

# DEPARTMENT OF DEVELOPMENTAL SERVICES

## ALTERNATIVE DELIVERY OF NONRESIDENTIAL SERVICES

*AUGUST 2020*

Additional questions, comments, and recommendations regarding Alternative Delivery of Nonresidential Services may be sent to [RegulationsMailing@dds.ca.gov](mailto:RegulationsMailing@dds.ca.gov)

# INITIAL RESPONSE TO COVID-19

- Reduce the spread of COVID-19
- Focus on flexibility
- DDS provided authority to waive various statutory and regulatory requirements during the State of Emergency
- DDS authorized payments for consumer absences in nonresidential services
- Various stakeholder meetings were held to hear concerns and discuss options to address those concerns

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# TRANSITION TO ALTERNATIVE SERVICE DELIVERY

- Nonresidential providers gained experience in alternative community responses to COVID-19
- Centers for Medicare and Medicaid Services (CMS) clarified federal funding was time-limited for absence payments (retainer payments)
- Lessons learned – flexibility and adjustment

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# NONRESIDENTIAL SERVICES FRAMEWORK



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Alternative Service Delivery offers the flexibility to tailor services to meet people where they are.

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# PURPOSE OF ALTERNATIVE SERVICE DELIVERY

- Increases opportunities for consumers to guide service providers to creatively respond to individual needs and preferences
- Builds on the innovative service delivery approaches non-residential service providers have taken to support consumers while limiting potential exposure to COVID-19
- Establishes a mechanism for providers of such services to receive payment and preserve workforce and delivery of services
- Secures Federal Funding

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# TYPES OF ALTERNATIVE SERVICE DELIVERY

- Supports related to minimizing the exposure to or impact of COVID-19
- Completion of an individual assessment
- Completion of an individualized service plan
- Services delivered to the consumer via telephone, video or other electronic communication
- Delivery of meaningful supplies or other items to the consumer's home
- Use of self-guided training and educational materials supplied by the provider to support the service

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# TYPES OF ALTERNATIVE SERVICE DELIVERY (CONTINUED)

- Skills training to individuals within the household to support the consumer
- Service provided in-person, modified to comply with the most restrictive state or local guidelines in effect
- Supports for transition to the Self-Determination Program
- Other alternative services

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The Consumer's needs are the driver for the services  
and supports delivered.

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# ALTERNATIVE SERVICE DELIVERY IMPLEMENTATION

- DDS working with Department of Health Care Services and CMS for approval of additional flexibility
- DDS to calculate monthly rate
- Consumer planning and administrative systems established in September and October 2020
- Providers individually and collectively safely deliver services based on consumer needs and preferences

# ALTERNATIVE SERVICE DELIVERY IMPLEMENTATION (CONTINUED)

- September 2020
  - Providers engage consumers about service options, initiate individual service plans (ISP), and provide alternative services
  - Notify regional centers
- Providers submit one-time certification to regional centers
- October 2020
  - Providers finalize ISP for each consumer and provide alternative services
- For these months only, reimbursement claims utilizing existing rate and each consumer's prior average attendance
  - Claims only for consumers who received services during the month

# ALTERNATIVE SERVICE DELIVERY IMPLEMENTATION (CONTINUED)

- Monthly rate and backup documentation to providers for review in September 2020
- Beginning in November 2020, reimbursement based on monthly rate
- DDS establishes reporting tools – requirements identified in directive
- First two months' reports are due November 30, 2020 and include provider verification of completed consumer engagement and individual service plans

# ALTERNATIVE SERVICE DELIVERY MONTHLY REPORTING

- The number of consumers with service authorizations
- The number of consumers who received alternative services
- The number of consumers who did not receive alternative services
- The number of consumers who used each type of alternative service
- A description of the alternative services provided that were not listed on the Directive, and the number of the consumers who used them
- The number of days in each month each consumer received services
- Safety measures for in-person services

