

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

GUIDANCE DOCUMENT

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Pursuant to
Neb. Rev. Stat. § 84-901.03



PROVIDER BULLETIN

No. 20-04

DATE: April 13, 2020

TO: Medicaid HCBS DD Waiver Agency Service Providers

FROM: Tony Green, Interim Director 
Division of Developmental Disabilities

BY: Katie Weidner, Program Manager

RE: Notification and Assessment Requirements for New HCBS Sites

This bulletin is being issued to clarify compliance requirements for Medicaid Home and Community-Based Services (HCBS) Developmental Disabilities (DD) agency service providers for new provider owned/operated/controlled sites in which Medicaid HCBS DD Waiver services are provided. This information is supplemental to Federal and State regulatory requirements.

Effective March 2014, all settings subject to the Medicaid HCBS Final Settings Rule (42 Code of Federal Regulations [CFR] Parts 430, 431, 435, 436, 440, 441, and 447) are subject to immediate compliance, therefore all new sites must be assessed *prior to providing services*. This applies to all locations including Residential Settings (Group Homes, Shared Living or Host Homes, and CDDs) and Non-Residential Settings (Habilitative Workshops, Adult Day Services Centers).

ASSESSMENT PROCESS

All new settings must be self-assessed by the Agency provider with validation activities completed by DD staff as necessary. (Settings that are selected for validation activities will be notified through a separate process.) All Self-Assessment Surveys will be administered through Survey Monkey. Paper copies of the surveys for reference purposes are available upon request.

To complete the self-assessment process, agencies must fill out the applicable DD Self-Assessment Survey prior to beginning services in the setting.

- Non-Residential Self-Assessment Survey Monkey: <https://www.surveymonkey.com/r/QWWC5C7>
- Residential Self-Assessment Survey Monkey: <https://www.surveymonkey.com/r/RJRTWCM>

DD REVIEW OF ASSESSMENT AND DETERMINATION OF COMPLIANCE

- Completed assessments will be reviewed by DD staff within 15 business days to determine whether the DD agency is in compliance or if an on-site visit is needed.
- DD Staff will issue a response (notification letter) to the agency via email.
- If an on-site visit is determined necessary, DD staff will notify the agency via phone to schedule the on-visit.

- If the setting is found to be “fully compliant”, the agency is permitted to begin providing services in that setting.
- If the setting is found to be “partially compliant”, the agency will be required to correct the identified issues and submit evidence of remediation to DD staff. **The agency will not be permitted to begin services in the setting until the setting is found to be “fully compliant”.**

If you have any questions about this provider bulletin, please contact Katie Weidner at Katie.Weidner@nebraska.gov or 402-471-8716.