



# Michelle P Waiver Training

Presented by Department for  
Medicaid Services and Department  
for Mental Health, Developmental  
Disabilities and Addiction Services



# Workshop Outline

- I. History and Overview of Michelle P
- II. Billing Process
- III. Eligibility and Enrollment
- IV. Covered Services

Page numbers listed on this powerpoint refer to the Michelle P Waiver regulation



# Section I: History and Overview of Michelle P Waiver



# Michelle P History

- Developed in response to a lawsuit between Protection & Advocacy (P&A) and the Cabinet for Health and Family Services (CHFS).
- Lawsuit filed in Federal Court in 2002
- An amended settlement agreement was approved in Federal Court on 7/14/08.





# Michelle P. Overview

- A waiver that offers individuals with intellectual disability or other developmental disabilities non-residential services.



# Overview (continued)

- Non-residential
- Blend of services from the Supports for Community Living Waiver (SCL) and the Home and Community Based Services Waiver (HCB)
- Services alone or in any combination are limited to 40 hours per calendar week (p.42) (excluding respite, case management, and home adaptations).



# List of Services

- Case Management
- Homemaker
- Personal Care
- Adult Day Health Care
- Adult Day Training
- Supported Employment
- Respite
- Attendant Care
- Environmental and minor Home Adaptations
- Behavioral Supports
- Community Living Supports
- Occupational Therapy
- Physical Therapy
- Speech Therapy



# Providers

- All currently certified/licensed providers in **good standing (not under moratorium, decertified, or terminated)** in the HCB and SCL waivers may provide Michelle P Waiver (MPW) services.
- Use current provider ID numbers
- Re-enrollment is not required.





# Section II: Billing Process



# Section III: Eligibility and Enrollment



# Eligibility Criteria

1. Individual must have a diagnosis of MR or DD; and
2. Individual must meet ICF/MR-DD criteria as defined in 907 KAR 1:835E OR meet Nursing Facility level of care as defined in 907 KAR 1:022; and
3. Meet Medicaid financial eligibility.



# Definition of Mental Retardation

An individual who has significantly sub-average intellectual functioning, an IQ of 70 or below; concurrent deficits or impairments in present adaptive functioning in at least 2 of the following areas:





# Definition of Mental Retardation

(continued) communication, self-care, home living, social or interpersonal skills, use of community resources, self-direction, functional academic skills, work, leisure or health and safety and has an onset prior to 18 years of age.



# Definition of Developmental Disability

- a. a severe chronic disability that is attributable to:
  - 1. cerebral palsy or epilepsy, or
  - 2. any other condition, excluding mental illness, closely related to mental retardation resulting in impairment of general intellectual functioning or adaptive behavior similar to that of an individual



# Definition of Developmental Disability

(continued)

with mental retardation and requires treatment or services similar to those required by persons with mental retardation;

b. is manifested prior to the individual's 22<sup>nd</sup> birthday;



# Definition of Developmental Disability

(continued)

- c. Is likely to continue indefinitely; and results in substantial functional limitations in 3 or more of the following areas of major life activity:



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# Definition of Developmental Disability

(continued)

- Self-care
- Understanding and use of language
- Learning
- Mobility
- Self-Direction
- Capacity for independent living



# Michelle P. Waiver services shall not be provided to:

1. An individual who does not require a planned program of active treatment to attain or maintain an optimal level of functioning.
2. an individual who is an inpatient in a hospital
3. an individual who is an inpatient in a nursing facility or an ICF/MR/DD
4. is a resident of a licensed personal care home
5. is receiving services from another Medicaid waiver program.



# Priority Enrollment: Urgent Needs

- Offered first to persons who have an urgent need pursuant to 907 KAR 1:145, Section 7 (7)(b)
- May or may not be on the SCL Waiting List currently
- Meet eligibility criteria established in section 4 of 907 KAR 1:835E
- Process for urgent need application is in development by DMS



# Priority Enrollment

- The Department for Medicaid Services (DMS) shall then enroll persons remaining on the SCL Waiting List who meet the eligibility criteria in chronological order.