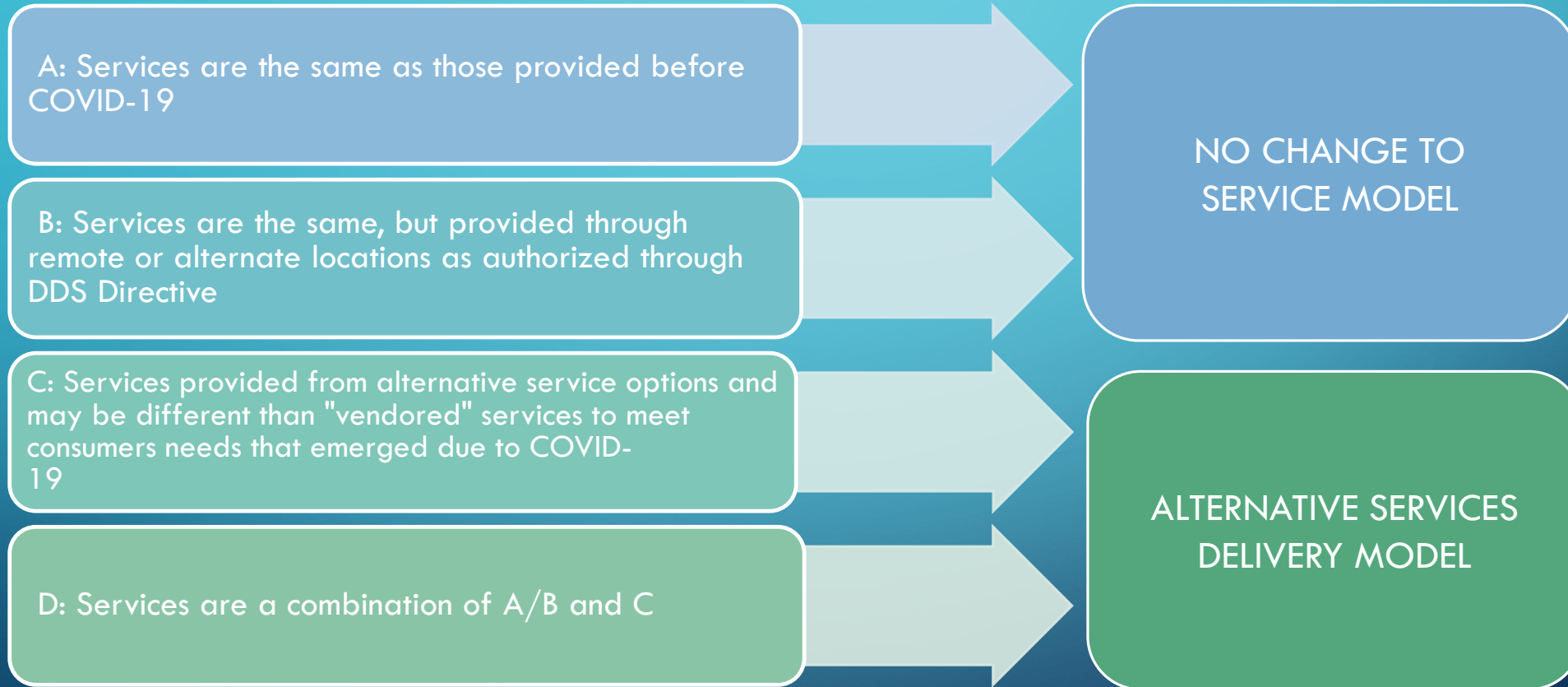
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# OPTIONS FOR GREATER NONRESIDENTIAL PROVIDER ACCOUNTABILITY

- Require an individual service plan for each consumer to be completed within a specified time period
  - Person-centered
  - Collaborative - team approach where appropriate
- Require reporting of staff retention
- Require reporting of staff training relative to alternative services delivery
- Notification from regional center to self-advocate and/or family member of alternative service model utilization
- Establish a minimum amount of service to be provided to each consumer

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# SERVICE DELIVERY OPTIONS



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# ALTERNATIVE SERVICE DELIVERY MODEL

- Emergency regulations submitted to the Office of Administrative Law (OAL) on August 21, 2020, public comments received
- Executive Order N-75-20 August 24, 2020:
  - Suspends absence payments that would otherwise be made in connection with the State of Emergency proclaimed in response to COVID-19
  - Directs DDS to develop and implement policies and procedures to allow delivery of nonresidential services to individuals with developmental disabilities
  - The development and implementation of such policies and procedures shall not be subject to the Administrative Procedure Act
- Move from emergency regulations to DDS issued Directive
  - Allows for flexibility and ability to issue standardized forms
  - Directive will align with posted draft regulations
  - Input on regulations will inform modifications
  - Directive will be issued this week



