentation for applications to enroll in Medicaid as a waiver provider by specific service type. Supporting information is also available in the Medicaid Services Manuals on the DHCFP website [dhcfp.nv.gov](http://dhcfp.nv.gov)

The fiscal agent possesses and monitors provider qualifications, provider agreements, skill requisite, and licensure requirements for this waiver. The fiscal agent enrolls providers initially, and every five (5) years thereafter. The fiscal agent will not enroll any provider who does not meet the qualifications.

The fiscal agent has a provider enrollment hotline from 8:00 am to 5:00 pm Monday through Friday, staffed with customer service representatives to assist with provider enrollment, claims, and general provider questions. The fiscal agent processes claims through the Inter Change system, makes payments to providers, and tracks payment via Remittance Advices (RAs).

**Appendix C: Participant Services**

**Quality Improvement: Qualified Providers**

*As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.*

**a. Methods for Discovery: Qualified Providers**

*The state demonstrates that it has designed and implemented an adequate system for assuring that all waiver services are provided by qualified providers.*

**i. Sub-Assurances:**

**a. Sub-Assurance:** *The State verifies that providers initially and continually meet required licensure and/or certification standards and adhere to other standards prior to their furnishing waiver services.*

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of provider applicants that meet licensure/certification qualifications prior to delivering services. N: Number of provider applicants that meet licensure/certification qualifications prior to delivering services; D: Total number of provider applicants.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text" value="Fiscal Agent"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>

	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text" value="Provider Revalidation report"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**Performance Measure:**

**Number and percent of currently enrolled providers, by type, initially and continue to meet licensure/certification qualifications. N: Number of currently enrolled providers, by type, initially and continue to meet licensure/certification qualifications; D: Total number of currently enrolled providers.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation (check each that applies):</b>	<b>Frequency of data collection/generation (check each that applies):</b>	<b>Sampling Approach (check each that applies):</b>
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<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text" value="Fiscal Agent"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text" value="Provider Enrollment Report"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b>

<b>Responsible Party for data aggregation and analysis</b> (check each that applies):	<b>Frequency of data aggregation and analysis</b> (check each that applies):
	Specify: <input type="text"/>

**b. Sub-Assurance: The State monitors non-licensed/non-certified providers to assure adherence to waiver requirements.**

For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**Number and percent of non-licensed/non-certified provider applicants that meet qualifications prior to delivering services. N: Number of non-licensed/non-certified provider applicants that meet qualifications prior to delivering services; D: Total number of non-licensed/non-certified provider applicants.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> (check each that applies):	<b>Frequency of data collection/generation</b> (check each that applies):	<b>Sampling Approach</b> (check each that applies):
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text" value="Fiscal Agent"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:

		<input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text" value="Provider Revalidation Report"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

**Number and percent of currently enrolled non-licensed/non-certified providers that continue to meet qualifications. N: Number of currently enrolled non-licensed/non-certified providers that continue to meet qualifications; D: Total number of currently enrolled non-licensed/non-certified providers.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for</b>	<b>Frequency of data</b>	<b>Sampling Approach</b>
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<b>data collection/generation</b> <i>(check each that applies):</i>	<b>collection/generation</b> <i>(check each that applies):</i>	<i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text" value="Fiscal Agent"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text" value="Provider Revalidation Report"/>	<b>Annually</b>

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**c. Sub-Assurance: The State implements its policies and procedures for verifying that provider training is conducted in accordance with state requirements and the approved waiver.**

*For each performance measure the State will use to assess compliance with the statutory assurance, complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of agencies whose employees receive required training prior to delivering services. N: Number of agencies whose employees receive training prior to delivering services; D: Number of agencies reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> ( <i>check each that applies</i> ):	<b>Frequency of data collection/generation</b> ( <i>check each that applies</i> ):	<b>Sampling Approach</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval =  <input type="text"/>
<b>Other</b> Specify:	<b>Annually</b>	<b>Stratified</b> Describe Group:



<input type="text"/>		<input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

**Number and percent of agencies who employees receive annual training as specified in policy and procedure. N: Number of agencies whose employees receive annual training as specified by policy and procedure; D: Number of agencies reviewed.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:	<b>Annually</b>

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<input type="checkbox"/>	
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="checkbox"/>

ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

The fiscal agent will not enroll any provider that does not meet Medicaid or waiver provider qualifications.

All providers under this waiver are licensed or certified with the State except PERS providers.

The DHCFP conducts annual program and fiscal reviews of services provided under this waiver. The annual review is structured as a look-back and includes review of provider qualifications to ensure ongoing compliance with waiver requirements. Additionally, the Bureau of Health Care Quality and Compliance (HCQC) conducts audit of all providers on a yearly basis for renewal of state licensure.

ADSD also performs annual provider reviews on all waiver providers. If problems are discovered during the review, staff takes appropriate action and provides education and training to the provider. An Alert Memo is forwarded to the DHCFP and HCQC as indicated based on the identified issue or deficiency noted. A Corrective Action Plan (CAP) may be required for remediation or the provider may be suspended or terminated. The action taken depends on the nature of the problem and the action of the provider to correct and prevent recurrence of the problem.

HCQC also conducts investigation, and findings are reported to DHCFP Provider Enrollment Unit. Once DHCFP receives a referral for investigation, DHCFP Provider Enrollment Unit conducts a thorough provider investigation for further action including termination.

**b. Methods for Remediation/Fixing Individual Problems**

i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

During monthly contacts, a case manager may identify a situation where providers are not meeting requirements. The case manager will then address the concern with the provider and/or ADSD staff. If a resolution cannot be reached, the recipient will be given the option of choosing a different provider of services. If resolution is achieved, the case manager will follow up at the time of next contact. Additionally, the issue can be reported up the supervisory chain of command for evaluation and problem solving. Deficiencies are remediated through corrective strategies discussed in the quarterly QM committee meetings to assure coordination of processes across the state. The ADSD quality assurance specialist is responsible for monitoring progress based on established timelines and for reporting progress to the DHCFP. The quality management specialist may change processes to provide more efficiency.

Deficiencies are remediated through corrective strategies discussed in the quarterly QM committee meetings to assure coordination of processes across the state. The ADSD quality assurance specialist is responsible for monitoring progress based on established timelines and for reporting progress to DHCFP.

The results of DHCFP waiver reviews are used as the basis for discussion between DHCFP and ADSD to create a joint Plan of Improvement (POI) and monitored for progress at subsequent reviews by the DHCFP. The ADSD quality management specialist monitors progress on the POI quarterly.

The ADSD reviews a sampling of employee files during their annual visit as well. If a provider does not meet criteria, then a letter is sent documenting the deficiencies and a plan of improvement is required. A follow up review is scheduled to validate that the plan is being followed. The DHCFP monitors progress on plans of improvement.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Qualified Providers that are currently non-operational.

**No**

**Yes**

Please provide a detailed strategy for assuring Qualified Providers, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

**Appendix C: Participant Services**

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**C-3: Waiver Services Specifications**

Section C-3 'Service Specifications' is incorporated into Section C-1 'Waiver Services.'

**Appendix C: Participant Services**

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**C-4: Additional Limits on Amount of Waiver Services**

**a. Additional Limits on Amount of Waiver Services.** Indicate whether the waiver employs any of the following additional limits on the amount of waiver services (*select one*).

**Not applicable-** The state does not impose a limit on the amount of waiver services except as provided in Appendix C-3.

**Applicable -** The state imposes additional limits on the amount of waiver services.

When a limit is employed, specify: (a) the waiver services to which the limit applies; (b) the basis of the limit, including its basis in historical expenditure/utilization patterns and, as applicable, the processes and methodologies that are used to determine the amount of the limit to which a participant's services are subject; (c) how the limit will be adjusted over the course of the waiver period; (d) provisions for adjusting or making exceptions to the limit based on participant health and welfare needs or other factors specified by the state; (e) the safeguards that are in effect when the amount of the limit is insufficient to meet a participant's needs; (f) how participants are notified of the amount of the limit. (*check each that applies*)

**Limit(s) on Set(s) of Services.** There is a limit on the maximum dollar amount of waiver services that is authorized for one or more sets of services offered under the waiver.

*Furnish the information specified above.*

**Prospective Individual Budget Amount.** There is a limit on the maximum dollar amount of waiver services authorized for each specific participant.

*Furnish the information specified above.*

**Budget Limits by Level of Support.** Based on an assessment process and/or other factors, participants are assigned to funding levels that are limits on the maximum dollar amount of waiver services.

*Furnish the information specified above.*

**Other Type of Limit.** The state employs another type of limit.

*Describe the limit and furnish the information specified above.*

**Appendix C: Participant Services**

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Explain how residential and non-residential settings in this waiver comply with federal HCB Settings requirements at 42 CFR 441.301(c)(4)-(5) and associated CMS guidance. Include:

1. Description of the settings and how they meet federal HCB Settings requirements, at the time of submission and in the future.
2. Description of the means by which the state Medicaid agency ascertains that all waiver settings meet federal HCB Setting requirements, at the time of this submission and ongoing.

Note instructions at Module 1, Attachment #2, HCBS Settings Waiver Transition Plan for description of settings that do not meet requirements at the time of submission. Do not duplicate that information here.

At this time, NV has not reached the CMS final approval. At the State's initial approval, residential and non-residential settings are both partially compliant. With the crisis at hand, the State is currently focusing on establishing procedures and processes related to COVID-19 pandemic, which put DHCFP LTSS unit to a halt in working with providers and ADSD to become full compliant.

As time permits, NV will focus on validating residential and non-residential settings to ensure HCBS requirements are met. NV will resume other action steps to come into compliant such as updating the policies to enforce the HCBS requirements. Additionally, DHCFP has established various working groups to design a plan to bring all settings into compliance and have ongoing monitoring as per 42CFR 441.301 (c)(4)-(5). All waiver providers and stakeholders are aware of the HCBS new rule requirements and how their input and collaboration during this process will be needed for implementation. The DHCFP will be providing CMS ongoing updates on the progress of achieving full compliance and to reach the final approval.

## Appendix D: Participant-Centered Planning and Service Delivery

### D-1: Service Plan Development (1 of 8)

#### State Participant-Centered Service Plan Title:

Plan of Care (POC) - developed, completed, and reimbursed as an administrative function of the waiver program.

- a. Responsibility for Service Plan Development.** Per 42 CFR §441.301(b)(2), specify who is responsible for the development of the service plan and the qualifications of these individuals (*select each that applies*):

**Registered nurse, licensed to practice in the state**

**Licensed practical or vocational nurse, acting within the scope of practice under state law**

**Licensed physician (M.D. or D.O)**

**Case Manager** (qualifications specified in Appendix C-1/C-3)

**Case Manager** (qualifications not specified in Appendix C-1/C-3).

*Specify qualifications:*

**Social Worker**

*Specify qualifications:*

**Other**

*Specify the individuals and their qualifications:*

**Appendix D: Participant-Centered Planning and Service Delivery**

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**D-1: Service Plan Development (2 of 8)**

**b. Service Plan Development Safeguards.** *Select one:*

**Entities and/or individuals that have responsibility for service plan development may not provide other direct waiver services to the participant.**

**Entities and/or individuals that have responsibility for service plan development may provide other direct waiver services to the participant.**

The state has established the following safeguards to ensure that service plan development is conducted in the best interests of the participant. *Specify:*

**Appendix D: Participant-Centered Planning and Service Delivery**

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**D-1: Service Plan Development (3 of 8)**

**c. Supporting the Participant in Service Plan Development.** Specify: (a) the supports and information that are made available to the participant (and/or family or legal representative, as appropriate) to direct and be actively engaged in the service plan development process and (b) the participant's authority to determine who is included in the process.

Qualified case managers develop the Plan of Care (POC) using the person-centered approach and as an administrative activity of the waiver program. ADSD has identified national experts to provide specialized training in person centered thinking. All agency staff and designated DHCFP staff will receive this training which will also include concurrent train the trainer certifications for ongoing continuity.

Person Centered thinking includes involvement and choice by the applicant/recipient and/or designated representative to establish the frequency, duration, and method of service delivery; is driven by the individual, designated representative, legal guardian or other supports chosen by the individual and includes necessary information and support to ensure that the individual directs the process to the maximum extent possible. The Case Managers guides the process by explaining the recipient's rights and responsibilities, processes, requirements and providing information about the range of services and supports offered through the waiver, which allows the recipient to make informed choices, at the same time, addressing the health, welfare and safety of the applicant/recipient.

Person Centered planning includes convenience to the recipient, cultural considerations, use of plain language, strategies for solving any disagreements, identification of what is important to and for the individual, personal preferences, choice of caregivers, strategies to facilitate health and welfare and remediate identified risks, identified goals, outcomes, preferences related to relationships, community integration and opportunities to participate in integrated settings, opportunities to seek employment or volunteer activities, control over personal resources.

The Statement of Understanding/Choice form is used to inform applicants of their rights and the right to choose between home and community-based waiver services or placement in a nursing facility and is signed by the recipient or designated representative. Additionally, the recipient's rights form is reviewed with and provided to recipient and or/designated representative which include choice of service provider and may request a change in services or service provider at any time.

A POC must be established for all applicants, who have been awarded a waiver slot and all recipients. The POC includes, at a minimum, the individual's needs, goals to meet those needs, identified risks, services to be provided, case management and non-waiver services. Case managers will assist the recipient in gaining access to necessary state plan and waiver services as well as needed medical, social, educational, and other services, regardless of funding sources.

With the person centered approach, as part of case management service – case managers' contacts with recipients must be made to sufficiently verify that services are being provided appropriately or as outlined in the POC, and identify changes in condition or service needs. Contacts may be by telephone, fax, email, or an in-person visit as outlined in the POC development process.

## Appendix D: Participant-Centered Planning and Service Delivery

### D-1: Service Plan Development (4 of 8)

**d. Service Plan Development Process.** In four pages or less, describe the process that is used to develop the participant-centered service plan, including: (a) who develops the plan, who participates in the process, and the timing of the plan; (b) the types of assessments that are conducted to support the service plan development process, including securing information about participant needs, preferences and goals, and health status; (c) how the participant is informed of the services that are available under the waiver; (d) how the plan development process ensures that the service plan addresses participant goals, needs (including health care needs), and preferences; (e) how waiver and other services are coordinated; (f) how the plan development process provides for the assignment of responsibilities to implement and monitor the plan; and, (g) how and when the plan is updated, including when the participant's needs change. State laws, regulations, and policies cited that affect the service plan development process are available to CMS upon request through the Medicaid agency or the operating agency (if applicable):



Plan of Care (POC) development is completed and reimbursed as an administrative function of the waiver program. ADSD case managers develop the POC, in conjunction with the Level of Care and Comprehensive Social Health Assessment (CSHA). The applicant/recipient and family members, support system and/or designated representative of the individual choosing are encouraged to participate in the planning process. The POC is developed following the person-centered approach.

(a) Initial development of the POC and annual updates are completed as an administrative activity. The POC is completed no more than 60 calendar days from waiver enrollment. The finalized service plan must be signed and dated by both the recipient and provider(s). Ongoing POCs are updated and revised when there is a significant change expected to last more than 30 days that occurs outside of the annual review.

(b) The assessment process includes addressing the applicant/recipient's needs and individualized goals identified in the CSHA. This assessment process includes addressing activities of daily living (ADLs), instrumental activities of daily living (IADLs), service needs and support systems. In addition, this process includes gathering information regarding the medical history and social needs. The POC process considers risk factors, equipment needs, behavioral status, current support system, and unmet service needs. A list of available waiver services is provided to the recipient and/or his or her representatives. Development of the POC considers the recipient's location, availability of transportation, and necessary or desired activities to ensure preferences can be met. Personal goals are identified by the recipient and documented on the POC initially and each time the POC is updated.

(c) At the applicant's initial contact with the ADSD, the applicant is informed of services available through the waiver. An informational brochure is provided to the applicants describing these services. The information is provided to the applicant at the time of the initial assessment. Once on the waiver, the recipient receives a copy of the initial POC, when the POC is revised based on a significant change expected to last more than 30 days that occurs outside the annual review and annually.

(d) The recipient is an active participant in developing the POC that identifies desired outcomes, needs and preferences. The POC development process ensures that participant goals, needs, and preferences are addressed through the inclusion of the recipient, involved family members, personal representatives, and providers. Choice of service and providers are integrated in the planning process.

(e) The POC identifies the services required, including type, amount, duration, scope and frequency of services. Specific tasks, risk factors or direction are noted. The service providers are contacted by phone to establish availability and provided with a copy of the recipient's POC prior to initiation of services via fax or e-mail. The assigned case manager reviews the document with the recipient and coordinates the initiation of services with the chosen provider.

(f) Contact with the recipients are required to be initiated by the case manager to discuss the authorized services and evaluate the recipient's level of satisfaction. Contacts must be made to sufficiently verify that services are being provided appropriately or as outlined in the POC and identify changes in condition or service needs. Contact may be by telephone, fax, or email, and an in-person visit will be conducted annually and as outlined in the POC. During contact or home visits, case managers are responsible to capture feedback from the recipient to help ensure services are delivered as authorized in the POC. Using the person centered approach, case managers, applicants/recipients, family members, support system and designated representatives will determine the method and frequency of contacts. The State will assure that all recipients have appropriate case management on a case by case basis.

(g) The POC is reviewed and updated at a minimum annually; ongoing POCs are updated and revised when there is a significant change expected to last more than 30 days that occurs outside of the annual review. The case manager is responsible for ensuring the POC is being followed and facilitating revisions of the POC. ADSD supervisory staff reviews a sample of POCs on initial and ongoing cases. DHCFP reviews a sample of POCs during the annual review process. ADSD reviews the provider's compliance with POCs during annual site visits. The ADSD faxes or e-mails all new and updated Service Plan(s) to the service provider.

For those individuals who are already receiving Stat Plan PCS, the POC must include the authorized State Plan PCS hours. This is needed to verify that waiver services are authorized in addition to the State Plan PCS hours to support the individual's needs. The State has a requirement in place that all POC's must be finalized within 60 days from waiver enrollment.

## **Appendix D: Participant-Centered Planning and Service Delivery**

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### **D-1: Service Plan Development (5 of 8)**

**e. Risk Assessment and Mitigation.** Specify how potential risks to the participant are assessed during the service plan development process and how strategies to mitigate risk are incorporated into the service plan, subject to participant needs and preferences. In addition, describe how the service plan development process addresses backup plans and the arrangements that are used for backup.

