



Community-Based Services DD Waivers

Each biennium, the Nebraska Legislature appropriates Program 424, Developmental Disability Aid to the Division of Developmental Disabilities, to provide services to individuals with developmental disabilities. In Nebraska Revised Statutes § 83-1216 (4) the Division is mandated to maximize this funding by requiring that “all Nebraska residents eligible for funding for specialized services under the Developmental Disabilities Services Act shall apply for and accept any federal Medicaid benefits for which they may be eligible and benefits from other funding sources. . .” The Division accomplishes this mandate primarily through the utilization of Home and Community Based Services (HCBS) Waivers that provide federal matching funds through the Centers for Medicare and Medicaid Services (CMS) to supplement the Developmental Disability Aid appropriated by the State.

CMS provides federal funding for developmental disability services through Section 1915(c) of the Social Security Act. This provision allows states to provide services to target populations at risk of institutionalization, such as individuals with developmental disabilities. More information on the CMS requirements for 1915(c) waivers can be found at:

[https://www.cms.gov/medicaidstwaivprogdemopgi/05_hcbswaivers-section1915\(c\).asp](https://www.cms.gov/medicaidstwaivprogdemopgi/05_hcbswaivers-section1915(c).asp).

The Division provides services to individuals in Nebraska primarily through two adult waivers and one children’s waiver. In 2011, after consultation with technical assistance provided by CMS and gathering input from stakeholders, the Division revised its waivers to expand the services available to individuals in the community. The Division recognized the need to provide for more person-centered practices to allow people with developmental disabilities to work and participate in their communities as fully as possible. The following service definitions were added in 2012 to the children’s waiver: Prevocational Habilitation, Day Habilitation, Vocational Planning Habilitation, Companion Home Residential Habilitation, Integrated Community Employment, Community Living and Day Supports, Behavioral Risk Services, and Medical Risk Services. Copies of these waivers, and videos that describe the services provided in these revised waivers, may be found at: http://www.dhhs.ne.gov/Developmental_Disabilities/ddservices.htm.

Waiver Amendment to Implement Rate Methodology/Objective Assessment Process

The Division has recognized that changes to the existing waivers through amendments will be necessary as a result of the implementation on July 1, 2014 of the new rate methodology for specialized developmental disability services in Nebraska. The upcoming amendments to the three waivers include: explanation of the rate methodology, the determination of rates, and the associated determination of an individual's funding or budget amount. In addition, Day Habilitation will be added to the two adult waivers, with the termination of Prevocational Workshop Habilitation and Community Inclusion Day Habilitation services, as those services are combined into Day Habilitation. The Day Habilitation service definition allows more flexibility to provide facility-free services to individuals and is more consistent with the definition of community-based settings set forth in the new HCBS rule issued on March 17, 2014.

State Plan/Comprehensive Waiver Renewal Preparation/Submission

The Division's state plan and HCBS Comprehensive Developmental Disability Waiver are due for renewal in 2015. The state plan process is completed every five years to gather input related to comprehensive developmental disability services. In the fall of 2013 and winter of 2014, self-advocates, parents, guardians, service providers and interested community members participated in forums to provide input into the Division. Next, surveys will be sent to individuals with developmental disabilities and their families, service providers, service coordinators and other community stakeholders. When the survey process is concluded, the results will be tabulated and compared to previous survey data; then conclusions will be drawn from the trends observed. This information will be utilized by the Division to put together the state plan which is contained in the HCBS Comprehensive Developmental Disability Waiver application to be submitted to CMS in 2015.

For your reference, a summary of the attendance of the planning forum meetings is provided in the Appendix B, as well as the related presentation materials are provided in the Appendix C herein.