

MEMO

To: Office of Management & Budget

From: Brian J. Hartman, on behalf of the following organizations:
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens
State Council for Persons with Disabilities

Subject: Division of Services for Aging & Adults with Physical Disabilities FY 17 Budget

Date: November 19, 2015

Please consider this memo a summary of the oral presentation of Brian J. Hartman Esq. on behalf of the Developmental Disabilities Council ("DDC"), Governor's Advisory Council for Exceptional Citizens ("GACEC"), and the State Council for Persons with Disabilities ("SCPD"). Although input could be provided on several aspects of the DSAAPD budget, we are addressing one (1) component today, i.e., attendant services.

ATTENDANT SERVICES

As you may know, the Division administers an attendant services program in collaboration with two non-profit contractors, Easter Seals and JEVS Human Services.¹ Attendant services are subsidized to permit participants to engage in employment, attend school, or avoid institutionalization. This is a true "statewide" program. According to the latest annual report released this month, 52% of participants live in New Castle County and 48% live in Kent and Sussex Counties.² Historically, the most prevalent disability diagnoses of participants have been Cerebral Palsy; Multiple Sclerosis (MS); and Quadriplegia. Sixty-three percent (63%) of participants are seniors (ages 60-85+).³ On average, participants receive approximately 13 hours of services weekly.⁴

¹DSAAPD, Easter Seals, and JEVS summaries of the program are included as Attachment "A".

²The latest (FY15) DSAAPD Personal Attendant Services Program Annual Report (November 6, 2015) covers the period between July 1, 2014 and June 30, 2015. A copy would be provided on request.

³The FY15 PAS Annual Report identifies 114 total participants, of whom 31% are ages 60-74, 19% are ages 75-84, and 13% are ages 85+.

⁴Consistent with statistics compiled in Section II of the FY15 Annual Report, participants averaged 676 units of service annually, i.e., 13 hours of service weekly.

Earlier this year, the enabling legislation for this program was revised through enactment of H.B. No. 110. The revisions increase flexibility in the services menu and promote attendant provision of the full range of assistance authorized by law.

Qualitatively, this program enjoys a terrific “track record”. As reflected in the latest (2015) consumer satisfaction ratings, participants are overwhelmingly positive in their assessment of the program.

INQUIRY	EASTER SEALS PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES	JEVS PERCENTAGE OF FAVORABLE (AGREE OR STRONGLY AGREE) SURVEY RESPONSES
SATISFACTION WITH QUALITY OF CARE	100%	100%
AGREEMENT WITH SERVICE PLAN	88%	100%
ATTENDANTS ON-TIME	94%	100%
STAFF COURTEOUS	100%	100%
STAFF ACCESSIBLE	100%	100%
STAFF RESPONSIVE TO QUESTIONS	100%	100%
CLIENTS WOULD RECOMMEND PROVIDER	100%	100%
CLIENTS WOULD RECOMMEND PROGRAM	100%	100%
LIFE IMPROVED BY PROGRAM	100%	100%

Individual comments are also compelling:

- Excellent program
- Gratefully thank you for the PAS program - Aging and Easter Seals did a wonderful job with our family
- Just keep up the good work
- Great [staff member] is practically part of the family

- PAS is a good program. I feel it helps me a lot.
- Everything is fine.
- PAS works so well. I hope the State does not mess it up.

Quantitatively, the Department was successful in eliminating its entire waiting list for this popular program 4 years ago. Individuals eligible for the Medicaid DSHP Plus initiative now receive attendant services through that program. The balance are currently served through a combination of \$1,015,313 in State General Funds and \$603,800 in Tobacco funds. DHSS requested level funding (\$603,800) in Tobacco funds in its FY17 application.⁵ With level funding in FY17, it expected to serve 46 individuals with the Tobacco funds and 77 individuals with General Funds for an aggregate of 123 participants. I understand the Health Fund Advisory Committee is recommending level Tobacco funding for this program in FY17.