Potential risks to recipients are assessed during the initial and annual assessment process by addressing ADL and IADL needs and identifying the amount of assistance needed to safely complete these activities. Factors addressed to assess risk include the recipient's ability to manage medication, potential to wander, resist care, or exhibit cognitive and behavioral problems. The level of assistance required is identified along with equipment needs and methods of safely providing the services on the plan. As safety concerns are identified, referrals are made to appropriate resources to address and mitigate those concerns. Additional at risk criteria used and incorporated, as applicable, into the CSHA, POC development, and service needs identification may include:

Access to medical services  
 Aggression/Behavioral problems  
 Aspiration/choking  
 Bedbound  
 Change in support/inconsistent  
 Chronic Health problems  
 Communication deficit  
 Crisis/emergency situation  
 Dementia/Alzheimer's/Cognitive Deficit  
 Difficulty/obtaining meals  
 Endangering self/self neglect  
 Endurance deficit  
 Environmental(cluttered/hoarding/maintenance/infestation/Sanitation)  
 Fall Risk/History of falls/unsteady gait  
 Finances  
 Illegal activities in home  
 Incontinent  
 Isolation  
 Lives alone  
 Loss of Medicaid and/or other medical insurance  
 Mental health issues  
 Multiple Emergency Rooms visits/Hospitalizations  
 Multiple Prescriptions  
 Non-compliance to medication/treatment  
 Non-cooperation  
 Nutritional/special diet  
 Other-specify in notes  
 Oxygen  
 Physically/verbally abusive  
 Requires minimal essential PCS/NRS 426.723  
 Resistive to care  
 Rural area with limited resources  
 Safety Risk  
 Seizures  
 Sensory deficits  
 Service needs exceed available resources  
 Service Refusal  
 Sexual Behavior  
 Shopping Difficulty/food/prescriptions  
 Skin breakdown/wounds  
 Smoking  
 Socially inappropriate  
 Substance Abuse  
 Terminal Illness  
 Unavailable LRI/Caregiver  
 Victim of abuse/neglect/isolation/exploitation-  
 Wandering

Risks are identified on the CSHA. Some risks are mitigated by the implementation of services through State Plan and/or

waiver services and other resources. Some risks are addressed but not necessarily mitigated due to recipient choice. For example, smoking is a risk, but a recipient has that choice. Case manager's document identified risks and how they are addressed within the recipient CSHA, to include formal and informal supports in place for risk mitigation. Recipients have a choice of providers. Providers are required to provide a backup plan. In addition, recipients utilize formal and informal supports as needed.

## Appendix D: Participant-Centered Planning and Service Delivery

### D-1: Service Plan Development (6 of 8)

**f. Informed Choice of Providers.** Describe how participants are assisted in obtaining information about and selecting from among qualified providers of the waiver services in the service plan.

The Statement of Understanding/Choice form is used to inform new waiver applicants and ongoing recipients of their right to choose a provider. In addition, the applicant/recipient is notified of their right to choose HCBS in their home or in a group home setting instead of a nursing facility and the provider of their choice. A brochure is provided to the applicant describing these services. Applicants are informed of services available through the waivers. The recipient also has the right to choose service providers. The case manager works with the applicant/recipient to ensure that individualized preferences are maintained. If a service provider change is requested or a new service need identified, the case manager will coordinate and update the POC and authorizations as indicated.

## Appendix D: Participant-Centered Planning and Service Delivery

### D-1: Service Plan Development (7 of 8)

**g. Process for Making Service Plan Subject to the Approval of the Medicaid Agency.** Describe the process by which the service plan is made subject to the approval of the Medicaid agency in accordance with 42 CFR §441.301(b)(1)(i):

DHCFP reviews a representative sample of POCs retrospectively during the annual review of this waiver program or more frequently if necessary (in response to complaints or quality management concerns). POCs are reviewed in conjunction with recipient satisfaction data collected by ADSD, participant experience survey data, a review of ADSD quality assurance studies, interviews with recipients and providers, and chart reviews of a representative of waiver recipients. These activities are designed to assure that POCs are appropriate to the assessed needs of the recipient ensure recipient health, safety, welfare, and ensure recipient choice of provider.

## Appendix D: Participant-Centered Planning and Service Delivery

### D-1: Service Plan Development (8 of 8)

**h. Service Plan Review and Update.** The service plan is subject to at least annual periodic review and update to assess the appropriateness and adequacy of the services as participant needs change. Specify the minimum schedule for the review and update of the service plan:

**Every three months or more frequently when necessary**

**Every six months or more frequently when necessary**

**Every twelve months or more frequently when necessary**

**Other schedule**

*Specify the other schedule:*

**i. Maintenance of Service Plan Forms.** Written copies or electronic facsimiles of service plans are maintained for a minimum period of 3 years as required by 45 CFR §92.42. Service plans are maintained by the following (*check each that*

*applies):*

**Medicaid agency**

**Operating agency**

**Case manager**

**Other**

*Specify:*

## **Appendix D: Participant-Centered Planning and Service Delivery**

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### **D-2: Service Plan Implementation and Monitoring**

- a. Service Plan Implementation and Monitoring.** Specify: (a) the entity (entities) responsible for monitoring the implementation of the service plan and participant health and welfare; (b) the monitoring and follow-up method(s) that are used; and, (c) the frequency with which monitoring is performed.

ADSD case managers are responsible for implementation of the POC for each individual that includes at a minimum, the amount, duration, scope, frequency, and type of provider of services. This is accomplished through the initial assessment, contacts and face to face visits. Information obtained during these contacts is used to update and revise the POC, which occurs at minimum, annually. During the contacts, information such as: changes since last contact, medical appointments, new medications or treatments, hospitalizations, falls, waiver services meeting needs, any new or unmet needs, satisfaction with services, any equipment or supplies needed, or other information is gathered based on interview. Service authorizations are reviewed and updated to facilitate payment. If the recipient requires increased or additional services, the case manager will discuss with the applicant/recipient and/or designated representative. If a new service need is identified, the POC will be updated and the recipient and/or designated representative is given a choice of providers.

Case managers encourage the applicant/recipient, family, support system and/or designated representative to attend face-to-face visits with the recipient. Individuals of the recipient's choice can assist recipients who have cognitive and/or communication difficulties.

In order to assure the health, safety and welfare of recipients and assess on a continual basis recipient's satisfaction with services, the DHCFP and the ADSD administer the Quality Assurance Questionnaire-Participant Experience Survey (PES) which is completed during a visit to the recipient's home or telephone. In addition, the ADSD supervisory staff review selected cases routinely, through the case file review process.

Private case management agencies are required to conduct a sample of cases each quarter for every case manager employed by that agency and providing case management services to waiver recipients. They must report to ADSD the findings of their reviews, the actions taken, and the effectiveness of those actions. Provider case management agencies are required to participate in DHCFP's annual audit. Private agencies will be required to report to the operating agency on 10% of open cases quarterly, for quality management and oversight. Currently there are no private providers providing case management services to waiver recipients.

The POC is reviewed for the following:

- a. Objectives;
- b. Personal/individualized goals (if the recipient is unable to provide personal goals, the case manager will collaborate with the family or designated representative to establish goal(s) to benefit the recipient. This is documented in the POC);
- c. Specific waiver services recipient is currently receiving;
- d. Specific services to be provided by ADSD and additional services provided by other agencies;
- e. The proposed amount, frequency, duration, scope and type of provider for each service;
- f. Signature by the recipient or designated representative that they participated in POC development (SOU/Addendum);
- g. The provider of services is identified; and
- h. Recipient risks are identified; and
- i. Service level for Augmented Personal Care if applicable.

The POC must be reviewed and revised annually or when the recipient's need for services changes. Any improprieties found during the residential facility visits must be reported to the appropriate oversight agency (HCQC, APS) for investigation and follow-up.

During CM's assessment, re-assessment and ongoing contact, recipients are always evaluated for additional needs for non-waiver services; and referrals to and follow-ups with appropriate programs are made.

ADSD utilizes case management database called SAMS database to enter all pending and approved cases of applicant/recipients, POC and contacts of waiver program. DHCFP has access to the SAMS database and utilizes the database to pull a 95/5 random sampling of intake packets (initial assessment, which includes CSHA and LOC, statement of understanding, etc., as well as CMs' case files on a monthly basis. These data are compiled by DHCFP LTSS and QA units using excel spreadsheet. Any errors or deficiencies found are discussed in the monthly and quarterly QI meetings.

**b. Monitoring Safeguards. *Select one:***

**Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may not provide other direct waiver services to the participant.**

**Entities and/or individuals that have responsibility to monitor service plan implementation and participant health and welfare may provide other direct waiver services to the participant.**

The state has established the following safeguards to ensure that monitoring is conducted in the best interests of the

participant. *Specify:*

**Appendix D: Participant-Centered Planning and Service Delivery**  
**Quality Improvement: Service Plan**

*As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.*

**a. Methods for Discovery: Service Plan Assurance/Sub-assurances**

*The state demonstrates it has designed and implemented an effective system for reviewing the adequacy of service plans for waiver participants.*

**i. Sub-Assurances:**

- a. Sub-assurance: Service plans address all participants assessed needs (including health and safety risk factors) and personal goals, either by the provision of waiver services or through other means.**

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of recipients POCs that address health and safety risk factors.**

**N: Number of recipients POCs that address health and safety risk factors; D:**

**Number of recipient POCs reviewed.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval =

		95/5
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

Number and percent of recipients POCs that include personalized goals. N: Number of recipients POCs that include personalized goals; D: Number of recipient POCs



reviewed.

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval =  <input type="text" value="95/5"/>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

**Number and percent of recipients POCs that address the assessed needs identified in the social health assessment (SHA). N: Number of recipients POCs that address te assessed needs identified in the SHA; D: Number of recipients POCs reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text" value="95/5"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>

	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>
	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input style="width: 100px; height: 20px;" type="text"/>

**b. Sub-assurance: The State monitors service plan development in accordance with its policies and procedures.**

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**c. Sub-assurance: Service plans are updated/revised at least annually or when warranted by changes in the waiver participants needs.**

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of recipients POCs that are updated when the participants needs changed. N: Number of recipients POCs that are updated when the participants needs changed. D: Number of recipients POCs reviewed where there was a documented change in need.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval =  95/5
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>

	<b>Other</b> Specify:  <input style="width: 100%; height: 20px;" type="text"/>	
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**Data Aggregation and Analysis:**

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input style="width: 100%; height: 20px;" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input style="width: 100%; height: 20px;" type="text"/>

**Performance Measure:**

**Number and percent of recipients POCs that are revised annually. N: Number of recipients POCs that are revised annually. D: Number of recipients POCs reviewed.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative</b>

		<b>Sample</b> Confidence Interval =  <input type="text" value="95/5"/>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**d. Sub-assurance: Services are delivered in accordance with the service plan, including the type, scope, amount, duration and frequency specified in the service plan.**

**Performance Measures**

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**Number and percent of recipients who indicate during contacts that they are receiving the services they need. N: Number of recipients who indicate they are receiving the services they need. D: Number of recipients records reviewed.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text" value="95/5"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b>	

	Specify:  <input style="width: 100%;" type="text"/>	
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**Data Aggregation and Analysis:**

Responsible Party for data aggregation and analysis <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input style="width: 100%; height: 30px;" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input style="width: 100%; height: 30px;" type="text"/>

**Performance Measure:**

**Number and percent of recipients services that are delivered in accordance with the approved POC. N: Number of recipients whose services are delivered in accordance with the approved POC. D: Number of recipients records reviewed**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

Responsible Party for data collection/generation <i>(check each that applies):</i>	Frequency of data collection/generation <i>(check each that applies):</i>	Sampling Approach <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative</b>



		<b>Sample</b> Confidence Interval =  <input type="text" value="95/5"/>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**e. Sub-assurance: Participants are afforded choice: Between/among waiver services and providers.**

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of recipients whose SOU is signed indicating choice providers and choice of services. N: Number of recipients whose SOU is signed indicating choice of providers and choice of services. D: Number of recipient records reviewed**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval =  <input type="text" value="95/5"/>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:	

	<input style="width: 80%; height: 20px;" type="text"/>	
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**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input style="width: 100%; height: 30px;" type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input style="width: 100%; height: 30px;" type="text"/>

ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

On a monthly basis, the DHCFP reviews a representative sample, using the 95/5 Confidence Interval of initial packets and reports findings to ADSD at the quarterly Quality Management meetings. Improvement activities are discussed at these quarterly meetings. The following are included in the findings to ADSD. a) Level of care criteria is met, b) at risk for institutionalization , c) monthly waiver service need d) the Statement of Understanding/Choice is signed by the recipient.

ADSD supervisors review a sample size of ongoing case files producing a probability of 95% confidence level with a +/- 5 confidence interval.

DHCFP conducts annual program and fiscal reviews of services provided under this waiver. A sample size producing a probability of a 95/5 percent confidence level is utilized. The annual review is structured as a look-back review of all delegated functions and confirmation of quarterly data on performance measures provided by ADSD. DHCFP has the ability to break out the findings by the specific policy area. During the review, DHCFP staff evaluates compliance with policies related to the operation of the waiver and assure such policies are administered correctly. Policies are available on DHCFP's website, <https://dhcfp.nv.gov>, and it is the responsibility of ADSD staff to refer to policy when operating the waiver.

The State has a serious occurrence reporting system in place for provider to report occurrences that happen during the provision of service delivery.

**b. Methods for Remediation/Fixing Individual Problems**

- i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

ADSD supervisory staff reviews the POC to assure that service needs, health and safety risk factors, and personal goals are identified and incorporated into the plan. If these areas are omitted or incorrect, supervisors address this individually with case managers and corrections are made immediately.

The POC is included in the packet of information submitted to DHCFP for review. POC reviews are documented on the Case File Review Form at the time of initial assessment or reassessment. Case file reviews are submitted to quality management as they are completed for entry into a database which will identify areas needing improvement. The results are reported at the quarterly quality management meetings for recommendations, remedial action, and improvement strategies.

The case manager ensures that the services on the POC are assigned the appropriate prior authorization. The authorization number and a copy of the POC are given to the servicing provider. The case manager provides care instructions to the servicing provider. The servicing provider must bill and receive payment through MMIS.

ADSD uses a Statement of Understanding/Choice form to indicate the recipient’s knowledge of their right to choose home and community based services in their home, as opposed to placement in a nursing facility and the provider of their choice. Case managers inform recipients of their right to choose at the time of initial assessment and at monthly contacts.

Review of the Statement of Understanding/Choice is captured on the case file review form for initial assessments and at the time of annual reassessments. Reviews are submitted to quality management to track and trend. The findings are reported at the quarterly quality management meetings for recommendations, remedial action, and improvement strategies.

Trained ADSD staff complete participant experience surveys (PES) with 95/5 random sampling, annually of ongoing waiver recipients which include questions on choice and satisfaction. Participant surveys are submitted to quality management as they are completed to be analyzed for trends and areas of improvement. The information is discussed at the quarterly quality management meetings to identify areas for improvement and develop improvement strategies.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

Responsible Party <i>(check each that applies):</i>	Frequency of data aggregation and analysis <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:

Responsible Party( <i>check each that applies</i> ):	Frequency of data aggregation and analysis ( <i>check each that applies</i> ):
	<div style="border: 1px solid black; height: 40px; width: 100%;"></div>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Service Plans that are currently non-operational.

**No**

**Yes**

Please provide a detailed strategy for assuring Service Plans, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

**Appendix E: Participant Direction of Services**

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**Applicability** (*from Application Section 3, Components of the Waiver Request*):

**Yes. This waiver provides participant direction opportunities.** Complete the remainder of the Appendix.

**No. This waiver does not provide participant direction opportunities.** Do not complete the remainder of the Appendix.

*CMS urges states to afford all waiver participants the opportunity to direct their services. Participant direction of services includes the participant exercising decision-making authority over workers who provide services, a participant-managed budget or both. CMS will confer the Independence Plus designation when the waiver evidences a strong commitment to participant direction.*

**Indicate whether Independence Plus designation is requested** (*select one*):

**Yes. The state requests that this waiver be considered for Independence Plus designation.**

**No. Independence Plus designation is not requested.**

**Appendix E: Participant Direction of Services**

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**E-1: Overview (1 of 13)**

**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (2 of 13)**

**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (3 of 13)**

**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (4 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (5 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (6 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (7 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (8 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (9 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (10 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (11 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (12 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-1: Overview (13 of 13)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant Direction (1 of 6)**

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Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant-Direction (2 of 6)**

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**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant-Direction (3 of 6)**

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**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant-Direction (4 of 6)**

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**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant-Direction (5 of 6)**

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**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix E: Participant Direction of Services**

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**E-2: Opportunities for Participant-Direction (6 of 6)**

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**Answers provided in Appendix E-0 indicate that you do not need to submit Appendix E.**

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**Appendix F: Participant Rights**

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**Appendix F-1: Opportunity to Request a Fair Hearing**

The state provides an opportunity to request a Fair Hearing under 42 CFR Part 431, Subpart E to individuals: (a) who are not given the choice of home and community-based services as an alternative to the institutional care specified in Item 1-F of the request; (b) are denied the service(s) of their choice or the provider(s) of their choice; or, (c) whose services are denied, suspended, reduced or terminated. The state provides notice of action as required in 42 CFR §431.210.

**Procedures for Offering Opportunity to Request a Fair Hearing.** Describe how the individual (or his/her legal representative) is informed of the opportunity to request a fair hearing under 42 CFR Part 431, Subpart E. Specify the notice(s) that are used to offer individuals the opportunity to request a Fair Hearing. State laws, regulations, policies and notices referenced in the description are available to CMS upon request through the operating or Medicaid agency.

When a potential waiver applicant is referred for service, a LOC determination is completed. If the applicant meets the criteria for nursing facility placement, home and community-based services as an alternative to institutional care are discussed with the applicant and/or his or her designated legal representative. If the applicant prefers institutionalization, the applicant may remain in or be placed in a nursing facility.

After the choices have been explained and prior to enrollment in the waiver, all waiver applicants read (or have read to them) and sign a Statement of Understanding/Choice that includes the following statements:

I may choose and have chosen to receive Home and Community-Based Services in lieu of placement in a long-term-care facility (nursing facility).

I may select the provider of my choice from those who meet Medicaid provider requirements and are willing to contract with the Division of Health Care Financing and Policy.

I may request a hearing from the Division of Health Care Financing and Policy (DHCFP) if I have not been given a choice of Home and Community-Based Services as an alternative to a long-term-care facility placement, if I am denied this service, or if services are reduced, suspended or terminated. A request for a hearing must be received by the DHCFP office within 90 calendar days of the Notice Date, and can be submitted via the internet, telephonically, in person, through other commonly available electronic means, and in writing and signed by the recipient or the recipient's authorized representative. Written requests must be mailed to Nevada Medicaid, 1100 E. William Street, Suite 102, Carson City, NV 89701.

