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DEVELOPMENTAL DISABILITIES SECTION ANNUAL REPORT *STATE FISCAL YEAR 2020*

The Wyoming Department of Health, Developmental Disabilities Section (Section) is pleased to share this annual report on the Comprehensive and Supports Waivers for State Fiscal Year (SFY) 2020, which features a review of the efforts that the Section has undertaken in the past year. We encourage people who receive services, family members, agency partners, legislators, and other members of the community to take a moment to read our annual report.

SECTION MISSION

The Developmental Disabilities Section (Section) administers programs to facilitate community-based services for people with developmental and intellectual disabilities, and acquired brain injuries. We coordinate technical assistance and education for providers and case managers that promote the delivery of quality services for participants to experience lives that they choose.

WYOMING DEPARTMENT OF HEALTH AND DD SECTION STRUCTURE

The Wyoming Department of Health is the Medicaid State Agency that has the administrative authority to administer the Home and Community Based Waivers. The Developmental Disabilities Section is housed under the Division of Healthcare Financing, a division of the Department.

Figure 1
Wyoming Department of Health Simple Organizational Chart

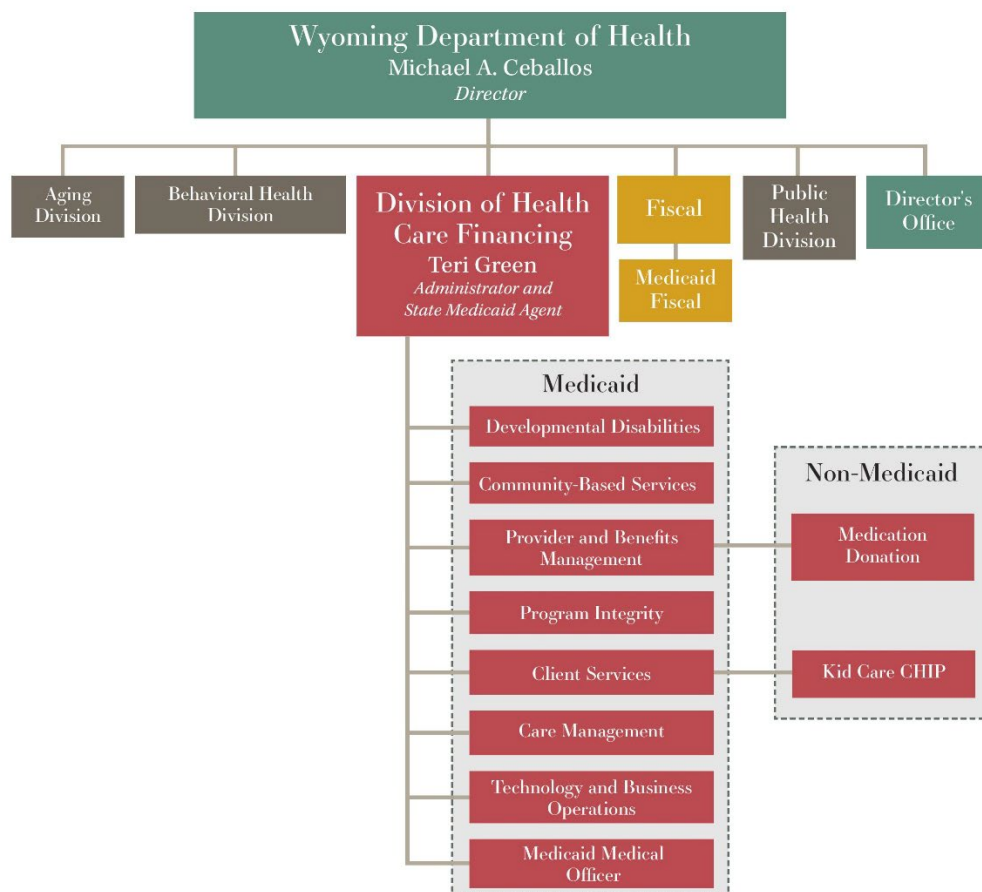
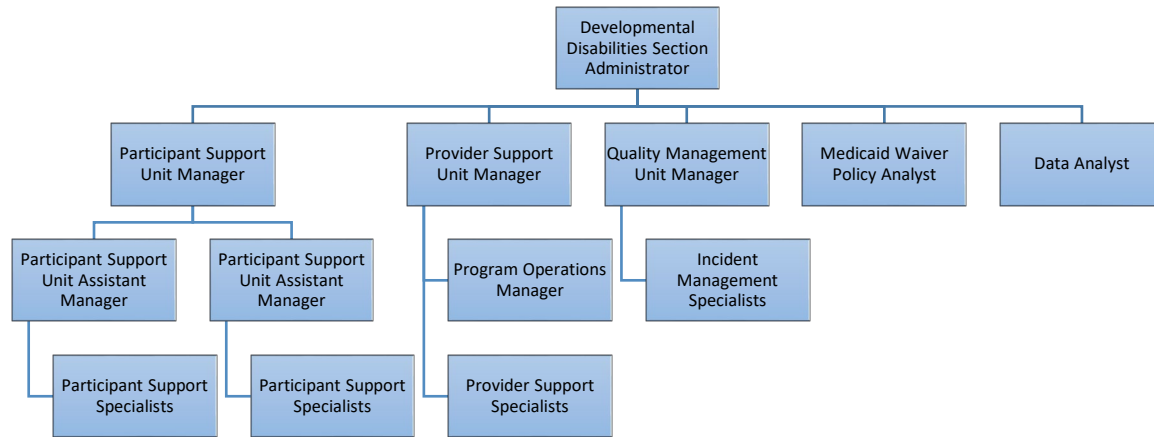


Figure 2
Developmental Disabilities Section Organizational Chart



SECTION AT A GLANCE

The Section is responsible for planning, coordinating, administering, monitoring, and evaluating state and federally funded Home and Community Based (HCB) services for people with intellectual and developmental disabilities (IDD) and acquired brain injuries (ABI). The Section administers the Comprehensive and Supports Waiver programs, offers technical assistance and training, assures program monitoring and standards compliance, and implements continuous quality improvement strategies.

Participant Support Unit

The Participant Support Unit is comprised of ten (10) full time employees who are responsible for assuring that waiver participants have current and complete plans of care and that participants are funded according to Section policy. This Unit is also responsible for determining initial and continuing eligibility for waiver services, providing technical assistance to case managers in developing plans of care, and facilitating access to HCB services to waiver participants in emergency situations.

Provider Support Unit

The Provider Support Unit is comprised of nine (9) full time employees who are responsible for assuring that providers of waiver services comply with Medicaid Rules. This Unit is also responsible for certifying and recertifying providers, reviewing and responding to complaints, and managing critical incidents.

Quality Management Unit

The Quality Management Unit is comprised of three (3) full time employees who are responsible for the initial review of reported incidents. This Unit is also responsible for managing the root cause analysis (RCA) process and facilitating the RCA team meetings.

