



Maryland Developmental Disabilities Council

EMPOWERMENT • OPPORTUNITY • INCLUSION

Rhonda Workman, Director of Federal Programs
Developmental Disabilities Administration
201 W. Preston Street
Baltimore, MD 21201

September 1, 2017

RE: Community Supports Waiver Application - Comments

Dear Rhonda:

The Maryland Developmental Disabilities Council (Council) submits the following comments regarding the Developmental Disabilities Administration's Community Supports waiver application. We appreciate the Administration's work to design a new waiver to expand access to essential supports and services and for the opportunity to participate.

NUMBER OF INDIVIDUALS SERVED & RESERVED CAPACITY: Appendix B-3 (pages 4-9)

Based on DDA's stated goal for establishing this new waiver and the Council's support for it, we believe the total number of individuals served should be increased, particularly in years 2-5. Our understanding is that DDA intends to expand capacity (serve more people) through implementation of the Community Supports and Family Supports waivers, reaching well into the crisis prevention category of the waiting list. It does not appear that the proposed total capacity and reserve capacity configuration will accomplish this.

The application states that "The State may reserve a *portion* of the participant capacity of the waiver for specified purposes." However, the reserve capacity categories established in DDA's application total 448 while the participant capacity is only 400. This means that only individuals in a reserved capacity category will be served, leaving very little space for individuals on the waiting list.

Individuals in the following reserved capacity categories will not be on the waiting list and total 80: Military Families (5), Previous DDA Waiver Participants with New Service Need (10); Psychiatric Hospital Discharge (5); State Funded Conversions (50); and Money Follows the Person (10).

Individuals in these categories would be on the waiting list but total only 18: Families with Multiple Children on Waiting List (3), and Waiting List Equity Fund (5); and Emergencies (10). Although not everyone in an emergency is on the waiting list.

The majority of the reserved capacity is for transitioning youth (350). Every year for the past two plus decades, all governors have included specific funding for transitioning youth – usually full funding. In FY2018, Governor Hogan provided funding for 789 transitioning youth **in addition to** funding for 400 people to be served in a new Community Supports Waiver. This is in addition to 131 emergency

placements, 101 people on the waiting list in crisis resolution, and 36 people funded through the Waiting List Equity Fund (WLEF). Emergency and WLWELF funding has historically been included in annual expansion budgets.

Therefore, the Council recommends that:

Year 1: Participant capacity be raised slightly above 400

This is assuming the majority of FY2018 transitioning youth will have been served in the Community Pathways waiver prior to implementation of the Community Supports Waiver. The total capacity should include room for the transitioning youth not yet served who will need \$25,000 or less, in addition to the 400 people for whom Governor Hogan included funding in the FY2018 budget targeted to the Community Supports Waiver.

YEARS 2-5: Participant capacity should be raised significantly to include space for, at a minimum:

- The 400 people who entered the Community Supports Waiver in Years 1;
- The percentage of new transitioning youth (FY2019) who will need \$25,000 or less of support. We assume this will be many of the 700+ transitioning youth. Based on the long history of this dedicated funding, we believe it is rational to plan for serving them in FY2019 and beyond. The same consideration could be given to emergencies, as well; and
- Additional people for whom FY2019 funding is expected.

Raising the total capacity of the waiver, while retaining the reserve capacity categories and numbers will align with historical funding of dedicated categories and ensure people not in emergency and crisis situations on the waiting list are reached.

PARTICIPANT SERVICES: Appendix C

EMPLOYMENT DISCOVERY AND CUSTOMIZATION

Recommendation: Remove the following limitation to allow for appropriate and allowable opportunities that may exist related on weekends.

B. Employment Discovery and Customization services are provided Monday through Friday only. (p 19)

INDIVIDUAL AND FAMILY DIRECTED GOODS & SERVICES

Recommendation: Allow coverage of service dogs with restrictions to ensure certification.

Recommendation: Clarify what is meant by “the service is available from any source”

SERVICE REQUIREMENTS

G. The goods and services provided are cost-effective (i.e., *the service is available from any source*, is least costly to the State, and reasonably meets the identified need) alternatives to standard waiver or State Plan services. (p 32)

SUPPORTED EMPLOYMENT

Recommendation: Some people cannot work for 4 hours a day, even when transportation and other supports are considered. Delete the following language with the requirement.

SERVICE REQUIREMENTS:

B. Individual must be engaged in Supported Employment activities a minimum of four hours per day.
(p 48)

Recommendation: Allow family members to provide more than 40 hours of support a week, if customary and typical for the specific job. Some people may work more than 40 hours a week, need supports, and choose to have a family member provide those Supported Employment Supports.

SERVICE REQUIREMENTS:

J. A family member of an adult participant may not be paid for more than 40-hours per week of services.
(p. 48)

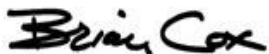
TRANSITIONAL EMPLOYMENT SERVICES

Recommendation: Add highlighted language to allow more than 40 hours per week of Small and Large group employment

Transitional Employment services may not exceed a maximum of eight (8) hours per day (including other Community Development, Employment Discovery and Customization, and Day Habilitation services) ***unless if customary and typical for the specific job.*** (p 51)

Thank you for the opportunity to comment.

Sincerely,



Brian Cox
Executive Director

Cc: Bernard Simons
Patricia Sastoque