



NEW HAMPSHIRE
DHHS
DEPARTMENT OF
HEALTH & HUMAN SERVICES

Rate Work Group

March 15, 2024

Agenda

1. Exceptions Process

- Review of Assessment Focus Group/Advisory Committee Recommendations and Feedback Assessment Focus Group Member List
- Peer State Examples

2. Next Steps

- This Rate Setting Work Group is open to the public. Members of the public may ask questions through the Q&A feature.
- This structure ensures that the Department can engage a diverse group of stakeholders in substantive dialogue while also providing transparency and general updates to the general public.
- If you are a member of the public and have questions about the Rate Setting Work Group and/or its work, please contact BDSRateStructureWorkgroup@dhhs.nh.gov and a response will be provided as soon as possible.

Exceptions Process Development

Key Considerations:	Planned Discussion Dates:
Type of Exceptions	3/15/24
Exceptions Review Process	3/15/24
Required Documentation for Exceptions Requests	3/15/24
Exceptions Review Timeline	4/19/24
Exceptions Review Team	4/19/24

Exceptions Request Types – State Examples

- What are the reasons an individual may request a SIS exception?
- Is an exceptions request needed if a change in supports needs occurs?(or is a new SIS scheduled?)

Virginia

SIS-A Assessments: An individual may request a review of the SIS-A administration in response to concerns with adherence with the Virginia Standard Operating Procedures

Customized Rates: A customized rate may be requested for individuals with extraordinary medical or behavioral support needs receiving any of the following waiver services:

- Community Coaching, Group Day, In-Home Support, Group Home Residential, Sponsored Residential, Supported Living Residential
- Examples include out of state placements; state operated or specialized placements; increased staffing ratios; higher credentials; increased program oversight; medical criteria

Hawaii

Participants may request an exceptions review associated with their needs for services.

Adjustments or exceptions may be requested for the following reasons:

- Health and safety
- Additional time to make support adjustments (such as the development of natural/community supports)
- Increased services to ensure successful transition into less restricted settings, which over time will require a less intensive level of support

Exceptions Request Types – State Examples

- **What are the reasons an individual may request a SIS exception?**
- **Is an exceptions request needed if a change in supports needs occurs?(or is a new SIS scheduled?)**

Rhode Island

Emergency/crisis in individuals living situation include:

- Risk of losing living situation
- Risk of life-threatening incidents
- Repeated incidents relating to the individual's health and safety
- A new diagnosis of mid-stage organic brain syndromes
- A new diagnosis of serious mental health condition
- Development of new co-morbid conditions
- Development of significant health or medical condition

Non-Emergency request for supplemental needs but directly related to the imminent health and safety needs as well as employment needs of an individual that cannot be met within tier allocation

Maine

Exceptions are available related to services needed in excess of established monetary/funding caps available to pay for services and/or unit caps for services

Exceptions Request Types – Feedback/Recommendations

- What are the reasons an individual may request a SIS exception?
- Is an exceptions request needed if a change in supports needs occurs (or is a new SIS scheduled)?

Summary of Assessment Focus Group Recommendations/Feedback

- Reasons an individual may request a SIS exception situations involving a concern with SIS process, change of support needs
- Process needed for responding immediately to crisis situations to assist with additional staffing/supervision
- Recommend three different reasons that someone may request an exception:
 1. Routine change,
 2. Unexpected change
 3. New assessment needed
- Determine if new assessment needed is an exception and if not, develop SOP
- Define criteria for significant life change

Summary of Rate Work Group Recommendations/Feedback:

- Clearly define significant life changes -- if new assessment needed, do not see this as an exception
- A temporary rate increase could be handled through crisis funding for an identified period to allow time for the SIS review team to meet/make a decision. If the need continues after the temporary period, complete a new SIS for long term funding
- If there are significant health/safety concerns, develop a process to obtain crisis funding through BDS not exceptions
- Training for service coordinators to assist an individual/family to request an exception