Recommendation

The current waiting list for this program has grown to 200 individuals, 161 of whom are designated as "high priority". This highly successful program merits at least level funding. Moreover, given the growing waiting list, it would be prudent to consider a significant reallocation of institutional funds to the program consistent with \$187 of the budget epilog. See Attachment "C".

Investing in this program is "money well spent". The average per participant cost of attendant services is approximately \$13,126.⁶ In contrast, the average cost of a Delaware nursing home in 2015 exceeds \$98,000.⁷ In the past few years, the Department has diverted 87% of applicants for public nursing home placements by providing community supports and reduced the census of its three long-term care facilities by 34%.⁸ That success is only possible with the availability of attendant services.

Thank you for your consideration.

Attachments

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⁵A copy of the DHSS FY17 Health Fund Application is included as Attachment "B".

⁶The DSAAPD FY 17 Health Fund Application (p. 3) envisioned serving 46 participants with \$603,800, i.e., \$13,126 per participant. [Attachment "B"]

⁷See DHSS Admin. Notice DMMA-2015-01 (January 20, 2015). [Attachment "D"]

⁸See DSAAPD FY15 JFC Presentation (February 27, 2014) at 5. [Attachment "E"]



Attendant Services

<p>Program/Service description</p>	<p>The goal of attendant services is to support persons with disabilities who need ongoing assistance. The program helps to maintain independence by allowing persons to work, complete their education, and/or to avoid living in a highly supervised setting. The client (or his/her surrogate) has control over the use of services. The services are provided based on the client's lifestyle, preferences, and abilities.</p> <p>See also: <u>Personal Care Services</u>.</p>
<p>Public funding source(s)*</p>	<ul style="list-style-type: none"> • State funds • Tobacco settlement funds
<p>Who is eligible</p>	<p>Delaware residents aged 18 and older with disabilities who meet specific social, financial, and physical criteria</p>
<p>Where it is available</p>	<p>Statewide</p>
<p>Who to contact for information or enrollment</p>	<p>Contact the <u>Division of Services for Aging and Adults with Physical Disabilities</u> by phone or e-mail.</p>
<p>Related internet links</p>	<ul style="list-style-type: none"> • Family Caregiver Alliance Hiring In-home Help Factsheet (http://www.caregiver.org/caregiver/jsp/content_node.jsp?nodeid=407) • Center for Personal Assistance Services (http://www.pascenter.org/home/index.php)

*Public funding means that the program is paid for, in part or in whole, by the government. Some publicly-funded programs have eligibility requirements and provide services at low cost or no cost to people who qualify. Most of these programs and services though, are also available to people who are able to pay privately (with their own money). For more information, please see the Sources of Funding section of this web site.

ATTACHMENT "A"

Personal Attendant Services



Take Charge of your Life!

For adults with physical disabilities, the Personal Attendant Services program (PAS) allows people with disabilities to maintain independent lifestyles, to live in the community and make choices concerning their personal assistant needs. Individuals with disabilities taking part in the Personal Attendant Services Program choose and hire their own Personal Attendant and work with them based on their individual needs. If you need a personal attendant and qualify through the Delaware Division of Services for the Aging and Adults with Physical Disabilities (DSAAPD), our staff can help you with the selection, hiring and training of the personal attendant. You become the employer.

Easter Seals is a resource to help you succeed in your employer/employee relationship. To find out DSAAPD's eligibility criteria, contact them at: DSAAPDinfo@state.de.us or call 1-800-223-9074.



Read Emmanuel's story

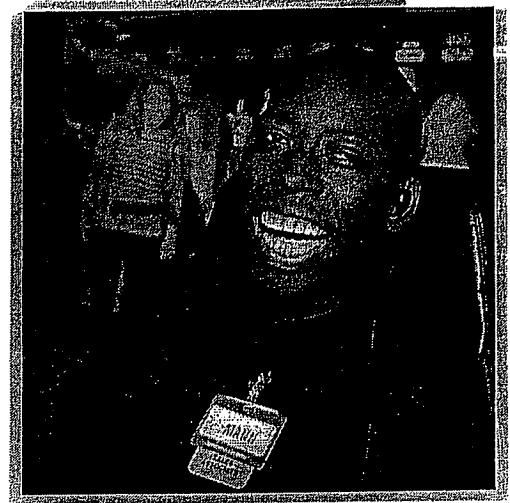
[Back to Previous Page](#)

Easter Seals Delaware and Maryland's Eastern Shore, 61 Corporate Circle, New Castle, DE 19720-2405 Easter Seals and its affiliate organizations are 501(c)(3) nonprofit organizations.

