

Children's Enhancement

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Why We Are Here

- ▶ Decision made to withdraw proposed rule changes for 2019 Legislature
- ▶ We heard concerns:
 - ▶ From parents
 - ▶ From providers
 - ▶ From other advocates
- ▶ We want more time to facilitate further collaboration with all interested stakeholders.

What Does This Mean

- The dockets for 16.03.09 Medicaid Basic Plan & 16.03.10 Medicaid Enhanced Plan have been pulled.
- Negotiated Rulemaking will continue through **
- Temporary rules will take effect July 1, 2019
- Proposed rules will be presented to the 2020 Legislature for approval.

Medicaid Rules

Understanding the Rulemaking Process

Learning Objectives

- ❖ What guides Medicaid?
- ❖ What are rules?
- ❖ Why do rules change?
- ❖ How are changes agreed upon?
- ❖ What do you mean when you say “negotiated rulemaking”?
- ❖ When can I participate?
- ❖ What rules are we talking about?

What guides Medicaid?

- ▶ Medicaid is a health care program that is jointly financed by the federal government and the state of Idaho.
- ▶ The federal government sets broad national guidelines and minimum requirements for eligibility, services and methods of payment, but individual states have considerable leeway in developing custom offerings.
- ▶ Because Medicaid is a joint state/federal program, we must have BOTH state and federal authorization to operate the various Medicaid programs and those programs must comply with BOTH state and federal laws.

What are laws/rules?

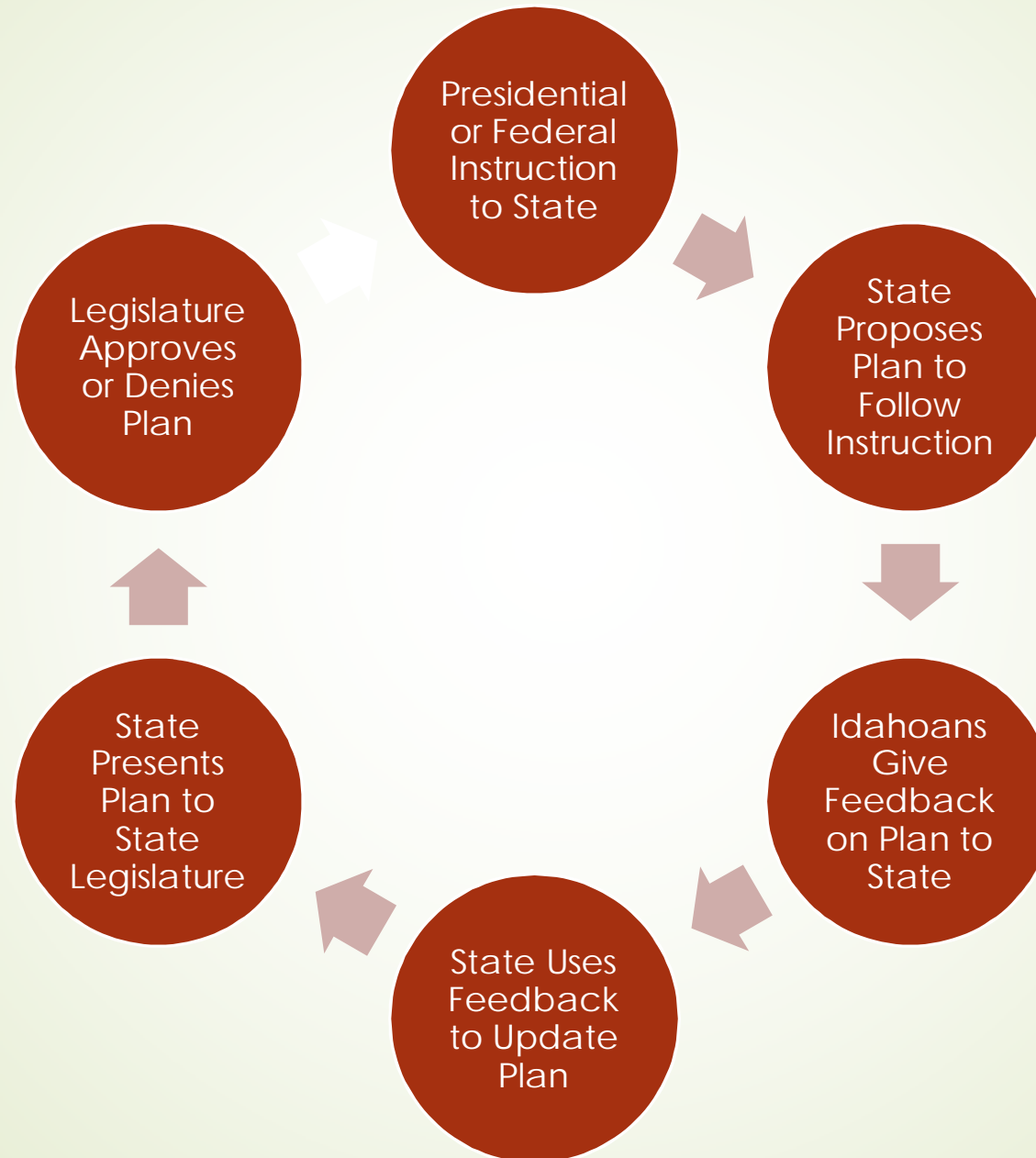
- ▶ There are two types of laws:
 - ▶ Laws made by the legislature, which are called "Statutes"
 - ▶ Laws made by agencies, which are called "Regulations" (federal) or "Rules" (Idaho)

Idaho Medicaid

- ▶ Idaho Medicaid must follow both state and federal requirements.
 - ▶ Federal requirements are Statutes and Code of Federal Regulation (CFR)
 - ▶ State Requirements are Idaho Code (Statutes) and Idaho Administrative Code (IDAPA), or rules, that explain how a law, policy, or procedures should be applied to services. called "Idaho Code"

Why do rules change?