Exceptions Request Types – Feedback/Recommendations

7

- **What are the reasons an individual may request a SIS exception?**
- **Is an exceptions request needed if a change in supports needs occurs (or is a new SIS scheduled)?**

Rate Work Group Recommendations/Feedback 3/15/24

- Keep crisis process to address short-term needs. Consider short-term funding process in the context of when a provider may need additional funding during a timeframe when the provider has given notice.
- If a professional (licensed practitioner) disagrees with the SIS results, how will this information be considered within an exception. Team should consider with additional information available (progress on goals, current staffing ratios, etc.). Team should include a clinician to ensure it is able to address feedback from licensed practitioners.
- Consider if/how SIS supports individuals who have a brain injury. Other tools are better at pointing to support needs.
- Process/procedural concerns (did the interview happen through a process that results in a valid SIS) – Appeal. Critical to ensure SIS is completed in alignment with best practices to ensure a valid SIS to avoid need for and timeframes around appeals.
- Results (how the information is applied) – Exception (appeal after exception completes)
- Some group members request consideration of allowing the provider to initiate an exception to ensure viability of provider organizations -- team approval would not be required in this instance. Team meeting to ensure communication on all steps will still be critical in this instance. Some members consider the importance of the SC/team to approve a request for an exception. Consider in both situations, the SC would be the first point of contact, hold a team meeting and determine next steps.
- Rule needs to clearly outline timeframe for process of each step. 30 day turnaround is currently used as ideal. Uniform procedure also critical to ensure consistency. Timeframe from the time an individual requests a change until it is submitted to BDS. Turnaround from time submitted to BDS for exception...cadence of review team meetings.
- Distinction between an exceptions process and change in needs level. Significant change should not be addressed through an exception process. This should be addressed in the short-term through crisis funding.

Exceptions Request Process – State Examples

- Is there any form of acknowledgement provided when exception query is submitted?
- What happens to an individual's current services if they request a review?
- Is there a maximum # of exceptions someone can ask for in a certain period of time?

Rhode Island

- Completed supplemental funding request forms are submitted via email
- Requests must be submitted at least 60 days prior to the requested start date of these services
- Supplemental funding requests are reviewed by the State and decisions are communicated through written correspondence/forms
- If a supplemental request requires a tier/level change, an approval will be sent out to the individual
- Approvals require creation of a new authorization and billed using modifiers

Virginia

SIS-A Reassessment:

- A request for review may be submitted within 30 business days of receipt of SIS-A results by completing a VA SIS Review Form along with a letter that details the specific ways in which the requestor believes the VA SOP were not followed
- If errors were found a new SIS will be scheduled

Customized Rates:

- Providers and SC must submit a written request for a customized reimbursement rate via the Customized Rate Initial Application Form and accompanying documentation of individual need
- Requests are reviewed by Customized Rate Review Team to determine if documentation substantiates the need and that provider has employed staff with adequate qualifications or increased the ratio of staff to individual
- If approved, the customized rate methodology modifies existing rate methodology
- Customized rate requests must be resubmitted annually

Exceptions Request Process – State Examples

- Is there any form of acknowledgement provided when exception query is submitted?
- What happens to an individual's current services if they request a review?
- Is there a maximum # of exceptions someone can ask for in a certain period of time?

Colorado

- Support Level Request Review Form must be completed by case managers to initiate a Department review of the current Support Level
- A request is submitted when there is a temporary change in needs requiring a higher level of daily support than what has been established for the member associated with the request
- A request can only be initiated by the member, an authorized representative, or the case management agency
- The Request for Support Level Review Form, when completed as outlined, will provide a comprehensive account of the Member's support needs

Hawaii

- Exceptions decisions are determined following review of relevant information
- Participants may review the information submitted on their behalf, and may submit comments, documentation or any other relevant information
- If services are approved, the numbers of units/hours/amount/duration authorized will be specified

Exceptions Request Process – Feedback/Recommendations

- Is there any form of acknowledgement provided when exception query is submitted?
- What happens to an individual's current services if they request a review?
- Is there a maximum # of exceptions someone can ask for in a certain period of time?

