

Victoria Wachino
Director, Center for Medicaid and CHIP Services
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, Maryland 21244

November 16, 2016

Dear Director Wachino,

As the Obama administration comes to a close, we stakeholders of CMS Region 5 want to thank you for your dedication and commitment to serving people with intellectual and developmental disabilities (IDD). Your unwavering and compassionate support for the betterment of the lives of people with IDD will have an impact for decades to come. We are interested in continuing to work with CMS on the sustainability of the HCBS system with the vision of improving the lives of people with IDD.

We met in Chicago on November 15, 2016. "We" includes over 60 leaders representing CMS, state, county, provider and family stakeholders in CMS Region 5. We compiled a list of recommendations in the areas of direct support professional workforce sustainability and the successful implementation of the HCBS community rule. We believe working on these recommendations should be a priority for your team and the incoming administration. Here are our recommendations:

Direct Support Professional Workforce Crisis

There was consensus that the single most critical issue facing the provision of HCBS is the inability to provide adequate staff supports that meet the needs of the individuals and families served coupled with the expectations of existing federal and state regulations.

Issue 1. Sustainable wages for direct support professionals

Solution A. Use data on components of wage and compensation (turnover, training, sustainable wage) in the rate development system; use cost-benefit frame on the impact of higher wages for direct support professionals (e.g.: identify money spent on public subsidies that could go away with sustainable wage); rate structure tied to sustainable wage

Solution B. Increase Medicaid reimbursement rates to be directed towards direct care staff compensation.

Solution C. Simplification of the system so funds are focused on paying direct support professionals; regulation should be limited to those that improve the lives of people with IDD, are useful, or necessary.

Issue 2. Inability to recruit frontline staff/lack of workforce

Solution A. Make the direct support professional's job productive, engaging, and satisfying again by decreasing regulation and making sure staff feel supported and appreciated

Solution B. Career path for direct support professionals; direct support professional credential

Solution C. Market positions available/have a national campaign for recruitment of direct support professionals

Issue 3. Role of families/changing expectations

Solution A. Better support families to stay involved; case manager's role in defining opportunities and expectations

Solution B. Redefining array of services based on family feedback

Solution C. Enhance provider and family relationships

Implementation of the HCBS Community Rule

Issue 1. Clarification on what will be acceptable under the rule (e.g.: day program, integration, timelines, strategies, targets)

Solution A. Allow 5 years for implementation per state, following approval of their state's transition plan

Solution B. Request from CMS clarification on a list of core issues that will be identified and submitted by States at a later time

Solution C. Allow states to define, develop and defend their interpretation of the rule

Issue 2. Inadequate funding to implement the rule at the state, county and provider levels

Solution A. Funding for innovative/alternative services; set up innovation center

Solution B. Increased/enhanced federal match for waiver services

Solution C. Simplification of the waiver system and reinvestment of saved funds into the system; eliminate silos

Issue 3. Lack of staffing to implement rule

Solution. We believe that the above outlined workforce solutions are foundational to the success of the implementation of the HCBS Community Rule

Issue 4. Supporting individuals with complex needs in the community

Solution A. Listen and implement what families want; integration should be individually driven

Solution B. Determine and publish range of options

Solution C. Develop a common language around individuals with complex needs encompassing the diverse array of individuals with intensive support needs.

We believe all the above stated solutions are critical for the sustainability of our HCBS system. We have shared these recommendations with our national associations. These recommendations are in outline format representing a day's worth of ideas and discussion. We welcome the opportunity for an ongoing conversation with you and the incoming administration.

Sincerely,

CMS Region 5 HCBS Sustainability Summit Participants

cc: Mary Lee Fay, Executive Director, National Association of State Directors of Developmental Disabilities Services
Barbara Merrill, CEO, American Network of Community Options and Resources
Peter Burns, CEO, The Arc