



**Office for People With
Developmental Disabilities**



People First Care Coordination MSC Information Session



Info Session Updates

- Sessions 1-8
 - Posted on the OPWDD Website.
- Session 10 – April 25, 2018
 - ***Enrollment and Consent: Answers to Your Questions 2.0***
- Session 11 – May 9, 2018
 - ***Topic - TBD***

For viewing or registration go to the OPWDD website at:

https://opwdd.ny.gov/opwdd_services_supports/care_coordination_organizations

Information sessions count towards current annual MSC professional development hours.



MSC Information Session 9

Enrollment & Consent: Decision Making

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Office for People With
Developmental Disabilities



People First Care Coordination Enrollment & Consent: Decision Making



Continuity of Care

- Today, people with I/DD get either Medicaid Service Coordination (MSC) or Plan of Care Support Services (PCSS) to maintain a person-centered care plan and ensure access to needed services
- Everyone in Medicaid Service Coordination or PCSS must choose
 - Health Home Care Management, or
 - Basic HCBS Plan Support
- This is to ensure everyone has continuity of care



Reminder: Materials To Help You

- The Toolkit for MSCs to use as a resource to educate individuals currently receiving Medicaid Service Coordination and PCSS and to assist them to transition includes
 - Informational Brochure
 - Scripts for MSCs to educate individuals
 - Sample information letter that will go to individuals and families
 - Documents for the individual's selection of care management
 - Frequently Asked Questions
- Toolkit is available on the OPWDD website, from MSC provider agencies, and in resources of Statewide Learning Management System training: "What MSCs Need to Know and Do"



**Department
of Health**

**Office for People With
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Purpose

- Today's training will discuss the role of the MSC provider and the Medicaid Service Coordinator in supporting the decision-making process for individuals receiving MSC and PCSS
- It will also explain what to do when a person is not able to make a decision and does not have a decision-maker, or when a decision-maker is not responsive or is unavailable



Monitoring Decisions

Medicaid Service Coordinators and the MSC provider must monitor and ensure choices have been made by every individual on a caseload in regard to

- Their choice of enrollment into a Care Coordination Organization (CCO)
- The type of Care Management a person will receive (Health Home or Basic HCBS Plan Support)



Supporting Medicaid Service Coordinators

- MSC providers will coordinate the process for decision making and provide guidance for tracking decisions for the individuals on each caseload
- Correspondence will be shared with MSC provider Chief Executive Officer (CEO) on the importance of this work to ensure continuity of care for people