Summary of Assessment Focus Group Recommendations/Feedback

- Team admin capture requests in a standardized way, respond to confirm receipt and provide response timeframe
- Benefit levels should remain the same until a final decision is made
- If there are significant health/safety concerns, develop a process to obtain crisis funding to bridge the time needed for the SIS (through BDS not the exception team)
- Clarify how BDS will communicate SIS exceptions with the PCP team

Summary of Rate Work Group Recommendations/Feedback:

- Consideration for the steps in the process where SIS exception requests can occur so as to not stall ISA and budget development
- Consider exception review team decisions (i.e., consensus/majority and prioritization of requests)
- It appears only the individual or family will be provided with the determination – recommend the guardian and service coordinator, and preferably the current provider agency as well, will also be notified
- If not satisfied with the determination of the review team, the person can submit another exception request with additional information, can request an appeal?

Exceptions Request Process – Feedback/Recommendations

11

- Is there any form of acknowledgement provided when exception query is submitted?
- What happens to an individual's current services if they request a review?
- Is there a maximum # of exceptions someone can ask for in a certain period of time?

Summary of Rate Work Group Recommendations/Feedback 3/15/24

- Review team should acknowledge receipt of exception request; send to service coordinator. Service Coordinator will ensure the team is notified. Timeline for acknowledgement of receipt as well as timeline for SC to notify the team. Consider 7 days from time exception received until the team is notified.
- Exception team should schedule the review within 14 calendar days of receipt and make a decision within 7 calendar days of the meeting. Goal to keep within the 30-day timeline. Acknowledgement should include this information.
- Encourage this process to be built into NH Easy so the team can follow the process. Lean into technology to create efficient and consistent communication processes.
- Crisis funds utilized to address immediate needs. Continue current crisis policy process (4-day).
- Consider that capping the number of exceptions limits rights. Shouldn't be many procedural appeals (goal to ensure SIS is valid each time). Exceptions will likely be when someone is close to another level. Need to ensure process can meet changing needs and ensure provider sufficiency in meeting needs. Group recommends no maximum number of exceptions be set. Difference between a change in life and an exception. Ensure these are defined clearly to ensure clarity in each process. Consider process after the exception decision is made. How does this intersect with 30-day post-decision appeal timeline...also, does it immediately go to appeal or can there be additional information provided to the review team...or both.

Documentation Requirements – State Examples

- **What information is needed to submit a query? (e.g., written query, additional paperwork)**
- **Will there be a template/form for both the request for exception and the for the Team’s review?**

Virginia

- Customized rate application
- ISP
- Behavioral support plan/data (if applicable) including history of crisis, frequency of behaviors and interventions required
- Health Supports data (if applicable) - medical reports, protocols, specialized supervision data, nursing care plan
- Staff credentials - copy of certifications and degrees for all employees who will provide supports to individual
- Crisis plan (if applicable)
- Staffing plan (using template provided by Dept)
- Overnight supports data

Colorado

- Detailed description of the Member’s need(s). Give specific examples of staff support, particularly supports beyond reminders and verbal prompts
- Onset date of new diagnosis (if applicable) or changes in condition
- Interventions associated with the member’s needs
- Time dedicated each day/week to meeting person-specific needs
- Specific details on current and/or significant life changes
- How pre-existing supports may be enhanced with additional funding

Documentation Requirements – State Examples

- **What information is needed to submit a query? (e.g., written query, additional paperwork)**
- **Will there be a template/form for both the request for exception and the for the Team’s review?**

Maine

The exception request must include:

- Proposed level of service
- Anticipated duration of the exception
- Statement of risk involved without an exception (particularly related to institutionalization or segregation)
- Outline of whether the needs can be met through another service or combination of services
- Description of the need in relation to accessing community services