This Statement of Understanding/Choice must be in the recipient's case management file and in the file at the ADSD office for the geographic area in which the participant resides. During the annual review, the DHCFP Quality Assurance Unit verifies that this form has been signed and is in the file.

The DHCFP Medicaid Services Manual (MSM) Chapter 3100 sets forth Medicaid policy regarding Fair Hearings. Pursuant to 42 CFR 431 Subpart E, Nevada Medicaid will provide an opportunity for a fair hearing to any person whose claim for assistance is denied or not acted upon promptly.

In Section 3104 of the Medicaid Services Manual, Nevada Medicaid provides the Fair Hearing process and describes each step of the process and timelines as appropriate, from the beginning of the process to the rendering of a decision. The Medicaid Services Manual Chapter 3100 further describes the process of the disposition of the hearing request; the notification, scheduling, and location of the hearing; program participation upon recipient request pending fair hearing outcome; hearing participation; and hearing preparation and presentation.

Medicaid Services Manual Chapter (MSM) 2200 identifies the following circumstances under which notice must be made to a waiver applicant or participant of an adverse action:

- Denial of specific waiver services
- Termination of specific waiver services
- Reduction of specific waiver Services
- Termination of the waiver program

Further situations which a notice must be made to the recipient:

- Denied entrance to the waiver due to not meeting the level of care requirement or failure to show a need for one ongoing waiver service
- Suspension from the waiver program if recipient is institutionalized less than 60 days
- Termination of the wait list due to various circumstances

All Notices of Decision contain a statement of the persons hearing rights and how to access the hearing process. Notices of Denial, Suspension, or Termination are generated in DHCFP's Central Office and the recipient is notified.

Individuals are informed of their rights to a fair hearing at the initial home visit and annually thereafter when they are given the recipient rights form. In addition, individuals are notified through the Statement of Understanding of their rights to a fair hearing.

Individuals are provided with a notice of decision for all adverse actions to include denial, termination and reduction. The notice of decision form addresses an individual's right to a fair hearing.

Individuals are provided with a notice of decision for all adverse actions to include denial, termination and reduction. The notice



of decision form addresses an individual’s right to a fair hearing. This notice of decision also addresses the individual’s choice to continue the services during the hearing process. Case managers and DHCFP hearings staff discusses continue services.

The case manager informs the recipient of their right to a fair hearing and if a service is denied, reduced or terminated they get written notification and steps to take to request a fair hearing.

The Notice of Decision comes from DHCFP and questions can be answered by either the case manager or DHCFP’s hearings unit.

**Appendix F: Participant-Rights**

**Appendix F-2: Additional Dispute Resolution Process**

**a. Availability of Additional Dispute Resolution Process.** Indicate whether the state operates another dispute resolution process that offers participants the opportunity to appeal decisions that adversely affect their services while preserving their right to a Fair Hearing. *Select one:*

**No. This Appendix does not apply**

**Yes. The state operates an additional dispute resolution process**

**b. Description of Additional Dispute Resolution Process.** Describe the additional dispute resolution process, including: (a) the state agency that operates the process; (b) the nature of the process (i.e., procedures and timeframes), including the types of disputes addressed through the process; and, (c) how the right to a Medicaid Fair Hearing is preserved when a participant elects to make use of the process: State laws, regulations, and policies referenced in the description are available to CMS upon request through the operating or Medicaid agency.

**Appendix F: Participant-Rights**

**Appendix F-3: State Grievance/Complaint System**

**a. Operation of Grievance/Complaint System.** *Select one:*

**No. This Appendix does not apply**

**Yes. The state operates a grievance/complaint system that affords participants the opportunity to register grievances or complaints concerning the provision of services under this waiver**

**b. Operational Responsibility.** Specify the state agency that is responsible for the operation of the grievance/complaint system:

**c. Description of System.** Describe the grievance/complaint system, including: (a) the types of grievances/complaints that participants may register; (b) the process and timelines for addressing grievances/complaints; and, (c) the mechanisms that are used to resolve grievances/complaints. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**Appendix G: Participant Safeguards**

**Appendix G-1: Response to Critical Events or Incidents**

**a. Critical Event or Incident Reporting and Management Process.** Indicate whether the state operates Critical Event or Incident Reporting and Management Process that enables the state to collect information on sentinel events occurring in the waiver program. *Select one:*

**Yes. The state operates a Critical Event or Incident Reporting and Management Process** (*complete Items b through e*)

**No. This Appendix does not apply** (*do not complete Items b through e*)

If the state does not operate a Critical Event or Incident Reporting and Management Process, describe the process that the state uses to elicit information on the health and welfare of individuals served through the program.

**b. State Critical Event or Incident Reporting Requirements.** Specify the types of critical events or incidents (including alleged abuse, neglect and exploitation) that the state requires to be reported for review and follow-up action by an appropriate authority, the individuals and/or entities that are required to report such events and incidents and the timelines for reporting. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

Nevada Revised Statutes (NRS) reads as follows: NRS 200.5091 Policy of State. It is the policy of this State to provide for the cooperation of law enforcement officials, courts of competent jurisdiction and all appropriate state agencies providing human services in identifying the abuse, neglect, exploitation, isolation and abandonment of older persons and vulnerable persons through the complete reporting of abuse, neglect, exploitation, isolation and abandonment of older persons and vulnerable persons.

The statute includes an extensive list of persons required to report incidences of abuse, neglect, exploitation, isolation or abandonment, which includes persons who provide medical or social services or supports.

The report must be made to a law enforcement agency as soon as reasonably practicable, but not later than 24 hours after the person knows or has reasonable cause to believe that an older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned. Because of these timeframes, telephone or facsimile reports are accepted by most law enforcement agencies.

Additionally, DHCFP and Aging and Disability Services Division (ADSD) require all direct care providers for the waiver to report all serious occurrences, including those required to be reported to the ADSD Adult Protective Services (APS) and/or law enforcement, including occurrences of suspected abuse, neglect, exploitation and isolation, abandonment as well as falls and injuries requiring medical attention, deaths, unplanned hospital visits, loss of contact, theft and exploitation. The State has implemented a new Serious Occurrence (SOR) database that captures all reports submitted from providers, the public or reported to the Case Managers. The paper form has been turned into an electronic format that is accessible to all providers, public and State staff via the DHCFP's public website and the DHCFP Fiscal Agent's website. Once the SOR is completed and submitted electronically, it will populate SOR which is used as both, a database and a SOR management system. Specific identified staff will be notified when a SOR is received so they can review it, distribute as needed, and work as appropriate. This system will allow an assurance that the SORs are being reported, recorded and responded on a timely basis. This system will also allow the State to collect data more easily for reporting requirements.

The State of Nevada has established mandatory reporting requirements of suspected incidents of Elder Abuse. ADSD and local Law Enforcement are the receivers of such reports. Reports must be made within 24 hours of discovery, identification/suspicion. A completed SOR report/incident report must be made within five (5) working days and maintained in the case file. ADSD have five (5) working days to follow up with the recipient and/or provider on the critical event. The case managers and waiver service providers are mandatory reporters.

Recipient safeguards include initiation of investigation by local law enforcement and/or APS, and provision of protective services to the older and vulnerable persons if they are able and willing to accept them. If the person who is reported to have abused, neglected, exploited, isolated or abandoned an older person or a vulnerable person is the holder of a license or certificate issued pursuant to NRS Chapters 449, 630 to 641B, inclusive, or 654, information contained in the report must be submitted to the Board that issued the license.

The Division of Public and Behavioral Health (DPBH) also receives complaints regarding the facilities they license. ADSD staff received training on how to make appropriate referrals for investigation when events occur that may be considered licensing infractions.

Current waiver providers are expected to report concerns with care supervision and delivery to the case manager under their current contracting language. Reporting includes:

1. Suspected physical or verbal abuse;
2. Unplanned hospitalization;
3. Abuse, neglect, exploitation, isolation, abandonment, or unexpected death of the recipient;
4. Theft;
5. Sexual harassment or sexual abuse;
6. Injuries requiring medical intervention;
7. An unsafe working environment;
8. Any event which is reported to Adult Protective Services (ages 18 years old and above) or law enforcement agencies;
9. Death of the recipient;
10. Loss of contact with the recipient for three (3) consecutive scheduled days or;
11. Medication errors resulting in injury, hospitalization, medical treatment or death.

12. Elopment of a recipient residing in a Residential Group Home for Seniors or Assisted Living Facility;

ADSD will be notified of any serious occurrence within 24 hours of discovery. ADSD have five (5) working days to follow up with the recipient and/or provider on the critical event. Action as appropriate, including supervisory review, will be taken. Based on the outcome of the analysis, the occurrence will be reported to the oversight agency or law enforcement and the recipient will be offered protective services as appropriate. Serious occurrences will be forwarded to ADSD quality management. The trends of the reports will be reviewed at the Quarterly Management Meetings and program/policy modifications will be recommended if possible.

Instances of abuse, neglect, exploitation, isolation or abandonment alleged to be committed by a Medicaid provider must have an internal investigation by the provider. The provider does provide the final results to the State of how they have addressed the problem.

- c. Participant Training and Education.** Describe how training and/or information is provided to participants (and/or families or legal representatives, as appropriate) concerning protections from abuse, neglect, and exploitation, including how participants (and/or families or legal representatives, as appropriate) can notify appropriate authorities or entities when the participant may have experienced abuse, neglect or exploitation.

Case managers educate clients regarding reporting requirements and available agency contacts.

Annually-Recipient Rights form is reviewed with and provided to the participant/guardian/family during the in-person assessment and reassessment. The Statement of Understanding is maintained in the recipient's case file which includes a signature acknowledging they received and understand the Recipient Rights form.

The Recipient Rights form includes phone numbers of various agencies and other additional resources on how to report abuse, neglect, and exploitation. The information page is reviewed annually during the reassessment process/annual face-to-face home visit. This information page also includes the names and phone numbers of both the assigned case manager and the case manager supervisor.

- d. Responsibility for Review of and Response to Critical Events or Incidents.** Specify the entity (or entities) that receives reports of critical events or incidents specified in item G-1-a, the methods that are employed to evaluate such reports, and the processes and time-frames for responding to critical events or incidents, including conducting investigations.

Reports of abuse, neglect, exploitation, isolation, or abandonment of older and vulnerable persons are made to ADSD, APS Unit, during normal working hours. Reports are investigated by the local office and shall commence within five (5) working days of receiving the report. Investigations are confidential; however, APS does provide the disposition of completed investigations. If an individual wants the results of an investigation; they must contact APS directly for this information. APS informs recipients and their designees of how to contact them during and after the investigation.

For reports outside normal working hours, reports are made to law enforcement. Law enforcement agencies are required to investigate reports of abuse, neglect, exploitation, isolation, or abandonment immediately.

To specifically help ensure the health and welfare of waiver recipients, direct care providers for the waiver are also required to report all serious occurrences to ADSD. If the report is related to any waiver recipients, the supervisor reviews and provides it to the case manager. The case manager reviews the report and determines whether immediate response is called for and, if so, responds immediately. The case manager contacts the recipient, determines confidentiality, required attempts to verify the report and takes appropriate action. If it is determined that immediate response is not necessary, the case manager follows up at the next monthly contact (such as a report of a minor injury or an unplanned hospital visit about which the case manager already received adequate information to determine that it was not a threat to the recipient). ADSD Supervisory staff reviews the adequacy and effectiveness of the case manager's response to reports as a normal part of their supervisory reviews. If requested by the recipient or representative, results of investigation are provided.

Instances of abuse, neglect, exploitation, isolation, or abandonment are referred to APS.

Instances of abuse, neglect, exploitation, isolation or abandonment alleged to be committed by a Medicaid provider must have an internal investigation by the provider. The provider does provide the final results to the State of how they have addressed the problem.

- e. Responsibility for Oversight of Critical Incidents and Events.** Identify the state agency (or agencies) responsible for overseeing the reporting of and response to critical incidents or events that affect waiver participants, how this oversight is conducted, and how frequently.

ADSD is responsible for overseeing the reporting of and response to critical incidents or events as well as timely follow up and remediation if indicated. The number and type of events received by providers are entered into a database and summary reports are produced by type and by provider for review of trends and issues on a quarterly basis. The State has implemented a new Serious Occurrence Reporting system that captures all reports submitted from Providers, the Public or reported to the case managers. The paper form has been turned into an electronic format that is accessible to all Providers, Public and State staff via the DHCFP public facing website and the DHCFP's Fiscal Agent's website. Once the SOR is completed and submitted electronically it will populate the internal system which is used as both a database and a SOR database. Specific identified staff will be notified when a SOR is received so they can review, distribute as needed, and work as appropriate. This system will allow an assurance that the SOR's are being reported, recorded and responded to on a timely basis. This system will also allow the State to collect data more easily for reporting requirements.

ADSD maintains, monitors, evaluates and follows-up SORs. The report is compiled by ADSD and submits to DHCFP on a quarterly basis and upon request.

There is limited communication with APS and DCFS with regards to critical events.

## Appendix G: Participant Safeguards

### Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (1 of 3)

- a. Use of Restraints.** *(Select one): (For waiver actions submitted before March 2014, responses in Appendix G-2-a will display information for both restraints and seclusion. For most waiver actions submitted after March 2014, responses regarding seclusion appear in Appendix G-2-c.)*

**The state does not permit or prohibits the use of restraints**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of restraints and how this oversight is conducted and its frequency:

ADSD is responsible for detecting the unauthorized use of restraints or seclusion. This is accomplished through the Serious Occurrence Process and through ongoing contacts with waiver recipients. The recipient has the phone number of the case manager, and case manager supervisor, and has been advised to call if there are any problems or concerns. The case manager or supervisor will assess the situation and call the appropriate authorities, if applicable. The recipient is also provided contact numbers for APS and local law enforcement.

If any occurrence of unauthorized use of restraints or seclusion were to be detected, a report is made to the appropriate entity and the situation would be remedied.

Additionally, the annual program reviews of a representative sample help to detect and remediate any systemic issues regarding restraints and seclusions.

**The use of restraints is permitted during the course of the delivery of waiver services.** Complete Items G-2-a-i and G-2-a-ii.

**i. Safeguards Concerning the Use of Restraints.** Specify the safeguards that the state has established concerning the use of each type of restraint (i.e., personal restraints, drugs used as restraints, mechanical restraints). State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**ii. State Oversight Responsibility.** Specify the state agency (or agencies) responsible for overseeing the use of restraints and ensuring that state safeguards concerning their use are followed and how such oversight is conducted and its frequency:

## Appendix G: Participant Safeguards

### Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (2 of 3)

**b. Use of Restrictive Interventions.** *(Select one):*

**The state does not permit or prohibits the use of restrictive interventions**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of restrictive interventions and how this oversight is conducted and its frequency:

ADSD is responsible for detecting the unauthorized use of restraints and restrictive interventions. This is accomplished through the Serious Occurrence Process and through ongoing contacts with waiver recipients.

If any occurrence of unauthorized use of restraints and restrictive interventions are detected, a report is made to the appropriate entity and the situation would be remedied.

Additionally, the annual program reviews of a representative sample help to detect and remediate any systemic issues regarding restraints and restrictive interventions.

**The use of restrictive interventions is permitted during the course of the delivery of waiver services** Complete

Items G-2-b-i and G-2-b-ii.

**i. Safeguards Concerning the Use of Restrictive Interventions.** Specify the safeguards that the state has in effect concerning the use of interventions that restrict participant movement, participant access to other individuals, locations or activities, restrict participant rights or employ aversive methods (not including restraints or seclusion) to modify behavior. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency.

**ii. State Oversight Responsibility.** Specify the state agency (or agencies) responsible for monitoring and overseeing the use of restrictive interventions and how this oversight is conducted and its frequency:

## Appendix G: Participant Safeguards

### Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions (3 of 3)

**c. Use of Seclusion.** *(Select one): (This section will be blank for waivers submitted before Appendix G-2-c was added to WMS in March 2014, and responses for seclusion will display in Appendix G-2-a combined with information on restraints.)*

**The state does not permit or prohibits the use of seclusion**

Specify the state agency (or agencies) responsible for detecting the unauthorized use of seclusion and how this oversight is conducted and its frequency:

ADSD is responsible for detecting the unauthorized use of seclusion. This is accomplished through the Serious Occurrence Process and through ongoing contacts with waiver recipients.

If any occurrence of unauthorized use of seclusion are detected, a report is made to the appropriate entity and the situation would be remedied. Reports of inappropriate seclusion are made to BHCQC and APS as indicated. For residents living in group home environments there are also Ombudsmen that make visits and provide advocacy. Visits can be made more often as indicated and can be announced/unannounced. Any other provider of waiver services is required to report inappropriate seclusion to APS as indicated and a Serious Occurrence Report to ADSD.

Additionally, the annual program reviews of a representative sample help to detect and remediate any systemic issues regarding use of seclusion.

**The use of seclusion is permitted during the course of the delivery of waiver services.** Complete Items G-2-c-i and G-2-c-ii.

**i. Safeguards Concerning the Use of Seclusion.** Specify the safeguards that the state has established concerning the use of each type of seclusion. State laws, regulations, and policies that are referenced are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

**ii. State Oversight Responsibility.** Specify the state agency (or agencies) responsible for overseeing the use of

seclusion and ensuring that state safeguards concerning their use are followed and how such oversight is conducted and its frequency:

## Appendix G: Participant Safeguards

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### Appendix G-3: Medication Management and Administration (1 of 2)

*This Appendix must be completed when waiver services are furnished to participants who are served in licensed or unlicensed living arrangements where a provider has round-the-clock responsibility for the health and welfare of residents. The Appendix does not need to be completed when waiver participants are served exclusively in their own personal residences or in the home of a family member.*

**a. Applicability.** Select one:

**No. This Appendix is not applicable** (*do not complete the remaining items*)

**Yes. This Appendix applies** (*complete the remaining items*)

**b. Medication Management and Follow-Up**

**i. Responsibility.** Specify the entity (or entities) that have ongoing responsibility for monitoring participant medication regimens, the methods for conducting monitoring, and the frequency of monitoring.



Bureau of Health Care Quality and Compliance (HCQC) under the DPBH is the NV licensing agency that monitors medication management activities for residential facilities for groups as described in the following Nevada Administrative Code:

NAC449.2744 Administration of medication: Maintenance and contents of logs and records.

