

Wisconsin Medicaid Standards for Certified 1- 2 Bed Adult Family Homes

BPP/BQO All Staff Meeting
April 22, 2024



Agenda

1. Background and Project Overview
2. Overview of Changes
3. Review and Feedback Process

Background and Project Overview

Why did DHS Update the Standards?

- DHS identified need for additional 1-2 bed AFH oversight
- DHS needed to clarify 1-2 bed AFH roles and the responsibilities of certifying and placing agencies
- DHS needed to clarify the types of settings that require 1-2 bed AFH certification
- DHS Partners expressed interest in strengthening 1-2 bed AFH certification standards

Project Overview

- Standards are issued under the authority of the approved HCBS Waiver programs operated by DHS
- Standards were initially published on 10/22/2013
- Minor Standard updates were published in 02/2018
- Standards are being revised to include:
 - ◆ More precise health and safety provisions for people living in 1-2 bed AFHs
 - ◆ Clarification of a variety of concepts/language (e.g., types of plans, definitions, certifying/placing agency responsibilities, etc.)
 - ◆ Creation of standardized reporting criteria
 - ◆ HCBS setting rule requirements

Overview of Changes



Article I Introduction

- ◆ Changed and updated definitions
 - Revised Placement Agency to include IRIS Consulting Agency (ICA)

Article II. Certifying Agency: Qualifications and Responsibilities

- ◆ Included requirement that certifying agency staff must receive initial training AND on-going training
- ◆ Enhanced content of the certifying agency training plan

Article III Certification

- Updated certification process for new applicants and recertification for current providers or operators
 - ◆ Mandates annual site visit with requirement to attempt to engage residents
 - ◆ On-going caregiver background checks revised from four years to “not less than once every three years”
 - ◆ Prior to hire, new staff must pass the required background checks. Checks must be completed no sooner than 90 days prior to hire. (This also includes household members age 18 and who reside in the home.)

Article IV Requirements for the Home

- Added visual verification requirement during annual site visit that ammunition is stored separately from weapons and that weapons are stored and physically secured
- Added requirement for battery operated carbon monoxide detectors to be checked and logged monthly
- Added requirement for provider to submit floor plan to certifying agency, including square footage of each room
- Added HCBS settings rule bedroom door lock requirements

Article V Provider, Operator, and Staff Qualifications

- Updated personnel qualifications
 - ◆ Added background check specifications for new employees, new respite residents, substitute providers, and new household members 18 years and older
 - ◆ Added reporting requirements for unexpected provider health issues
 - ◆ Clarified conflict of interest process
 - ◆ Expanded initial and on-going training requirements and hours of training

VI Provider or Operator Responsibilities

- Added immediate reportable incidents and reporting requirements
 - Revised when to report; to whom; and required timelines

Article VII Requirements for Residential Supports and Services

- Expanded contents of the AFH service agreement including
 - ◆ Reasons and notice requirements for involuntary discharge
 - ◆ Requirement for AFH to provide residents with written information for advocacy groups
 - ◆ Revised to allow use of an AFH for respite only. Respite resident care stays may not exceed 28 consecutive days and 90 days per calendar year per resident (unchanged from current standards)

Article VIII Requirements for Home and Community-Based Settings

- Updated expectations of HCBS compliance
 - ◆ Added WI HCBS Settings Rule benchmarks for 1-2 Bed Adult Family Homes
 - ◆ Added HCBS Settings Rule Modification process including documentation and consent requirements
 - ◆ Added HCBS Setting Rule Heightened Scrutiny process

Article IX Resident Rights

- Require upon placement and annually thereafter, residents must be notified orally and given a written copy of their rights
- Expanded resident rights article to specifically identify all rights
- Clarified rights that can be denied or limited
- Added informed consent and risk agreement process
- Clarified process for the right to file a grievance