Rhode Island

- Documentation required to substantiate the Major Life Change:
 - Medical assessment
 - Nursing Care Plan
 - Psychiatric assessment
 - Current Behavior Support Plan or Safety Plan
- Documentation for Additional Funding Requests:
 - Progress Notes -- Medical, Psych, PT, OT
 - Current supports summary detailing reasons why additional supports are being requested
 - Behavioral/Medical Plan (Including diagnosis)
 - Supported Employment -- Career Development Plan, job form, and 3 months of job coaching notes

Documentation Requirements –Feedback/Recommendations

14

- **What information is needed to submit a query? (e.g., written query, additional paperwork)**
- **Will there be a template/form for both the request for exception and the for the Team’s review?**

Summary of Assessment Focus Group Recommendations/Feedback

- Examples of supporting documentation could include: Person Centered Planning information, Statement of reason/basis for exception request, Video with reason/basis for exception request
- Ensure submission of exception request and associated documentation is kept confidential and complies with federal privacy requirements.
- Consider exceptions requests being incorporated into HEIGHTS to reduce individual/family admin burden
- Establish clear requirements for submissions – not overly difficult or time consuming
- Allow submissions in any form (written, verbal, video, person centered planning information ,etc) to ensure accessibility
- Require standard review process / template to ensure consistency

Summary of Rate Work Group Recommendations/Feedback

- There should be a template for an exception request and consistent expectations for what information is provided when requesting an exception
- If the purpose of the exception team is to review specific exceptions for individual SIS’s they should not have access to all SIS’s. Access should be “need to know”
- Agree with exceptions being requested in NH Easy

Documentation Requirements – Feedback/Recommendations

15

- **What information is needed to submit a query? (e.g., written query, additional paperwork)**
- **Will there be a template/form for both the request for exception and the for the Team's review?**

Summary of Rate Work Group Recommendations/Feedback 3/15/24

- Consider two-page form created by BDS with nurse/practitioner justification. Attach documentation that supports narrative -- narrative should be brief in favor of documentation. Narrative of request or existing documentation that may provide narrative/justification such as progress notes, contact notes.
- Current support level and associate rate initially determined and what support level and rate is being requested and why (salary, support level, staffing, etc.)
- Behavioral support plans and medical plans.
- Timeframe for level/rate being requested.
- Recommend tracking reasons for requests to trend and determine.
- Consider system/metrics for scoring of information provided (not the individual) for review.
- Ensure strong process/clear guidelines to ensure there is not a “back and forth” process.
- Process should balance subjectivity (sometimes necessary, sometimes not).
- Do not ask documents to be submitted that are already available to the team and necessary releases (when necessary).
- Consider inviting the SC to the review to present the request.
- Have a QA process for requests, communicate information to ensure process working well and forms are sent with necessary information.
- Should be a checklist/cover sheet and instructions.
- Build form into NH Easy. For the physical form, ensure pdf has form-fill functionality.
- If/when built into NH Easy, ensure future individual/provider view shows exception process.

Next Steps

April 19th Rate Workgroup Meeting:

- Continued discussion and feedback on the SIS-A exceptions recommendations and peer state examples

Future Agenda Items:

