

Children's Intervention & Supports Rules WebEx

16.03.09. & 16.03.10 RULES UPDATE PRESENTATION

DECEMBER 2019

Please Note

Tracked change copies of the 16.03.09 & 16.03.10 rules have been posted to the Enhancement Project Website (enhancement.dhw.idaho.gov/)

This presentation will not capture every update made to the 16.03.09 Children's Habilitation Intervention Rules and 16.03.10 Children's Developmental Disabilities (DD) Home and Community-Based Services (HCBS) State Plan Option Rules, but will be a high-level review of requested updates and clarification to the Rules.

Updates that will be reviewed today will be presented to the Legislature during the 2020 session.

If approved by the Legislature, these updates will not be implemented until sine die.

Updates throughout Intervention Rules

- ❖ Children's Habilitation Intervention Services
 - ❖ Update to CHIS
- ❖ Assessment and clinical treatment plan
 - ❖ Updated to ACTP
- ❖ Updated capitalization where needed
- ❖ Updated participant and individual where needed

Definitions

16.03.09.571

ACTP

- ❖ Removed definition. Added content to Service Definition of ACTP.

Baseline

- ❖ Removed definition. Other Implementation Plan rule content is not defined in this section of rule.
- ❖ Information is captured in the Provider Handbook.

Community

- ❖ Updated to capture services can be provided at a school, but must be outside of school hours.

Educational Services

- ❖ Added. Definition was not previously in rule.

Definitions

16.03.09.571

Intervention Services

- ❖ Removed definition. Content already captured in Services section of rule.

Objective

- ❖ Removed definition. Added content to Implementation Plan section of rule.

Recreational Services

- ❖ Added. Definition was not previously in rule.

Vocational Services

- ❖ Added. Definition was not previously in rule.

Required Recommendation

16.03.09.573.03

Clarified that the Recommendation:

- ❖ Is “only required to be completed once” and
- ❖ Must be “received prior to submitting the initial prior authorization request”

Required Screening

16.03.09.573.04

Clarified that the Screening:

- ❖ Is “only required to be completed once” and
- ❖ “Must be completed prior to submitting the initial prior authorization request”

- ❖ Removed the language that the screening must have been completed within the last 365 days

- ❖ Rule now states: “If a screening tool has been completed by the Department, or its designee, a new screening is not required”

Services

16.03.09.573.05

Habilitative Skill

- ❖ Will now be Habilitative Skill Building
- ❖ Updated group language to capture that when the needs of the participants change, the participant ratios must be adjusted from 3 to 2

Behavioral Intervention

- ❖ Updated group language to capture that when the needs of the participants change, the participant ratios must be adjusted from 3 to 2

Services

16.03.09.573.05

Crisis Intervention

- ❖ Reorganized content for flow
- ❖ Removed “emergency back up” language
 - ❖ One of the components of crisis is Intervention

Assessment and Clinical Treatment Plan

- ❖ Added content from definitions section in the header paragraph
- ❖ Comprehensive Skills Assessment/Developmental Assessment section. Updated to state that:
 - ❖ The “tool” must be the current version of the “tool”; and
 - ❖ The “tool” must have been completed within the last 365 days

Procedural Requirements

16.03.09.574

Initial Prior Authorization Requests

- ❖ Removed the requirement of the Service Eligibility Determination Form
 - ❖ This will be an optional tool that can be used

Ongoing Prior Authorization Requests

- ❖ Added “if applicable” to “new implementation plans” and “updated annual ACTP”

Retroactive Requests

- ❖ Added that the screening tool can be requested retroactively

Implementation Plans

16.03.09.574.02

Removed the following:

- ❖ Target date for completion
- ❖ Identification of the type of environment and community location
 - ❖ Still includes “locations where objectives will be implemented”
- ❖ Updated the signature, date signed and credential language as it was duplicated in the rule
- ❖ Documentation that the parent/legal guardian was offered a copy of the individual’s implementation plans
 - ❖ This does not have to be documented on the implementation plans, but the provider must document it

