



## FACT SHEET

# California HCBS Waiver and Self-Determination Program for Individuals with Developmental Disabilities

### **COVID-19 Update**

*As a result of the current pandemic, the California Department of Developmental Services (CDDS) announced the temporary expansion of services under the Participant-Directed Program. The CDDS noted that participant-direction provides flexibility for individuals who may feel safer receiving care from someone isolating in at home with them, rather than their out-of-home caregivers or previously assigned caregivers from an agency who meet with multiple clients people each day or week.*

*Because of the unique benefits participant-directed support offers during this crisis, the CDDS recently relaxed Medicaid assistance guidelines and issued a 30-day modification to the Lanterman Developmental Disability Act for the upwards of 95,000 people that are currently on the California Home and Community Based Services (HCBS) Waiver for Californians with Developmental Disabilities. This means these individuals can self-direct an expanded set of services immediately. Many other states have also waived similar requirements for Medicaid programs, highlighting the importance of using participant-directed care amid COVID-19.*

### **GT Independence: A Resource for You**

GT Independence brings years of experience working in states across the nation as a Financial Management Services (FMS) provider. We are here to help you navigate information related to the temporary Participant-Directed Program expansion as well as the Self-Determination Program as that launch draws closer.

We gathered the information below and additional resource links to help guide you.

For questions, informational materials, or other support needs for your team or for the program participants you work with, we encourage you to reach out to us:

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### **Financial Management Services in CA**

GT Independence provides Financial Management Services (FMS) in California for the Home and Community Based Services (HCBS) Waiver for Californians with Developmental Disabilities and the Self-Determination Program (SDP) for Individuals with Developmental Disabilities, including those who are developmentally disabled or those who have a substantial disability.



## Understanding the Differences Between the Participant-Directed and Self-Determination Programs

### Participant-Directed Program

**Who is it for?** An option for **individuals of all ages who qualify for the Home and Community Based Services (HCBS) Waiver for Californians with Developmental Disabilities, and have the desire to self-direct select services:** Family Support Services, Community Based Training Services, Skilled Nursing, Respite Care, Financial Management Services and non-Medical Transportation. Participants have employer authority to hire, fire, schedule, and train their caregivers.

**COVID-19 Updates** *Due to the state's temporary executive directive, through July 28, 2020, people on the HCBS Waiver can temporarily self-direct additional services: Personal Assistance, Independent Living Skills and Supportive Employment.*

#### **Additional Services Under the Temporary Executive Order:**

For individuals seeking support and services and their families to temporarily access the additional Participant-Directed services, the following steps should be followed:

- The participant and/or family member identifies a person/people they want to provide the service(s). The person:
  - Must have the ability to perform the work as verified by the participant/family
  - Must be 18 years or older
  - Cannot be the participant's spouse or parent for personal assistance or independent living skills
- The participant and/or family must use a Financial Management Service (FMS) provider to handle payroll, taxes, reporting, etc.:
  - Regional center assists in identifying available FMS providers
  - Regional center explains the types of FMS (Fiscal Agent vs Co-Employer) to help the participant/family determine the best type for their situation
  - The participant/family chooses which FMS provider they will use
- Worker submits required paperwork to the chosen FMS provider
  - Verification of age
  - Employment and federal disclosure information
- The participant can begin working as soon as all required paperwork is received by the FMS
- A separate vendorization of the participant or individual providing the service is not required
- Regional center creates authorization with FMS provider using sub-codes below in Combination with either service code 490 or 491:
  - PA – Personal Assistance
  - ILS – Independent Living Services
  - SEP – Supported Employment Programs
- The rate paid to the FMS is \$22.80 per hour and includes the following:
  - Employee wage of no less than \$16.26 per hour
  - Mandated employer costs (estimated at 22% of the employee wage)
  - FMS cost (estimated at 15% of the total wage and employer costs)



**Which Waiver Covers This Program?**

**California's HCBS Waiver for Californians with Developmental Disabilities** offers community-based services not otherwise available through a participant's Medicaid Program. The purpose of the HCBS Waiver is to serve participants in their own homes and communities as an alternative to placing Medicaid-eligible individuals in intermediate care facilities for persons with developmental disabilities. The HCBS Waiver program recognizes that many individuals at risk of being placed in these facilities can be cared for in their homes and communities, preserving their independence and ties to family and friends at a cost no higher than that of institution care.