COMPREHENSIVE AND SUPPORTS HOME AND COMMUNITY-BASED WAIVERS

The Comprehensive and Supports Waivers (DD Waivers) are offered through the Centers for Medicare and Medicaid Services (CMS) Home and Community Based Waiver Program under Section 1915(c) of the Social Security Act. Under the Act, states can develop HCB services to meet the needs of people who prefer to receive long-term care services and supports in their homes and communities as opposed to an institutional setting. According to the Kaiser Family Foundation, over 2.5 million individuals are receiving HCB services nationwide.

In order for Wyoming to offer services through the DD Waivers, the State must demonstrate the following:

- The cost of providing waiver services does not exceed the cost of providing services in an institution;
- Participant health and welfare is protected;
- Adequate and reasonable provider standards to meet the needs of participants are implemented, and;
- Services follow an individualized and person-centered plan of care.

The DD Waivers represent Wyoming's commitment to funding services so eligible participants with IDD ages birth through the lifespan, and eligible participants with an ABI ages 21 and older, can actively participate in the community, be competitively employed, and live as independently as possible according to their own choices and preferences. The DD Waivers require a person-centered approach to determining the needs of participants, which are specifically outlined in an individualized plan of care (IPC).

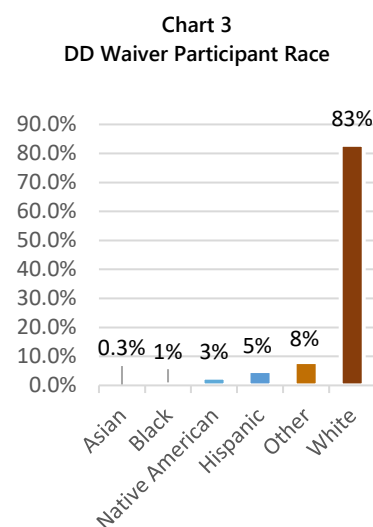
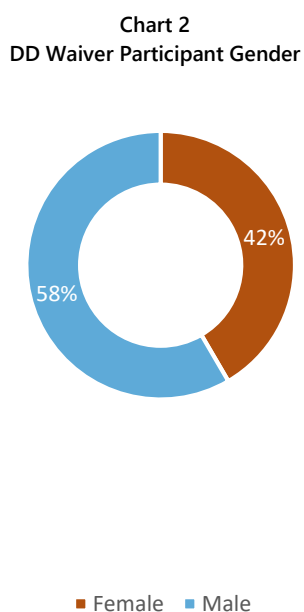
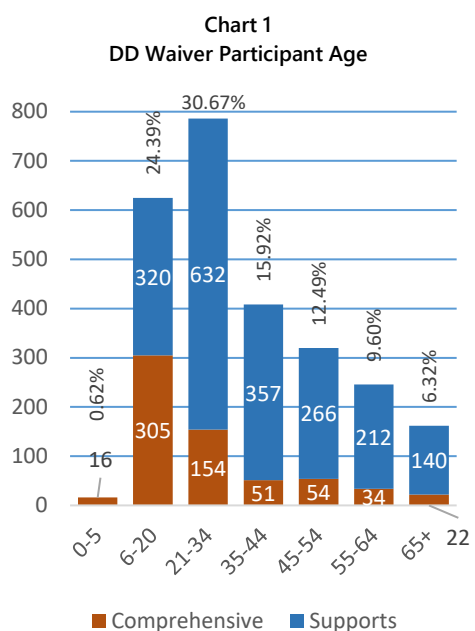
Services funded through the DD Waivers support participants to develop and change their service plans, provide resources and training to assist participants, families, and providers in learning the service system, and, through self-direction, give participants the ability to hire, terminate, and train their own staff. On the Supports Waiver, participants have a capitated budget amount that they use to purchase services from providers. The Comprehensive Waiver offers expanded supports, such as 24-hour services. Each participant on the Comprehensive Waiver receives an individual budget amount (IBA) based on their assessed level of need.

PEOPLE SERVED

Before qualifying for DD Waiver services, an individual must meet specific residency, financial, and level of care eligibility criteria. Although the DD Waivers support people of all ages with an IDD or ABI, individuals with an IDD must also meet the institutional level of care for an intermediate care facility for individuals with IDD. Individuals with an ABI must meet the institutional level of care for a nursing facility.

Demographics

The charts below outline the demographics of waiver participants as of June 30, 2020.



Working and Living in the Community

Living and employment situations vary, and are summarized in the following charts.

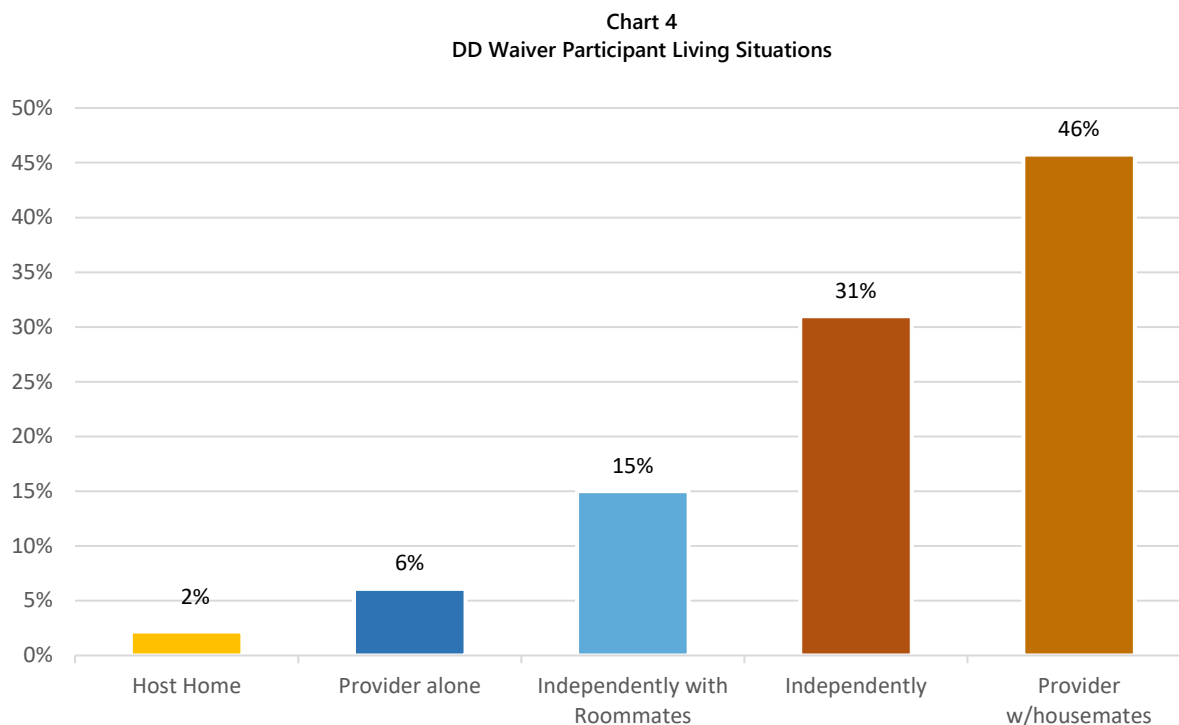
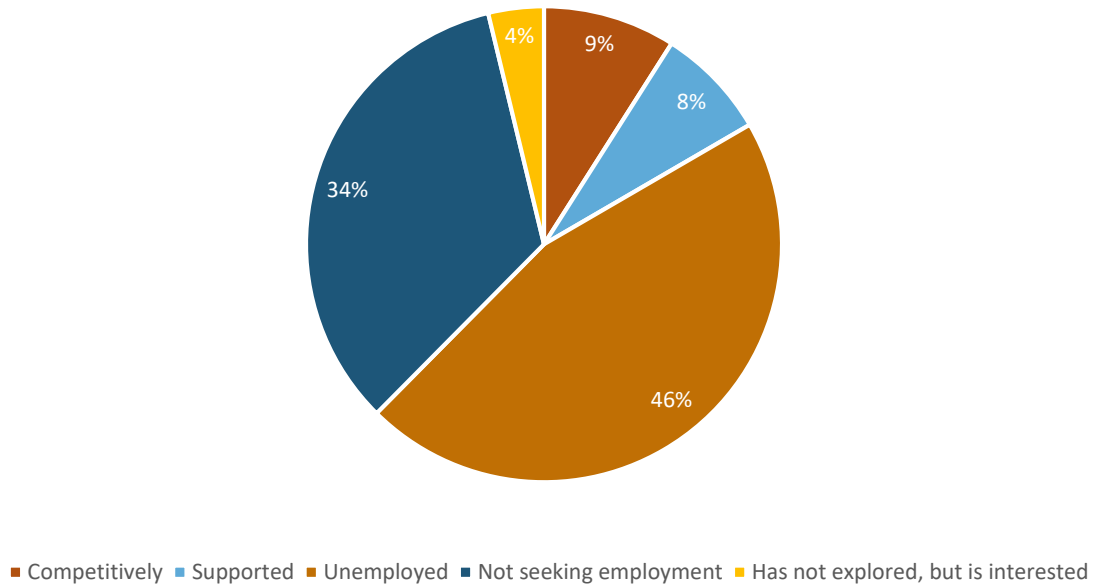


