

# NCI and HCBS: State Level Monitoring of Compliance

Webinar Presented by NASDDDS and HSRI

February 22, 2016



National Association of State Directors of Developmental Disabilities Services



**Objectives** 

- Identify the areas within Home and Community Based service authorities in which measurement requirements could benefit from Data from National Core Indicators (NCI)
- To learn from two states' experiences how NCI, combined with other state data, has contributed to their overall quality strategy for HCBS
- To identify areas in which NCI aligns with HCBS measurement requirements, including settings requirements, and the updates to 2015 NCI which will provide additional data in the future.

# NASDDDS

National Association of State Directors of Developmental Disabilities Services



Today's Speakers

- Mary Sowers, NASDDDS Special Projects Director
- Dan Lusk, Director of South Dakota Developmental Disability Services
- Cathy Robinson, Director of Indiana Bureau of Developmental Disability Services
- Erica Hendricks, HSRI Policy Associate

## NASDDDS

National Association of State Directors of Developmental Disabilities Services

## Overview

NASDDDS 2016

- Quality in home and community based waivers as authorized under Section 1915(c) of the Social Security Act is unique in the Medicaid landscape.
- States have to demonstrate compliance with 6 statutory assurances through a method of continuous quality improvement.
- In addition to the statutory assurances, states must now devise strategies to demonstrate compliance with the new regulations



## Statutory Assurances

- Administrative Authority
- Level of Care
- Qualified Providers
- Service Plans
- Health and Welfare
- Financial Accountability

For each assurance, there are a number of subassurances that require their own demonstration of compliance.

Items in blue represent areas where NCI data can be used to round-out a data set to inform compliance.



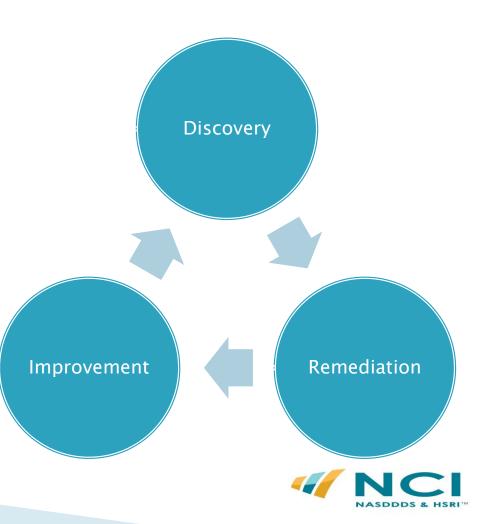


### State Use of NCI in HCBS Continuous Quality Improvement

- At each step in the CQI, NCI can be used at a high level for many assurances to:
- test findings on a systemic level and to complement information obtained from administrative data sources;
- 2. inform remediation strategies, and,
- provide a roadmap to effective and well-calibrated systems improvement activities.

**NASDDDS** 

2016



# NCI as a Data Source for Waiver Quality?

- States do use NCI data in their waivers' discovery processes, but not alone.
- Because NCI does not provide individual or provider specific data, this is used in addition to or as a method to confirm other sources of data, such as administrative information
- States regularly use NCI to inform areas where systems improvements can occur, and can longitudinally use NCI to monitor their efficacy.

2016



### NCI: An Important Element of an Integrated Data Strategy



When used as a complement to other data sources used by states (administrative data, record reviews and others), NCI can provide high level indicators of strong system performance.



NASDDDS 2016

## HCBS Quality Expectations: Continuing to Emerge

In addition to assuring compliance with the 6 statutory assurances, States must devise ongoing strategies to ensure compliance with the new, final HCBS regulations.





NASDDDS 2016

### NCI As a Tool to Support State Regulatory Compliance Efforts

- CMS finalized regulations for HCBS on March 17, 2014.
- All provisions were effective on that date, with the exception of the settings requirements.
- States were given one year to develop a transition plan, to describe how they will ensure compliance with these provisions by 2019.