1. The administrator of a residential facility that provides assistance to residents in the administration of medications shall maintain:
  - (a) A log for each medication received by the facility for use by a resident of the facility. The log must include:
    - (1) The type and quantity of medication received by the facility;
    - (2) The date of its delivery;
    - (3) The name of the person who accepted the delivery;
    - (4) The name of the resident for whom the medication is prescribed; and
    - (5) The date on which any unused medication is removed from the facility or destroyed.
  - (b) A record of the medication administered to each resident. The record must include:
    - (1) The type of medication administered;
    - (2) The date and time that the medication was administered;
    - (3) The date and time that a resident refuses, or otherwise misses, an administration of medication; and
    - (4) Instructions for administering the medication to the resident that reflect each current order or prescription of the resident's physician.
2. The administrator of the facility shall keep a log of caregivers assigned to administer medications that indicates the shifts during which each caregiver was responsible for assisting in the administration of medication to a resident. This requirement may be met by including on a resident's medication sheet an indication of who assisted the resident in the administration of the medication, if the caregiver can be identified from this indication

NAC449.2742 Administration of medication: Responsibilities of administrator, caregivers and employees of facility. (NRS 449.0302)

1. The administrator of a residential facility that provides assistance to residents in the administration of medications shall:
  - (a) Ensure that a physician, pharmacist or registered nurse who does not have a financial interest in the facility:
    - (1) Reviews for accuracy and appropriateness, at least once every 6 months, the regimen of drugs taken by each resident of the facility, including, without limitation, any over-the-counter medications and dietary supplements taken by a resident; and
    - (2) Provides a written report of that review to the administrator of the facility.
  - (b) Include a copy of each report submitted to the administrator pursuant to paragraph (a) in the file maintained pursuant to NAC 449.2749 for the resident who is the subject of the report.
  - (c) Make and maintain a report of any actions that are taken by the caregivers employed by the facility in response to a report submitted pursuant to paragraph (a).
  - (d) Develop and maintain a plan for managing the administration of medications at the residential facility, including, without limitation:
    - (1) Preventing the use of outdated, damaged or contaminated medications;
    - (2) Managing the medications for each resident in a manner which ensures that any prescription medications, over-the-counter medications and nutritional supplements are ordered, filled and refilled in a timely manner to avoid missed dosages;
    - (3) Verifying that orders for medications have been accurately transcribed in the record of the medication administered to each resident in accordance with NAC 449.2744;
    - (4) Monitoring the administration of medications and the effective use of the records of the medication administered to each resident;
    - (5) Ensuring that each caregiver who administers a medication is in compliance with the requirements of subsection 6 of NRS 449.0302 and NAC 449.196;
    - (6) Ensuring that each caregiver who administers a medication is adequately supervised;
    - (7) Communicating routinely with the prescribing physician or other physician of the resident concerning issues or observations relating to the administration of the medication; and
    - (8) Maintaining reference materials relating to medications at the residential facility, including, without limitation, a current drug guide or medication handbook, which must not be more than 2 years old or providing access to websites on the Internet which provide reliable information concerning medications.
  - (e) Develop and maintain a training program for caregivers of the residential facility who administer medication to residents, including, without limitation, an initial orientation on the plan for managing medications at the

facility for each new caregiver and an annual training update on the plan.

The administrator shall maintain documentation concerning the provision of the training program and the attendance of caregivers.

(f) In his or her first year of employment as an administrator of the residential facility, receive, from a program approved by the Bureau, at least 16 hours of training in the management of medication consisting of not less than 12 hours of classroom training and not less than 4 hours of practical training and obtain a certificate acknowledging completion of such training.

(g) After receiving the initial training required by paragraph (f), receive annually at least 8 hours of training in the management of medication and provide the residential facility with satisfactory evidence of the content of the training and his or her attendance at the training.

(h) Annually pass an examination relating to the management of medication approved by the Bureau.

2. Within 72 hours after the administrator of the facility receives a report submitted pursuant to paragraph (a) of subsection 1, a member of the staff of the facility shall notify the resident's physician of any concerns noted by the person who submitted the report. The report must be reviewed and initialed by the administrator.

3. Before assisting a resident in the administration of any medication, including, without limitation, any over-the-counter medication or dietary supplement, a caregiver must obtain written information describing the side effects, possible adverse reactions, contraindications and toxicity of the medication.

4. Except as otherwise provided in this subsection, a caregiver shall assist in the administration of medication to a resident if the resident needs the caregiver's assistance. A caregiver may assist the ultimate user of controlled substances or dangerous drugs only if the conditions prescribed in subsection 6 of NRS 449.0302 are met.

5. An over-the-counter medication or a dietary supplement may be given to a resident only if the resident's physician has approved the administration of the medication or supplement in writing or the facility is ordered to do so by another physician. The over-the-counter medication or dietary supplement must be administered in accordance with the written instructions of the physician. The administration of over-the-counter medications and dietary supplements must be included in the record required pursuant to paragraph (b) of subsection 1 of NAC 449.2744.

6. Except as otherwise provided in this subsection, a medication prescribed by a physician must be administered as prescribed by the physician. If a physician orders a change in the amount or times medication is to be administered to a resident:

(a) The caregiver responsible for assisting in the administration of the medication shall:

(1) Comply with the order;

(2) Indicate on the container of the medication that a change has occurred; and

(3) Note the change in the record maintained pursuant to paragraph (b) of subsection 1 of NAC 449.2744;

(b) Within 5 days after the change is ordered, a copy of the order or prescription signed by the physician must be included in the record maintained pursuant to paragraph (b) of subsection 1 of NAC 449.2744; and

(c) If the label prepared by a pharmacist does not match the order or prescription written by a physician, the physician, registered nurse or pharmacist must interpret that order or prescription and, within 5 days after the change is ordered, the interpretation must be included in the record maintained pursuant to paragraph (b) of subsection 1 of NAC 449.2744.

7. If a resident refuses, or otherwise misses, an administration of medication, a physician must be notified within 12 hours after the dose is refused or missed.

8. An employee of a residential facility shall not draw medication into a syringe or administer an injection unless authorized by law to do so.

9. If the medication of a resident is discontinued, the expiration date of the medication of a resident has passed, or a resident who has been discharged from the facility does not claim the medication, an employee of a residential facility shall destroy the medication, by an acceptable method of destruction, in the presence of a witness and note the destruction of the medication in the record maintained pursuant to NAC 449.2744.

10. The administrator of a facility is responsible for any assistance provided to a resident of the residential facility in the administration of medication, including, without limitation, ensuring that all medication is administered in accordance with the provisions of this section.

Each facility shall have and implement policies and procedures that minimize errors in the administration of drugs. The medical director of the facility and the pharmacist who is responsible for the pharmacy service shall approve the policies and procedures.

Errors in administering a drug, adverse reactions by a client to a drug and incompatibilities between a drug and a

client must be immediately reported to the attending physician of the client.

If an accident or incident occurs at a facility, including, without limitation, any error in providing medication to a patient of the facility or any adverse reaction of a patient to a drug administered to the patient at the facility, the facility shall immediately prepare a written record of the accident or incident. A written record prepared pursuant to this subsection must be maintained by the facility and be made available for review by the BHCQC.

Additionally, medication errors resulting in injury, hospitalization, medical treatment or death would require that a serious occurrence report be submitted electronically to the Serious Occurrence Reporting system within 24 hours of discovery. The ADSD case manager will follow up as indicated and the supervisor will review for appropriateness.

Medication management is not a component of a waiver service. CM review medication logs on group home residents. If a medication issue is identified in a private home setting the MD is notified with a possible Home Health referral. In addition, all med errors are sent to HCQC via an inter-agency ALERT memo. All divisions work together to ensure remediation efforts are taken when necessary.

This can include involving APS/Ombudsmen staff until a group home has on site staff to manage needs to ensure health, safety and welfare.

- Providers are required to self report medication errors.
- Case managers check medication logs during in person contacts and as reported to ADSD. ADSD follows-up within 5 working days.
- Recipients may report missed doses or other issues to their case manager.

**ii. Methods of State Oversight and Follow-Up.** Describe: (a) the method(s) that the state uses to ensure that participant medications are managed appropriately, including: (a) the identification of potentially harmful practices (e.g., the concurrent use of contraindicated medications); (b) the method(s) for following up on potentially harmful practices; and, (c) the state agency (or agencies) that is responsible for follow-up and oversight.

The HCQC is responsible for oversight and follow up of medication management for providers licensed as a residential facility for groups. The ADSD staff review medication logs and notify HCQC in the form of an Alert Memorandum if issues are identified.

a) and b) NAC 449.2738 Review of medical condition of resident; relocation or transfer of resident having certain medical needs or conditions. (NRS 449.0302)

1. If, after conducting an inspection or investigation of a residential facility, the Bureau determines that it is necessary to review the medical condition of a resident, the Bureau shall inform the administrator of the facility of the need for the review and the information the facility is required to submit to the Bureau to assist in the performance of the review. The administrator shall, within a period prescribed by the Bureau, provide to the Bureau:

(a) The assessments made by physicians concerning the physical and mental condition of the resident; and  
(b) Copies of prescriptions for medication or orders of physicians for services or equipment necessary to provide care for the resident.

2. If the Bureau or the resident's physician determines that the facility is prohibited from caring for the resident pursuant to NAC 449.271 to 449.2734, inclusive, or is unable to care for the resident in the proper manner, the administrator of the facility must be notified of that determination. Upon receipt of such a notification, the administrator shall, within a period prescribed by the Bureau, submit a plan to the Bureau for the safe and appropriate relocation of the resident pursuant to NRS 449.700 to a place where the proper care will be provided.

3. If an inspection or investigation reveals that the conditions at a residential facility may immediately jeopardize the health and safety of a resident, the administrator of the facility shall, as soon as practicable, ensure that the resident is transferred to a facility which is capable of properly providing for his care.

NAC449.2748 Medication: Storage; duties upon discharge, transfer and return of resident. (NRS 449.0302)

1. Medication, including, without limitation, any over-the-counter medication, stored at a residential facility must be stored in a locked area that is cool and dry. The caregivers employed by the facility shall ensure that any medication or medical or diagnostic equipment that may be misused or appropriated by a resident or any other unauthorized person is protected. Medications for external use only must be kept in a locked area separate from other medications. A resident who is capable of administering medication to himself or herself without supervision may keep the resident's medication in his or her room if the medication is kept in a locked container for which the facility has been provided a key.

2. Medication stored in a refrigerator, including, without limitation, any over-the-counter medication, must be kept in a locked box unless the refrigerator is locked or is located in a locked room.

3. Medication, including, without limitation, any over-the-counter medication or dietary supplement, must be:

(a) Plainly labeled as to its contents, the name of the resident for whom it is prescribed and the name of the prescribing physician; and

(b) Kept in its original container until it is administered.

4. Except as otherwise provided in subsection 5, when a resident is discharged or transferred from a residential facility, all medications prescribed for the resident must be provided to the resident or to the facility to which he or she is transferred.

5. If a resident is transferred to a hospital or skilled nursing facility, the residential facility shall hold the resident's medications until the resident returns or for 30 days after the transfer, whichever is less, unless the hospital or skilled nursing facility requests the residential facility to provide the hospital or skilled nursing facility with the medications. If the resident does not return within 30 days after the transfer, the residential facility shall promptly dispose of any remaining medications. Upon the return of the resident from the hospital or skilled nursing facility, the residential facility shall, if there has been any change in the resident's medication regimen:

(a) Contact a physician, within 24 hours after the resident returns, to clarify the change; and

(b) Document the physician contact in the record maintained pursuant to paragraph (b) of subsection 1 of NAC 449.2744.

(c) Medication administration is regulated by HCQC. If a resident refuses, or otherwise misses, an administration of medication, a physician must be notified within 12 hours after the dose is refused or missed.

Each facility shall have and implement policies and procedures that minimize errors in the administration of drugs. The medical director of the facility and the pharmacist who is responsible for the pharmacy service shall approve the policies and procedures.

Errors in administering a drug, adverse reactions by a client to a drug and incompatibilities between a drug and a client must be immediately reported to the attending physician of the client.

If an accident or incident occurs at a facility, including, without limitation, any error in providing medication to a patient of the facility or any adverse reaction of a patient to a drug administered to the patient at the facility, the facility shall immediately prepare a written record of the accident or incident. A written record prepared pursuant to this subsection must be maintained by the facility and be made available for review by the HCQC.

To be licensed as a residential facility for groups, caregivers, owners are required to obtain 16 hours of training in medication management consisting of not less than 12 hours of classroom training and not less than 4 hours of practical training and must obtain a certificate of completion.

Any medication errors resulting in injury, hospitalization, medical treatment or death would require that a serious occurrence report be submitted to the ADSD case manager by telephone/fax within 24 hours of discovery. A completed SOR form report must be made within five (5) working days and maintained in the agency's recipient record. The case manager will follow up as indicated and the supervisor will review for appropriateness as well as referrals are made to HCQC.

ADSD submits SOR report to DHCFP on a quarterly basis.

## Appendix G: Participant Safeguards

### Appendix G-3: Medication Management and Administration (2 of 2)

#### c. Medication Administration by Waiver Providers

##### i. Provider Administration of Medications. *Select one:*

**Not applicable.** *(do not complete the remaining items)*

**Waiver providers are responsible for the administration of medications to waiver participants who cannot self-administer and/or have responsibility to oversee participant self-administration of medications.** *(complete the remaining items)*

- ii. State Policy.** Summarize the state policies that apply to the administration of medications by waiver providers or waiver provider responsibilities when participants self-administer medications, including (if applicable) policies concerning medication administration by non-medical waiver provider personnel. State laws, regulations, and policies referenced in the specification are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

See answers above. All residential group homes who are waiver providers must be licensed by BHCQC and must follow the Nevada Administrative Code as noted.

##### iii. Medication Error Reporting. *Select one of the following:*

**Providers that are responsible for medication administration are required to both record and report medication errors to a state agency (or agencies).**

*Complete the following three items:*

- (a) Specify state agency (or agencies) to which errors are reported:

Providers are responsible to report medication errors to HCQC.

Each facility shall have and implement policies and procedures that minimize errors in the administration of drugs. The medical director of the facility and the pharmacist who is responsible for the pharmacy service shall approve the policies and procedures.

Errors in administering a drug, adverse reactions by a client to a drug and incompatibilities between a drug and a client must be immediately reported to the attending physician of the client.

If an accident or incident occurs at a facility, including, without limitation, any error in providing medication to a patient of the facility or any adverse reaction of a patient to a drug administered to the patient at the facility, the facility shall immediately prepare a written record of the accident or incident. A written record prepared pursuant to this subsection must be maintained by the facility and be made available for review by the HCQC.

Additionally, medication errors resulting in injury, hospitalization, medical treatment or death would require that a serious occurrence report be submitted electronically to the SOR system within 24 hours of discovery. The ADSD case manager will follow up as indicated and the supervisor will review for appropriateness.

(b) Specify the types of medication errors that providers are required to *record*:

Providers are responsible to record all medication errors.

(c) Specify the types of medication errors that providers must *report* to the state:

Provider are responsible to self report all medication errors to HCQC.

**Providers responsible for medication administration are required to record medication errors but make information about medication errors available only when requested by the state.**

Specify the types of medication errors that providers are required to record:

**iv. State Oversight Responsibility.** Specify the state agency (or agencies) responsible for monitoring the performance of waiver providers in the administration of medications to waiver participants and how monitoring is performed and its frequency.

HCQC has oversight of medication management. They investigate all complaints and conduct ongoing monitoring every 12-18 months.

Residential Group home staff that meet qualifications to provide oversight and have had the training required to participate in medication administration provide medication management.

Training requirements are part of the NAC:

Administrators and caregivers of the residential facility, receive, from a program approved by the Bureau, at least 16 hours of training in the management of medication consisting of not less than 12 hours of classroom training and not less than 4 hours of practical training and obtain a certificate acknowledging completion of such training.

After receiving the initial training required, they must receive annually at least 8 hours of training in the management of medication and provide the residential facility with satisfactory evidence of the content of the training and his or her attendance at the training.

Annually pass an examination relating to the management of medication approved by the Bureau.

Administrators have to complete initial training within the first year, and caregivers must complete initial training prior to assisting any recipient with medication administration.

ADSD does not provide training for medication deficiencies as this fall under HCQC.

Providers are required to report all medication errors through the Serious Occurrence Process. All errors are tracked and trended, by recipient and by provider, by ADSD. ADSD is not the regulatory agency, so all med errors are sent to HCQC via an inter-agency ALERT memo. All divisions work together to ensure remediation efforts are taken when necessary. This can include involving APS/Ombudsmen staff until a group home has on site staff to manage needs to ensure health, safety and welfare.

HCQC conducts investigations, imposes monetary fines, and may require corrective action plans for substantiated reports. If all fails, HCQC may pull the license.

## Appendix G: Participant Safeguards

### Quality Improvement: Health and Welfare

*As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.*

#### **a. Methods for Discovery: Health and Welfare**

*The state demonstrates it has designed and implemented an effective system for assuring waiver participant health and welfare. (For waiver actions submitted before June 1, 2014, this assurance read "The State, on an ongoing basis, identifies, addresses, and seeks to prevent the occurrence of abuse, neglect and exploitation.")*

##### **i. Sub-Assurances:**

- a. Sub-assurance:** *The state demonstrates on an ongoing basis that it identifies, addresses and seeks to prevent instances of abuse, neglect, exploitation and unexplained death. (Performance measures in this sub-assurance include all Appendix G performance measures for waiver actions submitted before June 1, 2014.)*

##### **Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to*

analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**1. Number and percent of unexplained death, as reported through the Serious Occurrence Report process that receives appropriate follow-up. N: Total number of unexplained deaths, as reported through the SOR process that received proper follow up. Total number of unexplained deaths reported through the SOR process.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**



<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
State Medicaid Agency	Weekly
Operating Agency	Monthly
Sub-State Entity	Quarterly
Other Specify:  <input type="text"/>	Annually
	Continuously and Ongoing
	Other Specify:  <input type="text"/>

**Performance Measure:**

**2. Number and percent of recipients serious occurrence report of abuse, neglect, exploitation, isolation, or abandonment with appropriate action taken. N: Number of serious occurrences report of abuse, neglect, exploitation, isolation, or abandonment with appropriate action taken. D: Total number of serious occurrences reported.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
State Medicaid Agency	Weekly	100% Review
Operating Agency	Monthly	Less than 100% Review
Sub-State Entity	Quarterly	Representative Sample Confidence Interval =  <input type="text"/>
Other	Annually	Stratified

Specify: <input type="text"/>		Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**b. Sub-assurance:** *The state demonstrates that an incident management system is in place that effectively resolves those incidents and prevents further similar incidents to the extent possible.*

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**1. Number and percent of recipient serious occurrence reports that include appropriate follow up. N: Number of serious occurrence reports that received appropriate follow up. D: Total number of serious occurrence reports requiring follow up.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify: <input type="text"/>

**Performance Measure:**

**2. Number and percent of recipients who received information about how to report abuse/neglect/exploitation/abandonment/isolation initially and annually thereafter. N: Total number of recipient who receive information on how to report abuse/neglect/exploitation/abandonment/isolation . D: Total number of recipients.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>

<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

*c. Sub-assurance: The state policies and procedures for the use or prohibition of restrictive interventions (including restraints and seclusion) are followed.*

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or*

*sub-assurance), complete the following. Where possible, include numerator/denominator.*

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**Number and percent of recipients who were free from restrictive interventions. N: Number of recipients free from restrictive interventions. D: Total number of recipients reviews.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input data-bbox="1078 1218 1262 1301" type="text"/>
<b>Other</b> Specify: <input data-bbox="408 1442 644 1525" type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input data-bbox="1078 1442 1262 1525" type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input data-bbox="1078 1666 1262 1749" type="text"/>
	<b>Other</b> Specify: <input data-bbox="719 1890 956 1973" type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

- d. *Sub-assurance: The state establishes overall health care standards and monitors those standards based on the responsibility of the service provider as stated in the approved waiver.*

**Performance Measures**

*For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.*

*For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.*

**Performance Measure:**

**Number and percent of recipients who receive information annually regarding preventative health care. N: Total number of recipients who receive information annually regarding preventative health care. D: Total number of recipients.**

**Data Source** (Select one):

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> <i>(check each that applies):</i>	<b>Frequency of data collection/generation</b> <i>(check each that applies):</i>	<b>Sampling Approach</b> <i>(check each that applies):</i>
<b>State Medicaid</b>	<b>Weekly</b>	<b>100% Review</b>

<b>Agency</b>		
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b>



<b>Responsible Party for data aggregation and analysis</b> ( <i>check each that applies</i> ):	<b>Frequency of data aggregation and analysis</b> ( <i>check each that applies</i> ):
	Specify: <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div>

ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

Per NRS 200.5093, policy that every employee adheres to reporting instances of abuse, neglect, exploitation, isolation, or abandonment to the APS unit. Each ADSD employee signs a Policy for Reporting Older or vulnerable persons Abuse form indicating their responsibility to report abuse, neglect, exploitation, isolation, or abandonment

Case managers seek to prevent instances of abuse, neglect, exploitation, isolation, or abandonment and ensure the health, welfare and safety via monthly contacts with recipients.