Chart 5
DD Waiver Participant Employment Situations



Waiver Participation

The number of participants served on DD Waivers has, on average, increased over the last five years. In SFY2020, 2,504 unduplicated participants received DD Waiver services.

Chart 6
Participants Served on the DD Waiver
SFY2020

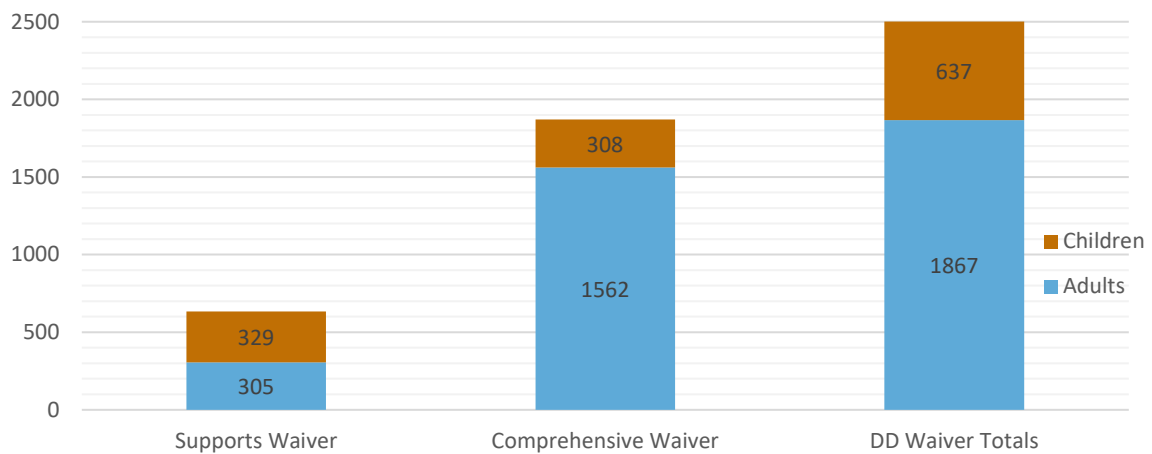
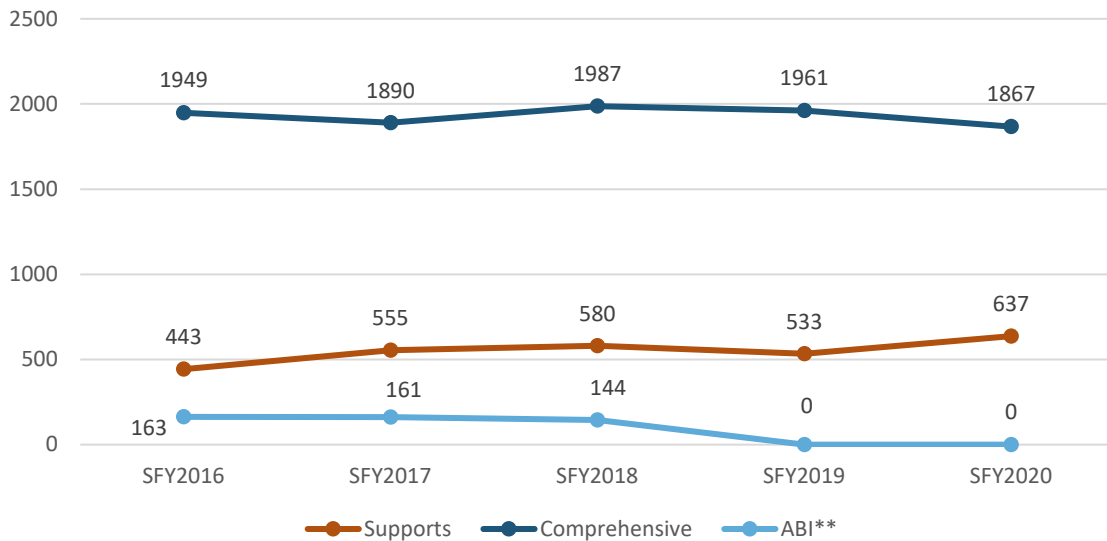