## Priority Enrollment (continued)

- Once all the above individuals have been offered enrollment the Department of Medicaid Services shall utilize a first come, first served priority basis to offer enrollment to individuals who meet the eligibility criteria described in Section 4 of the MPW regulation.




# Priority Enrollment (continued)

- The Michelle P. Waiver will serve approximately 3000 individuals in its first year of operation, 4500 individuals the second year, and 6000 individuals in the third year.
- After the initial group of individuals is offered services, DMS will offer services to a new group of people from the SCL waiting list periodically over the course of the first year.



# **Michelle P Waiver Assessment Process Flow Chart**



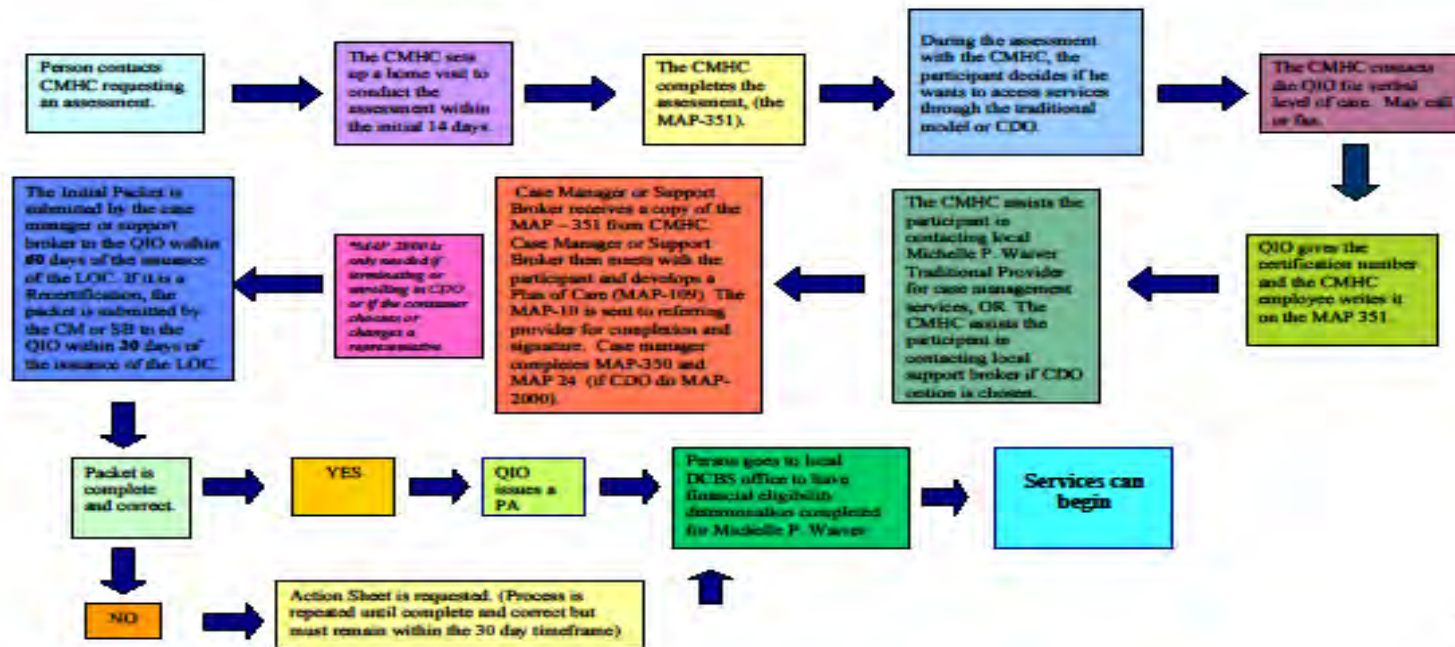


# Assessment/Reassessment Service

- This service will be provided as an administrative function through contracts with the Community Mental Health Centers.
- Conducted by an assessment team.