Take charge of your life with Personal Attendant Services

Like Emmanuel, you too can have it all!

Whoever said you can't have it all doesn't know Emmanuel. He has a beautiful wife, a five-year-old son, a new house in Harrington and a great job. Who could ask for more? Not Emmanuel, who is happy to be able to provide for his family. Life has not always been this perfect for Emmanuel, who lives with Cerebral Palsy and uses a power wheelchair. It was not until he started receiving Personal Attendant Services (PAS) through Easter Seals that he could live his life to the fullest.



"Easter Seals Personal Attendant services gives me a chance to be more independent. It has opened many doors for me on a professional and social level," Emmanuel says. "It gives me a chance to go out into the community and be a part of society. This program lets us live a 'normal' life without limitations."

He was working part-time at the Boys & Girls Club in Seaford when he first started receiving Personal Attendant services. Now days, his Personal Attendant helps him get ready each morning so he can report to work at his full-time job in the Wal-Mart store in Seaford each day.

Emmanuel is a valued part of his community and often does speaking engagements in Washington and Philadelphia to encourage men to step up to the plate as good fathers, husbands and employees in society.

The Personal Attendant program is one that puts the individuals with the disability in charge. Easter Seals staff provides the training of the attendant and other administrative tasks, such as payroll, but participants are trained to hire their own attendant, and set the work schedule and duties to be performed.

For more information on Easter Seals' Personal Attendant Program, please call 1-800-677-3800.

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Supports for Independence

Delaware

What are Personal Assistance and Personal Attendant Services?

Personal Attendant and Personal Assistance Services (PAS) empower individuals with disabilities to maintain their independence at home and remain active in their community. Individuals receive service coordination and financial management services, which support them in the process of hiring their own personal care attendant. Individuals can hire a friend, neighbor, or relative to help them with their personal care needs. Our experienced staff can also assist individuals in finding personal care attendants who can work at the participant's requested days and times.

Are you 18 or over with a disability and want control of your own services?

Do you want the choice to hire your own personal attendant to provide your personal care?

JEVS Supports for Independence can help. We tailor your services to meet your needs!

Service Coordination Includes

- An experienced Coordinator to support you in creating an individualized service plan (ISP)
- Assistance with setting you up as an employer so you can hire personal care attendants to meet your needs

Your Personal Attendant can help you with

- Bathing, dressing, grooming, toileting, meal preparation, and transferring
- Light housekeeping such as cleaning and doing laundry
- Errands and tasks such as food shopping and visits to the pharmacy

Financial Management Services Include

- Orientation to the program for you and your employees
- A competitive pay rate for your employees
- Human Resources support that helps you find a personal attendant to fit your needs
- Completing reference and background checks.
- Assistance with establishing and maintaining workers' compensation accounts
- Assistance with payroll
- Assistance with managing employment taxes
- A phone activated time and attendance system to ensure accuracy in recording hours worked
- A convenient call in system to confirm the hours your personal care assistant has worked

Would you like a FREE one of a kind training to help you in your role as an employer?

JEVS Supports for Independence offers a free Consumer Directed Training Series for all individuals enrolled in our Self-Directed Services Programs.

Consumer Directed Training

The JEVS SFI Consumer Directed Training Series supports program participants in their role as employers. This one of a kind training consists of video and written components that cover 11 topics essential to creating an effective relationship between the participant and his or her attendant. This training is the result of a team effort involving important contributions from self-directing participants, attendants, and SFI staff.