Chart 7
Unduplicated Participants Served on DD Waivers
SFYs 2016 – 2020



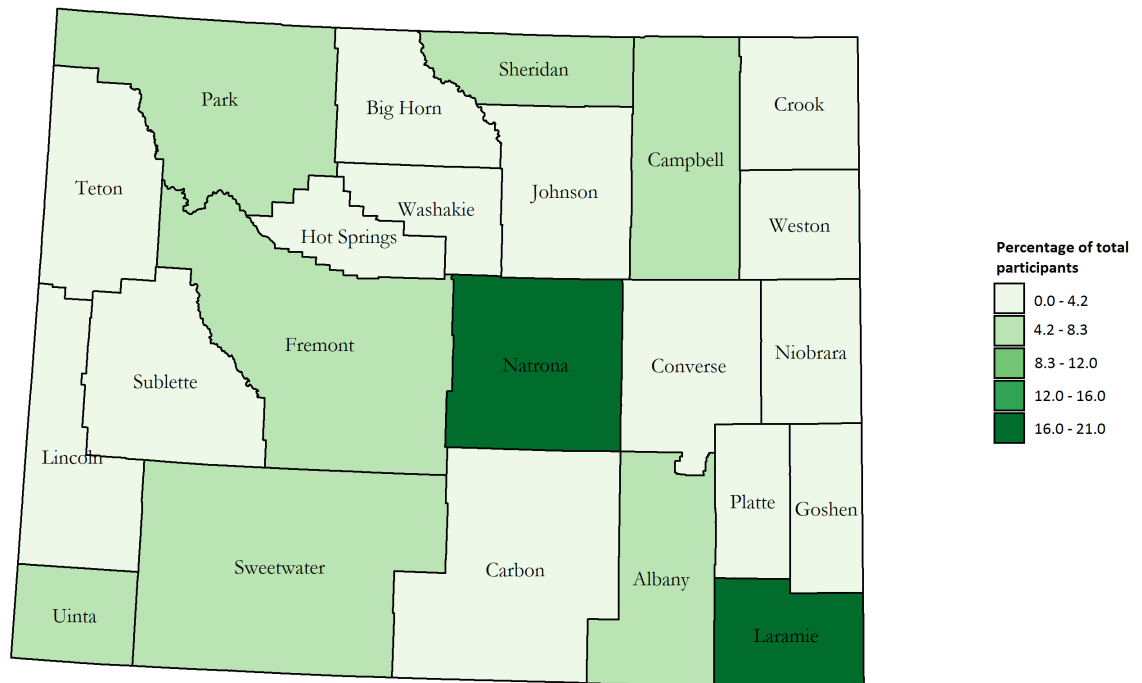
** The ABI Waiver was discontinued on April 1, 2018

Participants reside and receive services in all 23 Wyoming counties. Many areas of Wyoming are considered to be rural or frontier, which can make service providers more difficult to find. Self-directed services are an option on the DD Waivers, and allow participants or their legally authorized representatives to act as the employer of record so they can recruit and hire their own employees.

Table 1
Number of Participants Served on DD Waivers by County
SFY2020

County	Number of Participants	County	Number of Participants
Albany	155	Natrona	435
Big Horn	48	Niobrara	7
Campbell	126	Park	132
Carbon	19	Platte	21
Converse	65	Sheridan	150
Crook	Fewer than 5	Sublette	16
Fremont	209	Sweetwater	181
Goshen	42	Teton	46
Hot Springs	60	Uinta	158
Johnson	27	Washakie	41
Laramie	543	Weston	25
Lincoln	86		

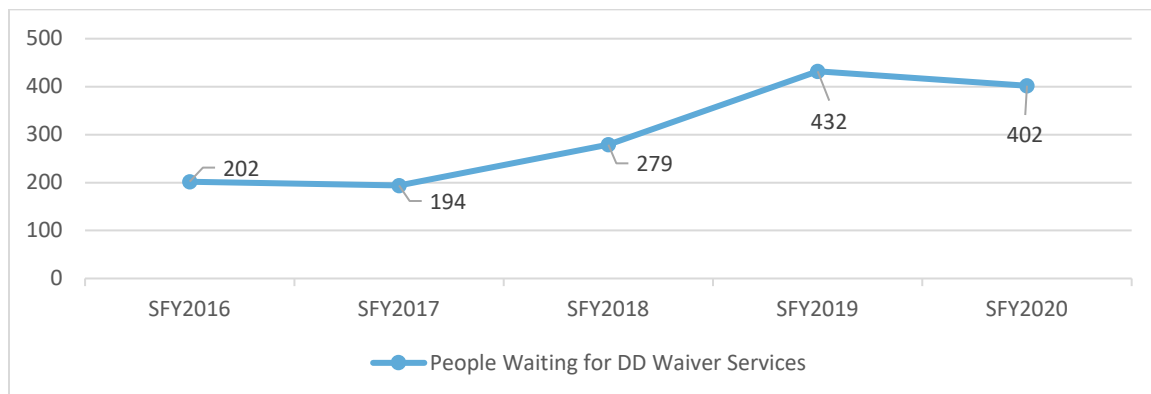
Figure 3
Percentage of Participants Served on the DD Waivers by County
SFY2020



Waiting for Services

Once an individual is determined eligible for waiver services, they are placed on a waiting list until a funding opportunity becomes available. People are funded off of the waiting list on a first come, first served basis. In September 2019, the Section funded approximately 120 additional individuals who had been waiting for services for 24 months or more. As of June 30, 2020, there were 402 individuals waiting to receive DD Waiver services.

Chart 8
Number of Individuals Waiting for DD Waiver Services
SFYs 2016 – 2020



BUDGETS AND EXPENDITURES

Funding for the DD Waivers is appropriated by the Wyoming Legislature. Pursuant to Wyoming Statute 42-4-120(g), the State must rebase provider service rates for the DD Waiver programs every two to four years. The current rate methodology was implemented on July 1, 2018. The Section is currently undergoing the next statutorily mandated rebasing of provider reimbursement rates.

Waiver participants receive funding for specific waiver services, as well as Medicaid State Plan benefits such as physician, hospital, and prescription drug services. Information on expenditures related to waiver services and Medicaid benefits can be found in the following graphic.

Chart 9
Legislative Appropriations
Biennial Fiscal Years 2017 – 2018 and 2019 – 2020

