

THE MEDICAID WAIVER REVIEW

NEWS FROM KENTUCKY'S 1915(C) HOME AND COMMUNITY BASED SERVICES WAIVER PROGRAMS

SPRING 2024

What Waiver Services Mean to Me: Anthony Brettnacher

Thank you to Anthony Brettnacher and his family for sharing his story with us. To read other participant stories, visit <https://bit.ly/kywaiverstories>. If you'd like to share your story, email MedicaidPublicComment@ky.gov.

When Anthony Brettnacher received the opportunity to be a Make-A-Wish kid more than five years ago, he could have chosen a trip to Disney, a meeting with a celebrity, or another once-in-a-lifetime experience. If he had, who could blame him? Those all sound like a lot of fun. Instead, Anthony, now 12, decided to use his wish on something that would bring joy to himself and his friends for many years to come. In 2022, after delays caused by the COVID-19 pandemic, his wish became a reality when a new accessible playground opened at the Kentucky School for the Blind (KSB) in Louisville.

Anyone who knows Anthony isn't surprised by his generosity and care for others. Affectionally named the "Mayor of the Kentucky School of the Blind", the sixth grader is a popular figure on campus due to his outgoing demeanor and loves to make friends wherever he goes. Anthony is visually impaired due to brain damage caused by a benign brain tumor, which doctors discovered when he was two years old. Following emergency surgery on the tumor, Anthony suffered a stroke and lost his vision. He also has limited use of the left side of his body and other medical conditions.

In addition to attending KSB, Anthony receives services through Kentucky Medicaid's Home- and Community-Based (HCB) waiver. His mother, Cierra, began researching the waiver programs at the suggestion of a case manager at Frazier Rehabilitation Hospital in Louisville. Anthony started receiving HCB services three years ago. The whole family has benefitted from the support.

"It has made a huge difference in quality of life for both Anthony and myself," says his mother, Cierra.

The HCB waiver helped cover the cost of a ramp for the family's home, making it easier for Anthony to get in and out of the house in his wheelchair. Anthony and Cierra also expanded his care team by using the Respite service.

"It allows me to have much-needed time not focusing on Anthony and being able to take care of myself," says Cierra.

Building a community of support around Anthony is important to Cierra and a goal they are constantly working toward.

"I also am a huge supporter of networking, building our village. In our case specifically, this includes building relationships with adults who have various disabilities (especially blind adults), so that he and other kids have role models who accurately reflect what is possible in their future," says Cierra.

Their network building isn't just beneficial to them, it helps others too.

"I had two moms I have become friends with ask me for favors, nothing big, but it helped them tremendously. And I know I can always ask them for favors. We help each other make it all work. And we can lean on each other when it gets tough and emotional," says Cierra.

Their experience finding the HCB waiver, and knowing how much it can improve quality of care, now compels both Anthony and Cierra to

advocate for all individuals and families. Cierra often shares her knowledge with fellow special needs families. She has served as president of the Parent, Student, Staff Organization at KSB, and as a parent advocate for students who need individual education plans and their families. Both Cierra and Anthony have also appeared in Frankfort numerous times to advocate. Cierra is very excited about the recent Children's Waiver Feasibility Study and the potential for home- and community-based services targeted specifically to children.

Cierra's biggest piece of advice for families in a similar situation is to learn as much as they can about the diagnosis and the resources available to help.

"Diagnoses can be scary, it can be overwhelming to navigate the medical world and the resources available. The best thing you can do for the person you are caring for is educate yourself. And the best way to educate yourself is to ask questions. Don't be afraid to ask questions at doctor appointments, ask your case manager if there is something that you aren't currently taking advantage of, utilize social media to find people in similar situations and ask questions, use the CHFS website. And of course, build your village," says Cierra.

Anthony and Cierra continue to find new and exciting ways to build his village. In the spring of 2023, Anthony joined a Miracle League Baseball program in Louisville. The league gives children with physical, cognitive, and/or emotional disabilities an opportunity to play an organized sport.



Anthony and his mom, Cierra, at a Make-A-Wish gala where he received an award for donating his wish.



Anthony is a sixth grader at the Kentucky School for the Blind.



Anthony began playing Miracle League Baseball in spring of 2023.