Eligibility for Personal Attendant Services

- A Delaware State Resident who is 18 years of age or older

- Applicant must possess a severe, chronic disability that significantly impairs his or her ability to perform the essential activities of daily living in an independent manner either at home or in the community
- Disability must be medically verified and expected to last for a continuous period of no fewer than 12 months

Enrollment for Personal Attendant Services

Eligibility and enrollment are determined by the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD).

TF: 1-800-223-9074

TTY: (302) 453-3837

Email: DSAAPDinfo@state.de.us

Eligibility for Personal Assistance Services

- A Delaware state resident who is at least 18 years of age
- Applicant must possess a severe, chronic physical, mental or developmental disability which significantly impairs the applicant's ability to perform the essential activities of daily living in an independent manner at home and in the community
- The applicant's chronic disability must be medically verified and expected to last for a continuous period of no fewer than 12 months

Enrollment for Personal Assistance Services

Eligibility and enrollment are determined by the Division of Medicaid and Medical Assistance (DMMA) or a Contracting Agency.

TF: 1-800-372-2022

TEL: (302) 255-9500

We Speak Your Language

JEVS Supports for Independence is dedicated to meeting your needs in a variety of languages. Our bilingual staff will create a supportive environment in which participants with limited English proficiency can have questions answered and their needs met.

Cost

Personal Attendant Services may be available at no cost or through cost sharing. Cost sharing, if applicable, is determined by the enrolling agency.

Personal Assistance Services are available at no cost for eligible participants.

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STATE OF DELAWARE
HEALTH FUND APPLICATION
FISCAL YEAR 2017

Applications are only being accepted from programs that received Health Fund money in FY 16 or were recommended by the Health Fund Advisory Committee to receive funding in FY 16.

FUNDING REQUESTS ARE DUE BY 4:30 PM, Friday, SEPTEMBER 11, 2015.

Requests should be submitted electronically to deborah.gottschalk@state.de.us and joanne.finnigan@state.de.us . Please send as a PDF or Image Writer file with your organization's name at the beginning of the file name. (Please remember to sign the Agreement on page 5).

Please direct questions to Debbie Gottschalk, Chief Policy Advisor, DHSS, Phone: (302) 255-9038; email: deborah.gottschalk@state.de.us or Joanne Finnigan, Phone: (302) 255-9880; email: joanne.finnigan@state.de.us .

Agency Information

1. Official Name of Organization:
State of Delaware, Department of Health and Social Services, Division of Services for Aging and Adults with Physical Disabilities
2. Date of Incorporation or Date Established by Law:
1965
3. 9-digit Federal Employer Identification No.:
51-6000279
4. Address of Management Office:
**1901 N. DuPont Highway
Herman Holloway Campus
Main Building, 1st Floor Annex
New Castle, Delaware 19720**
5. Name, Phone Number, and E-mail Address of Primary Contact Representative:
Lisa Bond, 302-255-9358, Lisa.Bond@state.de.us
6. Did your agency receive Health Funds in Fiscal Year 2016? If yes, how much?
\$603,800

ATTACHMENT "B"

Program Information

1. Please provide a one paragraph summary of the program.
The goal of the Personal Attendant Services Program (PAS) is to provide attendant services to eligible adults with physical disabilities, enabling them to work and/or avoid living in highly supervised institutional settings. The PAS is intended to maximize independence and autonomy for consumers. An important aspect of the Personal Attendant Services Program is self-direction. Consumers select their own attendants and direct attendant care in a manner which is consistent with their own personal lifestyle and preferences. Consumers serve as the actual employers of their attendants by hiring, training, scheduling, and directing work activities, and performing other related oversight functions. Consumers may act through a guardian or appointed representative. Currently, Personal Attendant Services is the only self-directed service administered by the Division of Services for Aging and Adults with Physical Disabilities (DSAAPD).
2. Why is there a need for the program for which your agency is seeking Health Funds?
The mission of the DSAAPD is to improve and maintain the quality of life for Delawareans who are elderly or who are at least eighteen years of age with physical disabilities. The Division is committed to the development and delivery of consumer driven services, which maximize independence through individual choice in the least restrictive environment possible, enabling individuals to continue living active and productive lives and protecting those who may be vulnerable or at risk.