2016

• At least 14 states have indicated their intention to use NCI to support their transition efforts.



### NCI As a Tool to Support State Regulatory Compliance Efforts

- NCI the proverbial "early warning"
  - Many states that have identified NCI as a tool for transition and ongoing compliance note that NCI is a strong starting place to identify structural or programmatic barriers to compliance and can provide ongoing data to check whether improvement strategies have had desired outcomes.





NASDDDS 2016

## NCI As a Tool to ensure Regulatory Compliance, Continued

- A number of NCI indicators can help inform how well the state's system is doing on issues related to community integration, choice, control, ensuring health and welfare and employment....all elements contained in the final rule.
- NCI Crosswalk

2016





## Person-centered planning

NASDDDS

2016

The Final Rule sets forth landmark requirements for real, person-centered planning:

- The person-centered planning process is driven by the individual
- Includes people chosen by the individual
- Provides necessary information and support to the individual to ensure that the individual directs the process to the maximum extent possible
- Is timely and occurs at times/locations of convenience to the individual
- Reflects cultural considerations/uses plain language
- Includes strategies for solving disagreement



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# Person-centered planning, Continued

- Offers choices to the individual regarding services and supports the individual receives and from whom
- Provides method to request updates
- Conducted to reflect what is important to the individual to ensure delivery of services in a manner reflecting personal preferences and ensuring health and welfare
- Identifies the strengths, preferences, needs (clinical and support), and desired outcomes of the individual May include whether and what services are self-directed

NCI can assist states in measuring system performance on a number of these requirements!



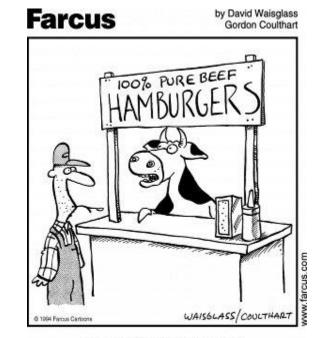
NASDDDS 2016

### CONFLICT OF INTEREST

NASDDDS 2016

"Providers of HCBS for the individual, or those who have an interest in or are employed by a provider of HCBS for the individual must not provide case management or develop the person-centered service plan...."

Indicators within NCI can provide a high level perspective on whether individuals are having true choices and if they are receiving strong support from case managers or others developing the service plan.



"What conflict of interest?! I work here in my spare time."



## HCBS setting requirements

- Is integrated in and supports access to the greater community
- Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources
- Ensures the individual receives services in the community to the same degree of access as individuals not receiving Medicaid HCBS services
- Setting is selected by the individual from among setting options including non-disability specific settings & an option for a private unit in a residential setting







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NASDDDS 2016

# HCBS setting requirements, Continued

- The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board
- Ensures an individual's rights of privacy, dignity, respect, and freedom from coercion and restraint
- Optimizes individual initiative, autonomy, and independence in making life choices
- Facilitates individual choice regarding services and supports, and who provides them





## HCB Settings character – NOT

- Settings that are NOT Home and Community-based:
  - Nursing facility

NASDDDS

2016

- Institution for mental diseases (IMD)
- Intermediate care facility for individuals with intellectual disabilities (ICF/IID)
- Settings PRESUMED not to Be Home And Community-based
  - Hospital Settings in a publicly or privately-owned facility providing inpatient treatment
  - Settings on grounds of, or adjacent to, a public institution
  - Settings with the effect of isolating individuals from the broader community of individuals not receiving Medicaid HCBS

State may submit a request for heightened scrutiny to CMS



# Status of State Transition Plans

NASDDDS

2016

- As February 2016, all states have submitted initial statewide transition plans to CMS and CMS has provided preliminary feedback on those plans.
- CMS is expecting most states to resubmit their transition plans beginning in March, after public comment period(s).
- CMS expects that all states will have some settings that are presumed to be institutional.

