



Let's Talk About Community Classes

CFS

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IDGS - Individual Directed Goods & Services

IDGS Guidance SD Document 3-10-22 Page 23

Participants who choose to self-direct their services and take on Budget Authority may receive IDGS as a waiver service. Individual Directed Goods and Services (IDGS) are services, equipment or supplies not otherwise provided through OPWDD's HCBS waiver or through the Medicaid State Plan that address an identified need in a participant's service plan. Self-Direction funds cannot be used to purchase an IDGS service that is available under the State Plan.

Community Classes

Community Class SD Guidance 3-10-22 Page 24

Self-directed supports through IDGS offer great opportunities for people with developmental disabilities to purchase **community-based classes** that **teach a subject**, are **open to the public**, and result in **active engagement** and participation in **integrated community** settings.

Each of the following are excluded from being funded with the IDGS as a Community Class:

- Classes that duplicate any Medicaid State Plan or HCBS Waiver service or are conducted by an entity that delivers such services.
- Classes where participation is restricted solely to people with intellectual/developmental disabilities (I/DD);
- Classes where there are not established published fees.
- Classes that are credit bearing for matriculating students;
- Classes in a setting accessed only by people with I/DD (not including paid staff support), including all certified settings; and
- Classes that do not adhere to the standards identified in the broader IDGS rules and standards (e.g. experimental therapies).

Participation in specialized classes that take special needs, such as physical limitations or beginner level learning, into consideration are appropriate as long as those specialized classes are open to the broader public. Private classes and lessons are allowable as long as they relate to an integration goal and the lessons are not taking place privately for the purpose of segregating the participant.

Community Classes

IDGS Chart Community Classes 5-6-22 Page 1

Classes available to the **general public** in any **subject area** that relates to a person's valued outcomes (Art, Dance, Exercise, Cooking, Computer Training, Etc.)

- Sessions with a private trainer (physical education/exercise) may be covered as long as the service relates to a valued outcome).
- Classes must be related to a habilitative need in the individual's person-centered plan and **not just for recreational purposes.**
- Classes must be non-credit bearing; IDGS funding is for non-matriculating students.

IDGS - Not Allowed

IDGS Chart Pages 10 & 11 5-6-22

- Academic tutoring is not funded through the IDGS. This service should be pursued through the school district or college setting. Academic tutoring/homework assistance is not an appropriate task for self-hired staff.
- Activity fees, expenses, and meals incurred by individuals are not reimbursed with IDGS funds and must be paid by the individual or his/her family.
- On-going therapies that are provided directly to the person are funded through the individual's State Plan Medicaid Card or, if the individual is school-aged, through the local school district, and are not funded under IDGS.
- Experimental therapies are not reimbursable in any clinical category within IDGS and are not a permitted expense in the OTPS payment category.

OPWDD expectations for vetting classes

Additional Clarification from OPWDD (FI Training, Emails)

- ▶ Every item and service should be thoroughly vetted within category prior to reimbursement to ensure the activity meets the standards for Medicaid billing and is conflict free. This should happen prior to budget submission. (FI 3 Training Slide)
- ▶ Broad based class not subject based (such as reinforce communication skills, reinforce proper social skills, foster relationships, and look for new social opportunities). Broad based approach in assisting a person can be addressed via the existing HCBS Waiver services. (Email from Chad)
- ▶ Duplicative or takes on the appearance of an HCBS Waiver services (Comm Hab, Day Hab, Respite, Prevoc, SEMP) (Email from Chad)
- ▶ Not truly open to the public but rather serving individuals with a range of intellectual or developmental disabilities. (Email from Chad)
- ▶ Clinical in nature or could be addressed via Medicaid State Plan Services. (FI Level 3 Training)
- ▶ Day long (over two hours) – potentially duplicative of day hab or more of a conference or program (FI Level 3 Training)

OPWDD expectations for identifying and resolving red flags - FI 3 Training

FIs should look for red flags including:

