



DHHS – PROVIDER MEETING

HCBS Waivers

Third Quarter: August 6, 2024

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Agenda

- Waitlist Elimination
- The interRAI
- Trending Issues
- Staff Competency
- Shared Living
- Upcoming Provider Bulletin
- Learn about Upcoming EVV Changes
- Growing the Family Support Waiver
- TBI Waiver – Become a Provider
- ARPA Payments for AD Waiver Providers
- Liberty Updates

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Waitlist Elimination

<https://dhhs.ne.gov/Pages/DD-Wait-List.aspx>

- There is a lot of misinformation causing frustration and confusion for families.
- Video from Director Green explains Phase I.
- Stakeholder meetings coming in Summer/Fall 2024:
 - Parents only
 - Advocates
- Thank you all for helping us share accurate information!
- Please continue to help us share the correct information about how we are proceeding.



QR code to Waitlist Elimination webpage

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The interRAI

- DDD plans to adopt interRAI assessments for the DD waivers:
 - interRAI ID for adults (age 18 years and older)
 - interRAI ChYMH-DD for children (under age 18 years)
- September 2024 through January 2025, the interRAI pilot project will conduct concurrent assessments.
- More information about the interRAI:
 - [interRAI Presentation Slides](#) - from presentations for families
 - [interRAI Presentation Video](#) - watch on YouTube
 - [FAQs about interRAI](#) - answers to questions about the functional needs assessments



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Trending Issues

- The importance of the FBA, Safety Plan, and BSP.
 - Using restrictions if needed.
 - Why and when FBAs are required.
 - [Flowchart for FBAs, BSPs, and Safety Plans.](#)
- Human and Legal Rights Committees (HLRC)
 - Required provider case notes.
 - Complying with requirements.
 - [PB 24-02 about HLRAC.](#)
 - [Agency Provider HLRC Requirements Guide.](#)
- [DDD Resources webpage](#)

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Staff Competency Training

Competency verification is different than acknowledging a training has been completed.

404 NAC 4-003.03 STAFF TRAINING AND COMPETENCY. *The provider must ensure that employees, including subcontractors and management, responsible for providing supports and services to individuals with developmental disabilities are trained on the minimum requirements necessary to address the individual's needs prior to working with individuals in services.*

*Staff responsible for providing direct services **must demonstrate the competence** to support individuals as part of a required and on-going training program. The provider must ensure staff receive training **and demonstrate competencies** under the guidance of an already trained and proficient staff member prior to working alone with individuals.*

*For staff responsible for providing direct services to participants served under a Risk Endorsement, the provider must ensure staff receive training from the provider-employed clinician on the participant's Individual Support Plan and any behavioral and safety plans and **demonstrate competency** in the implementation of these plans prior to working alone with a participant served under a risk endorsement.*

*The provider must document in the employee's personnel record that required orientation and training was completed and **competency was demonstrated**. It is the responsibility of the provider to ensure that training and **verification** of such is completed by persons with expertise who are qualified by education, training, or experience in those areas.*

Shared Living Provider (SLP) Homes

We are 8 months into the Shared Living Provider changes.

- How is it going?
- What are the good things you are seeing?
- What are some barriers and struggles?

Required visits to the SLP home by the agency provider must occur.
These only count when you see the participant.

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Upcoming Provider Bulletin: PB 24-04

Employee Background Checks and Specific Crimes

- Title 404 NAC 4-003.02 requires **DD Waiver providers** to prohibit employees or independent contractors from working with participants served by the provider when charged, pending disposition, or convicted of certain crimes.
- This bulletin incorporates a list of specific crimes published on the Medicaid Program Integrity website at <https://dhhs.ne.gov/Documents/Provider%20Screening%20Guidelines.pdf>.
- DD Waiver providers must prohibit employees or independent contractors from working with participants served by the provider when charged, pending disposition, or convicted of these specific crimes for the timeframes specified.
- Other pending charges and convictions similar to those listed on the Medicaid Program Integrity guideline will be considered and weighted to similar offenses included in this list. In general, this includes charges and/or convictions which, if repeated, could injure or harm a participant or provider program.
- If you have any questions about this provider bulletin, please contact the Program Integrity Unit at (402) 471-1718 or DHHS.MedicaidProgramIntegrity@nebraska.gov.

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Learn about Upcoming EVV Changes

- Changes are coming to EVV on August 14, 2024
- MLTC and DDD are providing opportunities to learn about these federally-mandated changes.
- [DHHS \(MLTC\) Provider Bulletin 24-16](#)
- Provider Townhalls hosted by DHHS and Netsmart:
 - 7/24/24 session occurred
 - 8/14/24 from 4:00 - 5:00 PM, Central Time
 - 8/20/24 from 4:00 - 5:00 PM, Central Time
- Provider Forums
 - 7/30/24 session occurred
 - AD and TBI Waivers: 8/6/24 from 3:00 - 4:00 PM, Central Time
 - Personal Assistance Services (PAS): 8/8/24 from 3:00 - 4:00 PM, Central Time
 - DD Waivers: 8/9/24 from 10:00 - 11:00 AM, Central Time
- Links to join meetings are on the website.