# Michelle P. Waiver Assessment Flow Chart



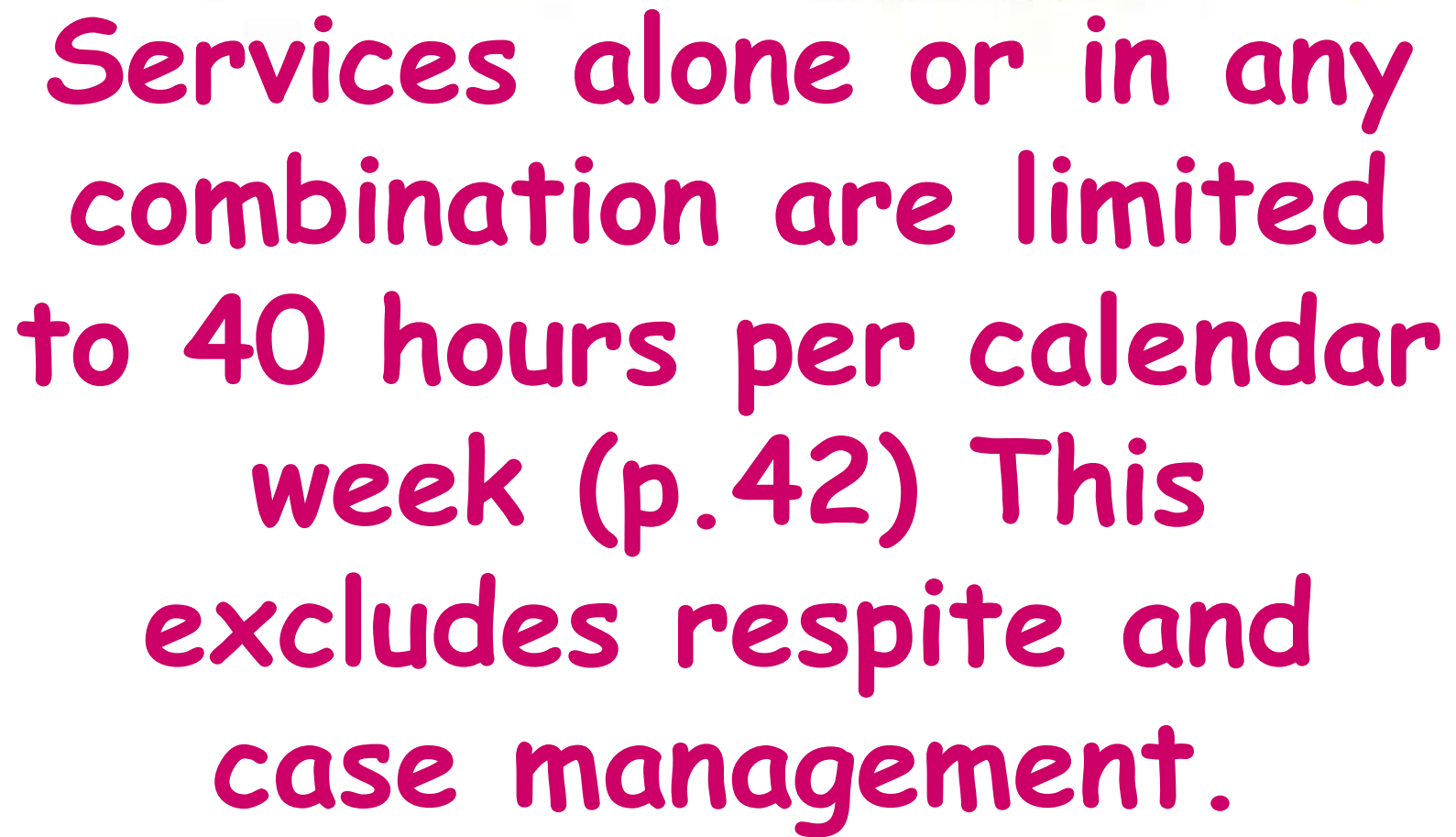


# QIO Information

- Carewise contact number
  - 1-800-292-2392
  - Option 6 for All Waivers, then
    - Option 2 for all other waiver inquires, then
    - Option 1 for Michelle P. Waiver
  - Fax: 1-800-807-8843
  - You may access PA information on KYHealthnet at <https://sso.kymmis.com>.



