

# Summary of Waiver Changes for 1915(c) Medicaid Home and Community-Based Services Waivers:

**Comprehensive Developmental Disabilities (NE.4154)**

**Developmental Disabilities Day (NE.0394)**

**Family Support Waiver (NE.2366)**

**Waiver for Aged and Adults and Children with Disabilities (NE.0187)**

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NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES

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## **Summary of Waiver Changes for 1915(c) Medicaid Home and Community-Based Services Waivers:**

**Comprehensive Developmental Disabilities (NE.4154)**

**Developmental Disabilities Day (NE.0394)**

**Family Support Waiver (NE.2366)**

**Aged and Adults and Children with Disabilities (NE.0187)**

The Division of Medicaid and Long-Term Care (MLTC) plans to submit a request for amendments to the 1915(c) Medicaid Home and Community Based Services (HCBS) for the following waivers: Comprehensive Developmental Disabilities (NE.4154), Developmental Disabilities Day (NE.0394), Family Support Waiver (NE.2366), and Aged and Adults and Children with Disabilities (NE.0187) Upon approval by the Centers for Medicare and Medicaid Services (CMS), these amendments would go into effect on July 1, 2025.

The full text of the proposed waivers, including requested changes can be found online at: <https://dhhs.ne.gov/Pages/DD-Public-Comment.aspx>

## Comprehensive Developmental Disabilities Services Waiver (NE.4154)

### **Entire Waiver:**

- Corrected spelling and grammar mistakes
- Updated all mentions of the ICAP to the state-mandated ICF/IID level of care assessment tool

### **Main Application: 6. Additional Requirements**

- Updated Public Input

### **Appendix B: Participant Access and Eligibility**

#### *Appendix B-1: Specification of the Waiver Target Group(s)*

- Specified the target group for eligibility and enrollment in the CDD waiver

#### *Appendix B-3: Number of Individuals Served*

- (b) Limitation on the Number of Participants Served at Any Point in Time.
  - Selected the option that the state does not limit the number of participants that it serves at any point in time during a waiver year.
- (c) Reserved Waiver Capacity
  - Removed reserved capacity

#### *Appendix B-6: Evaluation/Reevaluation of Level of Care*

- Replaced Individual Support Plan (ISP) language with person-centered plan (PCP)
- Updated Qualifications of Individuals Performing Initial Evaluation

#### *Quality Improvement:*

- Replaced Disabilities Service Specialist (DSS) with DDD personnel

#### *Appendix B-8: Access to Services by Limited English Proficiency Persons*

- Specified plan access to services for individuals with Limited English Proficiency (LEP)

### **Appendix C: Participant Services**

#### *Appendix C-1/C-3: Service Specification*

- Revised Service Specifications for the following services:
  - Home Modifications
  - Vehicle Modifications

- Removed EVV requirement from the following services:
  - *Medical In-Home*
  - *Behavioral In-Home.*
- Broke out Residential Habilitation into the following separate services:
  - *Continuous Home*
  - *Host Home*
  - *Shared Living*
  - *Youth Continuous Home*
- Added the following services to better address participant needs:
  - *Benefits Counseling*
  - *Employment Exploration*
  - *Health Maintenance Monitoring*
  - *LRI Personal Care*
  - *Remote Supports*
  - *Adult Day Retirement*
- Updated language for all services related to school hours set by the local school district
- Updated language for all services that offer virtual supports as a modality to remote supports
- Updated supervision requirements for board-certified behavioral analysts (BCBAs)
- Updated applicable services to include services may be offered by legal guardians (see CDD Service Table for more details)

*Appendix C-2: General Service Specifications*

- Updated to allow for payment to Legally Responsible Individuals (LRIs) and Relatives/Legal Guardians

**Appendix D: Participant-Centered Planning and Service Delivery**

*Appendix D-1: Service Plan Development*

- Updated Qualifications of Service Coordinators

**Appendix E: Participant Direction of Services**

*Appendix E-1: Overview*

- Updated Participant Direction of Services

**Appendix F: Participant Rights**

*Appendix F-3: State Grievance/Complaint System*

- Updated reasons for grievances

### **Appendix G: Participant Safeguards**

#### *Appendix G-1: Response to Critical Events or Incidents*

- Updated language to comply with the HCBS Final Settings Rule

#### *Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions*

- Updated supervision requirements for board-certified behavioral analysts (BCBAs)

#### *Quality Improvement: Health and Welfare*

- Added Critical Incident performance measure.