The Personal Attendant Services program is an important component of the community-based long-term care systems supported by DSAAPD. The program provides personal care and other approved support services for adults with physical disabilities who need assistance to enable them to live in their own homes and communities and to carry out functions of daily living, self-care, and mobility.

Guidelines for the Personal Attendant Services program were established through the Community-Based Attendant Services Act (HB 30), which was signed into law by Governor Minner in 2001. The law (16 Del.C. Ch. 94) can be reviewed online at <http://delcode.delaware.gov/title16/c094/index.shtml>

The Division contracts for the provision of Personal Attendant Services on a statewide basis. The contracted attendant services agency provides support to consumers in a number of important ways. For example, the provider agency carries out person-centered planning with consumers to help them identify needs and preferences. The provider agency recruits attendants and maintains a roster from which consumers can select attendants who best meet their needs. In addition, the agency provides basic training to attendants and assists consumers in billing, tax requirements, and other mandates required of consumers when hiring attendants.

Originally funded with State general funds, the program was later expanded with the addition of funds available through the State's portion of the Tobacco Settlement.

3. What are the program goals and objectives?
 - a. To provide personal attendant services to promote self-sufficiency, self-reliance, and a sense of personal responsibility among participants,
 - b. To minimize the likelihood of institutionalization and maximize the potential for independent living of individuals with disabilities,
 - c. To reduce the barriers to participation in common community-based activities.
4. Please describe the target population affected by the program.

The target population consists of adults with low incomes who require long term care supports and services to remain in the community.
5. Where will the services be provided?

The Personal Attendant Services program is statewide and provides services in the consumer's home or other community-based settings.
6. What other agencies or organizations provide services similar to those of your agency, if any? How do you propose to work with the agencies that perform similar services?

Home health agencies provide personal care services that are used as supplementary service for some recipients of attendant care. DSAAPD will continue to coordinate scheduling and service delivery issues with these agencies.

<h3>Funding Request</h3>

1. What level of funding is your agency requesting for FY 2017?

\$603,800
2. Is the requested funding a one-time request or do you anticipate the need for on-going funding? Please explain.

The need for this funding is ongoing. It is expected that in FY 2017, Health Funds will provide attendant services for approximately 46 participants and general funds will serve an additional 77 persons for a total of 123 participants. In addition, there are currently 179 persons on the waiting list, including 149 designated as high priority.
3. Please submit a proposed line item budget (i.e., personnel, contractual, travel, supplies, etc.) explaining how you intend to use FY 2017 Health Funds. You will be asked to submit a year-end expenditure report based on the actual amount allocated in the budget.

Contractual	\$603,800
Personnel	\$0
Travel	\$0
Supplies	\$0

4. If you received Health Funds in **FY 2015**, please submit a year end expenditure report detailing how those funds have been used.

See attached Financial Statements. The funds were expended as follows:

- **Attendant Care** **\$686,100**
- **Care Support** **\$160,800**
- **Respite** **\$13,359**

5. Does your agency receive funding for **this project** from any of the following sources? If so, please provide the name of the funding source and the amount of funding received.

- State Funds (i.e., General Funds, ASF, Grant-in-Aid): **\$1,015,313**
- Federal Funds (including federal grants): **0**
- Other Funds (i.e., corporate grants/donations): **0**

6. In addition to sources listed in the answer to question 5, does your agency receive funding from any of the following sources? If so, please provide the name of the funding source and the amount of funding received.