# Section IV: Covered Services



**Services alone or in any combination are limited to 40 hours per calendar week (p.42) This excludes respite and case management.**





## Covered Services shall:

- Be prior authorized by the department
- Be provided pursuant to the plan of care (MAP-109)
- Accessed within 60 days of prior authorization
- To request prior authorization, the provider shall submit a completed MAP-10, MAP-109, and MAP-351 to Carewise.

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# Direct-Contact Staff

- 18 years of age or older and has a high school diploma or GED OR 21 years of age or older
- Able to adequately communicate with recipients and staff
- Valid social security number
- Understands and carries out simple instructions
- Can keep simple records
- Managed by the provider's supervisory staff



## Assessment/Reassessment (p.16-17)

- Only CMHC's will complete this service.
- Identify recipient's needs and services.
- Evaluate physical health, mental health, social supports, and environment.
- Requested by individual seeking service or family, legal representative, physician, physician assistant, QMRP, or ARNP.



# Assessment Team

- Consists of two registered nurses (RN) or one registered nurse and one of the following:
  - Social worker
  - Certified psychologist with autonomous functioning
  - Licensed marriage and family therapist (LMFT)
  - Licensed professional clinical counselor (LPCC)





# Assessment/Reassessment

- Includes at least one face-to-face home visit by a member of the assessment team
- Performed at least every 12 months
- Cannot be retroactive



# Case Management (p.17-19)

- Case manager must have a bachelor's degree in a human service field and be supervised by a qualified professional or be a qualified professional
- Case managers can arrange for a service but not provide a service directly



# Plan of Care

- Completed on MAP-109 using person-centered guiding principles
- Reflects the needs of the recipient
- Lists goals, interventions, and outcomes
- Specify services needed along with the amount, frequency, and duration.
- Developed and signed by the case manager



# The Case Manager:

- Completes a face-to-face visit monthly
- Assures that service delivery is in accordance with the Plan of Care
- Completes a detailed monthly summary note
- Ensures the MAP-350 is signed at certification and recertification



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# Homemaker Service (p.19-20)

- Consists of general household activities
- Provided by direct-care staff
- Recipient must be unable, but would normally perform age-appropriate homemaker tasks
- Includes documentation with a detailed note

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# Personal Care (p.20)

- Provided by direct-care staff
- Age-appropriate service that consists of assistance with eating, bathing, dressing, personal hygiene, or other activities of daily living
- Recipient does not need highly skilled or technical care
- Essential to the recipient's health and welfare
- Includes documentation with a detailed note



# Attendant Care (p.20-21)

- Hands-on care provided by direct-care staff
- Recipient who is medically stable and requires support 24 hours per day
- Has a family member or other primary caregiver who is employed and not able to provide care during working hours
- Not of a general housekeeping nature
- Includes documentation with a detailed note



# Attendant Care

- Not provided to a recipient who is receiving any of the following services:
  - Personal care
  - Homemaker
  - Adult Day Health Care (ADHC)
  - Adult Day Training
  - Community Living Supports
  - Supported Employment





## Respite (p.21-22)

- Short-term care provided by direct-care staff based on the absence or for relief of the primary caregiver
- Provided at the recipient's place of residence or at an ADHC
- Used no less than every 6 months
- Includes documentation with a detailed note

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# Environmental/Minor Home Adaptations (p.22)