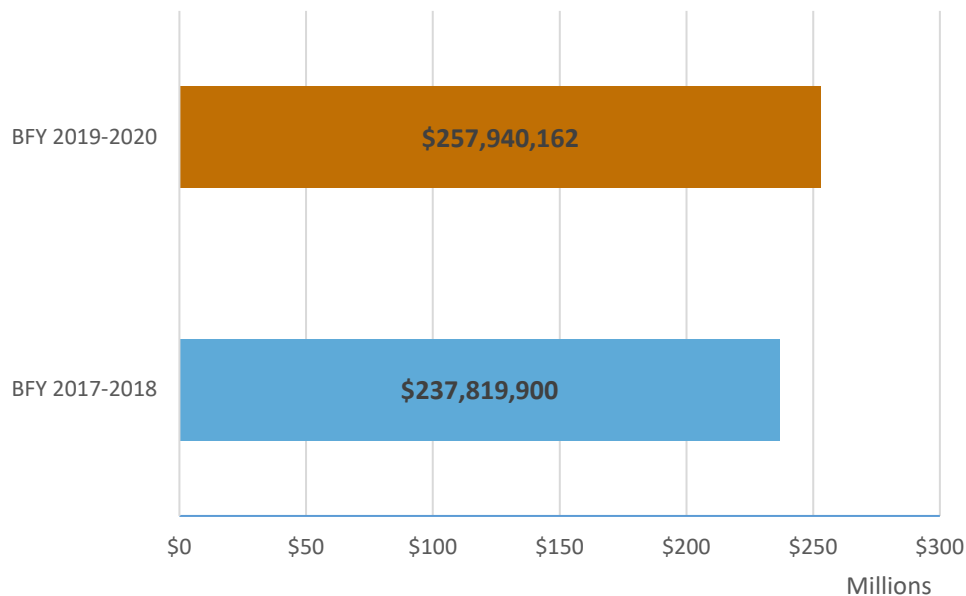


Table 2
DD Waiver Expenditures
SFYs 2016 – 2020

Waiver Expenditures	SFY2016	SFY2017	SFY2018	SFY2019	SFY2020*
ABI	\$6,748,171	\$6,960,882	\$4,948,202	\$15,008	\$0
Comprehensive	\$88,377,484	\$88,517,064	\$94,568,471	\$112,673,503	\$113,532,461
Supports	\$2,780,450	\$4,378,255	\$5,795,651	\$6,432,694	\$6,882,850
Grand Total	\$97,906,105	\$99,856,201	\$105,312,324	\$119,121,205	\$120,415,311

Non-Waiver Expenditures	SFY2016	SFY2017	SFY2018	SFY2019	SFY2020*
ABI	\$1,045,596	\$714,600	\$347,375	\$5,160	\$0
Comprehensive	\$18,883,901	\$13,921,993	\$9,376,098	\$6,567,542	\$6,483,800
Supports	\$1,679,251	\$2,458,285	\$2,411,717	\$1,945,044	\$1,981,104
Grand Total	\$21,608,748	\$17,094,878	\$12,135,190	\$8,517,746	\$8,464,904

Total Expenditures	SFY2016	SFY2017	SFY2018	SFY2019	SFY2020*
ABI	\$7,793,767	\$7,675,482	\$5,295,577	\$20,168	\$0
Comprehensive	\$107,261,385	\$102,439,057	\$103,944,569	\$119,241,045	\$120,016,261
Supports	\$4,459,701	\$6,836,540	\$8,207,368	\$8,377,738	\$8,863,954
Grand Total	\$119,514,853	\$116,951,079	\$117,447,514	\$127,638,951	\$128,880,215

* Providers have 1 year from the date of service to submit a claim for payment. These numbers are anticipated to increase as providers submit claims over the next year.

DD WAIVER SERVICES

The DD Waivers offer a variety of services from which a participant can choose. All services have specific definitions and limitations. The Comprehensive and Supports Waiver Index is available on the [Section website](#).

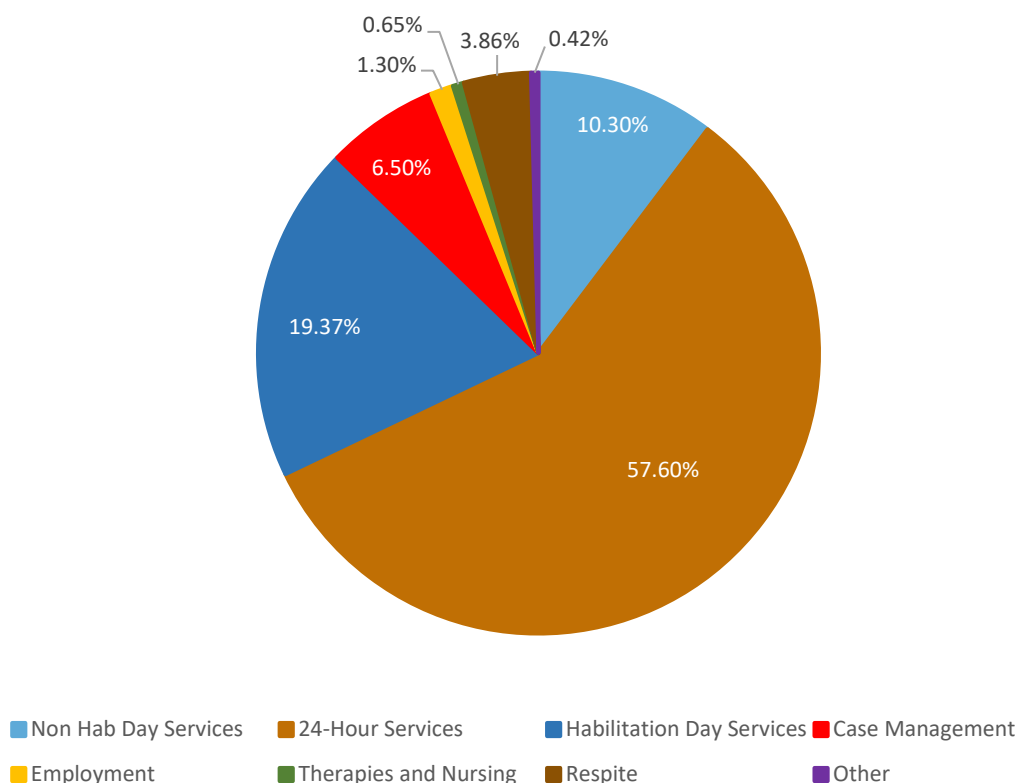
In SFY2020, case management was a required service for all people who received waiver funding. The Supports Waiver only offered community living basic tier services, but all tier levels of community living services were available on the Comprehensive Waiver.

Habilitation services are services that require the participant to establish and work toward a goal, and include specific education and skill development to help the participant reach that goal. In SFY2020, these services included community support services, child habilitation, and individual habilitation training. There are also services available that do not require a participant to establish and work toward a specific goal; however, the participant and provider should work together to

develop a plan that establishes what the participant wants from that service so the service can be delivered in a way that supports the participant's wants, needs, and preferences. In SFY2020, these services included adult day and companion services.

Employment services offer a variety of supports for people to find and maintain self-employment or a job in a competitive, integrated work setting for which a person is paid at least minimum wage. In SFY2020, individual and group supported employment services were available. Follow along services were also available, and allowed for follow up with an employer on behalf of a participant if the participant was not present.