NEWS FROM KENTUCKY'S 1915(C) HCBS WAIVER PROGRAMS

"I only found this through a friend who has two kids who play and Anthony loves it," says Cierra.

Looking toward the future, Anthony and Cierra plan to continue advocating and finding resources, like the Miracle League, not only so he can thrive but so others can too.

Learn More about Anthony

Norton Children's | [Boy Regains Use of Left Side of Body after Brain Tumor, Stroke](#)

Kentucky Department for Education | [New Accessible Playground Unveiled at the Kentucky School for the Blind](#)

WDRB | [Hug Machine Built for 9-year-old 'Mayor of Kentucky School for the Blind' for His Birthday](#)



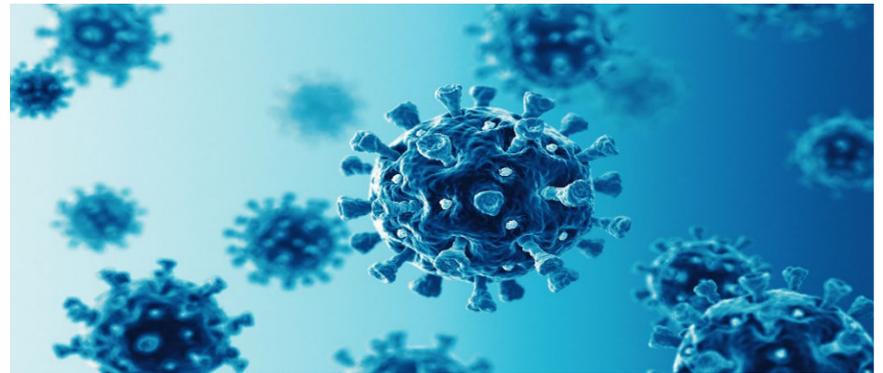
Calling All Waiver Participants!

We want to hear from YOU! If you are interested in sharing your story and how waiver services have helped you, we'd love to feature you in the newsletter. You can email MedicaidPublicComment@ky.gov for details on how to participate and share your story. We want to hear from as many participants as possible!

Appendix K to End May 1, 2024

Kentucky's COVID-19 Appendix K amendment is scheduled to end soon. The Department for Medicaid Services (DMS) received approval for multiple Appendix K amendments between 2020 and 2023 to help providers and participants through the challenges of the COVID-19 public health emergency. In November 2023, DMS submitted updated waiver applications to the Centers for Medicare and Medicaid Services (CMS) to make some Appendix K changes permanent. CMS recently approved the updated waiver applications with an effective date of May 1, 2024. **This means any Appendix K policy that is not included in the updated waiver application will end on May 1, 2024.** DMS has several resources available for stakeholders about which Appendix K flexibilities will become permanent and which will end.

- Appendix K Update Webinar Recording <https://youtu.be/EuKQHJg0qvM?si=oJ5g6K6-egKfKrd0>
- Appendix K Update Webinar Presentation <https://bit.ly/KYAppKSept25Webinar>
- Appendix K Flexibilities and Policy Decisions: At a Glance <https://bit.ly/KYAppKPolicyDecisions>
- Appendix K Frequently Asked Questions <https://bit.ly/KYAppKFAQ>
- Provider Letter: Notice of Appendix K End Date <https://bit.ly/KYAppKEndDate>



DMS is also developing new, recorded webinars about the end of Appendix K for participants and providers. Be on the lookout for the release of those recordings soon! To make sure you receive updates, you can subscribe to email updates by following the directions available at <https://bit.ly/GetKYLTSSUpdates> or by emailing MedicaidPublicComment@ky.gov. For questions about the end of Appendix K, providers should reach out to the contacts below:

- Acquired Brain Injury (ABI) and ABI Long Term Care (ABI LTC) – (844) 784-5614 or 1915cWaiverHelpDesk@ky.gov
- HCB or Participant Directed Services (PDS) – (877) 315-0589, option 3 or HCBInquiries@ky.gov
- Michelle P. Waiver (MPW) or Supports for Community Living (SCL) – Contact Your Quality Administrator
- Medicaid Waiver Management Application (MWMA) Technical Assistance – (844) 784-5614, option 1 or MedicaidPartnerPortal.Info@ky.gov

Participants with questions can contact the 1915(c) Waiver Help Desk at (844) 784-5614 or 1915cWaiverHelpDesk@ky.gov.

