

CCW Amendment Summary

Amendment Effective Date: April 1, 2023



HOME AND
COMMUNITY-
BASED
SERVICES

WYOMING MEDICAID
DIVISION OF HEALTH CARE FINANCING

The Division of Healthcare Financing, Home and Community-Based Services (HCBS) Section intends to seek approval from the Centers for Medicare and Medicaid Services (CMS) for an amendment to the Community Choices Waiver. This amendment will include necessary program changes to allow for the implementation of new transition services, which were identified as a need during input sessions focused on how to best utilize funding available through the American Rescue Plan Act. Other proposed changes are listed below:

The following outlines the proposed changes to the Community Choices Waiver:

1. Appendix A: No proposed changes
2. Appendix B:
 - a. Remove language that references the Program of All Inclusive Care for the Elderly (PACE) program.
 - b. Change performance measures to reflect current Division practices.
3. Appendix C:
 - a. Align barrier crimes with [Wyoming Statute Title 6](#), Chapter 2 (Offenses Against the Person) and Chapter 4 (Offenses Against Morals, Decency and Family). All crimes listed in these Chapters will be considered barrier crimes
 - b. Add required background screenings for Adult Day - Social Model.
 - c. Add the requirement of subsequent background screenings every 5 years.
 - d. Clarify the federal requirement of monthly OIG Exclusions Database checks for any person with an ownership or control interest or who is an agent or managing employee of the provider.
 - e. Add the following service definitions and provider qualifications:
 - i. Case Management - Certificate Tier
 - ii. Homemaker Services
 - iii. Environmental Modifications
 - iv. Transition Setup
 - v. Transition Intensive Case Management
 - vi. Independent Living Support
 - f. Update the following service definitions and provider qualifications:
 - i. Personal Support Services
 - ii. Home Health Aide Service
 - g. Update Non-Medical Transportation service cap to reflect an equal number of trips for all service types.
 - h. Add that spouses are allowed to provide Personal Support Services in certain situations.
 - i. Change performance measures to reflect current Division practices.
4. Appendix D:
 - a. Update the service plan process to reflect current EMWS processes.
 - b. Remove the participant directed assessment as a requirement, and remove the case manager's determination of competency for a participant to act as their own employer of record.
 - c. Change performance measures to reflect current Division practices
5. Appendix E:
 - a. Remove additional criteria for participant-direction in order to provide every participant the opportunity to elect to direct waiver services. This aligns with changes made to Appendix D.
 - b. Remove the Power of Attorney designation from participant-directed employers of record. A power of attorney document will no longer need to be in place for a participant to choose an individual to act as the employer of record.

6. Appendix F: No proposed changes
7. Appendix G:
 - a. Add the requirement to report death, serious injury, elopement, medical and behavior admissions, use of restraint, restrictive interventions, and seclusion as part of the incident reporting process.
 - b. Update critical incident reporting timelines. Providers must report critical incidents immediately upon ensuring the safety and health of the participant, and must report non-critical incidents within one business day of ensuring the safety and health of the participant.
 - c. Update the Incident Report process to reflect current practices.
 - d. Change performance measures to reflect current Division practices.
8. Appendix H: Change references made to the Quality Improvement Committee to the Performance Review Committee to reflect Division practices.
9. Appendix I: Update rate methodology to include new services.
10. Appendix J: Add rates and utilization projections for new services.

Public Comment

The HCBS Section is seeking public comment on the proposed waiver changes. Written feedback will be accepted from October 21 - November 21, 2022 by contacting:

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A public forum will be conducted via phone conference on Wednesday, November 9, 2022 from 10:00am – 11:00am. Callers should call in to 1-669-900-6833, Meeting ID #953 5666 1966. The complete waiver application is posted on the *Public Notices, Regulatory Documents, and Reports* page of the Division website at: (<https://health.wyo.gov/healthcarefin/hcbs/hcbs-public-notices/>).