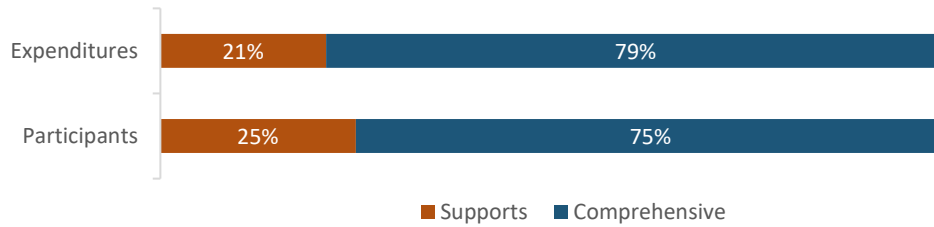
Chart 10
DD Waiver Services Utilization
SFY2020





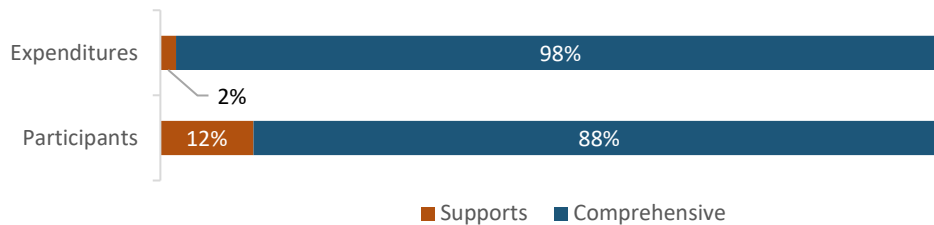
Case Management Services – SFY2020

Number of Participants	2,550
Total Expenditures	\$7,834,143
Average Cost per Participant	\$3,072
Number of Providers	117



Residential Services – SFY2020

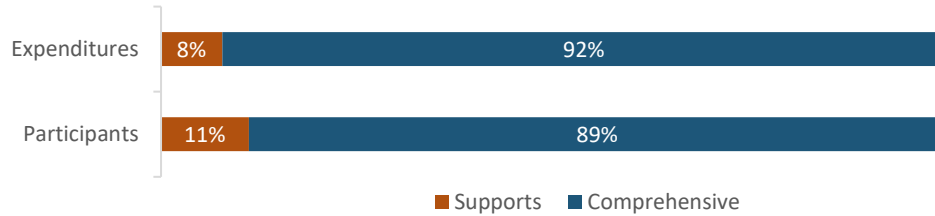
Number of Participants	1516
Total Expenditures	\$69,433,508
Average Cost per Participant	\$45,800
Number of Providers	351





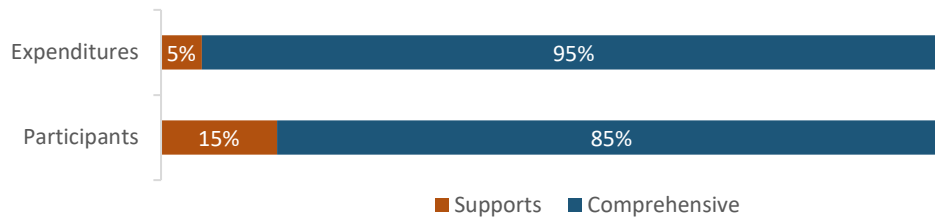
Employment Services – SFY2020

Number of Participants	277
Total Expenditures	\$1,567,595
Average Cost per Participant	\$5,657
Number of Providers	46



Day Services – SFY2020

Number of Participants	1,576
Total Expenditures	\$23,346,212
Average Cost per Participant	\$14,817
Number of Providers	221



SERVICE CAPACITY

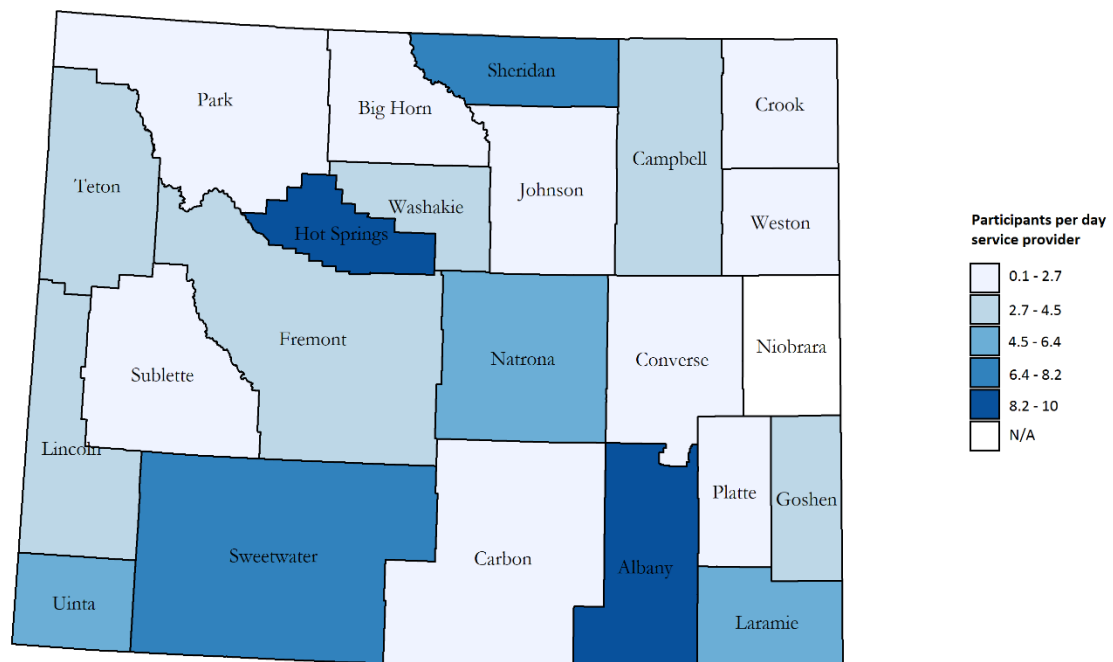
In SFY2020, the Section certified over 670 providers and case managers statewide in order to ensure that waiver participants had access to quality services and supports in their communities. As displayed in Table 3 below, the number of certified providers continues to grow.

Table 3
Provider and Case Manager Count
SFYs 2015 - 2020

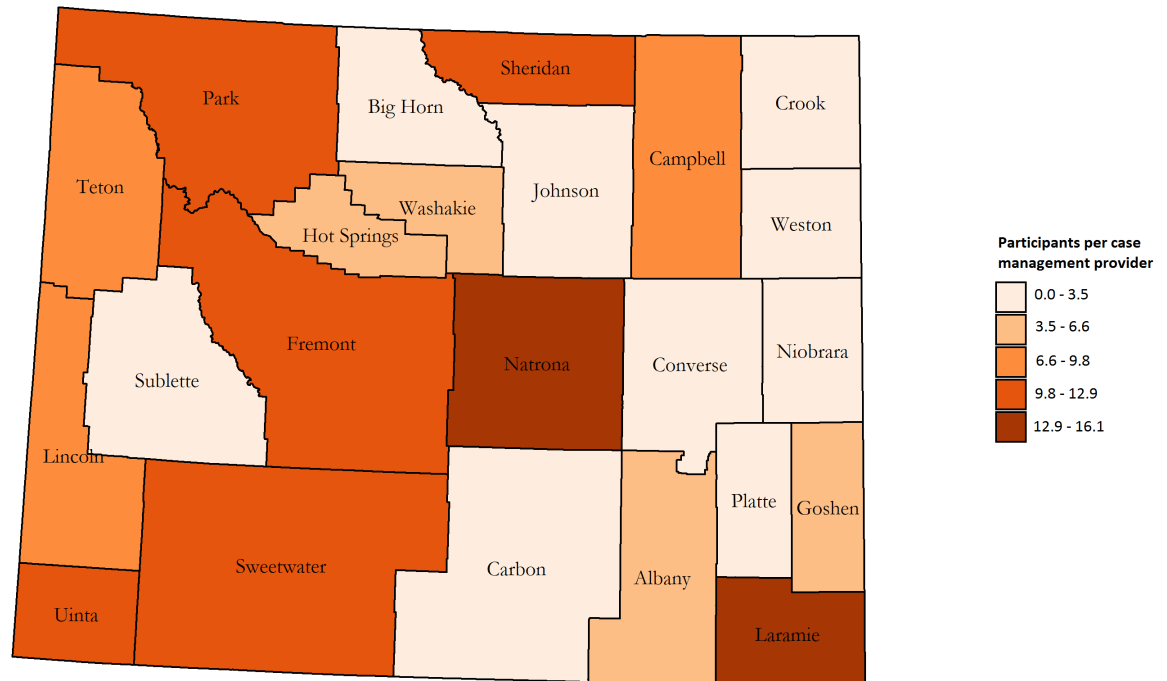
Year	All Waiver Providers	Case Managers
2015	558	84
2016	539	79
2017	644	104
2018	679	103
2019	681	105
2020	674	117