A number of states are using NCI as component of their surveillance for transition



# NCI: Not Just for Waivers Anymore

- While the quality requirements in waivers are unique, other Medicaid authorities have similar quality expectations where NCI could assist:
  - 1915(i) HCBS as a State Plan Option

2016

- 1915(k) Community First Choice Option
- Many 1115s demonstrations that include HCBS, including those that use a managed care service delivery system



## Summary

With other tools and data sources, NCI can play an important role in the state's overall HCBS quality strategy and efforts toward regulatory compliance.



## Integrating Data into a Comprehensive Quality Framework

#### A systemic approach to HCBS monitoring and compliance

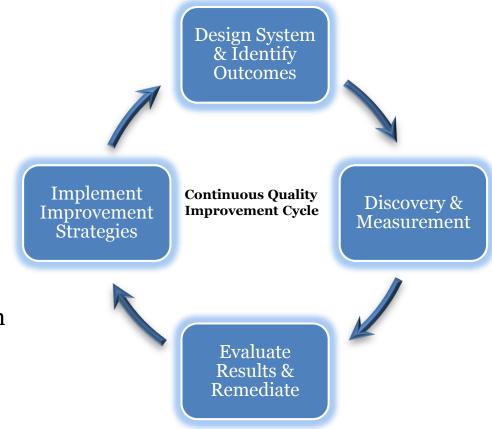
Dan Lusk State DD Director South Dakota



February 2016

#### **Syncing Quality Framework with Data**

- Data will demonstrate if people are achieving outcomes AND where system improvement is needed
- Encourages data-based decision making
- Improves organizational and system capacity for implementing ongoing Continuous Quality Improvement



### **Incorporating Data into Quality Framework**

- 2011 implementation of SMART
  - Systemic Monitoring And Reporting Technology
- Systemic level quality data:
  - Waiver quality improvement strategy
  - Performance measures
  - Waiver evidence reporting
  - Waiver renewal
- Provider level quality data:
  - Quality management strategy



Lusk, Dan 2/15/2016 SD-SMART Main Menu - CHOICES									
Select One 🗆 Level Of Care 🗹 File Review 🔲 Qualified Provider									
Enter Case Reviews	Find Case Review	View Reports	Find Re-Review						
Enter POE	Find POE								
Find Claim Review									
System Administration Menu:			_						
Users Logins	Buildings	Providers							
Causal Factors / PI Probes									
Inspection Probes	Elements	Review Types	Reports Maintenance						
Dropdown Lists	Participants								
Message Center	Help								
Log Off	Xfs Testing								

### **Incorporating Data into Quality Framework**

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CHOICES				Date	e Printed: 2/	12/2016 2:	54:26 PM (a	aschliche)	СНО	ICES				Date	Printed: 2/12/2	016 2:51:54	PM(aschliche)
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ISP Monitoring -	- Medical		208	0	16	7.7%	192	92.3%	5	Sub-assurance b: Ti	he State moni	itors service pla	an development i	in accordance wi	th its policies and p	rocedures.	
ISP Needed Rev	ision		217	138	13	16.5%	66	83.5%	Δ.	% of plans that u	ised approved	d process					
ISP Team			217	0	11	5.1%	206	94.9%		Provider	Total	Total NA	Total Not	Total	% Incorrect	Total	% Correct
Medical / Dental	l Assessments		208	1	4	1.9%	203	98.1%		Statewide	208	0	NA 208	Incorrect 28	13.46%	Correct 180	86.54%
Medical History			208	1	3	1.4%	204	98.6%		otatemae	200	Ŭ	200	20	10.1070	200	00.0170
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Psychological As	ssessments		218	0	1	0.5%	217	99.5%	r	needs. % of plans that a		an unllu					
Safety			217	1	13	6.0%	203	94.0%	n				Total Not	Total		Total	
Service Choice I			209	1	2	1.0%	206	99.0%		Provider	Total	Total NA	NA	Incorrect	% Incorrect	Correct	% Correct
Social / Develop	omental History		217	12	5	2.4%	200	97.6%		Statewide	198	0	198	4	2.02%	194	97.98%
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Overall Elem	ent Accuracy	93.6	57%							Statewide	208	132	76	13	17.11%	63	82.89%