Supervisory staff reviews a sample size of ongoing case files producing a probability of 95/5 confidence level which identifies monthly contact, concerns, needs, follow-up action, and waiver satisfaction. These reviews are captured on the Case File Review Form and submitted to ADSD QA as they are completed. ADSD QA reports this data at quarterly quality management meeting for review and recommendations.

Case managers report concerns of abuse, neglect, exploitation, isolation, or abandonment to the APS unit. Case managers and providers are also responsible for completing DHCFPs electronic Serious Occurrence Report (SOR) form. Upon receipt of the SOR, case managers take appropriate follow-up action regarding the occurrence. The SOR database tracks and trends all reported and followed up incident reports. ADSD QA monitors the SOR database, generates report upon request and updates are provided during the quarterly Management Meetings and program/policy modifications will be recommended if possible.

Safeguard regarding unauthorized restraints and seclusion - During in-person on-site reviews, the Case Manager or ADSD QA will conduct an environmental review which includes looking for unauthorized restraints/isolation. Any unauthorized restraints or isolation are reported to APS and Law Enforcement, entered in the SOR database under abuse or isolation and followed-up by CM. Report is submitted to DHCFP quarterly.

Additionally, licensed residential facility for groups are also being monitored by HCQC for unauthorized restraints or seclusion and if Medicaid recipient is the victim, this is also reported to DHCFP and ADSD for appropriate and immediate placement to another facility.

**b. Methods for Remediation/Fixing Individual Problems**

i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

Case managers provide a copy of the HCBW Recipient Rights to all individuals at the initial and annual home visits. The Recipient Rights includes the following statements: the right to not to be physically, sexually, or otherwise abused, not to be neglected, not to be exploited, not to be abandoned and not to be isolated. In addition, this form provides contact information for who to contact, if they suspect they are being abused, neglected, isolated, exploited or abandoned. This form also includes the name and contact number of the case manager and the case manager supervisor so recipients can call if there are issues. Case managers are responsible for addressing issues and providing referrals if applicable. In some cases, a referral to another state agency, provider agency, or law enforcement is the appropriate action.

ADSD waiver staff coordinate and consult with APS staff on cases with suspected abuse, neglect, exploitation, isolation, or abandonment. APS staff performs provider and staff training on mandated reporting and elder issues. If trends are identified, they will be reported to ADSD QA for resolution/remediation.

Education is completed to verify that providers are aware of the serious occurrence policy and that they have the information on how to submit an electronic SOR through the link provided on the DHCFP and/or the DHCFP's Fiscal Agents website. Reviewers also verify that serious occurrences are being completed, followed up on, and kept on file. Supervisors or QA staff review time frames for reporting serious occurrences. If a provider is not in compliance, education is offered and provided to the provider by case managers or supervisory staff.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of data aggregation and analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design methods for discovery and remediation related to the assurance of Health and Welfare that are currently non-operational.

**No**

**Yes**

Please provide a detailed strategy for assuring Health and Welfare, the specific timeline for implementing identified strategies, and the parties responsible for its operation.

## Appendix H: Quality Improvement Strategy (1 of 3)

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Under §1915(c) of the Social Security Act and 42 CFR §441.302, the approval of an HCBS waiver requires that CMS determine that the state has made satisfactory assurances concerning the protection of participant health and welfare, financial accountability and other elements of waiver operations. Renewal of an existing waiver is contingent upon review by CMS and a finding by CMS that the assurances have been met. By completing the HCBS waiver application, the state specifies how it has designed the waiver's critical processes, structures and operational features in order to meet these assurances.

- Quality Improvement is a critical operational feature that an organization employs to continually determine whether it operates in accordance with the approved design of its program, meets statutory and regulatory assurances and requirements, achieves desired outcomes, and identifies opportunities for improvement.

CMS recognizes that a state's waiver Quality Improvement Strategy may vary depending on the nature of the waiver target population, the services offered, and the waiver's relationship to other public programs, and will extend beyond regulatory requirements. However, for the purpose of this application, the state is expected to have, at the minimum, systems in place to measure and improve its own performance in meeting six specific waiver assurances and requirements.

It may be more efficient and effective for a Quality Improvement Strategy to span multiple waivers and other long-term care services. CMS recognizes the value of this approach and will ask the state to identify other waiver programs and long-term care services that are addressed in the Quality Improvement Strategy.

### Quality Improvement Strategy: Minimum Components

The Quality Improvement Strategy that will be in effect during the period of the approved waiver is described throughout the waiver in the appendices corresponding to the statutory assurances and sub-assurances. Other documents cited must be available to CMS upon request through the Medicaid agency or the operating agency (if appropriate).

In the QIS discovery and remediation sections throughout the application (located in Appendices A, B, C, D, G, and I) , a state spells out:

- The evidence based discovery activities that will be conducted for each of the six major waiver assurances; and
- The *remediation* activities followed to correct individual problems identified in the implementation of each of the assurances.

In Appendix H of the application, a state describes (1) the *system improvement* activities followed in response to aggregated, analyzed discovery and remediation information collected on each of the assurances; (2) the correspondent *roles/responsibilities* of those conducting assessing and prioritizing improving system corrections and improvements; and (3) the processes the state will follow to continuously *assess the effectiveness of the OIS* and revise it as necessary and appropriate.

If the state's Quality Improvement Strategy is not fully developed at the time the waiver application is submitted, the state may provide a work plan to fully develop its Quality Improvement Strategy, including the specific tasks the state plans to undertake during the period the waiver is in effect, the major milestones associated with these tasks, and the entity (or entities) responsible for the completion of these tasks.

When the Quality Improvement Strategy spans more than one waiver and/or other types of long-term care services under the Medicaid state plan, specify the control numbers for the other waiver programs and/or identify the other long-term services that are addressed in the Quality Improvement Strategy. In instances when the QIS spans more than one waiver, the state must be able to stratify information that is related to each approved waiver program. Unless the state has requested and received approval from CMS for the consolidation of multiple waivers for the purpose of reporting, then the state must stratify information that is related to each approved waiver program, i.e., employ a representative sample for each waiver.

## Appendix H: Quality Improvement Strategy (2 of 3)

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### H-1: Systems Improvement

#### a. System Improvements

- i. Describe the process(es) for trending, prioritizing, and implementing system improvements (i.e., design changes) prompted as a result of an analysis of discovery and remediation information.



The State of Nevada is a large rural state that consists of two major urban areas that are over 400 miles apart. They are Las Vegas located in the southern Clark County and Reno located in the northern Washoe County. Rural Nevada covers over 90,000 square miles. Aging and Disability Services Division (ADSD) is responsible for operating the Waiver for the Frail Elderly.

The ADSD offices are located in Carson City, Reno, Las Vegas and Elko. The Quality Assurance Units are located in Las Vegas and Carson City and reports to the ADSD Quality Assurance Manager.

ADSD is committed to improving its quality management system and has allocated a full time quality assurance position to this waiver program which has been filled since 2006. There is also special projects staff in the Carson City office and Las Vegas office dedicated to quality initiatives. ADSD has participated in and operated a Quality Management Committee since January 2004 in order to specifically address CMS quality assurance components and improve program performance. ADSD quality management system continues to evolve and refine monitoring tools and processes to better reflect CMS assurance components.

Statewide Quality Management Committee:

At the center of the ADSDs quality management system is the Statewide Quality Management Committee (QM) which meets quarterly. This team is composed of ADSDs Quality Assurance (QA), the Chief of Community Based Care, district managers, supervisors, and case managers. The QM committee has provider representatives. DHCFP participates in the QM meetings with members of the Quality Assurance Unit and the Waiver Operations Unit. The purpose of the QM committee is to coordinate quality assurance and quality improvement activities across the state. The committee monitors performance statewide by reviewing performance measures based on the data gathered in the previous quarter for the six quality assurances, which ensures that discovery processes for the waiver program are carried out consistently and reliably. In its analysis of statewide data, the committee identifies strategies for improvement or remediation to be implemented statewide.

The purpose of the QM meeting is to:

- Identify waiver goals;
- Remediate issues and problems through policy development and clarification;
- Review program data for trending;
- Identify staff training needs and program changes;
- Discuss and identify program improvements; and
- Set priorities for system improvement.

The QA Committee is responsible for:

- Updating of waiver processes to specifically address CMS assurance components;
- Standardizing education, training and quality systems;
- Monitoring the results of supervisory level monitoring and designing statewide reports;
- Improving program performance and ensuring efficiency; and
- Implementation of waiver assurance monitoring for the health and welfare of recipients.
- In some cases, a work group may be established to identify possible solutions to needed improvements.

Documentation of meeting minutes, decisions, and agreements are maintained.

Quality improvement goals are identified in the QM committee as well and progress is discussed at each meeting. In some cases, work group meet in between quarterly meetings and progress is reported at each meeting.

ADSDs Quality Management Unit is made up of one quality assurance specialist, a social worker allocated part time in the north and south, a Health Care Coordinator 3, a management analyst 1 and one administrative assistant. They are responsible for developing reports on performance measures that are shared with the QM committee quarterly. QM staff also work with the special projects team to track and trend data and ensure QM initiatives are implemented. Data and trends are discussed as well as remediation strategies and future plans. DHCFP quality assurance representatives use this opportunity to provide program oversight, make inquiries, or ask for additional information.

**ADSD Supervisor Meetings**

ADSD supervisors meet monthly to discuss program operations to include policy and procedure. The quality assurance specialist presents an update on quality management functions having to do with reporting requirements for the District Offices to newly implemented processes. Supervisors have that opportunity to seek clarification on data collection methods and processes for quality management purposes.

**DHCFP Annual Reviews**

DHCFP Quality Assurance (QA) Unit conducts annual reviews of case files, financial, and recipient survey called Participant Experience Survey (PES). Additionally, QA unit leads Quality Improvement (QI) meetings on a monthly basis to go over case file review results of any assurances and sub-assurances performance measures that fall below the 86% threshold and ways to remediate and how to mitigate future errors are discussed. The annual reviews and QI meetings are for both Frail and Elderly Waiver (FE Waiver) and Physically Disabled Waiver (PD Waiver). This consolidated review and QI meetings stemmed from the previous approved FE and PD Waivers.

Participants of the QI meetings consist of ADSD staff (supervisors, chief and QA) and DHCFP QA and LTSS units.

**ii. System Improvement Activities**

<b>Responsible Party</b> <i>(check each that applies):</i>	<b>Frequency of Monitoring and Analysis</b> <i>(check each that applies):</i>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Quality Improvement Committee</b>	<b>Annually</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Other</b> Specify:  <input type="text"/>

**b. System Design Changes**

- i.** Describe the process for monitoring and analyzing the effectiveness of system design changes. Include a description of the various roles and responsibilities involved in the processes for monitoring & assessing system design changes. If applicable, include the state's targeted standards for systems improvement.

The QM committee is the main body for evaluating information statewide. It is also the committee that develops new data collection tools and processes. The team has begun to develop integrated data systems that draw information from a number of data sources.

Data is collected in a variety of ways. It is collected from Initial Assessment Reviews, Ongoing Case File Reviews, Level of Care Reviews, Serious Occurrence Reporting and Participant Experience Surveys. Reports are created and shared quarterly at the QM committee meetings. Going forward, QM plans to place more emphasis on analysis of trends. The QM Committee minutes document the data reviewed, improvement strategies developed, and the entity responsible for implementation statewide.

ADSD utilizes a web-based case management system called Social Assistance Management Software (SAMS). This system has reporting capabilities that are under development with the current database. There are numerous reporting capabilities in SAMS system which include: QM Open Cases Quarterly for sampling, QM Level of Care Compare Report Monthly to evaluate timelines, QM Plan of Care Compare Report - Monthly to evaluate timeliness, QM Level Of Care Timeliness Report Monthly to evaluate timelines amount of time for a new referral to obtain a Level of Care screening, QM Case Processing Timeliness Report Monthly to evaluate case processing time from pending to approved, QM APS Report Quarterly to review waiver clients who have received an APS referral and if it was substantiated or unsubstantiated, and QM Annual Provider Review Report Quarterly to evaluate timeliness of ADSD contracted providers site visits.

DHCFP participates in the quarterly QM meetings, which is the forum for the state to share information on improvement strategies that are being implemented based on the analysis of the data shown in the reports.

- ii. Describe the process to periodically evaluate, as appropriate, the Quality Improvement Strategy.

Quality management is a system that changes and improves over time. The process of data analysis, setting goals, monitoring outcomes and identifying problem areas leads to continual adjustment of the quality management strategy. The QM Manager is responsible for updating the quality management strategy. The process is to review and update the strategy annually. The quality management strategy is posted for every employee of ADSD to view. The strategy is shared with DHCFP.

The Quarterly Quality Management Meetings are used to evaluate the quality management strategy on an ongoing basis. The quality manager uses feedback from the quarterly meetings, as well as information from the current processes to evaluate the effectiveness, efficiency and appropriateness of the quality management system and update the system on an as needed basis. Evidentiary reports, annual review findings, and Plans of Improvement are utilized to evaluate and set priorities.

## Appendix H: Quality Improvement Strategy (3 of 3)

### H-2: Use of a Patient Experience of Care/Quality of Life Survey

- a. Specify whether the state has deployed a patient experience of care or quality of life survey for its HCBS population in the last 12 months (*Select one*):

No

Yes (*Complete item H.2b*)

- b. Specify the type of survey tool the state uses:

HCBS CAHPS Survey :

NCI Survey :

NCI AD Survey :

Other (*Please provide a description of the survey tool used*):

## Appendix I: Financial Accountability

### I-1: Financial Integrity and Accountability

**Financial Integrity.** Describe the methods that are employed to ensure the integrity of payments that have been made for waiver services, including: (a) requirements concerning the independent audit of provider agencies; (b) the financial audit program that the state conducts to ensure the integrity of provider billings for Medicaid payment of waiver services, including the methods, scope and frequency of audits; and, (c) the agency (or agencies) responsible for conducting the financial audit program. State laws, regulations, and policies referenced in the description are available to CMS upon request through the Medicaid agency or the operating agency (if applicable).

#### FINANCIAL INTEGRITY

The NV Medicaid Management Information System (MMIS) went through modernization and went live on February 2, 2019 now called Interchange (iC). The Interchange system increases efficiency in enrolling Medicaid providers, authorizing services, faster processing providers claims, and has a built-in Medically Unlikely Edit (MUE). Interchange claims processing system identifies the provider, authorized services, and units of service for each recipient. Interchange is linked to DWSS/NOMADS eligibility system. Interchange has a built-in edit which maps the claims to eligible waiver recipient, active waiver provider and prior authorization. If Interchange detects errors, claims are automatically denied. DHC FP LTSS unit works closely with Medicaid waiver providers and DHC FP Business Process Management Unit (BPMU) in resolving any unpaid or denied claims. Further, the Interchange system maintains records of incurred and paid claims, both the recipient and the provider files and provides data for the CMS 64 and CMS 372 reports.

Medicaid waiver provider agencies are not required to secure an independent review of financial statements. All claims are submitted electronically through Interchange. In addition to the Interchange audit, DHC FP QA staff completes annual financial review. The objective of this review is to confirm the accuracy of provider payments made by examining claims paid and comparing those claims with recipient files, Plans of Care, provider qualifications, waiver requirements, and waiver policy. ADSD also completes an annual financial review on 10% of recipients during the year.

The financial review utilizes the statewide random sample of recipients selected for program review. A list of claims paid is produced from the Interchange for each sample case for all waiver services for one chosen month. A sample month is randomly selected for each recipient who is part of the sample. All waiver claims for that sample month for that recipient are examined, in conjunction with the POC and daily record documentation. Results of financial reviews are reported to CMS through annual 372 reporting.

If the outcome of the financial review resulted in a possible overpayment to providers, this gets referred to DHC FP Surveillance and Utilization Review Unit (SURS) or the Medicaid Fraud Control Unit for further investigation and possible recoupment.

The State has in place a Quality Improvement Committee which analyzes any noted areas and works on improvement for those areas during the year, and up to the next review. This committee includes DHC FP LTSS and QA units, and ADSD staff which consist of Community Based Care chief, supervisors and QA. This committee assesses the seriousness and pervasiveness of the problems, identifies goals to remediate issues and problems through policy development, policy clarification, system and program changes, staff training and other remedies, and follows up on remediation progress.

Under the provisions of the Single Audit Act - The NV Legislative Counsel Bureau Audit Division is responsible for contracting independent public accounting firm to conduct a statewide audit of the state's financial statements.

<https://www.leg.state.nv.us/Division/Audit/Documents/Single%20Audits/Single%20Audit%20Report%20-%20June%2030%202018.pdf>.