The Section continues to monitor the number of providers certified to deliver waiver services. This monitoring, which includes a comparison of providers and participants by county, offers insight into provider capacity and potential provider shortages within the DD Waiver system. The following figures demonstrate the number of participants receiving services compared to the number of providers available to offer the service in the area.

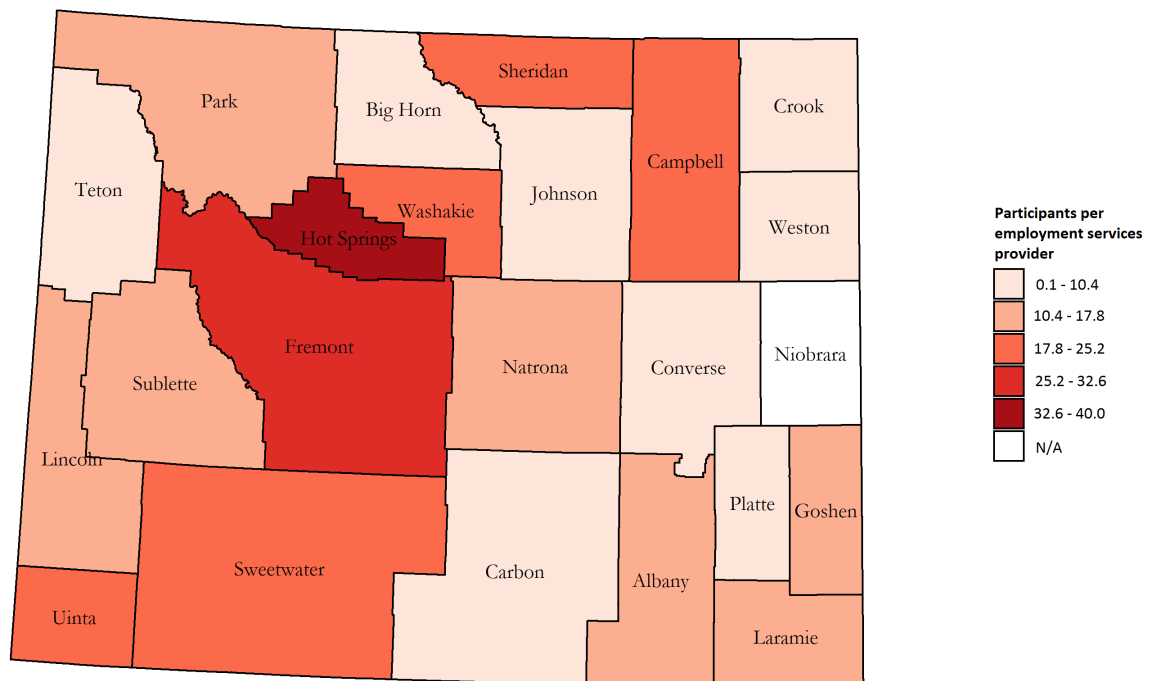
Day Services



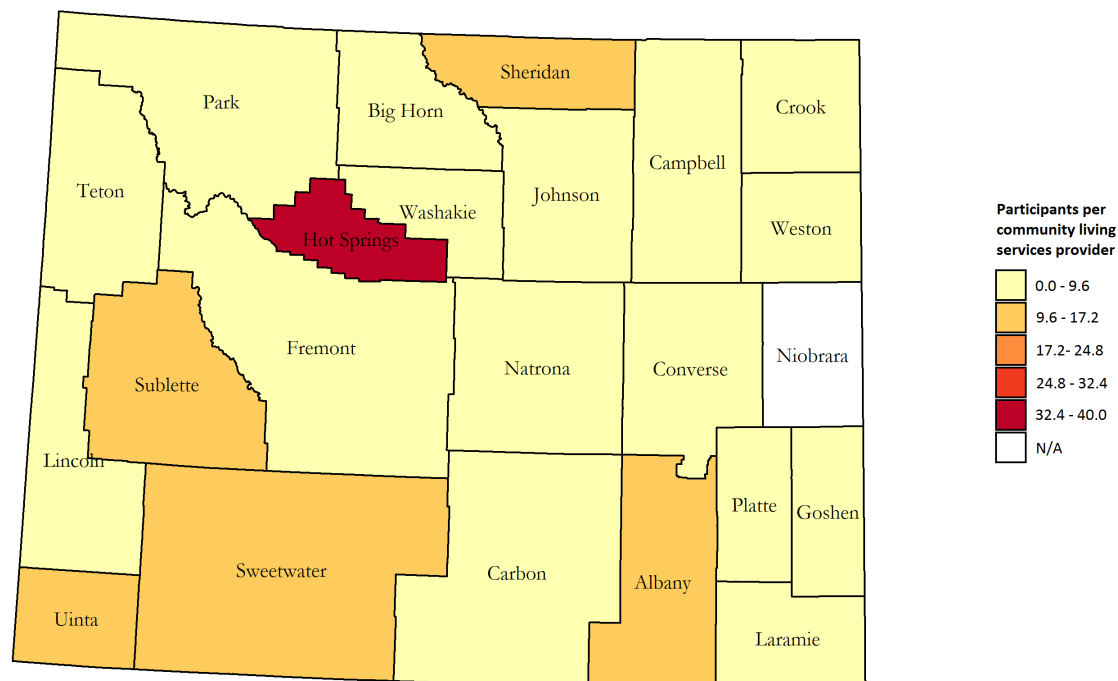
Case Management



Employment Services



Residential Services



CORONAVIRUS DISEASE 2019 (COVID-19) RESPONSE

When Coronavirus Disease 2019 (COVID-19) entered the scene in late 2019, few of us realized the impact that it would have on our world, our country, our state, or our individual lives. Few of us imagined a world in which we couldn't shake hands, eat at a restaurant, or get a haircut. Few of us believed that the latest fashion accessory would be a face mask. And never did we imagine the fear and uncertainty, the economic hardships, or the isolation and loneliness that people would experience as a result of COVID-19.