# SYSTEMWIDE ROLLOUT OF ALTERNATIVE SERVICE DELIVERY

- Developmental Services (DS) Task Force, Workgroup and Town Hall briefings
- Stakeholder engagement
- Directive
- Frequently Asked Questions (FAQs)
- Rollout of Family Member and Self Advocate Engagement Guide
- Administrative procedures and Regional Center training
- Technical Assistance and Training

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# CONSUMER AND FAMILY ENGAGEMENT

- **Family Member and Self-Advocate Engagement Guide**

A set of guiding questions to facilitate thoughtful discussions and planning to help families and self-advocates make the choices that are best for them

- **Statewide Family Calls**

A series of meetings to include updates, ongoing discussion and training of interest to family members and self-advocates

- **Collaboration with Community-Based Organizations (CBO)**

Input to identify barriers or concerns from underserved communities and how to best connect and address issues

- **Exploring Family Member and Self-Advocate Survey**

A survey to gather feedback from family members and self-advocates about current needs and interests

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# TECHNICAL ASSISTANCE AND TRAINING

- **Alternative Services Delivery Symposium - September 2020**

A series of statewide webinars to highlight innovative approaches to service delivery to inform and inspire options for Alternative Service model

- **Technical Assistance and Training Agent - September 2020 – June 2021**

- Promote and coordinate collaboration among service providers to maximize the opportunities of Alternative Services Delivery
- Source consultants, conduct statewide outreach to service providers seeking assistance, make connections and develop consultation agreements to provide technical assistance and training as needed
- Consultation agreements may vary in frequency and duration, ranging from open online events for large groups to individualized consultation
- Agent will be selected through a Request for Proposal (RFP) facilitated by San Diego Regional Center

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# STAKEHOLDER FEEDBACK AND QUESTIONS

- Clarification requested

- Different interpretations of the calculation of the monthly unit rate
- How nonresidential services can be a support to residential services and/or families
- How to measure consumer outcomes

- Technical questions requiring evaluation

- How to factor in recent rate adjustments, minimum wage increases
- How to calculate the monthly unit rate for new consumers or new vendors

- Recommendations for consideration

- Greater accountability for nonresidential service providers
- Consistency with statewide implementation
- Focused trainings for underserved communities
- How to support individuals with highly intensive support needs
- How to use Participant-Directed Services as an alternative

# SAMPLE FREQUENTLY ASKED QUESTIONS (FAQ)

## ***Is Alternative Delivery of Nonresidential Services required?***

No. Alternative Delivery of Nonresidential Services has been established to provide an option for consumers and service providers to increase access to nonresidential services during the COVID-19 pandemic.

## ***We are still in a State of Emergency so why did the retainer payments (billing for consumer absences) have to end?***

- Consumers need to receive nonresidential services despite the State of California's stay-at-home order
- CMS has clarified that federal funding is time-limited for retainer payments (billing for consumer absences)
- Alternative Delivery of Nonresidential Services translates services developed in response to COVID-19 to developmental services eligible for ongoing federal reimbursement during the State of Emergency

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# SAMPLE FREQUENTLY ASKED QUESTIONS (FAQ)

***What are some examples of “Supports related to minimizing the exposure to or impact of COVID-19 on the consumer?”***

Some examples are services and supports to address education, preparation, and response to COVID-19. This could include, but not be limited to delivering personal protective equipment (PPE), training to wear a mask, teaching a consumer about social distancing, driving to a testing facility or a surge placement, calling family members to discuss the COVID-19 protection plan.

***Does “Services provided in-person at the vendor’s facility” mean day programs can reopen?***

It depends on the type of service and whether modifications can be made to comply with the most restrictive state or local guidelines in effect at the time. Priority to keep consumers and staff safe at the forefront of decision making.

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# NEXT STEPS AND POST COVID-19

- Experience during the state of emergency will be evaluated to determine subsequent programmatic changes
- Ongoing stakeholder engagement will inform the next phase of developmental services changes

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# QUESTIONS?

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