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How are changes agreed upon?

- ▶ A process called “Rulemaking” is initiated by the Department.
- ▶ Negotiated rulemaking meetings are scheduled to present proposed rules and get comments from people who are affected by rule changes.
- ▶ Updates or changes to the proposed Rules are made based on comments received during this time.
- ▶ Comments are used to create rules that best serve the people who use these services. All comments are reviewed and considered.
 - ▶ Some service requirements cannot be changed because of State and Federal requirements.

When can I participate?

- From October of 2018 through June of 2019 Rulemaking Collaboration meetings are scheduled once a month in every Region throughout the state.
- Rulemaking Collaboration meetings will offer you the chance to hear proposals to rule changes and how those changes may affect your child's services.
- These meetings are being held to gather your thoughts about the children's intervention service proposals to best meet your needs.
- Your comments are important to the Department in moving the children's intervention services into the state plan.

What rules are we talking about?

- ▶ 16.03.09 – State Plan Services
 - ▶ Behavioral Intervention
 - ▶ Habilitative Skill
 - ▶ Crisis Intervention
 - ▶ Interdisciplinary Training
- ▶ 16.03.10 – Waiver Services
 - ▶ Habilitative Supports
 - ▶ Respite
 - ▶ Family Education
 - ▶ Family Directed Services
 - ▶ CSW
 - ▶ Equipment
 - ▶ Other Services



What is proposed?

How could my child's services be affected?

Learning Objectives

- ▶ How could my child's services be affected?
 - ▶ Intervention
 - ▶ Supports
- ▶ Where can I find information about these proposed changes?
- ▶ How can I participate?
- ▶ How can I have a say?

How will my child's intervention services be affected?

- ▶ State Plan/Intervention Services
 - ▶ Intervention based on need, not a diagnosis
 - ▶ Accessed through Medicaid card and not a budget
 - ▶ Available until 21 years of age
 - ▶ Broader provider qualifications
 - ▶ Option of Case Management

How will my child's support services be affected?

- ▶ Waiver/Supports
 - ▶ Budget determination will stay the same until 2020
 - ▶ Traditional Services supports and Family Directed Services supports
 - ▶ New respite service is proposed
 - ▶ Option to access supports through FDS and Intervention through State Plan

Where can I find information about the proposed changes?

Websites

- ▶ enhancement.dhw.idaho.gov
- ▶ ipulidaho.org (IPUL)
- ▶ icdd.idaho.gov (DD Council)

In person

- ▶ Rulemaking Collaboration monthly meetings
 - ▶ Schedule on Enhancement website
- ▶ Idaho Partnerships Conference on Human Services
 - ▶ Oct 25th and Oct 26th 2018
 - ▶ Visit our booth!
- ▶ Idaho Council for Exceptional Child (CEC) Annual Conference
 - ▶ Oct 4th and Oct 5th 2018
 - ▶ Visit our booth!

How can I participate?

Statewide Rulemaking Collaboration

- ▶ Oct 4th 2018
- ▶ Nov 8th 2018
- ▶ Dec 6th 2018
- ▶ Jan 10th 2019
- ▶ Feb 7th 2019
- ▶ March 7th 2019
- ▶ April 4th 2019
- ▶ May 2nd 2019
- ▶ June 6th 2019

Future - July 2019-Jan 2020

- ▶ Negotiated Rulemaking meetings TBA
- ▶ Proposed Rule Public Comment meetings TBA
- ▶ Presentation to Legislature in 2020

How can I have my say?

- ▶ Your thoughts and comments on these proposals are very important when developing rules. Let us know how you think your services can be improved, what you like, and what you want to change. Submit comments and feedback by:
 - ▶ Attend: Rulemaking Collaboration Meetings
 - ▶ Email: childrensdds@dhw.idaho.gov
 - ▶ Website comment form: enhancement.dhw.idaho.gov
 - ▶ Toll-Free Recorded Comment Line: 833-201-7468
 - ▶ Mail in: Idaho Department of Health and Welfare
Division of Medicaid
Attn: Carolyn Burt or Angie Williams
Medicaid Program Policy Analysts
PO Box 83720
Boise, ID 83720-0009

Term	Definition
State Plan Services	Services approved and paid for with Medicaid Card. For example PT, OT, and SLP services.
Waiver Services	Services for people with additional needs who meet the service's qualifications. For example, Personal Care Services (PCS).
Intervention	Used to decrease unwanted behaviors and/or teach new behaviors and/or skills. For example, teaching a teenager how to use a visual schedule.
Supports	Used to help a child complete activities they know how to do when assisted. For example, assist a student using a wheelchair to change into gym clothes.
Rule(s) IDAPA	Document that explains how a law, policy, or procedure should be applied to services.
Temporary (Temp) Rules	Rules that go into effect before being reviewed and approved by Legislature.
Proposed Rules	Publication of Rules for review and public comment.
Legislature	Members of the Idaho Senate and Idaho House of Representatives
Legislative Session or "Session"	Time period the Senate and House gather to review and approve law Begins in January and until March unless extended.