CCO DECISION-MAKERS: PROCESS FLOW

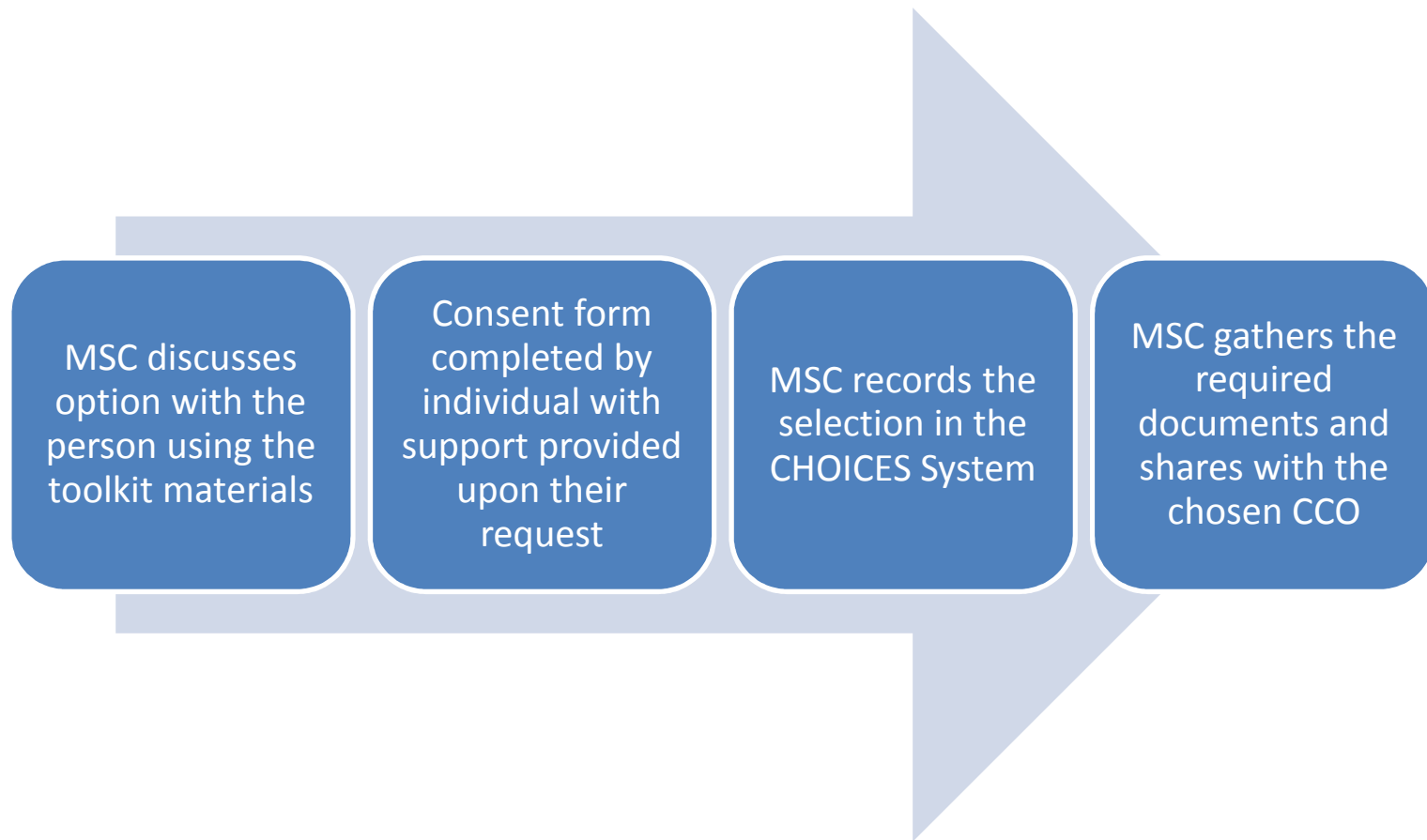


Three Potential Decision-Maker Scenarios

- A. Individuals who can make an independent decision
- B. Individual is not able to choose, but has a decision-maker available
- C. Individual is not able to choose and has no identified decision-maker, or the decision-maker is unavailable or is not responsive



A. Individuals Who Can Make An Independent Decision



WHO CAN BE A DECISION-MAKER?



B. Process For Individuals Not Able To Make Decisions For Themselves

If an individual lacks the ability to enroll in a CCO, dis-enroll in a CCO, or act in the CCO review process, but has a guardian lawfully empowered to enroll him/her in a CCO, the guardian may take any of the following actions

- Enroll the individual in a CCO
- Sign consent forms and determine limitations to information sharing
- Act in the CCO review process
- Dis-enroll the individual from a CCO
- Appoint another party to take actions, or
- Seek assistance with the above decisions and actions