The state's 21 regional centers are responsible for ensuring that eligible people who want to participate on the HCBS Waiver are enrolled, service providers meet the qualifications for providing Waiver services, IPP's are developed and monitored, participant health and welfare is addressed and monitored, and financial accountability is assured.

The CDDS ensures that the HCBS Waiver is implemented by regional centers in accordance with Medicaid law and the State's approved Waiver application. The HCBS Waiver affords Californians the flexibility to develop and implement creative, community alternatives to institutions. California's HCBS Waiver services are available to regional center participants who are Medicaid (Medi-Cal in California) eligible and meet the level of care requirements for an intermediate care facility serving individuals with developmental disabilities.

California's first Home and Community Based Services Waiver for Californians with Developmental Disabilities was approved effective July 1982 with a total enrollment cap of 3,360. This Waiver amendment application seeks to enroll up to 150,000 individuals by December 31, 2022.

**Self Determination Program**

**Who is it for?**

The Self-Determination Program is an option for Californians who qualify for services under the California Self-Determination Program Waiver for Individuals with Developmental Disabilities. **This program offers individuals the freedom to self-direct all services that they qualify to receive. Under this Program, participants have employer authority and budget authority.**

**Program Updates**

This program is currently in pre-launch, with 2,500 individuals qualified to receive services, and a waitlist of 7,500+ individuals. The program opens state-wide in June 2021.

**Which Waiver Covers this Program?**

**California's Self Determination Program (SDP) Waiver for Individuals with Developmental Disabilities** offers home and community-based services not otherwise available through a participant's Medicaid (Medi-Cal in California) program. The purpose of the SDP Waiver is to serve participants in their own homes and communities as an alternative to receiving services in an intermediate care facility for persons with developmental disabilities. The SDP Waiver allows participants the opportunity to accept greater control and responsibility regarding the delivery of needed services. With the receipt of appropriate supports and information, participants will be able to manage their service mix within an individual budget amount to achieve the goals and objectives of their individual program plans.



The state's 21 regional centers are responsible for ensuring that eligible people who want to participate on the SDP Waiver are enrolled, service providers meet the qualifications for providing Waiver services, Individual Program Plans are developed and monitored, participant health and welfare is addressed and monitored, and financial accountability is assured.

The California Department of Developmental Services ensures, under the oversight of the Department of Health Care Services (DHCS), the State Medicaid Agency, that the SDP Waiver is implemented by regional centers in accordance with Medicaid law and the State's approved Waiver application.

## Additional Self-Determination Resources

<b>DDS Resources</b>	Main Page	<a href="https://www.dds.ca.gov/initiatives/sdp/">https://www.dds.ca.gov/initiatives/sdp/</a>
	FAQs	<a href="https://www.dds.ca.gov/initiatives/sdp/frequently-asked-questions/">https://www.dds.ca.gov/initiatives/sdp/frequently-asked-questions/</a>
	Implementation Updates	<a href="https://www.dds.ca.gov/initiatives/sdp/implementation-updates/">https://www.dds.ca.gov/initiatives/sdp/implementation-updates/</a>
	Program Enrollment	<a href="https://www.dds.ca.gov/initiatives/sdp/self-determination-program-enrollment/">https://www.dds.ca.gov/initiatives/sdp/self-determination-program-enrollment/</a>
	Program Directives	<a href="https://www.dds.ca.gov/initiatives/sdp/program-directives/">https://www.dds.ca.gov/initiatives/sdp/program-directives/</a>
	Training and Other Materials	<a href="https://www.dds.ca.gov/initiatives/sdp/training-and-other-materials/">https://www.dds.ca.gov/initiatives/sdp/training-and-other-materials/</a>
<b>Other Resources</b>	CA Self-Determination Program Statue	<a href="http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC&amp;sectionNum=4685.8.#content_anchor">http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC&amp;sectionNum=4685.8.#content_anchor</a>
	Collaboration to Promote Self-Determination	<a href="http://thecpsd.org/">http://thecpsd.org/</a>
	National Gateway to Self-Determination	<a href="http://www.ngsd.org/">http://www.ngsd.org/</a>
	Center for Self-Determination	<a href="http://self-determination.com">http://self-determination.com</a>