



Department
of Health

Children's HCBS Waiver: Addressing Provider Capacity

**For Article 28 Clinics, Hospice
Organizations, Certified Home Health
Agencies, and Other Providers**

August 2022

Purpose

- Overview of the 1915(c) Children's Home and Community Based Services (HCBS) Waiver
- Defining the array of services
- Building provider capacity statewide
- Obtaining feedback from providers
- How to become a provider for Palliative Care Services under the Children's Waiver

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Children's HCBS Waiver Overview

- In April 2019, the Children's Waiver brought six previously separate waivers for children operated by different State agencies under one comprehensive waiver administered by Department of Health (DOH):
 - Office of Children and Family Services (OCFS) Bridges to Health (B2H)
 - Serious Emotional Disturbance (SED),
 - B2H Developmental Disabilities (IDD),
 - B2H Medically Fragile (MedF) Waivers
 - The Office of Mental Health (OMH) SED Waiver
 - Office for People With Developmental Disabilities (OPWDD) Care at Home (CAH) IV Waiver for children who have an IDD and Medically Fragile
 - The Department of Health (DOH) Care at Home (CAH) I/II Medically Fragile Waiver .
- The consolidation allowed for increased access and elimination of barriers

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Children's HCBS Waiver Overview Cont.

- All children and youth eligible for Children's Waiver under 1915(c) authority in New York State may receive a range of Home and Community Based Services (HCBS) based on their individual needs.
- HCBS was designed to allow children and youth to participate in developmentally and culturally appropriate services through Medicaid.
- HCBS are designed for children and youth who, if not receiving these services, would be at risk for a level of care provided in a more restrictive environment, such as a long-term care facility or psychiatric inpatient care.
- The new consolidated Children's Waiver serves four target populations for children/youth:
 1. Serious Emotional Disturbance (SED)
 2. Medically Fragile (MedF)
 3. Developmental Disability (IDD) and Medically Fragile
 4. Developmental Disability (IDD) and in Foster Care

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Children's Waiver Palliative Care Services

- These set of services are specialized medical care focused on providing relief from the symptoms and stress of a chronic condition or life-threatening illness.
- The goal is to improve quality of life for both the child/youth and the family.
- The services are provided by a specially-trained team of doctors, nurses, social workers, and other specialists who work together with a child/youth's doctors to provide an extra layer of support.
- Providers of these services for the Children's Waiver must be designated by NYS designation team after an application submission
- The Children's Waiver services are paid through the member's Medicaid Managed Care Plan (MMCP) or Fee-for-Service (FFS), if the child/youth is not in Plan
 - Designated service provider agencies must have contracts with MMCPs

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Children's Waiver Eligibility and Referrals

- Children/youth must meet Level of Care (LOC) functional criteria and suffer from the symptoms and stress of chronic conditions or life-threatening or terminal illnesses.
- Health Home care managers (HHCM), for children/youth with Medicaid; or Children and Youth Evaluation Services (C-YES); for children/youth without Medicaid; conduct the Level of Care (LOC) eligibility determination for the Children's Waiver
- HHCM or C-YES develops a Plan of Care with the eligible member, their family, and identified supports regarding the needs/goals they want to address and the choice of services and service provider
- HHCM or C-YES then makes referrals to HCBS Children's Waiver designated service providers

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Four HCBS Palliative Care Services

- Expressive Therapy
- Massage Therapy
- Pain and Symptom Management
- Counseling and Support Services

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Expressive Therapy

- Expressive Therapy (art, music, and play) helps children/youth better understand and express their reactions through creative and kinesthetic treatment.
- The use of expressive therapy assists children/youth to feel empowered in their own creativity, control, and aid in their communication of their feelings while handling a chronic condition and/or life-threatening illness.
- Music, art, and/or play therapy can help the child/youth to find a positive means to express their feelings.
- Qualifications: Child Life Specialist with certification through the Child Life Council; Creative Arts Therapist licensed by the State of New York; Music Therapist with a Bachelor's Degree from a program recognized by the NYS Education Department; Play Therapist with a Master's Degree from a program recognized by the New York State Education Department; current Play Therapist Registration conferred by the Association for Play Therapy (Expressive Therapy (Art, Music, and Play))

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Massage Therapy

- Massage Therapy is used to improve muscle tone, circulation, range of motion, and address physical symptoms related to illness.
- It will provide physical and emotional comfort, pain management, and restore the idea of healthy touch for children/youth who are dealing with treatments that may cause pain from interventions, ongoing and/or past trauma.
- Qualifications: Massage therapist currently licensed by the State of New York