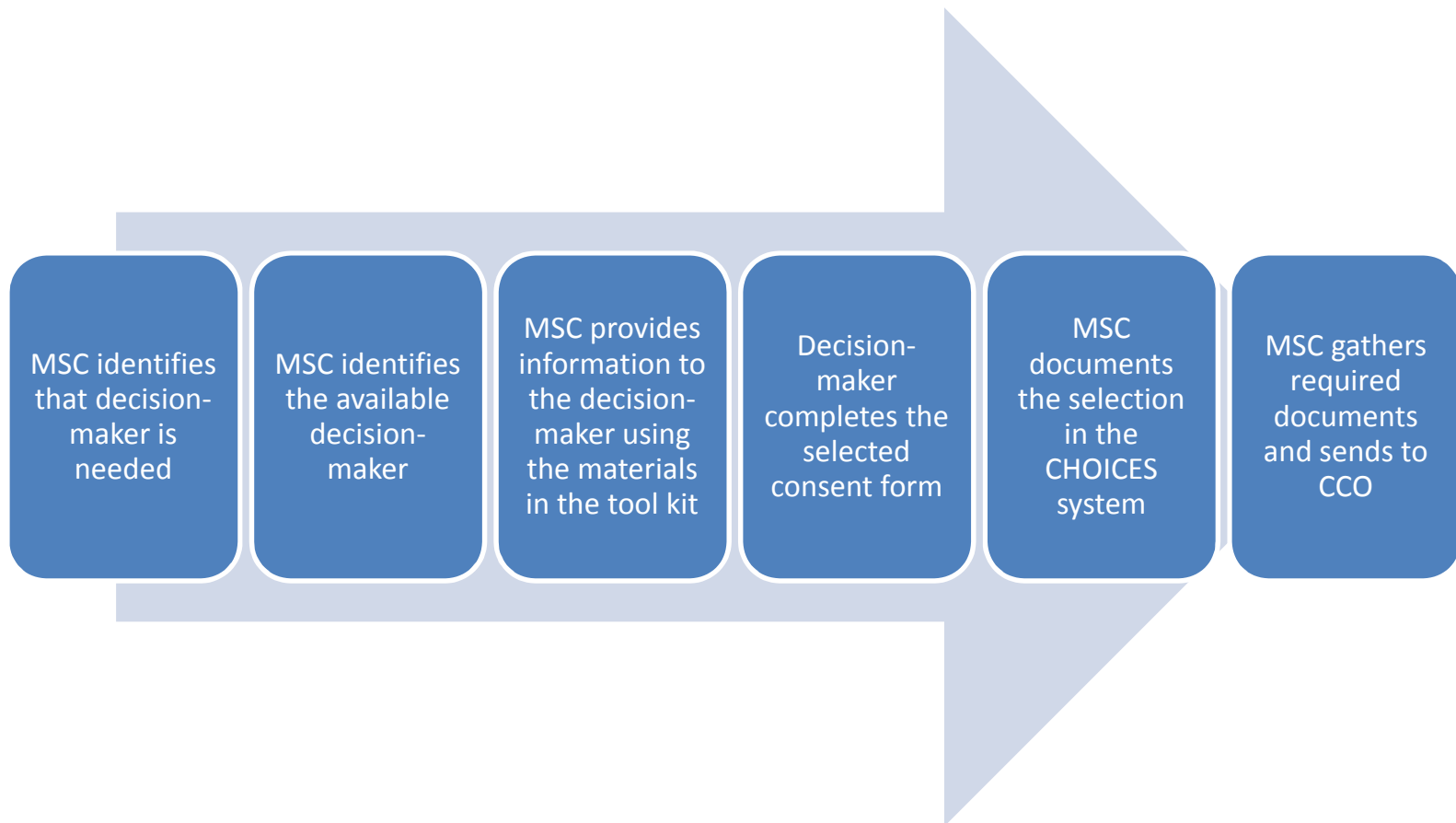
B. Process For Individuals Not Able To Make Decisions For Themselves

If an individual lacks the ability to choose a CCO and does not have a guardian lawfully empowered to enroll him or her in a CCO, then any of the following parties may, in the order listed

- 1) an actively involved spouse
- 2) an actively involved parent
- 3) an actively involved adult child
- 4) an actively involved adult sibling
- 5) an actively involved adult family member
- 6) the Consumer Advisory Board for the Willowbrook Class members, but only for members of the Willowbrook Class



B. Individual Not Able To Choose, But Has Decision-Maker Available



C. Process For Individuals When A Decision-Maker Is Unavailable

If an individual lacks the ability to choose a CCO, does not have a guardian lawfully empowered to enroll him or her in a CCO, and there are no parties available to make timely decisions

- The chief executive officer (CEO) of the agency operating the individual's residential facility or sponsoring the Family Care home, or a designee of the CEO, may make enrollment decisions
 - If the individual's residential facility is operated by OPWDD, the CEO of the agency is the director of the Developmental Disabilities State Operations Office (DDSOO) that operates the residential facility
- If the individual does not reside in a certified residential setting, the Developmental Disabilities Regional Office (DDRO) director for the region encompassing the individual's residence may make enrollment decisions