### **Appendix I: Financial Accountability**

#### *Appendix I-1: Financial Integrity and Accountability*

- Updated the services subject to Electronic Visit Verification (EVV)

#### *Appendix I-2: Rates, Billing and Claims*

- Added risk tiers

### **Appendix J: Cost Neutrality Demonstration**

- Updated cost analysis information

## Developmental Disabilities Day Services Waiver for Adults (NE.0394)

### **Entire Waiver**

- Corrected spelling and grammar mistakes
- Updated all mentions of the ICAP to the state-mandated ICF/IID level of care assessment tool

### **Main Application: 6 Additional Requirements**

- Updated Public Input

### **Appendix B: Participant Access and Eligibility**

#### *Appendix B-1: Specification of the Waiver Target Group*

- Specified the target group for eligibility and enrollment in the DDAD waiver

#### *Appendix B-3: Number of Individuals Served*

- (b) Limitation on the Number of Participants Served at Any Point in Time
  - Selected the option that the state does not limit the number of participants that it serves at any point in time during a waiver year
- (c) Reserved Waiver Capacity.
  - Removed reserved capacity

#### *Appendix B-6: Evaluation/Reevaluation of Level of Care*

- Replaced Individual Support Plan (ISP) language with person-centered plan (PCP)
- Replaced Disabilities Service Specialist (DSS) with DDD Personnel

#### *Quality Improvement: Level of Care*

- Replaced Disabilities Service Specialist (DSS) with DDD Personnel

#### *Appendix B-8: Access to Services by Limited English Proficiency Persons*

- Specified plan access to services for individuals with Limited English Proficiency (LEP)

### **Appendix C: Participant Services**

#### *Appendix C-1/C-3: Service Specification*

- Added the following services to better address participant needs
  - Adult Day Retirement
  - Benefits Counseling



- *Employment Exploration*
- *Health Maintenance Monitoring*
- *LRI Personal Care*
- *Remote Supports*
- Updated language for all services related to school hours set by the local school district
- Updated language for all services that offer virtual supports as a modality to remote support
- Updated applicable services to include services may be offered by legal guardians
- Updated supervision requirements for board-certified behavioral analysts (BCBAs)

*Appendix C-2: General Service Specifications*

- Updated Participant Services General Service Specifications to include payments for LRIs and Relative/Legal

**Appendix D: Participant-Centered Planning and Service Delivery**

*Appendix D-1: Service Plan Development*

- Updated Qualifications of Service Coordinators

**Appendix E: Participant Direction of Services**

*Appendix E-1: Overview*

- Updated Participant Direction of Services

**Appendix F: Participant Rights**

*Appendix F-3: State Grievance/Complaint System*

- Updated reasons for grievances

**Appendix G: Participant Safeguards**

*Appendix G-1: Response to Critical Events or Incidents*

- Updated language to comply with the HCBS Final Settings Rule

*Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions*

- Updated supervision requirements for board-certified behavioral analysts (BCBAs)