- State Funds (i.e., General Funds, ASF, Grant-in-Aid): **\$20,018,345**
- Federal Funds (including federal grants): **\$10,542,685**
 - **Social Services Block Grant** **\$1,124,322**
 - **Medicaid** **\$440,000**
 - **Older Americans Act Title III B** **\$2,328,330**
 - **Older Americans Act Title III C-1** **\$1,577,988**
 - **Older Americans Act Title III C-2** **\$1,075,581**
 - **Older Americans Act Title III D** **\$98,653**
 - **Older Americans Act Title III E** **\$723,622**
 - **Older Americans Act Title V** **\$1,846,110**
 - **Older Americans Act Title VII (APS)** **\$23,843**
 - **Older Americans Act Title VII (Ombudsman)** **\$79,350**
 - **Nutrition Services Incentive** **\$493,592**
 - **Senior Medicare Patrol** **\$169,950**
 - **Senior Medicare Patrol Capacity** **\$59,898**
 - **Aging & Disabilities Resource Center** **\$383,635**
 - **Lifespan Respite** **\$117,811**
- Other Funds (i.e., corporate grants/donations): **Senior Trust Fund \$15,000**

Program Evaluation

1. If you are currently receiving Health Funds, how have you evaluated your program's success at meeting the previously stated goals and objectives? Specifically, identify the performance measures you use and the corresponding results.

Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) staff members monitor the Attendant Services program contracts to ensure that program goals are being met.

DSAAPD case managers provide oversight to ensure that services are delivered in accordance with individual care plans.

Recipients are surveyed annually regarding their satisfaction with the service. During the most recent program year, nearly all program participants indicated that the attendant services met their expectations, that their interactions with staff were good and that the staff members were responsive to their needs.

DSAAPD utilizes a tracking system which closely monitors service utilization. This system enables staff to accurately project service hour availability and allows for efficient use of existing resources.

2. If you are currently receiving Health Funds and did not meet your stated goals and objectives, how will you modify your program to meet the stated goals and objectives?

DSAAPD has met our current goals and objectives.

Agreement

 DSAAPD agrees to the following as a condition of receiving
(Agency name)
Health Funds:

1. To submit funding requests on the forms provided at the times designated and to participate in the allocations review process.
2. To provide an annual certified audit and other financial statements, service figures, and reports or audits as required by the State of Delaware.
3. To cooperate with other organizations, both voluntary and public, in responding to the needs of the community and in promoting high standards of efficiency and effectiveness.
4. To submit accurate information with this application. NOTE: Any misstatement of facts may forfeit any remaining balance of grants due and/or future grants.
5. That this agency meets the criteria established by the Health Fund Advisory Committee and uses any funds appropriated by the General Assembly in accordance with those provisions and any additional restrictions that may be set forth in State Law.
6. This agency will provide the Health Fund Advisory Committee with financial or programmatic information upon request.

This agreement has been read and approved on:

(Date)

By: _____

(Name)

(Title)

(Name)

(Title)

Health Fund Project Criteria

In accordance with Section 137 of Title 16 of the Delaware Code, moneys from the Delaware Health Fund shall be expended for Delaware citizens in accordance with any 1 or more of the following:

- (1) Expanding access to healthcare and health insurance for citizens of Delaware that lack affordable healthcare due to being uninsured or underinsured;
- (2) Making long-term investments to enhance healthcare infrastructure which meets a public purpose;
- (3) Promoting healthy lifestyles, including the prevention and cessation of the use of tobacco, alcohol and other drugs by the citizens of Delaware;
- (4) Promoting preventative care for Delawareans in order to detect and avoid adverse health conditions, particularly cancer and other tobacco-related diseases;
- (5) Working with the medical community by providing funding for innovative and/or cost effective testing regimens to detect and identify lesser-known but devastating and costly illnesses, such as sarcoidosis and hemachromatosis, fibromyalgia, lupus, lyme disease and chronic fatigue immune deficiency syndrome;
- (6) Promoting a payment assistance program for prescription drugs to Delaware's low-income senior and disabled citizens who are ineligible for, or do not have, prescription drug benefits or coverage through federal, state, or private sources;
- (7) Promoting a payment assistance program to Delaware's citizens who suffer from debilitating chronic illnesses, such as diabetes and kidney disease, which are characterized by onerous recurring costs for equipment, tests and therapy; and/or
- (8) Such other expenditures as are deemed necessary in the best interests of the citizens of Delaware provided they shall be made for health related purposes.

