

Developmental Disabilities Provider Payment Changes

Facts for Individuals, their Families and Guardians

April 1, 2018

What is changing?

- North Dakota is changing the way it pays providers of developmental disability services by paying providers in a more consistent and equitable way based on the unique needs of each person and the staffing hours needed to support them. Funding for services has not been reduced.

When will the new payment methodology be implemented?

- North Dakota will begin using the new payment methodology on April 1, 2018.

Why is the Department of Human Services (DHS) making this change?

- In 2011, the North Dakota Legislature enacted Senate Bill 2043, which required the department to develop, in cooperation with service providers, a new payment system involving individualized rates, based on individual needs, using these standard assessments: **Support Intensity Scale (SIS)** for adults (defined as age 16 and older) and the **Inventory for Client and Agency Planning (ICAP)** for children (birth through age 15). This change in state law directs funding to follow individuals and staffing levels to be based on each individual's assessed needs.

What services will be affected by this change?

- Affected services include: day supports, congregate care, transitional community living facility (TCLF), minimally supervised living arrangement (MSLA), individualized supported living arrangement (ISLA), specialized placement, family care option III, intermediate care facility for the intellectually disabled (ICF/ID), supported living arrangement (SLA), and extended services.

Does the new payment system apply to everyone receiving developmental disabilities services?

- The new payment system, which is required by state law and follows a national trend toward payment systems based on individual service needs, applies to the services listed above and people receiving those services, which total about 2,400 individuals.

How was the new payment methodology developed, and how were stakeholders involved?

- DHS established a steering committee in 2011 consisting of representatives from developmental disabilities providers, the North Dakota Association of Community Providers and DHS. The North Dakota Protection and Advocacy Project joined the steering committee more recently. This group has been meeting regularly and continues to meet to implement the new payment methodology and to resolve issues. The steering committee will continue to meet to monitor the implementation.
- DHS hired a consultant to analyze and develop new rates and connect funding to assessed individual needs.
- The department notified affected individuals, their family members or guardians about the upcoming change, invited public comment and held training for providers and regional staff.

Why were these assessments chosen?

- North Dakota is using nationally-recognized assessments that are used in other states to determine individual needs and staffing. In 2009, a consultant recommended the SIS assessment, and it is now in state law.

Who is completing the assessments (SIS/ICAP)?

- DHS contracts with an independent third party vendor, the Rushmore Group, to complete the assessments. Each assessor is required to complete extensive initial training and annual training.

How are rates and hours of staffing assigned to each person?

- **SIS assessment:** A process was developed that weighs sections (Home Living Activity, Community Living Activity, Health and Safety Activities, Employment and Exceptional Medical and Behavioral Support Needs) to identify the number of hours of staffing a person qualifies for per day.
- **ICAP assessment:** A process was developed that weighs all sections of the ICAP to identify the number of hours of staffing a participant qualifies for per day.
- The methodology the steering committee selected is used for each person.

What happens if the staffing hours in a day are more than a person currently receives?

- The team will discuss if the additional hours are appropriate. If so, staffing adjustments may be made after April 1, 2018. If the team does not feel the hours are needed, this will be shown in the Overall Service Plan.

What happens if a person may need more hours of staffing than the new process identifies?

- The steering committee has developed an outlier process to address these situations. It factors in a person's unique medical and behavioral needs.
- The developmental disabilities program manager (DDPM) or the provider can schedule a team meeting to discuss the person's needs, and can complete an outlier request form if appropriate.
- DHS reviews these requests and makes a decision based on the information provided and policy.
- Through Feb. 13, 2018, the Developmental Disabilities Division received and reviewed 324 outlier requests and subsequently approved half.
- If a request is denied, a person's team may make another request if there is new or additional information that supports the need for additional staffing hours.

What happens if a provider is unable or unwilling to support a person with the hours allocated to the person?

- The DD program manager will work with the rest of the person's team to find another provider that can support the person's needs.

What happens if the person, family, or guardian does not agree with the staffing hours decision?

- Decisions are based on individual needs and factor in behavioral and medical needs.
- The person, family or guardian can discuss options with the provider, such as shared staffing or assistive technology to promote independence, etc.
- The person's team currently meets at least annually to discuss service needs and will be monitoring needs and supports.
- For adults (16 and over), a new assessment will be done every three years, unless a major life-changing event occurs prompting a new assessment. This assessment may result in a change in staffing levels.
- A new assessment will be done annually for children (birth through age 15), unless there is a major life-changing event, which requires a new assessment. Staffing levels may change based on the results.

Who should people contact if they have questions?

- DD program managers and Developmental Disabilities Division staff are available to answer questions about the new payment methodology. Division staff can be reached at 701-328-8930, toll-free 800-755-8529, or ND Relay TTY 800-366-6888 or dhsddreq@nd.gov.