

**DEPARTMENT OF HEALTH CARE SERVICES  
NOTICE OF GENERAL PUBLIC INTEREST  
RELEASE DATE: October 1, 2018**

**PROPOSED AMENDMENTS TO HOME AND COMMUNITY BASED SERVICES (HCBS)  
1915i STATE PLAN FOR THE DEVELOPMENTALLY DISABLED  
(<https://www.dds.ca.gov/waiver/index.cfm>)**

This notice serves to provide information of public interest that the Department of Health Care Services (DHCS) is seeking federal authority via amendments to the California Medicaid 1915(i) State Plan for the Developmentally Disabled to add Community Crisis Homes as a new provider type for Behavioral Intervention Services, subject to utilization controls.

The Lanterman Developmental Disabilities Services Act (Lanterman Act), Welfare & Institutions Code section 4500 et seq., was enacted to reduce institutionalization of people with developmental disabilities and prevent their dislocation from their home communities. Under the Lanterman Act, people with developmental disabilities have a right to services and supports in the least restrictive environment. With the reduced reliance on restrictive institutional and out-of-state placements, there is a need to increase community capacity and develop new alternatives, particularly for the most difficult-to-serve consumers.

To continue the development of alternative living arrangements, Senate Bill 856, Chapter 30, Statutes of 2014, requires the Department of Developmental Services (DDS) to develop the residential option of Community Crisis Homes. Specifically, Welfare & Institutions Code section 4698 (b)(1) requires DDS to “establish a community-based residential option consisting of community crisis homes for adults with developmental disabilities receiving regional center services who require crisis intervention services and who would otherwise be at risk of admission to the acute crisis center . . .” The Community Crisis Homes are required by statute to be an alternative to placements such as an out-of-state placement, a general acute hospital, an acute psychiatric hospital, or an institution for mental disease. The first Community Crisis Home was opened January 1, 2018, and 17 more are projected to open during 2018.

DHCS is seeking approval to amend the 1915(i) State Plan for the Developmentally Disabled to add these Community Crisis Homes as a new provider type for Behavioral Intervention Services.

DHCS plans to submit proposed SPA 18-0054 to the Federal Centers for Medicare and Medicaid Services (CMS) by December 31, 2018, with a proposed effective date of October 2, 2018, for the following proposed changes:

- Adding Community Crisis Homes as a new provider type for Behavioral Intervention Services;
- Requiring that Community Crisis Homes be an Adult Residential Facility or Group Home licensed by the Department of Social Services pursuant to Health and Safety Code sections 1567.80 through 1567.87;

- Limiting categorically needy and medically needy recipients to 18 months in a Community Crisis Home unless additional days are approved by the Department of Developmental Services and reviewed monthly thereafter.
- Adding a rate methodology for Community Crisis Homes made up of the following three components, the sum total of which may not exceed the rate limit determined by the Department:
  - facility component (including payroll costs of facility staff and facility related costs such as lease, facility maintenance, repairs, cable/internet, etc.)
  - individualized services and supports component (including the salaries, wages, payroll taxes, and benefits of individuals providing individualized services and supports and other consumer specific program costs), and
  - transition plan component (including salaries, wages, payroll taxes and benefits of direct care staff providing services and supports needed to support a consumer during times of transition and other consumer specific program costs).

The budgetary impact of adopting these proposed changes are projected to be \$1.2 million during Fiscal Year (FY) 2018-19 and \$2.6 million in FY 2019-20 .

Proposed SPA 18-0054 is subject to approval by CMS.

## **PUBLIC REVIEW AND COMMENTS**

Upon submission to CMS, a copy of the proposed SPA #18-0054 will be published at: <http://www.dhcs.ca.gov/formsandpubs/laws/Pages/CaliforniStatePlan.aspx>

If you would like to view the SPA in person once it becomes available, please visit <https://www.dds.ca.gov/waiver/index.cfm>. You may also request a copy of proposed SPA #18-0054 using the mailing or email addresses listed below. Any written comments may be sent to the following address:

Department of Developmental Services  
Community Services Division  
Attn: Ashley Draper  
1600 Ninth Street, M.S. 3-8,  
Sacramento, California 95814

Comments may also be emailed to [Ashley.Draper@dds.ca.gov](mailto:Ashley.Draper@dds.ca.gov). Please indicate SPA #18-0054 in the subject line or message.

A copy of submitted public comments to SPA #18-0054 may be requested in writing to the mailing or email addresses identified above.

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