1 Helpline. Available funds designated for the Delaware Helpline may be distributed annually in a lump sum at the
2 beginning of the contract year.

3 **Section 185.** Section 1 of this Act appropriates \$3.0 in Contractual Services to the Department of Health
4 and Social Services, State Service Centers (35-12-30). These funds are to be used to reimburse emergency shelters
5 for housing homeless women and children in Kent County during Code Purple conditions. Code Purple is defined
6 as nights when the temperature is 25 degrees or below or in emergency weather conditions such as an ice storm or a
7 blizzard.

8 **Section 186.** The Department of Health and Social Services, Services for Aging and Adults with Physical
9 Disabilities (35-14-00) is encouraged, where appropriate, to reallocate resources so as to create a balanced system of
10 services and treatment among the internal program units: Hospital for the Chronically Ill (35-14-20), Emily Bissell
11 (35-14-30), Governor Bacon (35-14-40) and community-based services for persons aging and/or with physical
12 disabilities. Such reallocation initiatives must be made within the division's appropriation limit with the approval of
13 the Director of the Office of Management and Budget and the Controller General. These reallocation initiatives
14 shall not compromise the standard of care of the remaining Long Term Care population.

15 **Section 187.** Department of Health and Social Services, Services for Aging and Adults with Physical
16 Disabilities (35-14-00) will receive Medicaid reimbursement for the administration of community-based services for
17 the Aging and Adults with Physical Disabilities population. Notwithstanding the provisions of 29 Del. C. § 6102,
18 the division shall be allowed to collect and deposit the Medicaid reimbursement in an ASF account entitled
19 "Community Based Services Reimbursement." Receipts in the account may be used to maintain existing services
20 and provide additional services for adults with physical disabilities. Such services are not to exceed the estimated
21 annualized revenue and are subject to initial and ongoing review by the Director of the Office of Management and
22 Budget and the Controller General.

23 **Section 188.** Section 1 of this Act provides ASF spending authority to the Department of Health and
24 Social Services, Division of Medicaid and Medical Assistance (DMMA) (35-02-01) and the Division of Substance
25 Abuse and Mental Health (DSAMH), Community Mental Health (35-06-20). Notwithstanding the provisions of 29
26 Del. C. § 6102, DSAMH shall be allowed to collect and deposit Medicaid reimbursement, sliding fee scale client
27 payments and additional insurance reimbursement for PROMISE and other behavioral health services by DSAMH
28 operated programs. DSAMH will deposit the state share of Medicaid payments into a DMMA ASF appropriation,



STATE OF DELAWARE

DELAWARE HEALTH AND SOCIAL SERVICES
DIVISION OF MEDICAID & MEDICAL ASSISTANCE

POLICY AND PROGRAM DEVELOPMENT UNIT
MEMORANDUM

REPLY TO
ATTN. OF: Administrative Notice DMMA-11-2013

TO: All DMMA Staff

DATE: January 2, 2014

SUBJECT: Nursing Home Private Pay Rate

BACKGROUND

Section 1917(c) of the Social Security Act stipulates that a period of ineligibility must be assessed when a Medicaid applicant has transferred assets for less than fair market value. The average monthly cost to a private pay patient of a nursing facility is used to determine this period of ineligibility.

Note: This is not the average Medicaid per diem rate.

DISCUSSION

The daily average usual and customary nursing facility charge for a private pay patient is calculated annually. This amount is then rounded up or down, based on normal rounding rules. A monthly rate is obtained by multiplying the rounded daily rate by 30.42 days. These figures are used to calculate the period of ineligibility.

Effective January 1, 2014 the daily and monthly rates are:

Average daily cost to a private pay patient of a nursing facility in Delaware	\$ 241.00
Average monthly cost to a private pay patient of a nursing facility in Delaware	\$7,331.00

ACTION REQUIRED

DMMA staff should use these figures when calculating a period of ineligibility for applications filed on or after January 1, 2014. Policy DSSM 20350.3 and DSSM 20350.3.1 should be reviewed.

