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## Issue Brief – DSPD Mandated Services

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DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES

DHS-09-12

### **HOME AND COMMUNITY BASED MEDICAID WAIVER SERVICES**

The Division of Services for People with Disabilities (DSPD) wants to provide 526 additional waiver services for 358 individuals currently enrolled in the Medicaid waiver program. DSPD requests an appropriation of \$4,400,000 with \$800,000 from the General Fund, \$2,800,000 from federal Medicaid funds and \$600,000 from internal reallocations for FY 2009. The Analyst recommends that the Subcommittee place \$800,000 from the General Fund on the priority list for FY 2009 for the Division of Services for People with Disabilities to provide 526 additional waiver services for 358 individuals.

### **OBJECTIVE**

The purpose of the waiver program is to provide Home and Community Based Services in a community setting rather than institutional care.

### **DISCUSSION AND ANALYSIS**

DSPD in the Department of Human Services under the State Medicaid plan has an interagency agreement with the Department of Health to act as the operating agency to administer the Home and Community-based Services Waiver (HCBS) services in a home setting. DSPD, under the State Medicaid Plan administers three waiver programs: 1) Community Services Waiver; 2) Acquired Brain Injury (ABI) Waiver; and 3) Physical Disability Waiver. Medicaid waiver programs are exceptions to the regular Medicaid State Plan allowing states more flexibility than the regular State Medicaid Plan. Waiver programs must be cost neutral or less expensive than institutional placement.

The waiver programs under DSPD provide a variety of services to allow individuals to remain in less restrictive environments like their home, group homes, or assisted living apartments rather than institutions. Some of the services provided are respite care, supported employment, behavior consultant, day services (day care), transportation, companion services, and equipment or modifications for the home or vehicle like ramps, lifts, etc. DSPD is projecting 358 individuals already in service will need about 526 additional services in FY 2009 at a total cost of \$1.4 million as shown on the following table:

Waiver Service	FY 2009 DSPD Additional Waiver Services Needed			Description
	# Needing Additional Services	Cost per Service (General Funds Only)	General Fund Request (#*Cost)	
Intensive 24-hour Living Support	1	\$1,724.54	\$1,725	Intensive residential services in group homes and supervised apartments.
Rountine 24-hour Community Living Support	67	\$9,517.21	\$637,653	Intermittent residential services in group homes and supervised apartments. These programs take place in the community or in a workshop and are designed to maintain skills in post-school years and provide work opportunities.
Day Services	166	\$1,245.60	\$206,770	Provides families services that enable them to care for their children with disabilities at home. These services are provided through contract providers or by staff hired directly by the parents.
Family Support	6	\$670.67	\$4,024	These are for individuals who turn 18 years of age and have been living in Professional Parent Homes and wish to continue to live in that family home.
Host Home	1	\$11,900.00	\$11,900	Provides behavioral supports, nursing services, and special medical supplies and equipment
Professional Services	67	\$177.10	\$11,866	Provides a personal assistant to help with personal needs including, bathing, eating, dressing, cooking, and shopping.
Personal Services	1	\$2,646.00	\$2,646	These are family homes in which one or two children with disabilities live with 24-hour support in a very intensive therapeutic family arrangement.
Professional Parent Homes	4	\$10,505.25	\$42,021	Gives regular caregivers a break on a short-term basis
Respite Care	80	\$1,741.39	\$139,311	Provides assistance to find and keep a competitive job
Hourly Supported Employment Services	49	\$2,926.53	\$143,400	Persons with disabilities live independently in their own homes or apartments and receive periodic assistance and training with money management and other skill necessary for independent living.
Hourly Supported Living Services	84	\$2,339.88	\$196,550	
<b>Total</b>	<b>526</b>		<b>\$1,397,866</b>	
<b>Less Carry-Forward</b>			<b>(\$600,000)</b>	
<b>Total FY 2009 Request</b>			<b>\$797,866</b>	

Note: There are 358 individuals requiring additional services. An individual may need more than one service which is why the count does not tie to the number of individuals

Once an individual has been accepted into the Medicaid waiver program, DSPD is required to provide any additional services as needed. If the Division cannot meet the health and safety needs of the clients already in the waiver program, the results could be a loss of Federal Financial Participation (FFP) in the amount of \$78 million.

### ***Non-lapsing Authority***

DSPD statutorily has non-lapsing authority (UCA 62A-5-102 (7)). In the past, DSPD has used non-lapsing funds and attrition (savings from individuals who have a reduction in services or who leave the waiver program) for the Home and Community Based Waiver Program, emergency services, children aging out of state custody, or individuals ordered by the court into services. The agency has projected \$600,000 will be available to offset the total cost of additional waiver services.

### **RECOMMENDATION**

The Analyst recommends that the Subcommittee place \$800,000 from the General Fund on the priority list for FY 2009 for the Division of Services for People with Disabilities to provide 526 additional waiver services for 358 individuals. The Analyst further recommends that the following intent language be adopted for FY 2009:

*Under Section 62A-5-102 (7) of the Utah Code the Legislature intends that any remaining amount of the \$195,502,500 provided by Item 113 of Senate Bill 1, State Agency and Higher Education Base Budget Appropriations (2007 General Session) for the Department of Human Services, the Division of Services for People with Disabilities (DSPD), and funding allocated in this item not lapse at the close of fiscal year 2009 to provide services for individuals with disabilities needing emergency services, additional waiver services, who turn 18 years old and leave state custody from the Divisions of Child and Family Services and Juvenile Justice Services, or who are court ordered into DSPD services.*