Article X Records and Reports

- Revised retention of records to seven years instead of 10 years

Article XI Exceptions to a Requirement

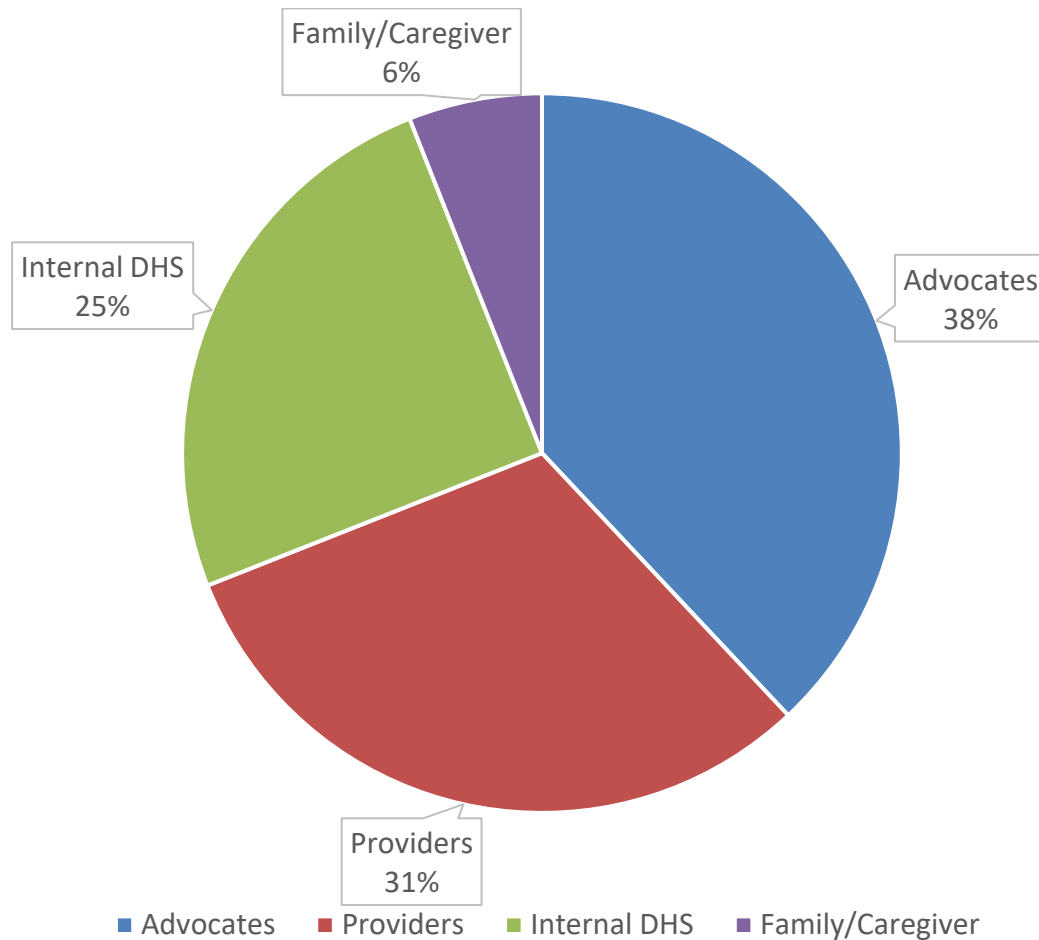
- Created a DHS Approval Committee to review, approve, or deny exception requests using a standardized process
- Indicated articles which MAY BE considered for exception
 - ◆ Clarified which Articles require both an exception request and a HCBS Rule Modification
- Changed certifying agency quarterly exception reporting to monthly via DHS standardized template

Review and Feedback Process

Outreach

What	Who	When
Targeted Outreach	<ul style="list-style-type: none">• MCO Leadership• Area Administration• Wisconsin County Human Service Association (WCHSA)	<ul style="list-style-type: none">• June - July 2023
Public Comment	<ul style="list-style-type: none">• All DHS partners• Open to the public	<ul style="list-style-type: none">• December 2023 - January 2024