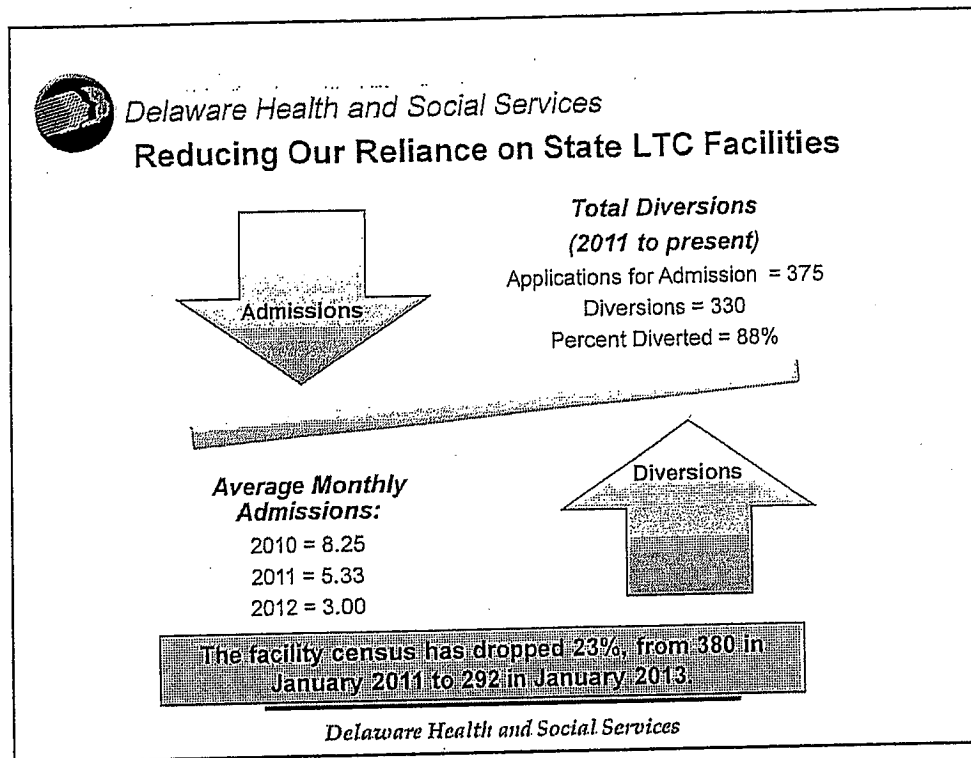
DCIS II will be updated with these figures.

DIRECT INQUIRIES TO

Barbara L. Lewis
(302) 424-7228

January 2, 2014
DATE

Dave Michalik
Dave Michalik, Chief
Program Development
Medicaid & Medical Assistance



Several studies released in recent years provide evidence that Delaware is over reliant on facility-based services – a model of service delivery that is not sustainable given the rapidly growing aging population, nor does this model effectively support the needs of Delaware’s older population and those with disabilities. For example, one study showed that Delaware has a high rate of nursing home residents with low care needs (13.5%) relative to the average rates of the top five states (5.4%). Surveys also report that the overwhelming majority (86% plus) of Delawareans want services that support them in their own homes. We must also ensure our compliance with the Americans with Disabilities Act which mandates that public agencies provide services in the most integrated setting appropriate to individual needs. We are rebalancing our allocation of resources to more effectively meet needs not by restricting access to facility-based services when needed, but by improving access to community-based services. Many Delawareans historically placed in nursing facilities can be more effectively supported in the community – and that is what people want.

Our Care Transitions Team is diverting admissions where appropriate to community-based services that enable individuals to continue to live in their own homes with wrap-around services, or to private facilities. Since February 2011, 88% of referrals for admission were diverted enabling us to reduce average admissions from over 8 per month to 3 per month and to reduce our census across the three facilities by 23%.

The Department also completed an independent assessment of all residents in our long-term care facilities and is using that information to transition individuals back to the community when appropriate using such initiatives as Money Follows the Person.