- ▶ Subject based not too broad based. Why would the yoga instructor also be teaching art?
- ▶ Duplication of OWPDD/Medicaid Services
- ▶ Duplication of services that can be provided through community habilitation. Is the vendor providing a service that can be provided by a DSP.
- ▶ Clinical services – does the vendor use licensed clinical providers and can that be funded in a different way.
- ▶ Should not say they are FI/Self Direction Approved. Classes open to the public would not normally post limitations, not needing to be categorized as open to the public or say they are self-direction approved.
- ▶ A vendor funded by OWPDD should be through a direct provider purchased model as stated in the recent ADM (administrative memorandum)
- ▶ Classes should be subject-based and general interest not of clinical nature.
- ▶ Prices must match on vendor's site and the flyer

More red flags which need to be addressed

- ▶ Day-long programs - duplicative of a day hab program, a few hours - a full day is more of a conference not a class. What is structure, what is schedule?
- ▶ Class length no specific time but you must determine if it is more than it should be
- ▶ Social skills classes for children - many family support contracts state-wide provide social skills classes, or state education, and family support. Not everything has to be funded through the self-direction plan, sometimes it can be funded elsewhere – or not readily achievable.
- ▶ The FI is the payer of service and Waiver Provider of Record - at end of the day it is the FI billing that needs to be upheld by Medicaid. FI must do research, the more homework you do the safer you are. Content and quality must be vetted by FI.
- ▶ FI's have the right to be suspicious if there are issues that seem not above board. If you need to do a cold call or unannounced visit.
- ▶ FI's need to identify if there are red flags as identified above and address these red flags.
- ▶ On a regional level – network as providers. Best practice is having a group of providers meet regularly to review and develop consensus.

Self Direction for Children

SD Guidance Self Direction Budgets for Children – page 14 3-10-22

- ▶ Approval of a Self-Direction Budget is contingent on the participant's enrollment in the HCBS waiver. Enrollment in the waiver requires the identification of a need for ongoing waiver services that is not available through other sources.
- ▶ For children who are at least four years of age and younger than seven years of age, it would be unusual for Community Habilitation to be justified as typical supports come from family and school. **Social skill building can often be achieved through FSS programs.** This age group is typically more appropriate for respite and FSS support use. If the family, Support Broker, and Care Manager (CM) determine that Community Habilitation is appropriate for a child in this age range, clear age appropriate habilitative goals and outcomes must be included within the child's Staff Action Plan and would be subject to audit protocols for the waiver service.
- ▶ **For all children who are eligible to receive service from the State Department of Education (SED), those services must be utilized before self-directed services. Self-directed services cannot be duplicative, nor can they overlap with SED services.** The schedule for waiver service must not overlap with the planned schedule for educational instruction. If a child is homeschooled, the times when the homeschooling actually takes place can be considered, instead of standard school hours, as the times when SED services are occurring.

1. Be related to a valued outcome in the person's plan – Indicate date of Life Plan and the valued outcome that is listed.

12/15/22 page 6 Valued outcome - I would like to learn new language and further explore musical interests.

Page one - About me - Because of self-direction I have discovered that I am a talented artist: I draw, make ceramics, sculptures, paint, play piano and violin.

Page four - My Happiness - I enjoy making music on my violin.

2. Be related to a habilitative goal in the person's person-centered plan. Indicate how this class will support attaining, maintaining, and/or improving skills. (Consider what is the true need of the individual and how does this translate back to the community class).

Violin lessons will support Joe to improve and maintain his violin skills. Violin lesson will take place with an instructor on a one-to-one basis which is common for lessons for musical instruments.

3. Indicate how the class/course content/curriculum demonstrates that clear and measurable outcomes for the class subject can be achieved.

Discussion with the violin teacher and review of their website, demonstrates that the class and course content will result in measurable outcomes being achieved – Joe will be able to learn music on his violin.

4. How will the team evaluate effectiveness and measure that outcomes mentioned are achieved?

Joe enjoys playing the violin; however, he needs to continue to receive violin lessons to maintain his current skills as well as learn new and more advanced skills. His mother will evaluate effectiveness of the class by speaking with the instructor and Joe and observing Joe's actual skills when playing. The team will review and document Joe's progress at Life Plan meetings.

7. This class must result in active engagement. Please list how the individual supported will be actively engaged in the class.

This class will be provided live and with active engagement with the instructor. Joe will play the violin and receive verbal, gestural and physical prompts to learn and maintain skills.

