



Michael R. Pence, Governor
State of Indiana

Division of Disability and Rehabilitative Services
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To: Bureau of Developmental Disabilities Services Consumers Providers and Stakeholders
From: Nicole Norvell, Director, Division of Disability and Rehabilitative Services
Re: Family Supports Waiver Renewal
Date: July 9, 2015

Effective April 1, 2015, the Centers for Medicare and Medicaid (CMS) has approved the Indiana Family and Social Services Administration's request to renew the Family Supports Waiver (FSW), which is administered by the Division of Disability and Rehabilitative Services (DDRS).

As previously announced on March 24, 2015, after submitting the application for renewal of the expiring FSW to the Centers for Medicare and Medicaid Services (CMS) in December of 2014, CMS responded with questions regarding some of the content of the renewal. The Division needed additional time to review and respond, so a three month extension was requested to allow for uninterrupted services to continue beyond the expiration date of March 31, 2015. CMS granted that extension and therefore did not issue its approval until June 26, 2015.

The FSW renewal also includes an update to the FSW Comprehensive Transition Plan required by CMS to ensure that the Home and Community Based Service (HCBS) programs offered by the state follow CMS' final rule on HCBS settings, CMS-2249 & CMS-2296, published January 16, 2014.

General changes that were approved in the FSW renewal, IN.0387.R03.00, effective April 1, 2015, include:

- References to the Comprehensive Survey Tool (CST) were replaced by references to the Compliance Evaluation and Review Tool (CERT)
- References to "mental retardation" and "ICF/MR" were replaced with more appropriate language such as "intellectual disability" and "Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID)"
- Clarification of whether days were "calendar" or "business" days.
- Addition of a Transition Plan (#1) explaining how the State will assist individuals who might be adversely affected by the elimination or limitations on any services furnished under the currently approved waiver, or when existing services may be available in lesser amounts in the amendment.
- Addition of a comprehensive FSW Transition Plan (#2) related to the Final Rule changes announced by CMS in January 2014 and a CMS-required statement pertaining to the waiver amendment being subject to any provisions or requirements in the approved Statewide transition plan.



- Clarification pertaining to the State's use of contracted entities in the administration of the waiver.
- Clarification of the standards/qualifications the State requires when hiring staff who determine a participant's eligibility (level of care) using the State's level of care assessment tool and clarified the four basic conditions required for meeting level of care.
- Clarification of roles, responsibilities, and timelines related to remediation of level of care issues, processes for incident reporting, restraints, restrictive interventions, prohibition of seclusion, medication management and administration, monitoring and follow-up regarding grievances, complaints, and sentinel events, as well as State oversight responsibilities.
- Addition of a list of aversive techniques that are prohibited by the State.
- Clarification of how the participant's annual freedom of choice forms are documented and stored.
- Clarification that the IST determines the party or parties responsible for development of risk plan(s).

For Providers:

- Changed monthly reporting requirements to quarterly reporting requirements for providers
- Clarified that Criminal Background checks are only required by the State at initial application and that recheck does occur at specified intervals
- Clarification of how providers access the Division of Disability and Rehabilitative Services Home and Community-Based Services Waiver Provider Manual and the BQIS Helpline

Services changes:

- Required accreditations are to be specific to Indiana programs
- RN/LPN licensures are to be Indiana licensure
- Adult Day Services - removed requirement for 3-hour minimum and now allows billing in quarter hour units from one quarter hour unit up to the maximum 12-hours per day
- Case Management - added the need for Accreditation and revised requirement that case notes need to be at least monthly (no longer weekly) or more often as encounters occur
- Extended Services - added as a new service (replacing former Supported Employment Follow Along (SEFA) services in prior renewal) and clarified activities applicable to group services
- Music Therapy – added ability to render in groups and divide billing unit rate among the total number in the group
- Participant Assistance & Care –added ability to render in groups and divide billing unit rate among the total number in the group
- Prevocational services – added prohibition for overlapping utilization with Extended Services applicable only to new enrollees and other waiver participants who are not utilizing a combination of SEFA and Prevocational services as of as of March 31, 2015
- Recreational Therapy – added ability to render in groups and divide billing unit rate among the total number in the group
- Transportation – clarified that service may be used to access places of employment
- Workplace Assistance – replaced reference of utilization “with SEFA” to utilization “with Extended Services”

The Approved Services within the FSW renewal are:

- Adult Day Services
- Behavioral Support Services
- Case Management
- Community Based Habilitation - Group
- Community Based Habilitation - Individual
- Extended Services
- Family and Caregiver Training
- Facility Based Habilitation - Group
- Facility Based Habilitation - Individual
- Facility Based Support Services
- Intensive Behavioral Intervention
- Music Therapy
- Occupational Therapy
- Participant Assistance and Care (PAC)
- Personal Emergency Response System
- Physical Therapy
- Prevocational Services
- Psychological Therapy
- Recreational Therapy
- Respite
- Specialized Medical Equipment and Supplies
- Speech/Language Therapy
- Transportation
- Workplace Assistance

For more information about the FSW or the FSW Transition Plan, please see the [DDRS Announcements page](#).

Questions about the renewal or the FSW program should be directed to 1-800-545-7763 or to BQIS.Help@fssa.in.gov.