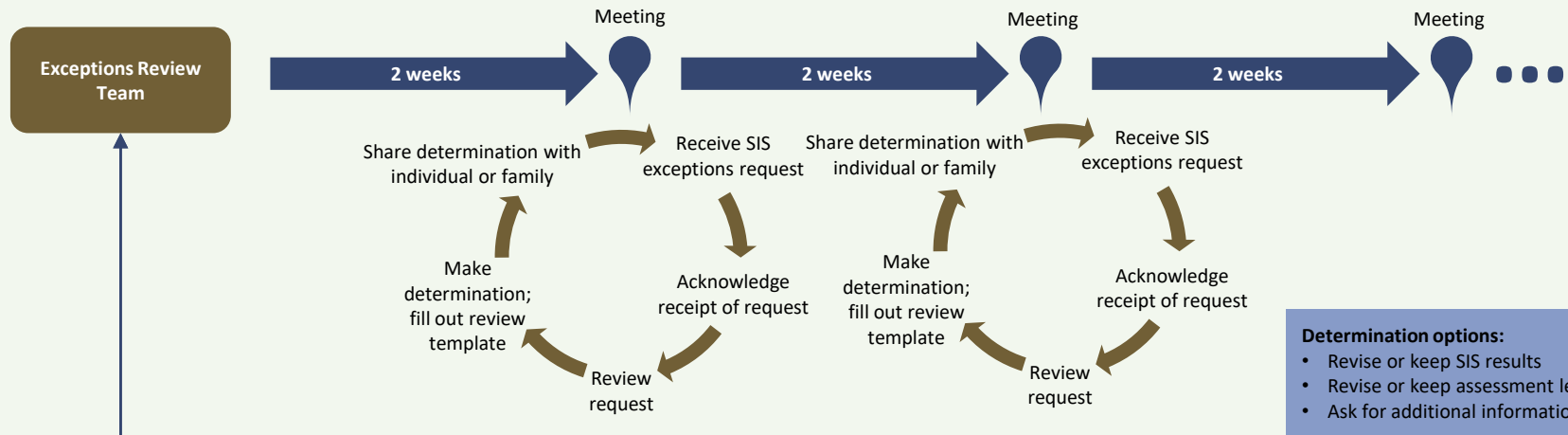
- Annual Cost Report



Appendix

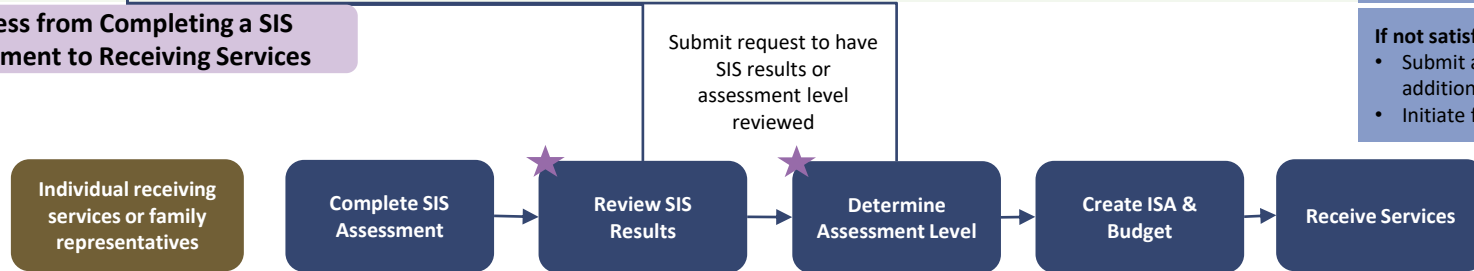
Assessment Focus Group: Proposed Exceptions Process Flow

Meeting Cadence & Actions of SIS Exceptions Review Team



- Determination options:**
- Revise or keep SIS results
 - Revise or keep assessment level
 - Ask for additional information
- If not satisfied with determination:**
- Submit another exceptions request with additional information
 - Initiate formal appeals process with CMS

Process from Completing a SIS Assessment to Receiving Services



★ Steps in process where SIS exceptions can occur

Assessment Focus Group: Proposed SIS-A Exceptions Process

Exceptions Review Team	
Question	Proposed Answer
What types of people/groups should be represented in the Exceptions Review Team? (e.g., Administration, Clinical, Medical, Residential, Day)	<p>Diverse team – Clinical perspective, functional perspective (OT/PT), nurse perspective, family representative (perhaps from a family organization), DAADS representative, service provider agency representative (rendering service provider agency), service coordinator, individual, DSP, HCP, individual not part of our current service system, administrative support professional</p> <p>How many people on team? Recommendation is for at least 7 group members (as identified above and an administrative support professional. Set team</p>
What is the suggested cadence for Exceptions Review Team meetings? (e.g., every 2 weeks)	<p>Recommendation: Every two weeks and as needed. To be adjusted based on volume. Coordinate with ISA group on timeline. Information needed after individual's select their services.</p> <p>If an urgent need is identified, indicate what the expected review/response time will be</p>
Will there be one review team per region or one for the state?	Recommendation: 1 team for the state to ensure consistency
What is the process for review team alternates?	<p>Recommendation: There should be alternates. A SOP should be developed for the Review Team to include an alternate process.</p> <p>Other SOP areas to consider:</p> <ul style="list-style-type: none"> - Annual training and onboarding for exceptions team, families, staff, and individuals - Additional goals for the team (e.g., sharing information trends) - What will annual training and onboarding look like?