**Appendix I: Financial Accountability**

**Quality Improvement: Financial Accountability**

As a distinct component of the States quality improvement strategy, provide information in the following fields to detail the States methods for discovery and remediation.

**a. Methods for Discovery: Financial Accountability Assurance:**

**The State must demonstrate that it has designed and implemented an adequate system for ensuring financial accountability of the waiver program.** (For waiver actions submitted before June 1, 2014, this assurance read "State financial oversight exists to assure that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver.")

**i. Sub-Assurances:**

**a. Sub-assurance: The State provides evidence that claims are coded and paid for in accordance with the reimbursement methodology specified in the approved waiver and only for services rendered.**

(Performance measures in this sub-assurance include all Appendix I performance measures for waiver actions submitted before June 1, 2014.)

**Performance Measures**

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**Number and percent of recipients claims that are coded and paid correctly in accordance with the service plan, daily record, and prior authorization. N: Number of recipients claims that are coded and paid correctly in accordance with the service plan, daily record, and prior authorization. D: Number of claims reviewed.**

**Data Source (Select one):**

**Record reviews, on-site**

If 'Other' is selected, specify:

<b>Responsible Party for data collection/generation</b> (check each that applies):	<b>Frequency of data collection/generation</b> (check each that applies):	<b>Sampling Approach</b> (check each that applies):
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <div style="border: 1px solid black; width: 100px; height: 20px; margin-top: 5px;"></div>

<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group:  <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify:  <input type="text"/>
	<b>Other</b> Specify:  <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis (check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**b. Sub-assurance: The state provides evidence that rates remain consistent with the approved rate methodology throughout the five year waiver cycle.**

**Performance Measures**

For each performance measure the State will use to assess compliance with the statutory assurance (or sub-assurance), complete the following. Where possible, include numerator/denominator.

For each performance measure, provide information on the aggregated data that will enable the State to analyze and assess progress toward the performance measure. In this section provide information on the method by which each source of data is analyzed statistically/deductively or inductively, how themes are identified or conclusions drawn, and how recommendations are formulated, where appropriate.

**Performance Measure:**

**The State provides evidence that rates remain consistent with the approved rate methodology through the five year waiver cycle. Number and percent of provider payment rates which are consistent with the rate methodology in the approved waiver. N: Total number of payment rates which are consistent with the rate methodology in the approved waiver. D: Total number provider payment rates reviewed**

**Data Source (Select one):**

**Other**

If 'Other' is selected, specify:

**Interchange verification that rates paid to providers are in line with approved rate methodology.**

<b>Responsible Party for data collection/generation (check each that applies):</b>	<b>Frequency of data collection/generation (check each that applies):</b>	<b>Sampling Approach(check each that applies):</b>
<b>State Medicaid Agency</b>	<b>Weekly</b>	<b>100% Review</b>
<b>Operating Agency</b>	<b>Monthly</b>	<b>Less than 100% Review</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>	<b>Representative Sample</b> Confidence Interval = <input type="text"/>
<b>Other</b> Specify: <input type="text"/>	<b>Annually</b>	<b>Stratified</b> Describe Group: <input type="text"/>
	<b>Continuously and Ongoing</b>	<b>Other</b> Specify: <input type="text"/>
	<b>Other</b> Specify: <input type="text"/>	

**Data Aggregation and Analysis:**

<b>Responsible Party for data aggregation and analysis (check each that applies):</b>	<b>Frequency of data aggregation and analysis(check each that applies):</b>
<i>State Medicaid Agency</i>	<i>Weekly</i>
<i>Operating Agency</i>	<i>Monthly</i>
<i>Sub-State Entity</i>	<i>Quarterly</i>
<i>Other</i> <i>Specify:</i> <input type="text"/>	<i>Annually</i>
	<i>Continuously and Ongoing</i>
	<i>Other</i> <i>Specify:</i> <input type="text"/>

ii. If applicable, in the textbox below provide any necessary additional information on the strategies employed by the State to discover/identify problems/issues within the waiver program, including frequency and parties responsible.

**b. Methods for Remediation/Fixing Individual Problems**

i. Describe the States method for addressing individual problems as they are discovered. Include information regarding responsible parties and GENERAL methods for problem correction. In addition, provide information on the methods used by the state to document these items.

ADSD internally validates billing and reviews billing workbooks for case management. Factors reviewed include recipients, dates of service, authorization, procedure codes, provider number, eligibility effective date, modifier, and rates. The review is based on claims history reports generated from Interchange. DHCFP staff also completes an annual review which includes financial integrity.

ADSD supervisor staff reviews a sample of ongoing case files for appropriateness of administrative claims versus direct service case management and to verify the correct units are billed. If this area is found to be deficient, supervisors address this individually with case managers to identify areas in needing improvement and ensure corrections are made.

DHCFP QA and ADSD supervisory staff reviews a random sample of claims paid through the Interchange system for a months of waiver services. The purpose of the financial review is to evaluate waiver payments. DHCFP evaluates the services received by the recipients to ensure they are appropriate for the waiver. If providers have billing issues identified during the review they will be required to correct the issue and outline a corrective action plan going forward.

If claims are discover to be incorrect, a referral is made to the Surveillance and Utilization Review Unit (SUR) within DHCFP. This unit investigates under/over payments and will recoup funds from providers if overpayment occurs. SUR unit also provides education to providers regarding policies for proper billing and rules and regulations for Medicaid providers. In addition, DHCFP's fiscal agent provides training to new providers on billing procedures and upon request of active Medicaid providers who have difficulty submitting clean claims electronically. If provider training efforts fail, DHCFP may suspend the provider from accepting new Medicaid recipients and request a corrective action plan.

If there are errors found within Interchange during the annual review, there is a mechanism in place to correct these issues. The errors that have been noted in the past include incorrect rates, payments edits that are not functioning, or payment edits that need to be included so claims pay appropriately. When these types of errors are noted, a form called a Production Discrepancy Report (PDR) is completed which identifies the nature of the problem. The PDR is submitted to the fiscal agent for a Scope of Work which outlines the amount of time and cost of fix. DHCFP Information Technology staff approves any and all work related to Interchange.

**ii. Remediation Data Aggregation**

**Remediation-related Data Aggregation and Analysis (including trend identification)**

<b>Responsible Party</b> (check each that applies):	<b>Frequency of data aggregation and analysis</b> (check each that applies):
<b>State Medicaid Agency</b>	<b>Weekly</b>
<b>Operating Agency</b>	<b>Monthly</b>
<b>Sub-State Entity</b>	<b>Quarterly</b>
<b>Other</b> Specify:  <input type="text"/>	<b>Annually</b>
	<b>Continuously and Ongoing</b>
	<b>Other</b> Specify:  <input type="text"/>

**c. Timelines**

When the State does not have all elements of the Quality Improvement Strategy in place, provide timelines to design

*methods for discovery and remediation related to the assurance of Financial Accountability that are currently non-operational.*

**No**

**Yes**

*Please provide a detailed strategy for assuring Financial Accountability, the specific timeline for implementing identified strategies, and the parties responsible for its operation.*

***Appendix I: Financial Accountability***

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***I-2: Rates, Billing and Claims (1 of 3)***

**a. Rate Determination Methods.** *In two pages or less, describe the methods that are employed to establish provider payment rates for waiver services and the entity or entities that are responsible for rate determination. Indicate any opportunity for public comment in the process. If different methods are employed for various types of services, the description may group services for which the same method is employed. State laws, regulations, and policies referenced in the description are available upon request to CMS through the Medicaid agency or the operating agency (if applicable).*

*The Division of Health Care Financing and Policy (DHCFP) determines all rates. Documentation of the assumptions, inputs, rate development methodology, and fee-schedule payment rates are maintained by the DHCFP. The rate determinations are done in house with programmatic staff, stakeholders as well as at the direction of the Nevada Legislature. Oversight of the rate determination process is done at the Administrative level of the DHCFP. Waiver reimbursement rates are available to all waiver participants at the DHCFP's website, listed by provider type at: <http://dhcfnv.gov/Resources/Rates/FeeSchedules/> - Provider Types 48, 57 and 59 Waiver for Frail Elderly.*

*Effective January 1, 2018, Chapter 422 of the Nevada Revised Statutes (NRS) requires review of sufficiency of all Nevada Medicaid services scheduled for review no less than every 4 years. Details of the schedule are currently under review.*

*As a requirement of the Frail Elderly (FE) Waiver Renewal, the DHCFP initiated a complete review of waiver service rates and documentation of rate methodologies in October of 2019 and completed in February of 2020. This review was required due to lack of detailed documented historical data concerning waiver rates and methodologies.*

*Previous FE Waiver renewals and subsequent amendments referenced methodologies developed from a comprehensive rate study conducted by EP&P for the State of Nevada and completed in 2002. The inputs and assumptions outlined in the 2002 rate study are updated to the most currently available reference data and the resulting rates are benchmarked against other states with similar waiver services, Nevada Medicaid State Plan service rates, Nevada Medicaid Agency staff, provider input from a Wage and Benefit Survey, and data from the fiscal reporting system.*

*The 2019 rate review included an electronic wage and benefit survey of waiver service providers with opportunity for providers to complete a paper-based survey. Providers were given a full four months to respond before the survey was closed and the results were analyzed and compiled. The respondent provider pool represented 17% of FE waiver providers who provided waiver services to 21% of FE waiver recipients. The survey was determined to return enough reliable data regarding wages, full and part-time status of direct caregivers, averages for travel and documentation time, and provided benefits to inform the rate review study. Also, interstate comparison of adjoining states and other states with similar waiver services was used for the rate review, researching a total of 6 states.*

*Nevada's FE Waiver Fee Schedule services are grouped by category and rate methodology. An established fee-schedule or Fee-for-Service (FFS) reimbursement type is utilized by Nevada Medicaid for the FE Waiver, paying uniform rates across all providers. Rates for the HCPCS waiver billing codes are developed utilizing a defined rate methodology structured to reflect service delivery provisions, inputs and cost assumptions. The resultant rates are scaled to the appropriate unit (per 15 minutes, per diem and maximum yearly amount). Rates are compared to other states with similar services, similar state plan and waiver services, as well as provider surveys, input from Nevada Medicaid operating agency staff, and data from provider enrollment and fiscal reporting system. Nevada compared services with Arizona Home and Community Based Services, Idaho Home and Community Based Services, Utah's Aging Waiver (adjoining states), as well as Ohio's Home and Community Based Services, Colorado's Home and Community Based Services, and Indiana Division of Aging HCBS Waiver. All services were compared where at least 2 other states had comparable rates.*

*Enrollment statistics (2014-2019) show steady increase in new FE waiver providers each year, averaging 5.70%, and a total increase of 24.1% over 5 years. This steady increase in provider capacity indicates the rates are sufficient to attract new providers into the market. The State believes these rates are sufficient to enlist enough providers to ensure access to services for recipients while still being consistent with efficiency, economy, and quality of services. The Rates Unit requested and reviewed records and invoices for service delivery for prior years (2017 – 2018). The records confirmed standardized bid and provider work assignment processes were in place for these services. The caseworkers were asked if there were problems accessing these services or finding providers and indicated providers pools and funds were enough to provide recipients with needed waiver services.*

#### *Direct Care Services*

##### *Fee-for-Service Direct Care Rate Methodology*

*Direct Care Waiver Services include:*

*S5120 – Chore Services*

*S5130 - Homemaker*

*S5135 – Adult Companion Services*

*S5150 – Respite (15 minutes)*

*S5151 – Respite (per diem)*

*The rate model is developed from an hourly base wage and increased to reflect service definitions, provider requirements, operational service delivery and administrative considerations.*

*The following elements are used to determine the rates:*

- 1. Wage information is taken from provider surveys and compared to wages for similar services in other states, as well as wages identified by Medicaid staff as comparable to similar State Plan Services.*
- 2. Employee related expenses (ERE) percentage of 27% is based on input from Medicaid Staff and approved State Plan direct care service methodologies. It includes paid vacation, paid sick leave, holiday pay, health insurance, life insurance, disability, workers compensation, and legally required payroll taxes.*
- 3. Productivity adjustment factor accounts for non-billable time spent by staff. This includes the time for staff to complete required documentation and record keeping, and average travel time reported in survey. Productivity assumptions are based on input from waiver policy staff and provider survey.*

*Non-billable time is calculated with the assumption that during an 8-hour day, a waiver service provider will spend 30 minutes documenting the services provided to recipients and will spend about 48 minutes (from 2018 provider survey) traveling between recipients. This is time spent outside of providing direct care services and cannot be billed. This nonbillable time is subtracted from the total 8 hours, equaling 6.7 hours of “billable” time. A factor is derived by dividing the total hours by the billable hours and is “factored” back into (and increasing) by multiplying the ERE-adjusted hourly wage by the productivity factor.*

- 4. Administrative overhead of 10% is the percentage of service costs allowed by Nevada Medicaid’s State Plan for non-direct care activities including insurance, administrative staff, operations and management activities and office supplies. This does not exceed the percentage allowable by state law.*

*The following steps are used to determine the rates:*

- 1. The State will use the hourly base wage for each service.*
- 2. The hourly amount is increased by the 27% ERE.*
- 3. A productivity factor is applied to the hourly compensation increased by the ERE calculated in Item 2.*
- 4. Administrative overhead (10%) is applied to the adjusted hourly rate. (Item 3).*
- 5. Total hourly rate is the sum of the adjusted hourly rate and increased by the administrative overhead (Item 4).*
- 6. Total hourly rate is scaled to the proper unit based on the unit of service.*

*The rates are compared to other states with similar waiver services, data from a Provider Wage and Benefit Survey, as well as similar state plan services. Documentation of the assumptions used, rate development methodology and fee schedule payment rates will be maintained by DHCFP.*

*Rates that are active in the system as of December 1, 2020 will be reduced by 6% until June 30, 2021. Rates will be restored to the pre-reduction amount by July 1, 2021. Rates calculated after July 1, 2021 will be calculated using the above methodology.*

#### *Non-Direct Care Waiver Services Fee-Schedule*

*S5160 – Personal Emergency Response System (PERS) Install*

*S5161 – PERS Monthly*

*PERS Install and PERS Monthly - The rate calculation for PERS is based on the actual cost billed to ADSD by the service provider in 2002. The rates for one-time installation charge and subsequent monthly amount were set in 2002, reviewed in 2014, and in 2018. Rates were comparable to those of other states with similar services and found to be consistent with efficiency, economy and quality of services. These rates will be reviewed in the future according to the 2018 legislated rate review schedule currently in development.*

*In 2014, a national average review of “Medical Alert Systems” compared Nevada’s PERS installation of \$45.00 and monthly charges of \$40.00 to Life Station, Life Alert and Medical Guardian, which averaged \$42.27. At that time, Nevada’s rates were also compared to Utah, Idaho and Montana’s rates for PERS. The interstate average rate for installation charges equaled 65.52, 30% higher than Nevada’s rate of 45.00. Nevada’s monthly charge of 40.00 was 40%*



*lower than the Interstate average of 66.00. The 2018 Interstate comparison review shows the gap between Nevada's rates and interstate comparison has shrunk to approximately 15%.*

*Rates that are active in the system as of December 1, 2020 will be reduced by 6% until June 30, 2021. Rates will be restored to the pre-reduction amount by July 1, 2021.*

*Other Services*

*Case Management Public and Private*

*Private Case Management Wage-based*

*Augmented Personal Care Service*

*Adult Day Care*

*Continued on Section Main B: Optional*

- b. Flow of Billings.** Describe the flow of billings for waiver services, specifying whether provider billings flow directly from providers to the state's claims payment system or whether billings are routed through other intermediary entities. If billings flow through other intermediary entities, specify the entities:

*Waiver Services other than Case Management:*

*Providers direct bill DHCFP's fiscal agent by submitting an electronic bill through Nevada's Medicaid Management Information System (MMIS). This is true of both public and private providers. Billings do not flow through any intermediary other than the DHCFP's fiscal agent.*

*The MMIS adjudicates claims by:*

- 1. Verifying recipient eligibility.*
- 2. Verification of prior authorization.*

*The provider is expected to:*

- 1. Verify eligibility monthly.*
- 2. Submit claims weekly or monthly.*
- 3. Submit claims directly through the MMIS system.*

*MMIS has a series of edits which verifies name, Medicaid number, prior authorization, and the number of units of service authorized. If the claim fails just one of these areas, the claim will deny. The provider must resubmit claims with the correct information. There is an edit in the system which verifies providers do not receive reimbursement over what is authorized. Provider claims are stored in a data warehouse and can be accessed through reports.*

*Case Management:*

*Case management is not prior authorized and it is provided on an as needed basis. DHCFP has a Time Tracking System in place which allows case managers to track administrative activities as Waiver Administration and direct services activities as Medical Case Management. Each case manager has a billing work book and these workbooks must match time tracking. Supervisors review a representative sample of case file reviews monthly in which this area is included.*

*Administrative activities and direct service activities are split up as follows:*

*Administrative activities are time tracked based on the approved cost allocation plan. Those activities include:*

- 1. Intake referral;*
- 2. Facilitating Medicaid eligibility, which may include assistance with the Medical Assistance for the Aged, Blind and Disabled (MAABD) application and obtaining documents required for eligibility determination;*
- 3. Preliminary and ongoing assessments, evaluations and completion of forms required for service eligibility;*
- 4. Request form for a Notice of Decision (NOD) when a waiver application is denied;*
- 5. Coordination of care and services to collaborate in discharge planning to transition applicants from facilities;*
- 6. Documentation for case files prior to eligibility;*
- 7. Case closure activities upon termination of service eligibility;*
- 8. Outreach activities to educate recipients or potential recipients on how to enter into care through a Medicaid Program;*
- 9. Communication of the POC to all affected providers;*
- 10. Completion of prior authorization form prior to submission into the Medicaid Management Information System (MMIS).*
- 11. Travel time for all home visits*

*ADSD bills administrative activities based on the approved cost allocation plan through DHCFP fiscal unit.*

*Direct Services:*

- 1. Identification of resources and assisting recipients in locating and gaining access to waiver services, as well as needed medical, social, educational and other services regardless of the funding source;*
- 2. Coordination of multiple services and/or providers;*
- 3. Monitoring the overall provision of waiver services, in an effort to protect the safety and health of the recipient and to determine that the POC goals are being met;*
- 4. Monitoring and documenting the quality of care through contacts with recipients;*
- 5. Ensuring that the recipient retains freedom of choice in the provision of services;*
- 6. Notifying all affected providers of changes in the recipient's medical status, service needs, address, and location, or*

*of changes of the status of legally responsible individuals or authorized representative;*