6. How often and for **how long** does the individual anticipate taking the class (frequency and duration)?

Twice weekly - ongoing

7. This class must be open to the public. The provider cannot be an entity that delivers HCBS Waiver or Medicaid State Plan services. There needs to be an established published fee. Those fees cannot be different than others are charged and should be consistent with the cost of similar subjects/classes.

3a. Indicate website AND attach brochure or screenshot of description of class and fees from website.

3b. Are the fees in line with other classes of a similar subject/class? Yes No

3c. **What are the fees for this class and when is payment expected due?**

The fee is \$50 per half hour session which is consistent with other classes that were vetted. Payment is expected at the end of each session. The parent agreed to pay and be reimbursed.

3d. **What is the structure and schedule of the class (consider that classes with duration more than 2 hours in a daily session would be more like a program)?**

The class is given in half hour- or hour-long sessions. The class is scheduled based on student/teacher availability. This is consistent with musical instrument classes.

8. Describe the process that went into selecting this vendor (credentials, reference checks, online reviews, in person visit, vendor interview, etc.)

Joe's mom found this vendor online and interviewed her in person and determined her to be a good match. Her rates are reasonable. She had good online references, a website and a flyer.

9. This class must be in an integrated community setting (cannot be restricted solely to people with I/DD). Please list where this class takes place and describe how this is an integrated setting.

This class will take place in the vendors home music studio. This is a common location for violin lesson. The instructor mentioned that group sessions are possible if Joe is interested in musical collaboration and if he would like to participate in a recital. She offers music lessons to children and adults without any restrictions.

10. Is funding available for this in your self-directed budget? Yes No (If No, classes cannot be reimbursed without funding)

11. Explain how this class is not duplicative of services/supports available under HCBS Waiver (ex: Comm Hab, Respite, State Education (for school aged children), Access VR or State Plan Medicaid Services (medical/clinical) or other Self Direction line.

A subject like violin is not part of other HCBS waiver services, Access VR or State Plan Medicaid Services. This is not duplicative of any other services/supports that are available. I will utilize my Comm Hab staff to remind me to practice violin lessons, but they are not skilled to teach me how to play violin.

Community Class Review Process at CFS

- ▶ Broker or Individual/Family complete community class justification form. Use the form to ensure each question supports the request clearly and thoroughly.
- ▶ Classes might be approved with time limits and will need to be resubmitted.
- ▶ Reviewed by program leadership.
- ▶ Returned if denied or needing more information.
- ▶ Classes that have red flags that cannot be resolved internally, will be brought to an FI committee that reviews classes for feedback.
- ▶ Feedback might also be sought from our CFS Advisory Committee and our Quality Assurance team.
- ▶ Attach approved justification form to each invoice.

Questions that can be asked of class vendors

- ▶ Qualifications or credentials on the subject matter?
- ▶ Years of experience?
- ▶ References?
- ▶ How do they charge/bill?
- ▶ What are their fees? Where can they be found?
- ▶ Location of the services?
- ▶ Is the service offered online?
- ▶ Can you do hybrid if appropriate?
- ▶ Do they have a website? Social media presence?
- ▶ Online reviews exist?
- ▶ Who attends their classes? (ages, adults, children)
- ▶ Are there any barriers to participation (interview required, intake required)
- ▶ Do they follow a curriculum?
- ▶ How do they measure progress/lack of?
- ▶ What is the structure of the class?
- ▶ Is there a timeline to complete the class, levels etc?

Next Steps

- ▶ We are requesting that all classes being reimbursed/funded have an approved justification form. If one was not done, please communicate with support broker to work on this.
- ▶ We are requesting that all invoices for community classes (and other goods/services with justification forms) be attached to each invoice.
- ▶ We will be starting with reviewing any classes that had been approved for social skills classes for children and requesting resubmission of justification form for these classes.

Best Practices

- ▶ Do your own due diligence when identifying classes of interest to see if it meets the standards for community class funding.
- ▶ At life plan meetings, make sure it is very clear that there are outcomes related to community classes (and other supports/services in SD plan).
- ▶ Work with your support broker as the technical expert to help in completing the justification form.
- ▶ Keep in mind, we review classes by individual - by class. There is no list of “approved self direction classes”. Everyone's situation is different.