Assessment Focus Group: Proposed SIS-A Exceptions Process

Submitting a Query	
Question	Proposed Answer
<p>What information is needed to submit a query? (e.g., written query, additional paperwork)</p>	<p>A statement requesting an exception review and relevant supporting documentation, which could depend on the reason that the exception is being requested.</p> <p>Additional notes/considerations:</p> <ul style="list-style-type: none"> - Ensure access is considered when defining what the “statement” can be. - Examples of supporting documentation could include: <ul style="list-style-type: none"> Person Centered Planning information, if available (via 171-A eligibility info as well) Statement of reason/basis for exception request Video with reason/basis for exception request - Where will the SIS be stored? Will the team have access to it somehow or will the individual need to submit the SIS with the exception request? - Consideration: How to ensure submission of exception request and associated documentation is kept confidential and complies with federal privacy requirements.
<p>Will there be a template/form for both the request for exception and the for the Team’s review?</p>	<p>No specific form to request an exception. An exception request can be accepted in any form (written, verbal, etc.). The Team admin can capture the requests in a standardized way, respond to confirm receipt and rough timeframe for response. There should be a standardized review template for review team to ensure consistency.</p> <p>Can we incorporate the request into HEIGHTS to reduce individual/family administrative burden?</p>

Assessment Focus Group: Proposed SIS-A Exceptions Process

Submitting a Query	
Question	Proposed Answer
Is there any form of acknowledgement provided when exception query is submitted?	<p>Yes, The Team admin can capture requests in a standardized way, respond to confirm receipt and provide a rough timeframe for response.</p> <p>Clarify how BDS will communicate SIS exceptions with the PCP team</p>
Is there a maximum # of exceptions someone can ask for in a certain period of time?	<p>No. Three different reasons that someone may request an exception: 1) Routine change, 2) unexpected change and 3) new assessment needed (is the 3rd an exception? If not, define in SOP).</p> <p>Need to be clear on which path to take if someone needs change in supports or if something has happened. Distinguish between need for an exception and need for a new SIS.</p> <p>What are the flags for a new assessment within the 5-year period? Tie to a significant life change. Group will consider outlining what those life changes are.</p> <p>Can an exception be requested for immediate change while a new SIS is in progress? What if it is a temporary need and not expected to be needed long-term? Consider how waiver services will be able to support such a situation.</p> <p>What are we asking for an exception review for...rate for a specific service or overall SIS results? For IT System – Put in a clock for review. Will also provide good data for trending.</p>

Assessment Focus Group: Proposed SIS-A Exceptions Process

Rules	
Question	Proposed Answer
<p>Should there be stipulations around time periods exceptions should be requested (e.g., X# days after receipt of SIS score? X# days after SIS Assessment?)</p>	<p>As a SIS is complete, indicate what information is sent and when regarding the decisions (SIS and service level impact)? [Team will research family reports that are sent by AAIDD and versions that other States have developed]</p> <p>Who can ask for an exception?</p> <p>Reinforce that if individual is already receiving services, do they continue “as-is”</p>
<p>What are the reasons an individual may request a SIS exception? Is an exceptions request needed if a change in supports needs occurs? (or is a new SIS scheduled?)</p>	<p>Issue with the SIS itself (either info. included or the process to gather) Issue with support needs identified relative to services selected by the individual.</p> <p>If SIS assessment is upcoming but increased support needs are identified to begin immediately, PCP team will determine if “crisis” can be used to assist if additional staffing/supervision is requested.</p>
<p>What happens to an individual’s current services if they request a review?</p>	<p>The benefit levels should remain the same until a final decision is made.</p>