- A physical adaptation necessary to health, welfare, and safety
- Meets all applicable safety and local building codes
- Relates strictly to the recipient's disability and needs
- Submitted on a form MAP-95 for prior authorization
- Includes documentation with a detailed note

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# Occupational Therapy (p.23)

- Physician ordered evaluation of level of functioning by applying diagnostic and prognostic tests
- Physician ordered services provided by an Occupational Therapist (OT) or OT Assistant with supervision
- Training of providers on improving functioning
- Exclusive of maintenance or prevention of regression
- Includes documentation with a detailed note

# Physical Therapy (p.23-24)

- Physician ordered evaluation of level of functioning by applying muscle, joint, and functional ability tests
- Physician ordered services provided by an Physical Therapist (PT) or PT Assistant with supervision
- Training of providers on improving functioning
- Exclusive of maintenance or prevention of regression
- Includes documentation with a detailed note





# Speech Therapy (p.24)

- Physician ordered evaluation of a recipient with speech or language disorder
- Physician ordered habilitative services provided by a Speech-Language Pathologist
- Training of providers on improving functioning
- Includes documentation with a detailed note



# Adult Day Training (p.24-27)

- Goal is to support the recipient in daily, meaningful routines in the community
- Focus on activities of daily living, self-advocacy, adaptive and social skills, and vocational skills
- Can be provided on-site or off-site
- Not diversional in nature



# Adult Day Training

- Provided to persons age 22 or older
- Can be provided to persons age 16 - 21 as a transition process from school
- Conduct an orientation annually about supported employment opportunities
- Includes documentation on a detailed monthly summary note

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# On-site Adult Day Training

- Includes site-based services provided on a regularly scheduled basis.
- Leads to the acquisition of skills and abilities to prepare the recipient for work or community participation
- Preparation for transition from school to work or adult support services



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# Off-site Adult Day Training

- Provided in a variety of community settings
- Access to community-based activities that can't be provided by natural supports
- Designed to increase access to community resources and general population
- Provided using a group approach or mobile work crew



# Supported Employment (p.27)

- Intensive, ongoing support to maintain paid competitive employment
- Provided on a one-to-one basis
- Can include personal care
- Provided in a variety of settings (excluding the provider)
- Provided by staff completing Supported Employment training
- Includes documentation in a detailed monthly summary note

# Behavioral Support (p.28)

- Begins with a functional assessment that includes:
  - Analysis of communicative intent
  - History of reinforcement for the behavior
  - Critical variables that preceded the behavior
  - Effects of different situation on the behavior
  - Hypothesis regarding the motivation and purpose of the behavior

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# Behavioral Support Plan

- Includes the development of a behavioral support plan by the behavioral specialist
- The plan is the systematic application of techniques and methods to influence or change challenging behavior in a desired way
- Implemented in all relevant settings
- Revised as necessary



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# Behavioral Support Plan

- Designed to equip the recipient to communicate her/his needs and wants
- Includes a hierarchy of behavior interventions ranging from least to most restrictive
- Reflects the use of positive approaches
- Prohibits the use of restraints, seclusion, corporal punishment, verbal abuse, and other restrictive procedures

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# Behavior Support Specialist

- Has a master's degree from an accredited institution with formal graduate course work in behavioral science and at least one year experience in behavioral programming
- Provides training to other providers concerning plan implementation
- Monitors progress by analyzing data and reports
- Completes documentation using a detailed staff note

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# Adult Day Health Care (ADHC) (p.30-32)

- Licensed according to 902 KAR 20:066
- Provided to a recipient who is at least 21 years of age
- Includes developing, implementing, and maintaining nursing policies for nursing and medical procedures
- Includes respite care services



# ADHC Health Team may include:

- Physician
- Physician assistant
- ARNP
- RN
- LPN
- Activities Director
- Physical Therapist
- PT Assistant
- Occupational Therapist
- OT Assistant
- Speech pathologist
- Social Worker
- Nutritionist
- Health Aide
- LPCC
- LMFT
- Psychologist