*Quality Improvement: Health and Welfare*

- Added Critical Incident performance measure

**Appendix I: Financial Accountability**

*Appendix I-1: Financial Integrity and Accountability*

- Updated services that require the use of EVV

*Appendix I-2: Rates, Billing and Claims*

- Added risk tiers

## **Family Support Waiver (NE.2366)**

### **Entire Waiver:**

- Corrected spelling and grammar mistakes

### **Main Application: 6. Additional Requirements**

- Updated Public Input

### **Appendix B: Participant Access and Eligibility**

#### *Appendix B-1: Specification of the Waiver Target Group(s)*

- Specified the target group for eligibility and enrollment

#### *Appendix B-3: Number of Individuals Served*

- (c) Reserved Waiver Capacity.
  - *Removed reserve capacity*

#### *Appendix B-8: Access to Services by Limited English Proficiency Persons*

- Specified plan for access to services for individuals with Limited English Proficiency (LEP)

### **Appendix C: Participant Services**

#### *Appendix C-1/C-3: Summary of Services Covered/Service Specification*

- Added the following services to better address participant needs:
  - *Health Maintenance Monitoring*
  - *LRI Personal Care*
  - *Remote Supports*
- Updated applicable services to include services may be offered by legal guardians
- Updated supervision requirements for board-certified behavioral analysts (BCBAs)

#### *Appendix C-2: General Service Specifications*

- Update Participant Services General Service Specifications to include payments for LRIs and Relative/Legal Guardians

### **Appendix D: Participant-Centered Planning and Service Delivery**

#### *Appendix D-1: Service Plan Development*

- Updated Service Coordinator Qualifications

### **Appendix F: Participant Rights**

*Appendix F-3: State Grievance/Complaint System*

- Updated reasons for grievances

**Appendix G: Participant Safeguards**

*Appendix G-1: Response to Critical Events or Incidents*

- Updated language to comply with the HCBS Final Settings Rule

*Appendix G-2: Safeguards Concerning Restraints and Restrictive Interventions*

- Updated supervision requirements for board-certified behavioral analysts (BCBAs)

*Quality Improvement: Health and Welfare*

- Added Critical Incident performance measure

**Appendix I: Financial Accountability**

*Appendix I-1: Financial Integrity and Accountability*

- Updated services that require the use of EVV

**Appendix J: Cost Neutrality Demonstration**

- Updated cost analysis information

## Waiver for Aged and Adults and Children with Disabilities (NE.0187)

### **Entire Waiver:**

- Corrected spelling and grammar mistakes

### **Main Application: 6. Additional Requirements**

- Updated Public Input

### **Appendix B: Participant Access and Eligibility**

#### *Appendix B-6: Evaluation/Reevaluation of Level of Care*

- Update qualifications of individuals performing Initial Evaluation
- Removed wording for assessment transition from CONNECT LOC to interRAI
- Removed wording requiring LOC assessment to be completed within 14 days to align with Regulation

#### *Appendix B-8: Access to Services by Limited English Proficiency Persons*

- Specified plan for access to services for individuals with Limited English Proficiency (LEP)

### **Appendix C: Participant Services**

#### *Appendix C-1/C-3: Summary of Services/Service Specifications*

- Revised Service Specifications for the following services:
  - *Home Modifications*
  - *Vehicle Modifications*
- Added the following service to better address participant needs:
  - *LRI Personal Care*
- Updated applicable services to include services may be offered by legal guardians
- Added wording for statutory requirements for legal guardians as new providers after 7/1/25

#### *Appendix C-2: General Service Specifications*

- Updated to allow for payment to Legally Responsible Individuals and Relatives/Legal Guardians

### **Appendix D: Participant-Centered Planning and Service Delivery**

*Appendix D-1:*

- Update professional qualifications for Service Coordination
- Unchecked “Registered Nurse” from responsibility for service plan development

**Appendix F: Participant Rights**

*Appendix F-3: State Grievance/Complaint System*

- Updated reasons for grievances

**Appendix G: Participant Safeguards**

*Appendix G-1: Response to Critical Events or Incidents*

- Updated language to comply with the HCBS Final Settings Rule

**Appendix I: Financial Accountability**

*Appendix I-1: Financial Integrity and Accountability*

- Updated services that require the use of EVV

**Appendix J: Cost Neutrality Demonstration**

- Updated cost analysis information