

April 5, 2024

Zane Garcia Ramadan
Assistant Director/CEO
Department of Economic Security/Division of Developmental Disabilities
1789 W Jefferson, 4th Floor
Phoenix, AZ 85007

SUBJECT: Notice of Rescission of Mandated Corrective Action Plan - Assessments for Attendant Care and Parents as Paid Caregivers

Dear Mr. Garcia Ramadan:

On November 09, 2023, the Arizona Health Care Cost Containment System (AHCCCS), Division of Health Care Services (DHCS) issued a Notice of Mandated Corrective Action Plan (CAP) to the Department of Economic Security/Division of Developmental Disabilities (DES/DDD). The previous Notice addressed numerous member concerns AHCCCS received related to the implementation of the current Parents as Paid Caregivers program through various avenues, including the public comment period for the Waiver Proposal. The concerns centered around Support Coordinators refusing to conduct assessments and/or to properly perform assessments to evaluate home and community-based services, including attendant care. Some of the concerns reported that members (and families) have been denied or reduced in the amount or duration of attendant care/or habilitation services due to the Support Coordinator's view that the parent is responsible for these services as a natural provider in contravention to the flexibility available under the Parents as Paid Caregiver program/flexibility.

AHCCCS determined it will rescind the DES/DDD Notice of Mandated CAP as both entities are reprioritizing and reallocating resources to work together to focus on the future of the state with the implementation of the new 1115 waiver approval of the parents as paid caregivers program which allows for the ability to reimburse parents as paid caregivers of the Arizona Long Term Care (ALTCS)-enrolled minor children with disabilities. The goal of the agencies is to leverage the implementation of the new authority to standardize the strategies used to discuss the option with members and their families to determine what is in the best interest of the member and update guidance on the assessment process to ensure the consistency of its application across the board.

Sincerely,



Meggan LaPorte, CPPO, MSW
Chief Procurement Officer

Joint Statement of Future Efforts Surrounding Assessments for HCBS Services, including Attendant Care and Parents as Paid Caregivers

As referenced in the formal rescission notice (above), AHCCCS has made a determination to rescind the DES/DDD Notice of Mandated Corrective Action Plan that was in place to address concerns related to the Parents as Paid Caregivers program. This decision supports both agencies (DES/DDD and AHCCCS) in reprioritizing and reallocating resources to partner in implementing the new 1115 waiver approval of the parents as paid caregivers service model option which allows for the ability to reimburse parents as paid caregivers of the Arizona Long Term Care (ALTCS)-enrolled minor children with disabilities.

The joint goal of the agencies is to leverage the implementation of the new authority to standardize the strategies used to discuss the option with members and their families to determine what is in the best interest of the member as well as update guidance on the assessment process to ensure the applicability and consistency of its application in assessing member needs. Given the volume of DDD members who are currently utilizing the model as well as the potential volume of members who may opt to utilize this model due to the number of individuals that DES/DDD serves who are <18 years old, this close collaboration between the agencies is imperative to ensuring the success of the service model.

The current and future actions by both agencies will be governed by the following shared values of the ALTCS program.

- **Member-Centered Case Management** - The member is the primary focus of the ALTCS Program. The member/Health Care Decision Maker and Designated Representative, as appropriate, are active participants in the planning for and the evaluation of the provision of long-term services and supports. Services are mutually selected through Person-Centered Planning to assist the member in attaining his/her individually identified goals. Education and up-to-date information about the ALTCS program, choices of options and mix of services shall be readily available to members.
- **Person-Centered Planning** - The Person-Centered Planning process maximizes member-direction and supports the member to make informed decisions, so that he/she can lead/participate in the Person-Centered Planning process to the fullest extent possible. The AHCCCS Person-Centered Service Plan (PCSP) safeguards against unjustified restrictions of member rights, and ensures that members are provided with the necessary information and supports in order to gain full access to the benefits of community living to the greatest extent possible. The PCSP ensures responsiveness to the member's needs and choices regarding service delivery and individual goals and preferences. The member/Health Care Decision Maker shall have immediate access to the member's PCSP.

While preparing for the full implementation under the new 1115 waiver authority, both agencies are committed to the following specific roles and responsibilities to address current concerns regarding the inconsistent application of the attendant care and habilitation assessment(s) due to the absence of an approved extraordinary care assessment tool for this service model and in consistently informing parents of this service model. Major roles of each agency to implement the Parents as Paid Caregiver service model include but are not limited to:

DES/DDD-specific efforts:

- Utilize its public comment process to consider comments received when finalizing the interim updates to the attendant care policy that will be in place throughout the development of the new processes/policy for the Parents as Paid Caregiver service model.
- Take measures to train, monitor, and oversee Support Coordinators consistent application of the updated policy guidance and education to members and their families concerning the availability of the Parents as Paid Caregivers service model.
- Active participation in the implementation plan workgroup including considering and assessing input received by workgroup members that is specific to DDD.
 - Provide I/DD-specific expertise and points of consideration throughout the process to ensure that any materials or processes that are developed are reflective of the needs of the members that the Division serves.

AHCCCS-specific efforts:

- Provide technical assistance/points for consideration to DDD on the interim updates to the attendant care policy guidance that will be in place throughout the development of the new processes/policy for the Parents as Paid Caregiver program.
- Facilitate a comprehensive implementation plan in consultation with all impacted stakeholders including family members, providers, health plans (including DDD) and AHCCCS representatives. The implementation plan will also include opportunities for public comment by the broader stakeholder community.
- Develop communication strategies and plans in partnership with DES/DDD.
- Provide insight to relevant federal regulations as well as feedback from the Centers for Medicare and Medicaid Services (CMS) specific to this waiver authority and related expectations.

Stakeholder engagement is another critical aspect that must be considered as the agencies work towards implementation of the new waiver authority. Stakeholders will serve on the workgroup tasked with supportive service model development as well as be given opportunities to engage both agencies through mechanisms such as community forums.

Both DES/DDD and AHCCCS look forward to this collaboration and are equally committed to developing the program in a manner that supports the goals and considerations outlined above.



Zane Garcia Ramadan,
Assistant Director
DES/DDD



DEPARTMENT OF ECONOMIC SECURITY

Your Partner For A Stronger Arizona



Jakenna L. Lebsack,
Assistant Director, DHCS
AHCCCS