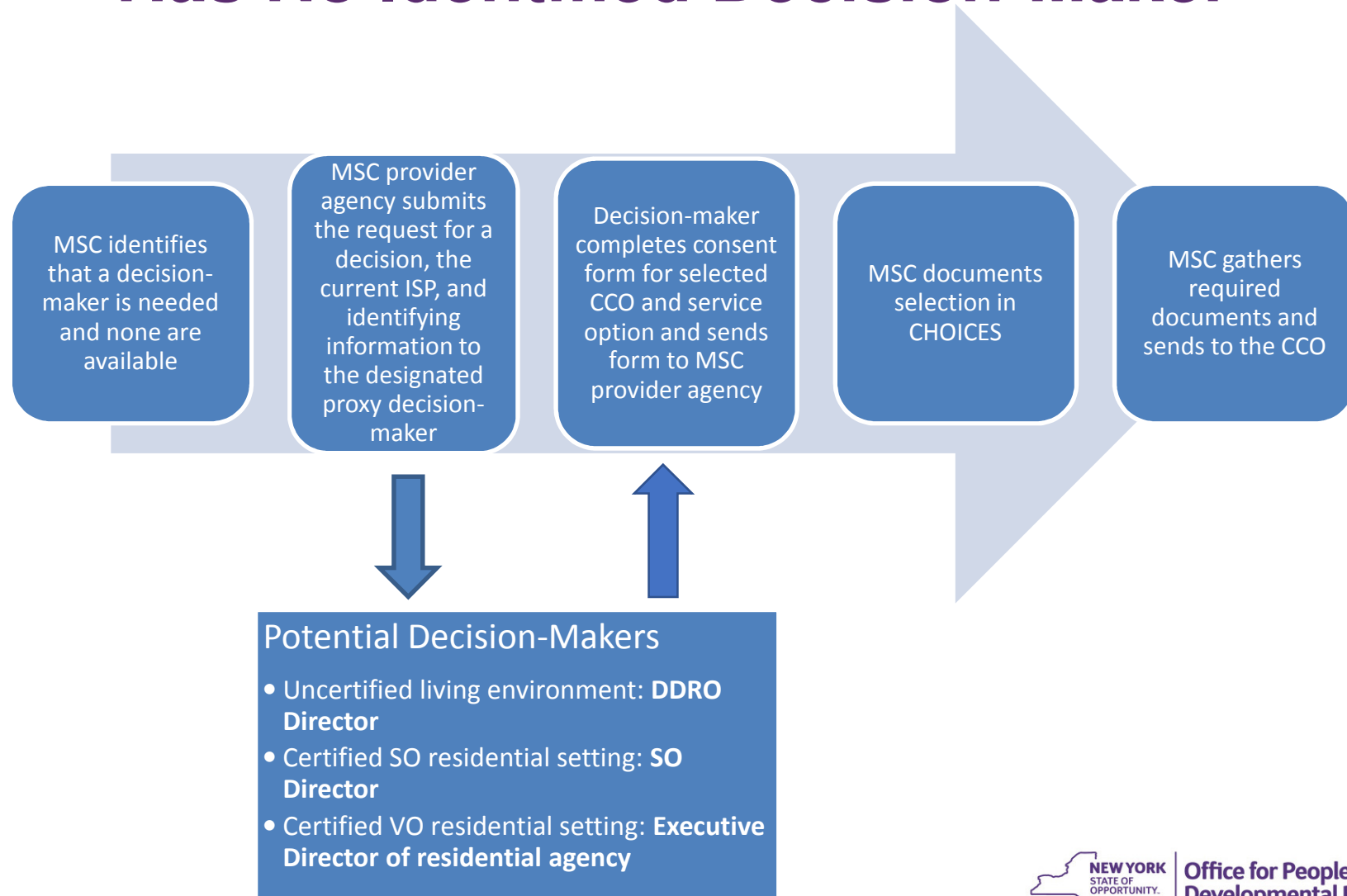
C. Potential Decision Makers When A Decision-Maker Is Unavailable

If there is no one within the hierarchy to complete the necessary enrollment forms, the MSC agency CEO or representative will need to contact one of the following parties to complete enrollment

1. CEO of residential agency for individuals living in certified voluntary-operated residential settings
2. State Operations Director for individuals living in certified state-operated residential settings
3. DDRO Director for individuals living in uncertified living environment



