

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

GUIDANCE DOCUMENT

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Neb. Rev. Stat. § 84-901.03




PROVIDER BULLETIN

No. 24-02

DATE: March 5, 2024

TO: Medicaid HCBS DD Waiver Service Agency Providers

FROM: Tony Green, Director, Division of Developmental Disabilities 

BY: Rachel Kreifels, Program Specialist

RE: Agency Human and Legal Rights Committee (HLRC) Requirements

This bulletin is being issued to outline the new requirement of entering HLRC meeting information in Therap for all DD Waiver agency providers. This bulletin also provides information about the referral process to the recently formed Human and Legal Rights Advisory Committee (HLRAC).

The Division of Developmental Disabilities (DDD) has determined that all agency providers will be required to enter their agency HLRC meeting information in Therap in the case note questionnaire titled, "Human and Legal Rights Committee."

Per the Developmental Disabilities Policy Manual, Chapter 3, Section 3.4, agency providers are required to provide specific information to their agency HLRCs for reviewing rights restrictions.

Starting March 15, 2024, all providers are required to enter their HLRC meeting information within 10 business days of an HLRC meeting occurrence.

Liberty Healthcare will conduct reviews for compliance and to identify referrals to the HLRAC. Criteria for referrals to the HLRAC include:

- Restrictions in place for five years or longer with little to no change;
- DD Waiver participants with more than three rights restrictions in place;
- The less restrictive methods which were tried are not clearly documented or there may be other less restrictive methods to consider; and
- The reduction plan is unreasonable or unattainable for the participant.

Individual Support Plan teams and agency HLRCs may also request referrals to the HLRAC based on the process outlined in the published guide, "Agency HLRC Requirements."

The HLRAC is an advisory committee whose function is to review HLRC information and provide recommendations on rights restrictions and agency HLRC best practices. When the HLRAC has a recommendation for the ISP team and/or the agency HLRC, a recommendation letter will be sent to the appropriate entity, the participant, and the guardian, as applicable.

The “Agency HLRC Requirements” guide has been published to assist providers with the new Therap case note questionnaire entry requirements.

If you have any questions about this provider bulletin, please contact Sarah Henrichs at Sarah.Henrichs@nebraska.gov or 402-471-8704 (desk).