



Waiver Redesign Frequently Asked Questions

What is a Medicaid Waiver and how can it help individuals with an intellectual and developmental disability (I/DD)?

A Medicaid waiver combines federal and state money to provide long-term supports for individuals who are elderly or have disabilities. Waivers allow states to offer a variety of standard medical and non-medical services without the requirement that an individual live in an institution in order to receive those same services. Referred to as Home and Community Based Services (HCBS), waivers can cover supports a person needs to live independently in his/her home and in the community; however, are not intended to replace supports that exist in an individual's home or larger community.

Waivers expand Medicaid eligibility to individuals who may not otherwise qualify for services based on Medicaid requirements. Medicaid waivers provide an opportunity for individuals to transition from institutions and large settings to community based settings. As a result, waivers allow people to be active in and live in their own community, connect with people without disabilities, and have greater independence and flexibility in their lives.

Why are we changing Virginia's HCBS Waivers for persons with an intellectual or developmental disability (I/DD)?

Virginia began operating its waivers for persons with intellectual and developmental disabilities (I/DD) in 1991. There are three waivers supporting people with I/DD: the Day Support Waiver, Intellectual Disability (ID) waiver, and the Individual and Family Supports Developmental Disabilities (DD) waiver. While these waivers have met some of the needs of Virginians with disabilities, the current need for services in Virginia has far outpaced available funding, resulting in very long waiting lists for waiver services and a shortage of providers. Virginia also needs to comply with new federal requirements that people with disabilities live, work, and use services in their communities. The changes will:

- Allow all people with I/DD to follow the same processes to qualify for and access supports.
- Ensure services and funding are based on the support needs of each person.
- Provide new rates and more choices about services and providers.
- Offer greater consistency, equity, quality and accountability across the waivers to ensure that Virginia's resources are balanced to better support all individuals with I/DD.

These changes mean that individuals will have more flexibility in using their services and broaden choices available in the areas of community living, integrated day services, and employment, with funding available to support the level of services needed. It is anticipated that

the waiver redesign will also provide individuals with the ability to move between waivers to the least restrictive environment suitable to their needs and abilities. The financial structure created for the new waivers is the result of a rate study conducted by DBHDS consultants in 2014.

How were the waiver changes developed?

Since July 2013, the Virginia Department of Behavioral Health and Developmental Disability Services (DBHDS) worked collaboratively with people with I/DD, families, advocates, public and private providers, community and state-based agencies, as well as national expert consultants to improve the current service delivery system so that people with I/DD have the supports needed to live full lives in the community. The work being undertaken to achieve this goal was called *My Life, My Community*.

How will Virginia’s waivers change with the waiver redesign?

The following proposed new waivers will replace the existing I/DD waivers:

- The current *Day Support* waiver will become the “**Building Independence**” waiver and is intended to support adults (18+) able to live independently in the community. Individuals will typically own, lease or control their own living arrangements. Supports are complemented by non-waiver funded rent/housing subsidies. The supports available in the waiver will be periodic or provided based on need.
- The current *Developmental Disabilities* waiver will become the “**Family and Individual Supports**” waiver and provide supports for individuals living with their families, friends, or in their own homes, including supports for those with some medical or behavioral needs. It will be available to both children and adults.
- The current *Intellectual Disability* waiver will become the “**Community Living**” waiver and provide up to 24/7 residential services and additional supports for adults and some children with exceptional medical and/or behavioral support needs. This waiver will include the full array of medical, behavioral, and non-medical supports.

The new waivers will all use the developmental disability (DD) definition from the Administration on Intellectual and Developmental Disabilities¹ to qualify individuals for services.

What is the benefit of supporting three amended I/DD waivers available to all individuals?

Amending the current three waiver system is more beneficial for both people with I/DD and the Commonwealth for the following reasons:

¹ AIDD, 114 Stat. 1684 Public Law 106-402-Oct. 30, 2000

- Requesting amendments to our existing waivers allows the Commonwealth transition time to ensure that the entire service delivery system is able to meet new federal requirements that people with disabilities live, work, and use services in their communities.
- Each waiver will have a different array, selection, and group of services designed to support a specific range of support needs. There will also be some services that will be available to individuals across all of the waivers.
- Needs-based waivers will allow the Commonwealth to serve more individuals because waiver slots will be funded at different levels based on support needs rather than one standard funding level.

How will individuals access waiver services?

The Community Services Board (CSB) will be the point of entry for individuals across all waivers regardless of disability categories.

What changes are important for service providers to know?

There will be new rates and more opportunities for choice of services and providers. The way that providers will be paid for some services will change according to the type of service. For example, some services will be paid at a monthly rate, some at a daily rate, and some at an hourly rate. The intent is to allow flexibility in scheduling services around the daily lives of people with I/DD. Please visit the webpage below for more information:

<http://www.dbhds.virginia.gov/library/developmental%20services/dds%20final%20waiver%20rate%20models%202015%20april%202023.pdf>

Will individuals currently receiving waiver services be grandfathered into the new waiver program under the old waiver structure?

No. Once the new waivers are implemented, all individuals currently receiving one of the three I/DD waivers will receive services under the new waiver.

Will individuals currently receiving waiver services be able to maintain their current service levels?

Yes. The overall goal is to maintain specific services that the individual needs. Virginia has made some changes to be able to move to a more needs-based service delivery system.

How will individuals currently on a waiver waiting list be able to participate in the new waiver program?

Additional slots have been requested of the General Assembly for each of the new waivers.

When will the waiver changes take place?

The current timeline projects that the waiver structural changes and new or revamped services will roll out on the following dates:

- **In July 2016**, the **Building Independence waiver**, **Family & Individual Supports waiver**, and **Community Living waiver** will take effect.
- **In July 2016**, the **new Group Home rate structure** (daily billing vs. the current hourly billing) and tiered rate structure for other certain services will take effect. **In July 2017**, the **new Sponsored Residential rate structure** will take effect.

How can I learn more about the Waiver Redesign?

Additional information will be posted as it is developed.

You may also send your email to waiverupdates@DBHDS.virginia.gov to receive periodic email updates.