

**OVERVIEW.** On March 17, 2014, the Centers for Medicaid and Medicare Services (CMS) promulgated new federal regulations that set new standards for Home and Community Based Service (HCBS) Settings. The new standards require the state to have all HCB Settings come into compliance within 5 years of March 17, 2014. The new requirements address standards for informed choice, protecting the rights of participants, requiring settings to be integrated, not isolating to participants, and not institutional in nature or in its characteristics. To adhere to these rules, each state must submit a transition plan to assess the current settings and implement remediation with the areas of non-compliance within a 5-year timeline. The following chart is the state's proposed 5-year transition plan for the waiver. Modifications may be made to the plan as a result of the public comment received. The final plan will be posted in mid-November 2014 and training on the plan and new standards will follow in early 2015. Comments on this plan can be sent to bhdmail@wyo.gov until November 3, 2014.

**The Child DD waiver will be ending on June 30, 2015. Therefore, only Year One and part of Year Two apply to this waiver.**

Year 1	Milestones to reach by March 16, 2015	Tasks to Complete the Milestone	Why it Matters	Target Completion Date
	<b>1. Transition Stakeholder team implemented</b>	<ul style="list-style-type: none"> <li>➤ Request members &amp; charter team expectations</li> <li>➤ Meet regularly</li> </ul>	Form cross section team to set standards	June 2014
	<b>2. Identify state standards and expectations for Integration, informed choice, setting characteristics, location, etc.</b>	<ul style="list-style-type: none"> <li>➤ Research and discuss topics</li> <li>➤ Set state standard for each topic as a team</li> </ul>	Decide on the team's standard to apply to Wyoming settings	October 2014
<b>Year One</b>	<b>3. Inventory provider settings and assess compliance</b>	<ul style="list-style-type: none"> <li>➤ Develop provider survey to assess settings</li> <li>➤ Providers complete it</li> <li>➤ State and team review and analyze survey responses</li> <li>➤ Determine compliance for each setting and the remediation and improvements that are needed</li> </ul>	Review settings and measure compliance with CMS standards in federal rules and with new state standards. Settings will be considered one of the following: <ul style="list-style-type: none"> <li>a) In Compliance (fully align with the Federal requirements)</li> <li>b) Does not comply with the Federal requirements and will require modifications</li> <li>c) Cannot meet the Federal requirements and require removal from the program and/or the relocation of individuals</li> <li>d) <u>Presumptively non-home and community-based</u> but for which the state will provide justification / evidence to show           </li> </ul>	November 2014

			that those settings do not have the characteristics of an institution and do have the qualities of HCBS (to be evaluated by CMS through heightened scrutiny process)	
4. <b>Conduct survey of provider settings with participant, guardian, case manager, and state staff respondents</b>	<ul style="list-style-type: none"> <li>➤ Develop surveys</li> <li>➤ Disseminate surveys</li> <li>➤ Collect and analyze responses</li> </ul>	These will be validity testing of the provider settings and compliance with federal requirements	November 2014	
5. <b>Conduct Public Forums to review transition plan and give input</b>	<ul style="list-style-type: none"> <li>➤ Schedule forums in October 2014</li> <li>➤ Put transition information together</li> <li>➤ Present at forums and receive input on plan</li> </ul>	States must ensure the document is posted and, in the case of public forums, available or distributed for comment.	August 2015	
6. <b>Develop statewide transition plan and evaluate after public comment, and at six months</b>	<ul style="list-style-type: none"> <li>➤ Transition plan for each year finalized</li> <li>➤ Providers with areas of non-compliance identified</li> <li>➤ Due dates for remediation identified</li> </ul>	This is the item required by CMS	February 2015	
7. <b>Use a Communication strategy to inform and educate participants, guardians, providers, legislators on the new standards and requirements</b>	<ul style="list-style-type: none"> <li>➤ Summarize decisions from Transition Task force</li> <li>➤ Communicate information to public in multi-media approaches</li> <li>➤ Reach all audiences with consistent message and needed changes to state rules and policies</li> </ul>	States must ensure the full Transition Plan is available to the public for public comment, including individuals receiving services, individuals who could be served, and the full stakeholder community.	January 2015	
8. <b>Assess state service definitions, rules, and facility requirements for compliance</b>	<ul style="list-style-type: none"> <li>➤ Critique all waiver service definitions, waiver rules, and facility requirements to see where they are out of compliance with federal rules</li> <li>➤ Adjust the services, rules, or facility requirements with involvement from a stakeholder team</li> </ul>	The state must ensure its own policies, services, rules, or requirements are not promoting services in a manner that violates the new federal laws. Any areas of non-compliance on the state side must be addressed as well.	March 2015	
9. <b>Taskforce provides final advice to Division on new standards in all areas based on public input and team discussion.</b>	<ul style="list-style-type: none"> <li>➤ Review and discuss public input received</li> <li>➤ Incorporate changes as the team and state feel will honor the Wyoming vision and the federal rules</li> </ul>	Statewide Transition Plan must have meaningful public input as it is formed. We want the plan to reflect the needs and preferences of Wyoming citizens involved with these programs.	November 2014	
10. <b>State adopts new HCB Setting</b>	<ul style="list-style-type: none"> <li>➤ Standards are communicated to public</li> </ul>	The new standards will drive the	November 2015	

	<b>standards with input from stakeholder task force</b>	<ul style="list-style-type: none"> <li>➤ Providers receive education on new standards and self-assessment</li> <li>➤ Standards are implemented by changing rules, policies, services, the plan of care, provider facility requirements, provider certification processes</li> </ul>	changes that are made and will improve participant's quality of life.	
	<b>11. Develop a plan to address provider capacity and setting capacity</b>	<ul style="list-style-type: none"> <li>➤ Ensure that the participants served on the waivers and the number of providers and settings available are equitable</li> </ul>	State must ensure participant safety and ability for the waiver to provide services statewide	January 2015
	<b>12. Develop a plan for monitoring and enforcing continued compliance with the new standards and provider requirements</b>	<ul style="list-style-type: none"> <li>➤ Adjust provider monitoring and on-site visits to ensure compliance with transition plan deadlines to reach compliance with HCB setting standards.</li> <li>➤ Use monitoring processes to address areas of non-compliance with standards through certification processes and incident/complaint monitoring processes</li> <li>➤ Use the Representative Sample Case Review to look at data on participant's satisfaction with service settings, integration, and informed choice</li> <li>➤ Use Case Management Quarterly Report data to evaluate integration, progress on objectives, satisfaction with services, and employment data</li> </ul>	State must ensure that providers meet the milestones in the transition plan and continue to meet the standards on an ongoing basis.	February 2015
Year 2 (waiver ends on June 30, 2015)	Milestones to reach by March 16, 2016	Tasks to Complete the Milestone	Why it Matters	Target Completion Date
	<b>1. State rules and laws updated where required to meet new standards.</b>	<ul style="list-style-type: none"> <li>➤ The state seeks stakeholder input to adjust rules to meet new standards.</li> <li>➤ Rule changes are made according to state procedures.</li> <li>➤ State works with legislators to adjust statutes as needed.</li> </ul>	The state needs to ensure the rules and laws do not conflict with the federal regulations.	October 2015