C. Individual Not Able to Choose and Has No Identified Decision-Maker



Responsibility of MSC Provider

- MSC agencies must monitor individuals for whom, as of May 15, 2018, a choice has not been made by their identified representative within the emergency regulation hierarchy
- The MSC agency will attempt to contact the representative to secure the needed consent forms. The contacts must include at least three documented attempts, which may include letters, telephone calls, and emails, all contact attempts must be documented
- The representative will be informed that decisions and forms must be finalized by June 1, 2018, and if the necessary information is not received by that date, the agency CEO or DDSOO Director will make the decision for choice of CCO and care management service option that best meets the person's needs



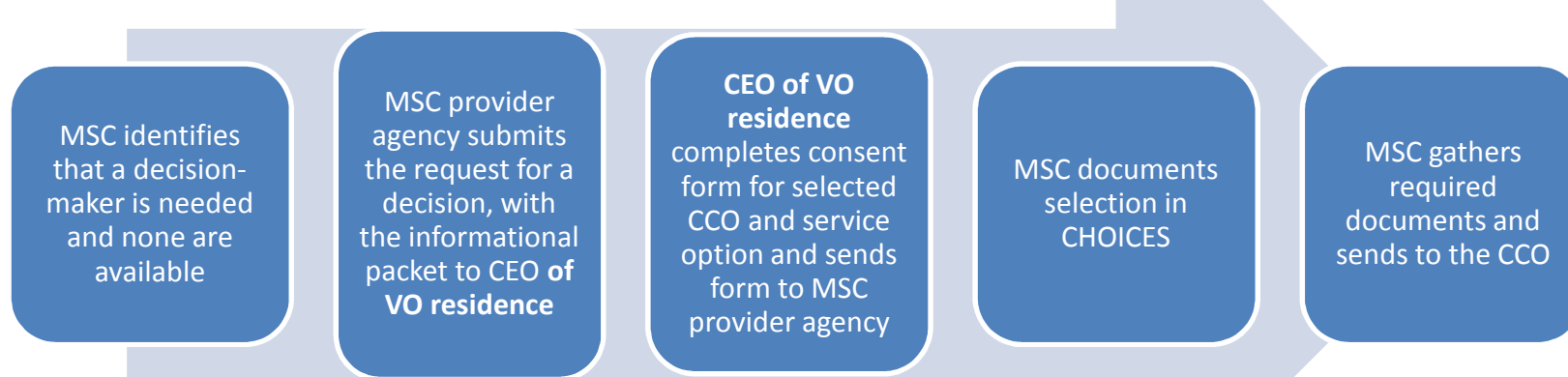
Responsibility of MSC Provider

- The MSC provider agency must submit a packet of information to the proxy decision maker (DDSOO or CEO) and a spread sheet (sample provided) identifying the people in need of a decision maker from their agency
- The **Decision Making Informational Packet** must include the following:
 1. Individualized Information letter
 2. Blank consent forms (Health Home Care Management and Basic HCBS Plan Support
 3. The current ISP
 4. Documentation of efforts to obtain a decision from an appropriate decision-maker (if appropriate)



For Individuals Living In Voluntary-Operated Residences

- The **CEO of Voluntary-Operated Residence** is designated in the emergency consent regulation to make decisions for individuals
- If no response from potential decision maker occurs for these individuals, the MSC agency CEO or representative will contact the residential agency CEO and provides Decision Making Information Packet
- The residential agency CEO will then make the decision on the individual's behalf and send consent back to MSC provider