Model II Waiver (MIIW) Approval

The updated MIIW application took effect on February 1, 2024, after receiving approval from CMS. In the case of MIIW, DMS only made updates to ensure the temporary 50% Appendix K rate increase continued. Any provider billing the 50% rate must submit a Rate Increase Attestation Form to DMS and pass through 85% of the increase to direct care staff. The rate increases will remain in place until the implementation of the rate methodology study developed during the 1915(c) waiver rate study and subsequent budget allocation.

If you have questions about the MIIW program, please contact the 1915(c) Waiver Help Desk at (844) 784-5614 or 1915cWaiverHelpDesk@ky.gov.

Stay Tuned!

The amended waivers include some policies that DMS will begin to implement after May 1, 2024. More information will be shared soon.

A new definition of legally responsible individuals (LRIs) and updated screening process for hiring LRI PDS employees.

Transition of Speech, Occupational, and Physical Therapy in ABI/ABI LTC waiver to the state plan

NEWS FROM KENTUCKY'S 1915(C) HCBS WAIVER PROGRAMS

OTHER NEWS AND NOTES



Changes Coming to EVV – Provider Action Needed



In 2021, DMS implemented electronic visit verification (EVV) for most 1915(c) HCBS waiver programs. EVV is used to capture data about in-home service visits electronically. A complete listing of services required to use EVV is available at <https://bit.ly/kyevvservices>. EVV is a requirement of the federal 21st Century Cures Act. In 2024, DMS plans to transition the vendor

for the state-sponsored system from Netsmart to Therap. Therap currently supplies the state-sponsored EVV system for MIIW, Home Health, and Private Duty Nursing services. DMS implemented EVV for those providers in 2023. Waiver providers can learn more about the transition to Therap in the Intro to Therap Provider Letter available at <https://bit.ly/KYPCSEVVMeeetTherap>.

To ensure 1915(c) HCBS providers do not miss critical updates about this transition, DMS is asking provider agencies to complete the survey available at <https://forms.gle/2r1TM8gkblKEeCpE7>. As a reminder, Kentucky EVV information and updates are also available at <https://bit.ly/KYEVVWebsite>. If you have questions about the transition to a new vendor, contact the 1915(c) Waiver Help Desk at (844) 784-5614 or 1915cWaiverHelpDesk@ky.gov.

Spotlight – Community Resource Listing

Did you know DMS keeps a list of helpful resources for waiver applicants and participants? DMS just updated the list in January of this year to include additional non-Medicaid resources, programs, and support groups that may be helpful to participants. The listing is available online at <https://bit.ly/KYWaiverResources>. If you know of a resource that may help waiver participants that is not on the list, email us at MedicaidPublicComment@ky.gov.



Waiver Service Spotlight – Goods and Services



There are many services available through 1915(c) HCBS waivers to help participants progress toward increased independence in the home and promote community inclusion. One of these waiver services that help participants meet person-centered needs and goals is called Goods and Services. When utilizing Goods and Services, there are some important points to remember. Any good or service must:

- Be linked to a participant's person-centered need identified through the completed waiver-specific assessment, reflected in the participant's person-centered goals and objectives, and documented in the person-centered service plan.
- Reduce the participant's need for other Medicaid services, promote inclusion in the community, enhance independence, and/or increase participant safety in the home environment.

Goods and Services are available to waiver participants for items and/or services meeting the criteria above, that cannot be accessed or obtained through Medicaid state plan benefits. Many goods and services are covered by the state plan and can be found using the appropriate fee schedule at <https://bit.ly/KYDMSFeesandRates>. An example of a state plan benefit that can be utilized by waiver participants under the age of 21 is Medicaid's Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit. All waiver participants can request state plan services in addition to waiver services already being accessed. To learn more about Goods and Services, contact the 1915(c) Waiver Help Desk at (844)784-5614 or 1915cWaiverHelpDesk@ky.gov.



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This newsletter is produced by the Kentucky Department for Medicaid Services, Division of Long-Term Services and Supports

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