

**DEPARTMENT OF HEALTH CARE SERVICES
NOTICE OF GENERAL PUBLIC INTEREST
RELEASE DATE: APRIL 20, 2020**

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

This notice is to provide information of public interest about a proposed State Plan Amendment (SPA) by the Department of Health Care Services (DHCS). The proposed SPA adds a provider type and new rate methodologies for services for the developmentally disabled.

Pursuant to the Lanterman Developmental Disabilities Services Act (Lanterman Act), Welfare & Institutions (W&I) Code section 4500 *et seq.*, people with developmental disabilities, as defined in W&I Code section 4512(a), receive, as an entitlement, services and supports based on their individual needs and choices. The Department of Developmental Services (DDS) is responsible for administering the Lanterman Act.

The purpose of this State Plan Amendment (SPA) is to add:

- a State-Operated Mobile Crisis Team as a provider type under the already existing, Behavioral Intervention Services. Mobile Crisis Teams provide crisis intervention services 24 hours a day to individuals at risk of being placed in more restrictive living environments. A State-Operated Mobile Crisis team will be staffed by State of California employees and provide services to individuals that have exhausted all other available crisis services.
- a rate methodology for the State-Operated Mobile Crisis Team under Behavioral Intervention Services. As a rate methodology is already in place in the state plan for Crisis Teams operated by vendors, a new methodology has been incorporated to include crisis teams operated by State of California staff. The rate for this service is determined by the allowable costs for the service, which include salaries, wages, payroll taxes, and benefits of state staff providing the services and supports, in addition to travel costs. After the initial year of operation, the state will use cost information from the previous year to develop an interim rate for the subsequent year. At the end of each year, interim rate billing will be reconciled with actual billable costs for the year.
- a rate methodology for State-Operated Community Crisis Homes under Behavioral Intervention Services. As a rate methodology is already in place

in the state plan for Community Crisis Homes (CCHs) operated by vendors, a new methodology has been incorporated to include CCHs operated by State of California staff. The rate for this service is determined by the allowable costs for the service, which include salaries, wages, payroll taxes, and benefits of state staff providing services and supports, in addition to lease, facility maintenance, repairs, and cable/internet. After the initial year of operation, the state will use cost information from the previous year to develop an interim rate for the subsequent year. At the end of each year, interim rate billing will be reconciled with actual billable costs for the year.

- a rate methodology for State-Operated Enhanced Behavioral Supports Homes (EBSHs) under Community Living Arrangement Services. As a rate methodology is already in place in the state plan for Crisis Teams operated by vendors, a new methodology has been incorporated to include EBSHs operated by State of California staff. The rate for this service is determined by the allowable costs for the service, which include facility related costs such as lease, facility maintenance, repairs, cable/internet, and services and supports, such as the salaries, wages, payroll taxes, and benefits of individuals providing individualized services and supports. The state reviews submitted claims for the past fiscal year and determines the average cost of claims for that year. After state cost rates are established, claims are reconciled at the true cost of delivering the service. Costs are reimbursed if the final rate is higher than the interim rate or recouped if the final rate is lower than the interim rate.

DHCS estimates that the annual aggregate Medi-Cal expenditures will increase by \$3,213,873.00 in total funds.

The effective date of the proposed SPA is May 1, 2020. All proposed SPAs are subject to approval by the Federal Centers for Medicare and Medicaid Services (CMS).

PUBLIC REVIEW AND COMMENTS

Upon submission to CMS, a copy of the proposed SPA #20-0012 will be published at the following internet address:

https://www.dhcs.ca.gov/formsandpubs/laws/Pages/Pending_2020.aspx
<https://www.dds.ca.gov/initiatives/hcbs/>

If you would like to view the SPA in person once it becomes available, please visit your local county welfare department. You may also request a copy of proposed SPA #20-0012 using the mailing or email addresses listed below.

Written comments may be sent to the following address:

Department of Developmental Services
Community Services Division
Attn: Elena Serrano
1600 Ninth Street, M/S 3-8
Sacramento, CA 95814

Comments may also be emailed to PublicInput@dhcs.ca.gov. Please indicate SPA #20-0012 in the subject line or message.

A copy of submitted public comments to SPA #20-0012 may be requested in writing to the mailing or email addresses identified above.