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Growing the Family Support Waiver

- Offers continue to be made for the Family Support Waiver (FSW).
 - The first offers were sent in March 2024.
 - By September, all 850 offers will be made.
- We continue to seek providers for the FSW.
- Learn about becoming a provider:
 - [FSW Provider Slides](#)
 - [FSW Provider Video](#) - recorded February 2024
- More information about the FSW:
 - [FSW Info Sheet](#) – A one-page flyer listing services and eligibility requirements.
 - [FSW Eligibility and Priority Brochure](#) – A trifold brochure including eligibility requirements, DD Waitlist information, FSW funding priorities, and a flow-chart on the offer process.
 - [FSW Services Quick Guide](#) – Paragraph descriptions of each service available, as well as a chart comparing to the services available on other DD Waivers.



Click picture to watch video on YouTube



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Become a Provider for the TBI Waiver

- The Traumatic Brain Injury (TBI) Waiver expanded October 1, 2023.
- It now offers service options for TBI Waiver participants in their own homes.
- Providers are encouraged to enroll to serve participants on the TBI Waiver.
 - Existing Aged and Disabled (AD) Waiver providers contact your Resource Development worker or Service Coordination office.
 - Developmental Disability (DD) Waiver providers, or providers who only serve children on the AD Waiver contact your local League of Human Dignity office or Area Agency on Aging for a Resource Development worker.
- More information is on the DHHS website:
 - [Providers For Aged & Disabled \(AD\) Waiver and Traumatic Brain Injury \(TBI\) Waiver](#)
 - [Services On The Traumatic Brain Injury Waiver](#)

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Specialized TBI Training Requirement

Specialized TBI training is required for providers and their employees to provide direct care to TBI Waiver participants on these services:

- Supported Residential Living (*formerly Assisted Living*) (30,31,32, and 33)
- TBI Adult Day Health (3336)
- Supported Employment – Individual (2207)
- Supported Employment – Follow-Along (8190)
- Community Connection (2202)
- Personal Care (6222)
- Companion (7934)
- Respite (3471 and 6688)



QR code to Training flyer

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**Division of Developmental Disabilities
Traumatic Brain Injury (TBI) Waiver
Specialized TBI Training**

All TBI Waiver providers, and their employees, are required to have specialized training on traumatic brain injuries to provide the following services:

TBI Adult Day Health (3336)	Personal Care (6222)
Supported Employment – Individual (2207)	Companion (7934)
Supported Employment – Follow-Along (8190)	Respite (3471, 6688)
Community Connection (2202)	Supported Residential Living* (30, 31, 32, 33)

*The previous "Assisted Living Service" is now "Supported Residential Living."

Training offered by DHHS

DDD training includes fundamental TBI information and strategies. When you sign up, training will be emailed to you. Each module will take about 1.5 hours and includes a video, handouts, and a learning assessment.

- Module 1: Brain Injury 101 & Participant Rights
- Module 2: Strategies for Cognition in Someone with Brain Injury
- Module 3: Strategies for Emotional and Behavioral Support
- Module 4: Providing Physical Supports to Someone with Brain Injury

You can complete training in one day or over eight days. You will select your choice on the enrollment form.

One Day	Eight Days
Trainings are offered on Tuesdays and Thursdays beginning at 8:00 a.m. Depending on successful passage of assessments, you will be done by 4:30 p.m. There will be a one hour break from 12:00 p.m. to 1:00 p.m.	Trainings are spread over eight days, beginning on Mondays. On days 1, 3, 5, and 7, training videos and handouts are assigned. On days 2, 4, 6, and 8 the corresponding assessment is assigned. The assessment needs to be successfully completed before the next module is sent.

Register Today

Click the appropriate enrollment form to register. Training details are included on the form.

[Agency Provider Enrollment](#) [Independent Provider Enrollment](#) [Agency Employee Enrollment](#)

Information for Agency Providers and Assisted Living Providers

- DHHS will issue a certificate of completion, which must be loaded in Maximus.
- You may use an alternative TBI-specific training, if approved by the Division of Developmental Disabilities. If you use an alternative TBI-specific training plan, it must be loaded in Maximus.
- You must have Policies and Procedures for direct care employees to complete training before serving TBI Waiver participants.
 - Employees must complete training and have their certificate of completion before providing services.
 - You must keep certificates of completion for each employee providing services to TBI Waiver participants.
 - Files will be reviewed by DHHS at annual renewal meetings and by request.
- In addition to TBI-specific training, you must comply with other provider enrollment requirements.