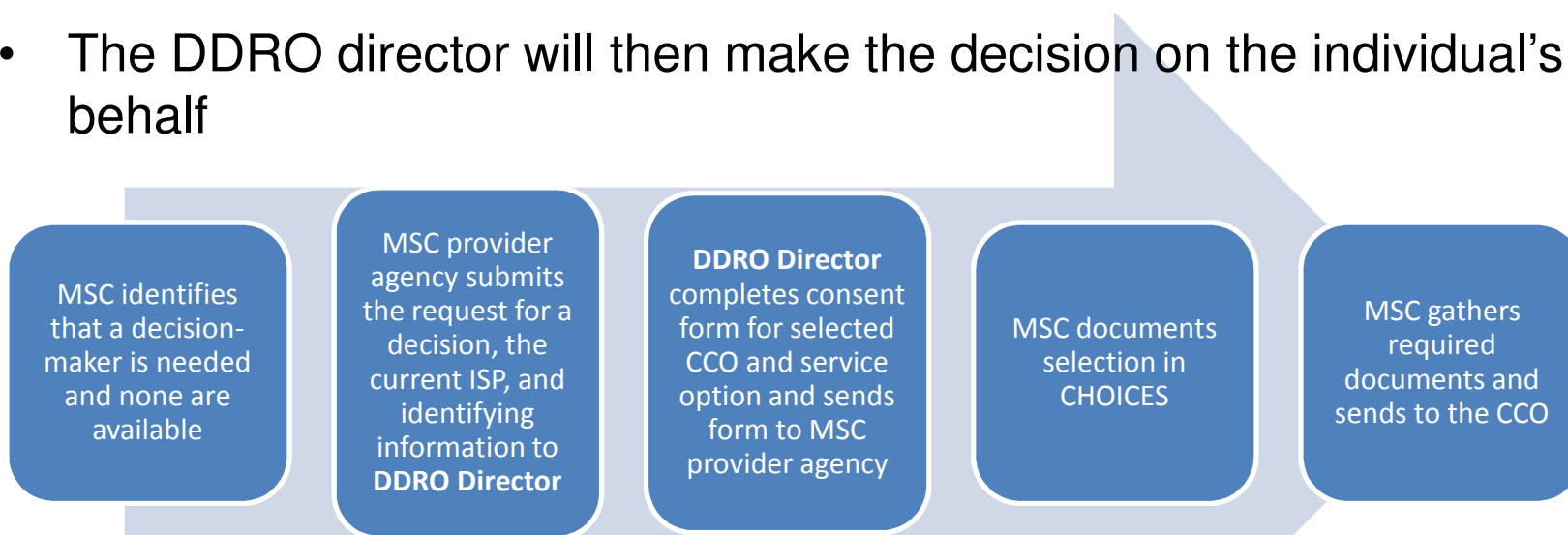
For Individuals Living In State-Operated Residences

- The **State Operations Director** is designated in the emergency consent regulation to make decisions for individuals
- If no response occurs from potential decision maker, for people living in SO residences, the MSC agency CEO or representative will contact the DDSOO and provide Decision Making Information Packet
- The DDSOO Director will then make the decision on the individual's behalf



For Individuals Living In Uncertified Living Environment

- The **DDRO Director** is designated in the emergency consent regulation to make decisions for individuals
- If no response occurs from potential decision-maker, for people living outside of a certified setting, the MSC agency CEO or representative will contact the DDRO and provide the Decision Making Information Packet
- The DDRO director will then make the decision on the individual's behalf



Responsibility of Decision-Maker

- Based on continuity of care, and the individual's ISP and any special characteristics, such as language or culture, the decision-maker will need to complete the necessary enrollment process
- The decision-maker must
 1. Determine the CCO that will best meet the individual's needs
 2. Determine the most appropriate care management option (Health Home Care Management or Basic HCBS Plan Support) for the person
 3. Complete and sign the necessary consent forms for that care management service
 4. Send completed consent form back to the MSC agency by May 15, 2018



Steps To Complete Enrollment Following A Decision

- Once the MSC agency receives the signed enrollment forms, they will need to ensure that the following steps are completed
 - Complete the CCO selection screen in CHOICES
 - Provide required paperwork to the selected CCO, to include the most recent ISP, DDP2 or CAS and signed consent forms
 - If the individual is enrolled in the HCBS Waiver the LCED determinations and related documentation including the initial LCED and supporting evaluations must also be sent to the chosen CCO



Collaboration is Key

- MSC agencies and residential providers of OPWDD-certified residential settings, voluntary-operated or state-operated, will need to work together for individuals who
 - do not make their own decisions and who do not have a guardian/representative to act on their behalf
 - do not make their own decisions and have an identified guardian/representative who is unavailable or is not responsive



Thank You!!



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