## ADHC basic services and necessities

- Skilled nursing services provided by an RN or LPN including ostomy care, urinary catheter care, decubitus care, tube feeding, venipuncture, insulin injections, tracheotomy care, or medical monitoring
- Meal service corresponding with hours of operation with a one meal per day minimum



# ADHC basic services and necessities

- Snacks
- Supervision by an RN
- Age and diagnosis appropriate daily activities
- Routine services that meet daily personal and health care needs



# ADHC Plan of Treatment

- Developed annually and signed by each member of the treatment team
- Includes diagnosis, mental status, services required, frequency of visits to the center, prognosis, rehabilitation potential, activities permitted, nutritional requirements, medications, safety measures and other information



## Community Living Supports (p.32-33)

- Provided to facilitate independence and promote integration into the community
- Provided to recipients residing in her/his own home or family's home
- Provided on a one-to-one basis
- Not provided at an adult day training or children's day habilitation site
- Includes documentation on a detailed monthly summary note





# Community Living Supports include:

- Routine household tasks
- Activities of daily living
- Personal hygiene
- Shopping
- Money management
- Medication management
- Socialization
- Relationship building
- Leisure choices
- Community activities
- Therapeutic goals



# Services that can be provided by SCL Providers under MPW

- Case Management
- Homemaker
- Personal Care
- Adult Day Training
- Supported Employment
- Respite
- Attendant Care
- Environmental & minor home adaptations
- Behavior Supports
- Community Living Supports
- Occupational, Physical, and Speech Therapy



# Note for SCL Providers

- Attendant care, personal care, and homemaker service can be provided under the Michelle P Waiver by SCL providers in **good standing (not under moratorium, decertified, or terminated)** without additional approval.



# Note for SCL Providers (cont'd)


- If you are currently **not certified** to provide the following services, you must be approved to do so prior to providing them for Michelle P:
  - Respite
  - Occupational, Physical, & Speech Therapy
  - Adult Day Training
  - Behavior Support
  - Supported Employment
  - Community Living Supports





# Services that can be provided by Home Health Agencies under MPW

- Case Management
- Homemaker
- Personal Care
- Respite
- Attendant Care
- Environmental & minor home adaptations
- Community Living Supports
- Occupational, Physical, and Speech Therapy

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# Services that can be provided by Adult Day Health Providers under MPW

- Case Management
- Adult Day Health Care Basic Service
- Supported Employment
- Respite
- Adult Day Training
- Environmental & minor home adaptations
- Occupational, Physical, and Speech Therapy

# Consumer Directed Option (CDO)

- Michelle P. Waiver recipients have the option to consumer direct
- Non-medical services (personal care, attendant care, respite, homemaker, community living supports, supported employment, adult day training) may be consumer-directed
- Support Broker services will be provided by CMHC's (except in Region 8: Comprehend)
- A recipient choosing CDO should contact the local CMHC



# Incident Reporting Process

- SCL providers will continue to document and report incidents in accordance with current practice.
- Home and Community Based Waiver providers will continue to document and report incidents in accordance with current practice.





# Michelle P Waiver Contacts

Department for Medicaid Services  
Contacts:

Lyris Cunningham (502) 564-5560

[LyrisD.Cunningham@ky.gov](mailto:LyrisD.Cunningham@ky.gov)

Sheila Davis (502) 564-5560

[Sheila.Davis@ky.gov](mailto:Sheila.Davis@ky.gov)



# Michelle P Waiver Helpful Websites

- Department for Medicaid Services
  - <http://chfs.ky.gov/dms/>
- Michelle P Waiver Website
  - <http://chfs.ky.gov/dms/mpw.htm>
- SCL Waiver Website
  - <http://chfs.ky.gov/dms/scl/>
- HCB Waiver Website
  - <http://chfs.ky.gov/dms/hcb/>