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If you have questions about this training, email or call:
Tonia Nantkes M.Ed, M.Psy | Division Training Coordinator
Division of Developmental Disabilities
Nebraska Department of Health and Human Services
EMAIL: tonia.nantkes@nebraska.gov
CELL: (531) 893-3234

ARPA Payment to AD Waiver Providers

- Active AD Waiver providers will receive a one-time payment in August 2024.
 - Payment amounts are based on information provided in state fiscal year 2023 (July 1, 2022 through June 30, 2023).
 - At a minimum, each active agency provider or assisted living facility will receive a \$1,500 grant. Payments will total approximately \$11,500,000.
 - To be considered an active provider, agencies must have a paid claim between the services dates of January 1 through March 31, 2024. Submit claims now to ensure you are considered active by May 31, 2024.
- The purpose of the payments is to aide in stabilizing active providers and increase the provider's ability to hire and retain staff.
 - These funds may not be used for generic administrative costs.
 - Examples of allowable uses include but are not limited to, direct service workforce bonuses, recruitment activities, direct service workforce incentives, and other benefits (such as zoo or gym memberships).

Liberty Update

August 2024

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Technical Assistance Program (TAP)

TAP Advertisement Flyer



TECHNICAL ASSISTANCE PROGRAM (TAP)

The Technical Assistance program (TAP) provides training and hands-on support to individuals and providers upon request.



Examples of request topics we can help with:

- Assistance with analysis of identifying trends
- Compliance with Final Settings Rule
- Helping Participants advocate for themselves
- Technicalities of a GER and GER Resolution
- Assisting the team with Person Centered Planning

If a request is made that is out of our scope, we will direct you to an entity that can assist you or find you resources to assist with the request.

FOR ASSISTANCE, PLEASE VISIT THE WEBSITE AND FILL
OUT A REQUEST FORM AT:
[HTTPS://SURVEY.LIBERTYHEALTH.COM/S/TECHNICAL-ASSISTANCE-
REQUEST/TT-4L3SR](https://survey.libertyhealth.com/s/technical-assistance-request/TT-4L3SR)

Technical Assistance Program (TAP)

- [TAP Request Form](#)
- [Abuse/Neglect/Exploitation Training Registration](#)
- Nebraska.Quality.Help@libertyhealth.com



Human and Legal Rights Advisory Committee (HLRAC)



HLRAC Case Triage Process

Co-chairs review and determine:

- Referral to DDD for further information and/or technical assistance.
- Referral to the HLRAC.
- Recommendations from the co-chairs.
- No concerns and case closed.

Co-Chair Recommendation Letters

- A letter is sent with the recommendations to the participant, their guardian, service coordinator, and the provider contact for review and consideration.
- Participant letter is in an easy-read format.
- Will be sent directly to the participant and guardian from the co-chairs.

Participant Letter Example

Date: 8/16/2024

Dear _____,



The Nebraska Department of Health and Human Services (DHHS)-Division of Developmental Disabilities (DDD) and Liberty Healthcare review agency provider **Human and Legal Rights Committee (HLRC)** documents and **rights restriction** information for people receiving Developmental Disabilities (DD) Waiver services.



A HLRC is a group of people that review rights restrictions to make sure that rights are protected.



Rights are freedoms that everyone has.



Rights restrictions are when a person's rights are limited or taken away due to a safety concern.



The rights restrictions reviewed by the agency HLRC have been approved by participant, participant's guardian, and the Individual Support Plan (ISP) team.



DDD and Liberty Healthcare have some ideas for you and your Individual Support Plan (ISP) team to think about.

These are the suggestions for you and your team to think about:

1.

If you have more questions about rights, rights restrictions, or these suggestions, please contact your service coordinator _____.

Guardian Letter Example

Date: 07/10/2024

Re: Case Review of Rights Restrictions

Dear _____,

The Nebraska Department of Health and Human Services (DHHS)-Division of Developmental Disabilities (DDD) and Liberty Healthcare review agency provider Human and Legal Rights Committee (HLRC) documentation for Developmental Disabilities (DD) Waiver participants' rights restrictions. The rights restrictions reviewed by the agency HLRC have been approved by participant, participant's guardian, and the Individual Support Plan (ISP) team.

During the review of the rights restrictions for _____, DDD and Liberty Healthcare have some recommendations for _____, and their ISP team to consider:

1.

These recommendations will also be sent to _____. If you have more questions about DD Waiver Participants' rights and rights restrictions, please contact Sarah Henrichs at Sarah.Henrichs@nebraska.gov.

DDD and Liberty Healthcare are also available to provide more resources and technical assistance. Please contact Erin.Davis@libertyhealthcare.com if the team would like further assistance.



On-site Provider Reviews (OPR)

On-Site Provider Review (OPR)

- Collaborative Workgroup for DD Waivers began in July.
- Collaborative Workgroup for AD Waivers anticipated in August.
- Pilot dates to be determined after Collaborative Workgroup.

THANK YOU

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