7. *Notifying all affected providers of any unusual occurrence or change in status of a waiver recipient;*
8. *Notifying all affected providers of any recipient complaints regarding delivery of service or specific provider staff;*
9. *Notifying all affected providers if a recipient requests a change in the provider staff or provider agency; and*
10. *Case Managers must provide recipients with appropriate amount of case management services necessary to ensure the recipient is safe and receives sufficient services. Case management is an as needed service. Case managers must, at a minimum, have an annual face-to-face visit and ongoing contact that is sufficient to meet the needs of the recipient. The amount of case management services must be adequately documented and substantiated by the case manager's notes.*

*Case management expenditures are based on actual expenditures and an approved cost allocation plan (CAP). DHCFP approves the CAP. Since these services are billed quarterly after ADSD incurs or pays the cost, there is no interim rate established through a cost report nor are these costs trued up or settled at the end of each year. The rates for public case management are the same for all providers which are state employees and are posted on DHCFP's website under Rates and Cost Containment, Provider Type 48.*

**Appendix I: Financial Accountability**

**I-2: Rates, Billing and Claims (2 of 3)**

**c. Certifying Public Expenditures (select one):**

***No. state or local government agencies do not certify expenditures for waiver services.***

***Yes. state or local government agencies directly expend funds for part or all of the cost of waiver services and certify their state government expenditures (CPE) in lieu of billing that amount to Medicaid.***

**Select at least one:**

***Certified Public Expenditures (CPE) of State Public Agencies.***

*Specify: (a) the state government agency or agencies that certify public expenditures for waiver services; (b) how it is assured that the CPE is based on the total computable costs for waiver services; and, (c) how the state verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b).(Indicate source of revenue for CPEs in Item I-4-a.)*

***Certified Public Expenditures (CPE) of Local Government Agencies.***

*Specify: (a) the local government agencies that incur certified public expenditures for waiver services; (b) how it is assured that the CPE is based on total computable costs for waiver services; and, (c) how the state verifies that the certified public expenditures are eligible for Federal financial participation in accordance with 42 CFR §433.51(b). (Indicate source of revenue for CPEs in Item I-4-b.)*

**Appendix I: Financial Accountability**

**I-2: Rates, Billing and Claims (3 of 3)**

**d. Billing Validation Process. Describe the process for validating provider billings to produce the claim for federal financial participation, including the mechanism(s) to assure that all claims for payment are made only: (a) when the individual was eligible for Medicaid waiver payment on the date of service; (b) when the service was included in the participant's approved service plan; and, (c) the services were provided:**

a) *The Medicaid Management Information System (MMIS) assures that all claims for payment are made when the recipient was eligible for Medicaid waiver payment on the date of service, that the service was included in the recipient’s approved service plan, and that the services were provided. This is accomplished through several subsystems within MMIS.*

*The recipient and provider subsystems enroll members in the various benefit plans, and maintain and reports enrollee eligibility data while also supplying demographic and other data used to adjudicate payment requests.*

*The reference subsystem and the claims processing subsystem identify the covered services for the benefit plan as well as the associated edits and pricing.*

*The claims processing subsystem then produces fully adjudicated payment requests which are then selected by the financial subsystem for check writing and other financial processing.*

b) *ADSD also maintains a corresponding record for each recipient documenting the recipient’s waiver eligibility and services provided. The record includes recipient demographics, assessments, POCs, level of care screenings, ongoing levels of care, and documentation of waiver service authorizations. These records are reviewed during supervisory reviews and the DHCFP annual review to assure accurate payment. Waiver providers keep a daily record or signed timesheet to verify that services were provided in accordance with the POC.*

c) *As part of the DHCFP annual review, samplings of provider billings are compared to the claims paid system for determination of accuracy. ADSD staff also verifies services were provided and billed as authorized on the POC during the annual provider reviews.*

*When a recipient's eligibility for the waiver is terminated, the benefit plan is updated to indicate the date of termination. As claims are processed for payment, an edit is performed to ensure the date on the claim is within the eligibility dates identified in the benefit plan and the services billed are included in the benefit plan.*

*For medical services in this waiver, the non-federal share of payments is appropriated directly to the DHCFP Medicaid budget. Therefore, Certified Public Expenditures with ADSD are not applicable to these services.*

**e. Billing and Claims Record Maintenance Requirement.** *Records documenting the audit trail of adjudicated claims (including supporting documentation) are maintained by the Medicaid agency, the operating agency (if applicable), and providers of waiver services for a minimum period of 3 years as required in 45 CFR §92.42.*

**Appendix I: Financial Accountability**

**I-3: Payment (1 of 7)**

**a. Method of payments -- MMIS (select one):**

**Payments for all waiver services are made through an approved Medicaid Management Information System (MMIS).**

**Payments for some, but not all, waiver services are made through an approved MMIS.**

*Specify: (a) the waiver services that are not paid through an approved MMIS; (b) the process for making such payments and the entity that processes payments; (c) and how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:*

**Payments for waiver services are not made through an approved MMIS.**

*Specify: (a) the process by which payments are made and the entity that processes payments; (b) how and through*

which system(s) the payments are processed; (c) how an audit trail is maintained for all state and federal funds expended outside the MMIS; and, (d) the basis for the draw of federal funds and claiming of these expenditures on the CMS-64:

**Payments for waiver services are made by a managed care entity or entities. The managed care entity is paid a monthly capitated payment per eligible enrollee through an approved MMIS.**

Describe how payments are made to the managed care entity or entities:

**Appendix I: Financial Accountability**

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**I-3: Payment (2 of 7)**

**b. Direct payment.** In addition to providing that the Medicaid agency makes payments directly to providers of waiver services, payments for waiver services are made utilizing one or more of the following arrangements (select at least one):

**The Medicaid agency makes payments directly and does not use a fiscal agent (comprehensive or limited) or a managed care entity or entities.**

**The Medicaid agency pays providers through the same fiscal agent used for the rest of the Medicaid program.**

**The Medicaid agency pays providers of some or all waiver services through the use of a limited fiscal agent.**

Specify the limited fiscal agent, the waiver services for which the limited fiscal agent makes payment, the functions that the limited fiscal agent performs in paying waiver claims, and the methods by which the Medicaid agency oversees the operations of the limited fiscal agent:

**Providers are paid by a managed care entity or entities for services that are included in the state's contract with the entity.**

Specify how providers are paid for the services (if any) not included in the state's contract with managed care entities.

**Appendix I: Financial Accountability**

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**I-3: Payment (3 of 7)**

**c. Supplemental or Enhanced Payments.** Section 1902(a)(30) requires that payments for services be consistent with efficiency, economy, and quality of care. Section 1903(a)(1) provides for Federal financial participation to states for expenditures for services under an approved state plan/waiver. Specify whether supplemental or enhanced payments are made. Select one:

**No. The state does not make supplemental or enhanced payments for waiver services.**

**Yes. The state makes supplemental or enhanced payments for waiver services.**

Describe: (a) the nature of the supplemental or enhanced payments that are made and the waiver services for which these payments are made; (b) the types of providers to which such payments are made; (c) the source of the non-Federal share of the supplemental or enhanced payment; and, (d) whether providers eligible to receive the supplemental or enhanced payment retain 100% of the total computable expenditure claimed by the state to CMS. Upon request, the state will furnish CMS with detailed information about the total amount of supplemental or enhanced payments to each provider type in the waiver.

## Appendix I: Financial Accountability

### I-3: Payment (4 of 7)

**d. Payments to state or Local Government Providers.** Specify whether state or local government providers receive payment for the provision of waiver services.

**No. State or local government providers do not receive payment for waiver services.** Do not complete Item I-3-e.

**Yes. State or local government providers receive payment for waiver services.** Complete Item I-3-e.

Specify the types of state or local government providers that receive payment for waiver services and the services that the state or local government providers furnish:

ADSD for case management services.

## Appendix I: Financial Accountability

### I-3: Payment (5 of 7)

**e. Amount of Payment to State or Local Government Providers.**

Specify whether any state or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed its reasonable costs of providing waiver services and, if so, whether and how the state recoups the excess and returns the Federal share of the excess to CMS on the quarterly expenditure report. Select one:

**The amount paid to state or local government providers is the same as the amount paid to private providers of the same service.**

**The amount paid to state or local government providers differs from the amount paid to private providers of the same service. No public provider receives payments that in the aggregate exceed its reasonable costs of providing waiver services.**

**The amount paid to state or local government providers differs from the amount paid to private providers of the same service. When a state or local government provider receives payments (including regular and any supplemental payments) that in the aggregate exceed the cost of waiver services, the state recoups the excess and returns the federal share of the excess to CMS on the quarterly expenditure report.**

Describe the recoupment process:

**Appendix I: Financial Accountability**

**I-3: Payment (6 of 7)**

**f. Provider Retention of Payments.** Section 1903(a)(1) provides that Federal matching funds are only available for expenditures made by states for services under the approved waiver. Select one:

**Providers receive and retain 100 percent of the amount claimed to CMS for waiver services.**

**Providers are paid by a managed care entity (or entities) that is paid a monthly capitated payment.**

Specify whether the monthly capitated payment to managed care entities is reduced or returned in part to the state.

**Appendix I: Financial Accountability**

**I-3: Payment (7 of 7)**

**g. Additional Payment Arrangements**

**i. Voluntary Reassignment of Payments to a Governmental Agency.** Select one:

**No. The state does not provide that providers may voluntarily reassign their right to direct payments to a governmental agency.**

**Yes. Providers may voluntarily reassign their right to direct payments to a governmental agency as provided in 42 CFR §447.10(e).**

Specify the governmental agency (or agencies) to which reassignment may be made.

**ii. Organized Health Care Delivery System.** Select one:

**No. The state does not employ Organized Health Care Delivery System (OHCDS) arrangements under the provisions of 42 CFR §447.10.**

**Yes. The waiver provides for the use of Organized Health Care Delivery System arrangements under the provisions of 42 CFR §447.10.**

Specify the following: (a) the entities that are designated as an OHCDS and how these entities qualify for designation as an OHCDS; (b) the procedures for direct provider enrollment when a provider does not voluntarily agree to contract with a designated OHCDS; (c) the method(s) for assuring that participants have free choice of qualified providers when an OHCDS arrangement is employed, including the selection of providers not affiliated with the OHCDS; (d) the method(s) for assuring that providers that furnish services under contract with an OHCDS meet applicable provider qualifications under the waiver; (e) how it is assured that OHCDS contracts with providers meet applicable requirements; and, (f) how financial accountability is assured when an OHCDS arrangement is used:

**iii. Contracts with MCOs, PIHPs or PAHPs.**

***The state does not contract with MCOs, PIHPs or PAHPs for the provision of waiver services.***

***The state contracts with a Managed Care Organization(s) (MCOs) and/or prepaid inpatient health plan(s) (PIHP) or prepaid ambulatory health plan(s) (PAHP) under the provisions of §1915(a)(1) of the Act for the delivery of waiver and other services. Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the state Medicaid agency.***

*Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and, (d) how payments are made to the health plans.*

***This waiver is a part of a concurrent §1915(b)/§1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The §1915(b) waiver specifies the types of health plans that are used and how payments to these plans are made.***

***This waiver is a part of a concurrent §1915(b)/§1915(c) waiver. Participants are required to obtain waiver and other services through a MCO and/or prepaid inpatient health plan (PIHP) or a prepaid ambulatory health plan (PAHP). The §1915(b) waiver specifies the types of health plans that are used and how payments to these plans are made.***

***If the state uses more than one of the above contract authorities for the delivery of waiver services, please select this option.***

*In the textbox below, indicate the contract authorities. In addition, if the state contracts with MCOs, PIHPs, or PAHPs under the provisions of §1915(a)(1) of the Act to furnish waiver services: Participants may voluntarily elect to receive waiver and other services through such MCOs or prepaid health plans. Contracts with these health plans are on file at the state Medicaid agency. Describe: (a) the MCOs and/or health plans that furnish services under the provisions of §1915(a)(1); (b) the geographic areas served by these plans; (c) the waiver and other services furnished by these plans; and, (d) how payments are made to the health plans.*

**Appendix I: Financial Accountability**

**I-4: Non-Federal Matching Funds (1 of 3)**

**a. State Level Source(s) of the Non-Federal Share of Computable Waiver Costs.** Specify the state source or sources of the non-federal share of computable waiver costs. Select at least one:

***Appropriation of State Tax Revenues to the State Medicaid agency***

***Appropriation of State Tax Revenues to a State Agency other than the Medicaid Agency.***

*If the source of the non-federal share is appropriations to another state agency (or agencies), specify: (a) the state entity or agency receiving appropriated funds and (b) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if the funds are directly expended by state agencies as CPEs, as indicated in Item I-2-c:*



**Other State Level Source(s) of Funds.**

*Specify: (a) the source and nature of funds; (b) the entity or agency that receives the funds; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly expended by state agencies as CPEs, as indicated in Item I-2-c:*

*During the 76th Legislative Session, SB 485 was passed which amended the counties responsibility to pay the State's Share of expenditures for indigents who are institutionalized with income at 156% to 300% of the Federal Benefit Rate (FBR). The bill amended this population lowering the FBR to an amount prescribed annually by the Director and included the waiver population within the same income limits. The FBR was lowered to 142%.*

*The counties reimburse these expenditures through property taxes collected. This is not a CPE mechanism as the counties are not providing the services to these recipients. This is a reimbursement of expenditures in which the counties are responsible to pay through property taxes collected. The expenditures include waiver and state plan services provided by private community providers.*

*DHCFP obtains those funds from the counties by invoicing each county, monthly, based on projected costs for the recipients the county is responsible for. A reconciliation is completed each quarter.*

*DHCFP updated the contracts of all 17 Nevada counties in 2013 to state "payments made by the County shall be derived from general county tax revenues or other general revenues of the County".*

*The State provided CMS a separate document titled Waiver Services other than Case Management: M200 County Match and SB 485 Adjustment. This document lays out how counties are invoiced for their estimated portion of Medicaid services.*

**Appendix I: Financial Accountability**

**I-4: Non-Federal Matching Funds (2 of 3)**

**b. Local Government or Other Source(s) of the Non-Federal Share of Computable Waiver Costs.** *Specify the source or sources of the non-federal share of computable waiver costs that are not from state sources. Select One:*

**Not Applicable.** *There are no local government level sources of funds utilized as the non-federal share.*

**Applicable**

*Check each that applies:*

**Appropriation of Local Government Revenues.**

*Specify: (a) the local government entity or entities that have the authority to levy taxes or other revenues; (b) the source(s) of revenue; and, (c) the mechanism that is used to transfer the funds to the Medicaid Agency or Fiscal Agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement (indicate any intervening entities in the transfer process), and/or, indicate if funds are directly expended by local government agencies as CPEs, as specified in Item I-2-c:*

**Other Local Government Level Source(s) of Funds.**

*Specify: (a) the source of funds; (b) the local government entity or agency receiving funds; and, (c) the mechanism that is used to transfer the funds to the state Medicaid agency or fiscal agent, such as an Intergovernmental Transfer (IGT), including any matching arrangement, and/or, indicate if funds are directly*

expended by local government agencies as CPEs, as specified in Item I-2-c:

SB 485 passed during the 2011 Legislative Session imposed responsibility upon the counties to reimburse the non-federal share of expenditures for waiver recipients whose income is at 142% to 300% of the FBR. These amounts are capped at the amount approved through the biennial budget process.

The State provided CMS a separate document titled Waiver Services other than Case Management: M200 County Match and SB 485 Adjustment. This document lays out how counties are invoiced for their estimated portion of Medicaid services.

## Appendix I: Financial Accountability

### I-4: Non-Federal Matching Funds (3 of 3)

**c. Information Concerning Certain Sources of Funds.** Indicate whether any of the funds listed in Items I-4-a or I-4-b that make up the non-federal share of computable waiver costs come from the following sources: (a) health care-related taxes or fees; (b) provider-related donations; and/or, (c) federal funds. Select one:

**None of the specified sources of funds contribute to the non-federal share of computable waiver costs**

**The following source(s) are used**

Check each that applies:

**Health care-related taxes or fees**

**Provider-related donations**

**Federal funds**

For each source of funds indicated above, describe the source of the funds in detail:

## Appendix I: Financial Accountability

### I-5: Exclusion of Medicaid Payment for Room and Board

**a. Services Furnished in Residential Settings.** Select one:

**No services under this waiver are furnished in residential settings other than the private residence of the individual.**

**As specified in Appendix C, the state furnishes waiver services in residential settings other than the personal home of the individual.**

**b. Method for Excluding the Cost of Room and Board Furnished in Residential Settings.** The following describes the methodology that the state uses to exclude Medicaid payment for room and board in residential settings:

Medicaid does not pay the cost of room and board furnished to an individual under the waiver. For all services room and board costs are excluded from payment. Individual resources such as SSI, Social Security, Pensions or Savings cover room and board. Rates are based on service delivery, not room and board.

## Appendix I: Financial Accountability

### I-6: Payment for Rent and Food Expenses of an Unrelated Live-In Caregiver

**Reimbursement for the Rent and Food Expenses of an Unrelated Live-In Personal Caregiver.** Select one:

**No. The state does not reimburse for the rent and food expenses of an unrelated live-in personal caregiver who**

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*resides in the same household as the participant.*

*Yes. Per 42 CFR §441.310(a)(2)(ii), the state will claim FFP for the additional costs of rent and food that can be reasonably attributed to an unrelated live-in personal caregiver who resides in the same household as the waiver participant. The state describes its coverage of live-in caregiver in Appendix C-3 and the costs attributable to rent and food for the live-in caregiver are reflected separately in the computation of factor D (cost of waiver services) in Appendix J. FFP for rent and food for a live-in caregiver will not be claimed when the participant lives in the caregiver's home or in a residence that is owned or leased by the provider of Medicaid services.*

*The following is an explanation of: (a) the method used to apportion the additional costs of rent and food attributable to the unrelated live-in personal caregiver that are incurred by the individual served on the waiver and (b) the method used to reimburse these costs:*

**Appendix I: Financial Accountability**

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**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (1 of 5)**

**a. Co-Payment Requirements.** *Specify whether the state imposes a co-payment or similar charge upon waiver participants for waiver services. These charges are calculated per service and have the effect of reducing the total computable claim for federal financial participation. Select one:*

**No.** *The state does not impose a co-payment or similar charge upon participants for waiver services.*

**Yes.** *The state imposes a co-payment or similar charge upon participants for one or more waiver services.*

**i. Co-Pay Arrangement.**

*Specify the types of co-pay arrangements that are imposed on waiver participants (check each that applies):*

**Charges Associated with the Provision of Waiver Services** (if any are checked, complete Items I-7-a-ii through I-7-a-iv):

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*Nominal deductible*

*Coinsurance*

*Co-Payment*

*Other charge*

*Specify:*

**Appendix I: Financial Accountability**

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**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (2 of 5)**

**a. Co-Payment Requirements.**

**ii. Participants Subject to Co-pay Charges for Waiver Services.**

**Answers provided in Appendix I-7-a indicate that you do not need to complete this section.**

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**Appendix I: Financial Accountability**

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**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (3 of 5)**

**a. Co-Payment Requirements.**

**iii. Amount of Co-Pay Charges for Waiver Services.**

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

**Appendix I: Financial Accountability**

**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (4 of 5)**

**a. Co-Payment Requirements.**

**iv. Cumulative Maximum Charges.**

Answers provided in Appendix I-7-a indicate that you do not need to complete this section.