Program Documentation Requirements

16.03.09.574.03

Combined two of the rules for clarity:

- ❖ Updated to state “date, time and duration”

Replaced “Documentation of services provided including a statement of the participant's response to the service including any changes in his or her condition” with:

- ❖ “Summary of session or service provided”

Data documentation that corresponds to the implementation plans, added “for habilitative skill building or behavioral intervention”

Supervision

16.03.09.574.04

Removed statement that “supervision is required for the provider qualifications as defined in Sections 575.01-575.06 of this rule”

This was removed as each individual provider qualification identifies if they must be supervised and the frequency of supervision

Provider Qualifications

16.03.09.575

Habilitative Skill Technician

- ❖ Updated to Intervention Technician
- ❖ This staff can provide habilitative skill building, behavioral intervention and crisis intervention
- ❖ Update the rule from 15 semester credits to 24 semester credits

- ❖ Clarified that a staff in this position can be working towards:
 - ❖ Their bachelors degree or higher; and/or
 - ❖ Their 24 semester credits in a human services area; and/or
 - ❖ Gaining their experience; and/or
 - ❖ Completing their competency.

Provider Qualifications

16.03.09.575

Intervention Specialist

- ❖ Removed birth-three course descriptions from rule, added that they will be defined in the Provider Handbook

Intervention Professional

- ❖ Added that coursework or training can also be in “psychology” or “education” to meet the 1,500 hours for the related master’s degree or higher

Provider Qualifications

16.03.09.575

EBM Intervention Specialist & EMB Intervention Professional

- ❖ Added that the certification or credential has to be at the same level as the degree
 - ❖ For example, EMB Intervention Specialist “Holds a bachelor’s level certification or credential in an evidence-based model approved by the Department.”

Independent Providers

- ❖ Moved the list of those who meet the qualification to be an independent provider into the header paragraph and condensed to just the rule citations, rather than titles and rule citations

Continuing Training Requirements

16.03.09.575.09

- ❖ Removed requirement that CPR/First Aid, fire safety or agency policies and procedures could not be applied to continuing training requirements
- ❖ Added language to capture that for new staff that have not provided services for a full calendar year, their continuing training hours may be prorated as defined in the Provider Handbook

Updates throughout Support Rules

- ❖ Updated rules for consistency to state children's DD HCBS.
- ❖ Home and Community Based Services
 - ❖ Updated to HCBS
- ❖ Updated capitalization where needed
- ❖ Removed “goals” or “objective” where it was applied to intervention services or services being provided from an implementation plan
- ❖ Updated participant and individual where needed

Definitions

16.03.10.521

Community

- ❖ Updated to capture services can be provided at a school, but must be outside of school hours

Practitioner of the healing arts, licensed

- ❖ Updated to align with other definitions of practitioner of the healing arts

Supervisor

- ❖ Updated to clarify that a supervisor must be a specialist or professional

Coverage and Limitation

16.03.10.523

Respite

Updated group language to capture that when the needs of the participants change, the participant ratios must be adjusted from 3 to 2

Family Education

- ❖ Reorganized definition of the service for better flow

Program Documentation Requirements

16.03.10.525.04

Combined two of the rules for clarity:

- ❖ Updated to state “date, time and duration”

Replaced “A statement of the participant’s response to the service” with:

- ❖ “Summary of session or service provided”

Provider Qualifications

16.03.10.526

Community-Based Supports

- ❖ Removed duplicate language of “be at least 18 years of age”
- ❖ CBS staff are not required to have a high school diploma or GED

- ❖ Added Independent Provider
 - ❖ Must satisfactorily complete a criminal history background check
 - ❖ Must be certified and maintain CPR and first aid certification

Family Education

- ❖ Condensed provider qualification list on who can provide FE and embedded it into header paragraph