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Pain and Symptom Management

- Pain and Symptom Management consist of relief and/or control of the child/youth's suffering related to their illness or condition.
- It is important to aide in providing relief from pain and symptoms and/or controlling pain, symptoms, and side effects related to chronic conditions or life-threatening illness a child/youth is enduring.
- This management is also an important part of humanely caring for the child/youth's pain and suffering but helping the child/youth and family cope and preserve their quality of life at a difficult time.
- Qualifications: Pediatrician or Family Medicine Physician board certified in Pediatrics or Family Medicine licensed by the State of New York; Nurse Practitioner licensed by the State of New York; Registered Nurse licensed by the State of New York under the direct supervision of a Pediatrician or medical physician, board certified in Pediatrics

***Providers must be an Article 28 Clinic, Hospice Organization or a Certified Home Health Agency to provide this specific service.*

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Counseling and Support Services

- Formerly known as: Bereavement Service
- The Children's Waiver has enhanced Counseling and Support Services and Health Home care management to support the caregivers, siblings, and other family members, as follows:
 - Provide counseling and support to the child and family to deal with the symptoms and stress of a chronic condition or life-threatening illness,
 - Provide continued counseling for up to six (6) months to the child's family after the child passes, and
 - Continue to provide Health Home Care Management to support the family for a period of 30 days after the child passes
- Qualifications: Licensed Clinical Social Worker (LCSW), Licensed Master Social Worker (LMSW), Licensed Psychologist, Licensed Mental Health Counselor (LMHC), or Licensed Creative Arts Therapist (LCAT) that meet current NYS licensing guidelines

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Call to Action

- Currently in NYS there are only 4 designated providers of HCBS Palliative Care services, serving across 7 sites:
 - All 7 sites provide Counseling and Support Services and Expressive Therapy;
 - Of those 7, only 3 sites provide Massage Therapy and Pain and Symptom Therapy; and,
 - 143 children are currently receiving at least one service.
- Current designated providers are located: NYC, Bronx, Nyack, New Hyde Park, and Buffalo

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Children's Waiver Amendment

- Based upon continued dialogue with stakeholders and assessing the needs of Waiver recipients, NYS has made additional changes to the Waiver through Waiver Amendments:
 - Palliative Care Bereavement services title was changed to reflect the service and all that it encompassed – Counseling and Support Services
 - Pain and Symptom Management staffing qualifications were updated to include Registered Nurse licensed by the State of New York under the direct supervision of a Pediatrician or medical physician, board certified in Pediatrics
 - Comparison rates were evaluated and prior to any enhanced rates that are occurring in 2022, rates were increased
 - Qualifications and years of experiences has been adjusted for some of the services based on provider feedback
 - Future Amendment will remove specific years of experience language “working with the medically fragile population”

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Provider Selection of Services

- A palliative care provider has their own discretion in determining which component(s) they are interested in providing.
- A provider can provide all four services, one service or a combination of services.

How to Become a Designated Provider

- Providers must be designated through the provider designation process to provide Children's HCBS services under the NYS Medicaid program (both fee-for-service Medicaid and Medicaid Managed Care).
- Providers interested in becoming a HCBS designated providers must submit their request to the HCBS Provider Designation mailbox at: omh-childrens-designation@omh.ny.gov
- DOH will be available to meet individually with any providers interested in further discussion. Please submit your request or any questions to the Behavioral Health Transition mailbox: bh.transition@health.ny.gov

Additional information on HCBS Designation can be found at the following link:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/provider_design.htm

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Home and Community Based Services

- In addition to Palliative Care Services, providers may also request designation for:
 - Community Habilitation
 - Day Habilitation
 - Caregiver/Family Advocacy and Support Services
 - Crisis Respite
 - Planned Respite
 - Prevocational Services
 - Supported Employment

Additional information on these services can be found in the Children's Home and Community Based Services Manual:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/docs/hcbs_manual.pdf

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Additional Stakeholder Engagement

- DOH will be forming a Palliative Care stakeholder workgroup to assist in improving and implementing this service.
 - HCBS Providers
 - Managed Care Plans
 - Family members
 - Other Providers and relevant stakeholders
- Information on these stakeholder workgroups will be forthcoming
- Providers interested in joining this workgroup should contact DOH at:
BH.transition@health.ny.gov

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Provider Feedback

Please share your interest

What other adjustments would be needed to the service?

Other suggestions, comments, and feedback to develop provider capacity for these services?

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For Information

- Find guidance, policies, forms, webinars, and more on the **NYS DOH 1915c Children's Waiver** webpage located at:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/1115_waiver_amend.htm

- **Children's Home and Community Based Services Manual**

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/docs/hcbs_manual.pdf

- **Children's Consolidated Waiver Services (HCBS) - Rate Summary effective 4/1/2022**

[Children's Consolidated Waiver Services \(HCBS\) \(ny.gov\)](#)

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