**Appendix I: Financial Accountability**

**I-7: Participant Co-Payments for Waiver Services and Other Cost Sharing (5 of 5)**

**b. Other State Requirement for Cost Sharing.** Specify whether the state imposes a premium, enrollment fee or similar cost sharing on waiver participants. Select one:

**No.** The state does not impose a premium, enrollment fee, or similar cost-sharing arrangement on waiver participants.

**Yes.** The state imposes a premium, enrollment fee or similar cost-sharing arrangement.

Describe in detail the cost sharing arrangement, including: (a) the type of cost sharing (e.g., premium, enrollment fee); (b) the amount of charge and how the amount of the charge is related to total gross family income; (c) the groups of participants subject to cost-sharing and the groups who are excluded; and, (d) the mechanisms for the collection of cost-sharing and reporting the amount collected on the CMS 64:

**Appendix J: Cost Neutrality Demonstration**

**J-1: Composite Overview and Demonstration of Cost-Neutrality Formula**

**Composite Overview.** Complete the fields in Cols. 3, 5 and 6 in the following table for each waiver year. The fields in Cols. 4, 7 and 8 are auto-calculated based on entries in Cols 3, 5, and 6. The fields in Col. 2 are auto-calculated using the Factor D data from the J-2-d Estimate of Factor D tables. Col. 2 fields will be populated ONLY when the Estimate of Factor D tables in J-2-d have been completed.

**Level(s) of Care: Nursing Facility**

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Year	Factor D	Factor D'	Total: D+D'	Factor G	Factor G'	Total: G+G'	Difference (Col 7 less Column4)
1	7411.92	3966.00	11377.92	66060.00	16533.00	82593.00	71215.08
2	7885.68	3954.00	11839.68	67579.00	17740.00	85319.00	73479.32
3	7880.74	3942.00	11822.74	69134.00	19035.00	88169.00	76346.26
4	7888.27	3930.00	11818.27	70724.00	20424.00	91148.00	79329.73
5	7887.32	3919.00	11806.32	72350.00	21915.00	94265.00	82458.68

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (1 of 9)**

**a. Number Of Unduplicated Participants Served.** Enter the total number of unduplicated participants from Item B-3-a who will be served each year that the waiver is in operation. When the waiver serves individuals under more than one level of care, specify the number of unduplicated participants for each level of care:

*Table: J-2-a: Unduplicated Participants*

Waiver Year	Total Unduplicated Number of Participants (from Item B-3-a)	Distribution of Unduplicated Participants by Level of Care (if applicable)	
		Level of Care:	
		Nursing Facility	
Year 1	2771		2771
Year 2	2862		2862
Year 3	2954		2954
Year 4	3046		3046
Year 5	3138		3138

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (2 of 9)**

**b. Average Length of Stay.** Describe the basis of the estimate of the average length of stay on the waiver by participants in item J-2-a.

The average length of stay is based on the total number of days of waiver coverage of all recipients enrolled in the Waiver for the Frail Elderly divided by the unduplicated number of recipients in the waiver. Actual average length of stay was calculated based on the CMS-372 data for the period of July 01, 2017 - June 30, 2018. The average length of stay is 288.

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (3 of 9)**

**c. Derivation of Estimates for Each Factor.** Provide a narrative description for the derivation of the estimates of the following factors.

**i. Factor D Derivation.** The estimates of Factor D for each waiver year are located in Item J-2-d. The basis and methodology for these estimates is as follows:

NV used the ARIMA (AR-Autoregressive, I-Integrated, MA-Moving Average) Model to calculate the projected unduplicated participants count using the actual unduplicated participants from 372 reports WY 7/1/2014-6/30/2018 as the baseline, and factors in the state's population growth and employment numbers. According to the model, the average estimated growth rate of 92 is added to each WYs 2-4.

*Users per waiver service:*

Using the 5 year 372 reports (WY 2014-2018): 1) the estimated percentage of users was calculated by dividing the number of participants for each waiver service to the total number of waiver participants for each waiver year; 2) the percentage of users was averaged out across the 5 years; 3) the average percentage of projected unduplicated count is used for the estimated number of users per waiver service per year.

As for the Augmented Personal Care (APC) Service Level (SL) 4 (U4), this service was added in April 2019. In April 2019 NV submitted the FE amendment to add a new service level to APC and was approved by CMS. For this FE renewal, there is no sufficient data for APC SL4 and therefore, as indicated in the FE amendment, the estimation for the number of users will be 10% of projected unduplicated count each waiver year. As the state gets more data, the FE waiver will be amended to reflect consistent calculation as that of other FE waiver APC SLs 1-3.

*Units per user:*

Using the 5 year 372 reports (WY 2014-2018), the estimated units per user was calculated by dividing the service count per participant for each waiver service to the number of waiver participants for each waiver service; then averaged out across 5 years.

*Average cost per unit:*

Cost per unit is based on the rates that were established in 2002, however, some services received rate increase such as APC levels 1-4 of 15% and Adult Day Care Service had an increased of 5%. The increase rates of 15% and 5% were approved by the NV State Legislature effective July 1, 2017. The DHCFP Administration reviewed and proposed the increase rates to the NV Legislature based on public comments and fiscal budget. With this renewal, a new rate methodology is being introduced and will be utilized upon approval from CMS.

- ii. **Factor D' Derivation.** The estimates of Factor D' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

Although, other state plan health care services are included in the calculation of Factor D', historical data shows a downward slope in growth. Based on the actual expenditures from 372 reports for WYs 2014-2018, the average growth rate is -0.3%, which was used to determine the Factor D' for this renewal WY1, using WY 2018 as the baseline.

- iii. **Factor G Derivation.** The estimates of Factor G for each waiver year are included in Item J-1. The basis of these estimates is as follows:

The nursing facility costs are estimated based on the statewide actual average growth rate of the previous 5 years' actual cost obtained from 372 reports WY 2014-2018. The State decided to use the actual average growth rate of actual cost obtained from 372 reports for WYs 2014-2018, using the WY 2018 as the baseline.

- iv. **Factor G' Derivation.** The estimates of Factor G' for each waiver year are included in Item J-1. The basis of these estimates is as follows:

Non-institutional state plan costs are estimated based on the statewide actual average growth rate of the previous 5 years' actual cost obtained from 372 reports WYs 2014-2018. The State decided to use the actual average growth rate of the actual cost obtained from 372 reports for WYs 2014-2018, using the WY 2018 as the baseline.

## Appendix J: Cost Neutrality Demonstration

**Component management for waiver services.** If the service(s) below includes two or more discrete services that are reimbursed separately, or is a bundled service, each component of the service must be listed. Select “manage components” to add these components.

Waiver Services	
Case Management	
Homemaker	
Respite	
Adult Companion	
Adult Day Care	
Augmented Personal Care (APC)	
Chore	
Personal Emergency Response System (PERS)	

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (5 of 9)**

**d. Estimate of Factor D.**

**i. Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

**Waiver Year: Year 1**

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Case Management Total:</b>						<b>1440459.90</b>
Case Management (Private)	1/4 hour	0	0.00	14.90	0.00	
Case Management (Public)	1/4 hour	2655	22.41	24.21	1440459.90	
<b>Homemaker Total:</b>						<b>904933.15</b>
Homemaker	1/4 hour	649	395.00	3.53	904933.15	
<b>Respite Total:</b>						<b>290037.00</b>
Respite per unit	1/4 hour	183	674.00	2.35	289853.70	
Respite per diem	per diem	3	1.00	61.10	183.30	
<b>Adult Companion Total:</b>						<b>46924.80</b>
Adult Companion	1/4 hour	60	416.00	1.88	46924.80	
<b>GRAND TOTAL:</b>						<b>20538436.66</b>
Total Estimated Unduplicated Participants:						2771
Factor D (Divide total by number of participants):						7411.92
Average Length of Stay on the Waiver:						288

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Adult Day Care Total:</b>						1038970.53
Adult Day Care per unit (1/4 hour)	1/4 hour	9	1317.00	1.65	19557.45	
Adult Day Care per diem	per diem	171	151.00	39.48	1019413.08	
<b>Augmented Personal Care (APC) Total:</b>						16261425.66
APC Level of Service 1 (U1)	per diem	229	242.00	21.62	1198137.16	
APC Level of Service 4 (U4)	per diem	277	295.00	78.02	6375404.30	
APC Level of Service 3 (U3)	per diem	271	250.00	64.86	4394265.00	
APC Level of Service 2 (U2)	per diem	366	240.00	48.88	4293619.20	
<b>Chore Total:</b>						4920.82
Chore	1/4 hour	41	34.00	3.53	4920.82	
<b>Personal Emergency Response System (PERS) Total:</b>						550764.80
PERS (monthly)	per month	1418	10.00	37.60	533168.00	
PERS Installation	1 system	416	1.00	42.30	17596.80	
<b>GRAND TOTAL:</b>						20538436.66
Total Estimated Unduplicated Participants:						2771
Factor D (Divide total by number of participants):						7411.92
Average Length of Stay on the Waiver:						288

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (6 of 9)**

**d. Estimate of Factor D.**

**i. Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

**Waiver Year: Year 2**

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Case Management Total:</b>						1582868.72
Case Management (Private)					0.00	
<b>GRAND TOTAL:</b>						22568823.97
Total Estimated Unduplicated Participants:						2862
Factor D (Divide total by number of participants):						7885.68
Average Length of Stay on the Waiver:						288



Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
	1/4 hour	0	0.00	15.75		
Case Management (Public)	1/4 hour	2743	22.41	25.75	1582868.72	
<b>Homemaker Total:</b>						992437.50
Homemaker	1/4 hour	670	395.00	3.75	992437.50	
<b>Respite Total:</b>						318660.00
Respite per unit	1/4 hour	189	674.00	2.50	318465.00	
Respite per diem	per diem	3	1.00	65.00	195.00	
<b>Adult Companion Total:</b>						51584.00
Adult Companion	1/4 hour.	62	416.00	2.00	51584.00	
<b>Adult Day Care Total:</b>						1143276.75
Adult Day Care per unit (1/4 hour)	1/4 hour	9	1317.00	1.75	20742.75	
Adult Day Care per diem	per diem	177	151.00	42.00	1122534.00	
<b>Augmented Personal Care (APC) Total:</b>						17869292.00
APC Level of Service 1 (U1)	per diem	237	242.00	23.00	1319142.00	
APC Level of Service 4 (U4)	per diem	286	295.00	83.00	7002710.00	
APC Level of Service 3 (U3)	per diem	280	250.00	69.00	4830000.00	
APC Level of Service 2 (U2)	per diem	378	240.00	52.00	4717440.00	
<b>Chore Total:</b>						5355.00
Chore	1/4 hour	42	34.00	3.75	5355.00	
<b>Personal Emergency Response System (PERS) Total:</b>						605350.00
PERS (monthly)	per month	1465	10.00	40.00	586000.00	
PERS Installation	1 system	430	1.00	45.00	19350.00	
<b>GRAND TOTAL:</b>					22568823.97	
Total Estimated Unduplicated Participants:					2862	
Factor D (Divide total by number of participants):					7885.68	
Average Length of Stay on the Waiver:						288

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (7 of 9)**

**d. Estimate of Factor D.**

**i. Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

**Waiver Year: Year 3**

Waiver Service/Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Case Management Total:</b>						1633649.78
Case Management (Private)	1/4 hour	0	0.00	15.75	0.00	
Case Management (Public)	1/4 hour	2831	22.41	25.75	1633649.78	
<b>Homemaker Total:</b>						1025025.00
Homemaker	1/4 hour	692	395.00	3.75	1025025.00	
<b>Respite Total:</b>						328770.00
Respite per unit	per diem	195	674.00	2.50	328575.00	
Respite per diem	1/4 hour	3	1.00	65.00	195.00	
<b>Adult Companion Total:</b>						53248.00
Adult Companion	1/4 hour	64	416.00	2.00	53248.00	
<b>Adult Day Care Total:</b>						1174986.75
Adult Day Care per unit (1/4 hour)	1/4 hour	9	1317.00	1.75	20742.75	
Adult Day Care per diem	per diem	182	151.00	42.00	1154244.00	
<b>Augmented Personal Care (APC) Total:</b>						18433629.00
APC Level of Service 1 (U1)	per diem	244	242.00	23.00	1358104.00	
APC Level of Service 4 (U4)	per diem	295	295.00	83.00	7223075.00	
APC Level of Service 3 (U3)	per diem	289	250.00	69.00	4985250.00	
APC Level of Service 2 (U2)	per diem	390	240.00	52.00	4867200.00	
<b>Chore Total:</b>						5610.00
Chore	1/4 hour	44	34.00	3.75	5610.00	
<b>Personal Emergency</b>						624780.00
<b>GRAND TOTAL:</b>						23279698.53
Total Estimated Unduplicated Participants:						2954
Factor D (Divide total by number of participants):						7880.74
Average Length of Stay on the Waiver:						288

Waiver Service/Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Response System (PERS) Total:</b>						
PERS (monthly)	per month	1512	10.00	40.00	604800.00	
PERS Installation	1 system	444	1.00	45.00	19980.00	
<b>GRAND TOTAL:</b>					23279698.53	
Total Estimated Unduplicated Participants:					2954	
Factor D (Divide total by number of participants):					7880.74	
Average Length of Stay on the Waiver:						288

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (8 of 9)**

**d. Estimate of Factor D.**

**i. Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

**Waiver Year: Year 4**

Waiver Service/Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Case Management Total:</b>						1684430.84
Case Management (Private)	1/4 hour	0	0.00	15.75	0.00	
Case Management (Public)	1/4 hour	2919	22.41	25.75	1684430.84	
<b>Homemaker Total:</b>						1056131.25
Homemaker	1/4 hour	713	395.00	3.75	1056131.25	
<b>Respite Total:</b>						338880.00
Respite per unit	1/4 hour	201	674.00	2.50	338685.00	
Respite per diem	per diem	3	1.00	65.00	195.00	
<b>Adult Companion Total:</b>						54912.00
Adult Companion	1/4 hour	66	416.00	2.00	54912.00	
<b>Adult Day Care Total:</b>						1215343.50
Adult Day Care per unit (1/4 hour)	1/4 hour	10	1317.00	1.75	23047.50	
<b>GRAND TOTAL:</b>					24027662.09	
Total Estimated Unduplicated Participants:					3046	
Factor D (Divide total by number of participants):					7888.27	
Average Length of Stay on the Waiver:						288

Waiver Service/Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
Adult Day Care per diem	per diem	188	151.00	42.00	1192296.00	
<b>Augmented Personal Care (APC) Total:</b>						19028017.00
APC Level of Service 1 (U1)	per diem	252	242.00	23.00	1402632.00	
APC Level of Service 4 (U4)	per diem	305	295.00	83.00	7467925.00	
APC Level of Service 3 (U3)	per diem	298	250.00	69.00	5140500.00	
APC Level of Service 2 (U2)	per diem	402	240.00	52.00	5016960.00	
<b>Chore Total:</b>						5737.50
Chore	1/4 hour	45	34.00	3.75	5737.50	
<b>Personal Emergency Response System (PERS) Total:</b>						644210.00
PERS (monthly)	per month	1559	10.00	40.00	623600.00	
PERS Installation	1 system	458	1.00	45.00	20610.00	
<b>GRAND TOTAL:</b>					24027662.09	
Total Estimated Unduplicated Participants:					3046	
Factor D (Divide total by number of participants):					7888.27	
Average Length of Stay on the Waiver:					288	

**Appendix J: Cost Neutrality Demonstration**

**J-2: Derivation of Estimates (9 of 9)**

**d. Estimate of Factor D.**

**i. Non-Concurrent Waiver.** Complete the following table for each waiver year. Enter data into the Unit, # Users, Avg. Units Per User, and Avg. Cost/Unit fields for all the Waiver Service/Component items. Select Save and Calculate to automatically calculate and populate the Component Costs and Total Costs fields. All fields in this table must be completed in order to populate the Factor D fields in the J-1 Composite Overview table.

**Waiver Year: Year 5**

Waiver Service/Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Case Management Total:</b>						1735211.90
Case Management (Private)	1/4 hour	0	0.00	15.75	0.00	
Case Management (Public)	1/4 hour	3007	22.41	25.75	1735211.90	
<b>GRAND TOTAL:</b>					24750399.65	
Total Estimated Unduplicated Participants:					3138	
Factor D (Divide total by number of participants):					7887.32	
Average Length of Stay on the Waiver:					288	

Waiver Service/ Component	Unit	# Users	Avg. Units Per User	Avg. Cost/ Unit	Component Cost	Total Cost
<b>Homemaker Total:</b>						1088718.75
Homemaker	1/4 hour	735	395.00	3.75	1088718.75	
<b>Respite Total:</b>						348990.00
Respite per unit	1/4 hour	207	674.00	2.50	348795.00	
Respite per diem	per diem	3	1.00	65.00	195.00	
<b>Adult Companion Total:</b>						56576.00
Adult Companion	1/4 hour	68	416.00	2.00	56576.00	
<b>Adult Day Care Total:</b>						1253395.50
Adult Day Care per unit (1/4 hour)	1/4 hour	10	1317.00	1.75	23047.50	
Adult Day Care per diem	per diem	194	151.00	42.00	1230348.00	
<b>Augmented Personal Care (APC) Total:</b>						19597920.00
APC Level of Service 1 (U1)	per diem	260	242.00	23.00	1447160.00	
APC Level of Service 4 (U4)	per diem	314	295.00	83.00	7688290.00	
APC Level of Service 3 (U3)	per diem	307	250.00	69.00	5295750.00	
APC Level of Service 2 (U2)	per diem	414	240.00	52.00	5166720.00	
<b>Chore Total:</b>						5992.50
Chore	1/4hour	47	34.00	3.75	5992.50	
<b>Personal Emergency Response System (PERS) Total:</b>						663595.00
PERS (monthly)	per month	1606	10.00	40.00	642400.00	
PERS Installation	1 system	471	1.00	45.00	21195.00	
<b>GRAND TOTAL:</b>						24750399.65
Total Estimated Unduplicated Participants:						3138
Factor D (Divide total by number of participants):						7887.32
Average Length of Stay on the Waiver:						288