Public Comment Feedback



Public Comment Themes

Consistency

Where possible, align with DHS 83 and DHS 88

ICA as a placing agency

Comments asking about the requirements of an ICA as a placing agency

Rights and Grievances

Request for more stringent processes and oversight for rights and grievance process

Background Checks

Comments regarding background check requirements changing from 4 to 3 years

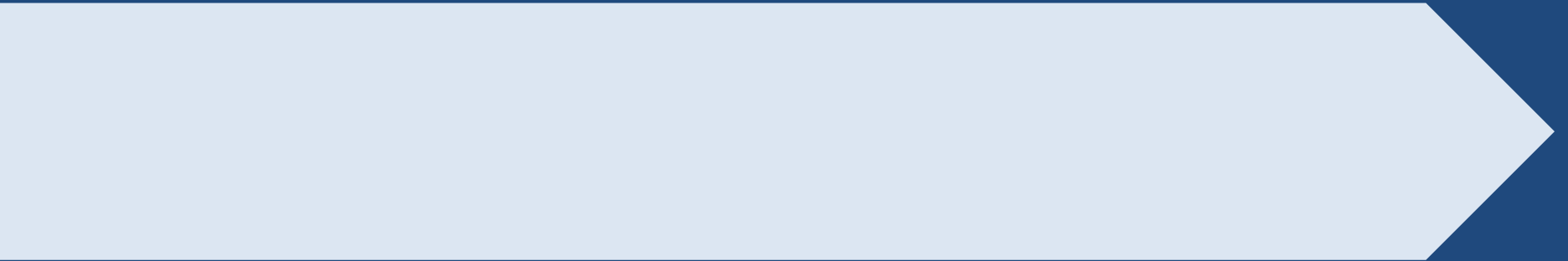
HCBS Setting Rule

Questioning HCBS Setting Rule language

Training Requirements

Varying comments about additional training requirements; providers requested less training and advocates requested more

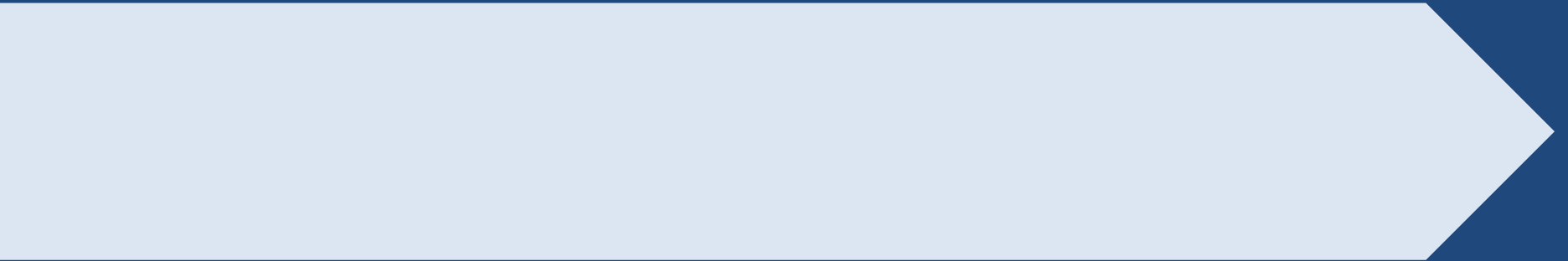
Additional Revisions based on Public Comment



Major Changes based on Public Comment

- Consistency - aligned where appropriate with DHS 88 (3-4 bed AFH)
- IRIS Consultant Agency (ICA) - clarified definition and role
- Rights and Grievances - included all rights and created a requirement for a clear grievance process
- Background checks - retained change from 4 years to 3 years
- HCBS Setting Rule - expanded throughout Articles
- Training requirements - strengthened AFH initial and on-going training requirements

Next Steps



Next Steps

- Submit the completed Standards to OLC for review
- Gather feedback from DHS partners on revised HCBS Benchmarks
- Submit Standards and all supporting documents to EIA for review/publishing
- After publishing, website and benchmarks will be updated

Thank you!