

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
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AUG 09 2007

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Dear Colleagues and Friends:

The purpose of this communication is to provide an update on two important issues of concern to self advocates, families, providers, administrative entities and friends.

SERVICE DEFINITIONS

As you know, service definitions are the instrument used to inform the community of the services that are funded through the Consolidated and Person/Family Directed Support (P/FDS) Waivers and through non-waiver funds.

On May 31, 2007, the Office of Developmental Programs (ODP) sent a draft service definitions document for review and comment to the entire ODP community. The major purpose of the draft was to provide consistent definitions, which could be consistently and equitably interpreted and applied across the Commonwealth. ODP has received significant comments on the draft definitions, both in writing and through conversations with a wide range of stakeholders, including the ODP Planning Advisory Committee.

This period of discussion and input has convinced me that we need to make major revisions to the current draft of the revised service definitions. Between now and September 30, 2007 ODP will continue to work on revisions with a number of external stakeholders. We anticipate sending a revised draft service definitions document for a 30-day public comment period in early October 2007. We also anticipate holding face-to-face information and feedback-gathering sessions for individuals and family members. Public comments and feedback will be reviewed, and will result in the development of final service definitions. The final service definitions will be used to develop Consolidated and P/FDS Waiver amendments. The amendments will be submitted to the Centers for Medicaid and Medicare Services (CMS) in December 2007.

Because of the time involved in making these revisions, the proposed implementation date for the revised service definitions document is being extended to July 1, 2009. In this context, I want to remind everyone that **only the current Consolidated Waiver and P/FDS Waiver service definitions that are included in the current, approved Waivers and the current Service Definitions Bulletin (00-07-03) may be used in individual support planning.** In addition, **only the Non-Waiver service definitions that are included in the current Service Definitions Bulletin may be used in individual support planning.** Please note that new service

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definitions for Waiver services may only be implemented with approval from CMS. ***The May 31, 2007 draft or any other drafts may only be implemented upon direction from ODP.***

RENEWAL OF THE P/FDS WAIVER


As many of you know, ODP is in the process of negotiating with CMS regarding renewal of the P/FDS Waiver. As we move from a program-funded system to a rate setting system, an issue has developed in the P/FDS that has caused a reduction in service for some waiver participants with needed services at or near the P/FDS per person cap.

Essentially, under the old system the average cost of supports for a group of waiver participants was used for the rate for that service. The new rate setting system uses the individual cost, rather than average cost. As information on individual costs was developed, ODP found that a small number of people served in the P/FDS Waiver now had budgets that exceeded the cap. Under the rules currently in place, ODP may not allow waiver service costs over the current cap.

ODP is in the process of reviewing several new policies that we believe may help resolve this problem. We will distribute information to the stakeholder community about these new policies in the very near future. We understand the need to act rapidly in this situation.

We have set up a special e-mail account to collect your comments. The account should be operational on August 15, 2007. Please feel free to contact me at ra-odpcomment@state.pa.us with any questions or comments.

Sincerely,



Kevin T. Casey