When the national public health emergency was declared on January 27, 2020, Section personnel started planning for how and when this emergency would affect Wyoming citizens. The Centers for Medicare and Medicaid Services (CMS) offers an Appendix K, a standalone authority which allows states to extend some flexibilities to the standards set forth in home and community-based waivers during natural disasters and other emergency situations, such as a pandemic. The Section submitted, and CMS subsequently approved, three Appendix K documents, which provided for the following temporary flexibilities:

- Service delivery of selected services through virtual supports. Virtual support had to be approved by the participant or legally authorized representative, and be an appropriate service delivery method for the participant.

- Service delivery of community support services in a participant's home. The change in setting had to be approved by the participant or legally authorized representative.
- Acceptance of required forms and program materials without required signatures if the form or materials included documentation that the activity was performed remotely, such as a text or email thread.
- Establishment of provider policies that limited some visitors in provider owned or operated settings in order to minimize the spread of the COVID-19 infection.
- Delivery of some services for children during regular school hours when local school districts were closed due to COVID-19.
- Extension of provider certifications, including external inspections, some training requirements, and fingerprinted background screenings for provider staff members.
- Delivery of some services in a hospital setting when the participant required services for communication, behavioral stabilization, or intensive personal care needs.
- The administration of clinical eligibility assessments via video conferencing.
- A temporary increase to provider reimbursement rates for selected waiver services.
- A temporary increase to budgets for self-directed services for the purpose of increasing employee wages.

The Section created a document that outlined the flexibilities, and made it available through email lists and on the Section website.

Initial and ongoing communication was a critical element to ensuring stability during the COVID-19 emergency. The Section conducted weekly calls to inform participants, providers, case managers, and other stakeholders of ongoing state flexibilities and federal guidance received by CMS. Although technical assistance was available through Section staff members, these weekly calls gave listeners another opportunity to ask questions and seek clarification. The frequency of these calls was decreased to monthly as initial concerns were addressed and Wyoming citizens settled into the new normal of life during a pandemic.

The Section also developed a webpage that focused on COVID-19 updates that affected participants and providers of the DD Waivers. This website contained the most up-to-date information on flexibilities, Amendment K approvals, and links to special education and other COVID-19 related resources.

The most common questions the Section received during this pandemic were related to participants accessing the community while the infection rate of the disease continued to be a public health concern. As human beings, our first instinct is usually to protect ourselves and those in our care. Providers, case managers, and plan of care teams were understandably concerned about protecting participants and keeping them as safe as possible while this invisible enemy continued to loom large. The Section had to balance health and safety with the rights of people receiving DD Waiver services.

A major tenet of home and community-based waiver programs is that participants have the right to access their community to the same degree as those who don't receive waiver services. This means

that participants must be afforded opportunities to access their community unless the entire community is under a stay at home or other public health order. The Section encouraged all people to follow health guidelines such as wearing masks, maintaining recommended social distance, and taking precautions such as hand washing and household cleaning, but emphasized that participants of waiver services could not be required to stay home during the health emergency unless ordered to do so by public authorities.

As COVID-19 continues to affect our nation, the Section remains committed to working with stakeholders to remove barriers and provide guidance in order to ensure participants continue to receive quality services in this unprecedented time.

DD SECTION PROJECTS

In addition to day to day tasks related to participant eligibility and plan of care quality, provider and case manager certification and rule compliance, and critical incident and complaint management, the Section has completed several projects in SFY2020.

Wyoming Medicaid Rule Revisions

The DD Waiver programs are indirectly impacted to some degree by several chapters of Wyoming Medicaid rule, which include definitions, processes, and timelines that are applicable to all Medicaid programs. However, the DD Waiver programs are directly impacted by the following chapters of Medicaid rule:

- Chapter 44 - Environmental Modifications and Specialized Equipment for Home and Community-Based Waiver Services;
- Chapter 45 - DD Waiver Provider Standards, Certification, and Sanctions; and
- Chapter 46 - Medicaid Supports and Comprehensive Waivers

As part of the DD Waiver renewals that went into effect on April 1, 2019, the Section updated these specific chapters of Medicaid rule to align with the waiver agreements. During SFY2019, the Section assembled a Rules Advisory Committee (RAC) that was tasked with identifying sections of the rules that could require clarification, and developing recommendations for revisions to rules that could create barriers for the participants receiving services. The Section compiled the recommendations from the RAC, and conducted statewide community engagement sessions to obtain informal public input on the recommendations. The recommendations and subsequent public input were considered when developing revised Chapters 44, 45, and 46 of Wyoming Medicaid Rules, which were published for formal public comment in September 2019. These chapters were promulgated and went into effect on December 20, 2019.

On January 28, 2020, the Section conducted a comprehensive training on the updated rules. This training provided information on the revisions that were made, the reason for the revisions, and the implementation date of the revisions if it was different than the date the rules became effective.

Incident Management

In accordance with Chapter 45, Section 20 of Wyoming Medicaid rules, all waiver providers must report identified incidents to the Section. Additionally, Wyoming state law (W.S. 14-3-205 and 35-20-103) mandates that any person who suspects the abuse, neglect, or exploitation of a vulnerable adult is required to report their suspicions.

During SFY2020, Section staff reviewed over 3,300 incidents. These incidents were reported to the Section through a variety of methods, including reports from provider and provider staff; concerns from the participant, parent, or legally authorized representative; referrals from other agencies; and reports from members of the public. Incidents were reviewed on a daily basis to determine if they were reportable in accordance with Wyoming Medicaid Rule, and reportable incidents were triaged to allow for appropriate follow-up action dependent on provider and participant need. Table 4 offers insight into the types of reportable incidents the Section reviewed in SFY2020.

Table 4
Incident Report Types
SFY2020

Incident Type	Number of Incidents Reviewed	Percentage of Incidents Reviewed
Crime Committed by a Participant	37	1.10%
Death	32	0.96%
Elopement	91	2.72%
Intimidation	17	0.51%
Medical/Behavioral Admission	1,135	33.89%
Medication Error	1,192	35.59%
Other Injury	92	2.75%
Police Involvement	382	11.41%
Serious Injury	50	1.49%
Suspected Abandonment	7	0.21%
Suspected Abuse	92	2.75%
Suspected Exploitation	42	1.25%
Suspected Neglect	35	1.05%
Suspected Self Abuse or Neglect	114	3.41%
Use of Restraint	31	0.93%
Total	3,349	

CONTACT US

For additional information regarding this report, or for information related to services on the Comprehensive or Supports Waivers, please visit the Developmental Disabilities Section website at <https://health.wyo.gov/healthcarefin/dd/>, or call 307-777-7115.