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#### **Incorporating Data into Quality Framework**

CHOICES

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#### Causal Factor Summary: SP

From Review Date: 06/01/2014 To: 05/31/2015

#### Selected Criteria

Provider:	All	Element:	ISP Monitoring		
Review Type:	Initial Program/Medical	Targeted Initial Program/Medical	Initial Program	Initial Medical	Ongoing
	Program/Medical Targe	eted Ongoing Program/Medical	Ongoing Program	Ongoing Medical	
Review Class:	CMS Sample Division				

ISP MONITORING

Causal Factor			Factor Count
No participant involv	/ement (new)		27
Monitoring documer	22		
No intervention	-		17
No observation			15
Quarterly info not s	9		
No monitoring	8		
No alternate service	coordinator		5
No documentation o	f service delivery		2
No coordination	-		1
Cases: 243	N/A: 2	Incorrect: 75	Factors: 106

### **Enhancing Quality Data with NCI and CQL Data**



### **Assessing Compliance with HCBS Regs**

- Focus on **true community integration** in residential and non-residential settings
- Requirement of Person Centered Planning
- Mandate for Conflict Free Case
   Management
- It's about **"finding the right fit"** between a person's preferences and needs rather than **"fitting"** the person to the system



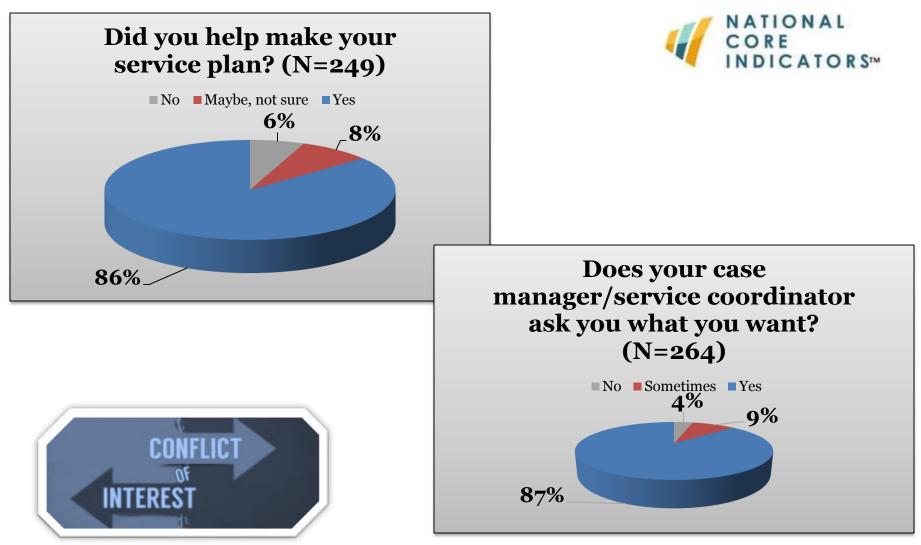
Artwork by Valorie Ahrendt

#### **NCI Data Informs System Change**



http://dhs.sd.gov/dd/cfcm/

#### **NCI Data Informs System Change**



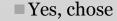


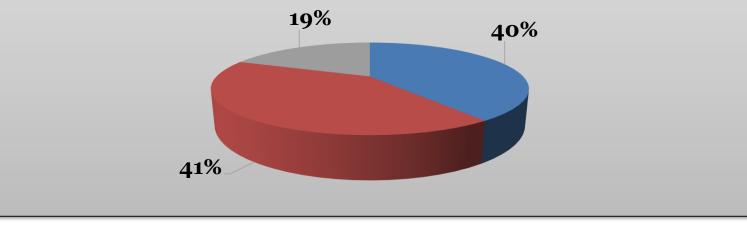


### Did you choose or pick your case manager/service coordinator? (N=271)

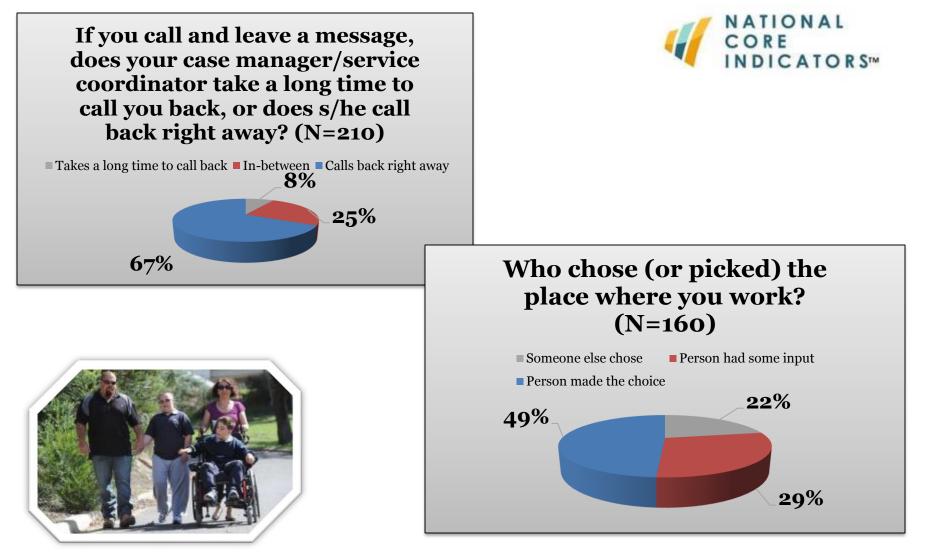
No, Someone else chose

Case manager/service coordinator was assigned but s/he can request a change

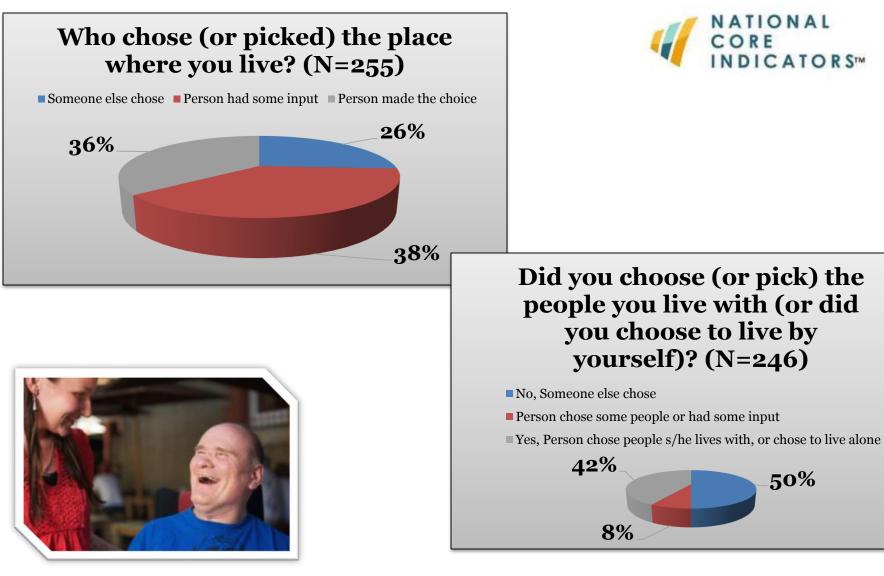




#### **NCI Data Informs System Change**



#### **NCI Data Informs Systems Change**



33

### **Informing HCBS Transition Plan with Data**

#### Major Areas Assessed:

- Dignity and respect
- Location
- Physical Accessibility
- Privacy
- Autonomy
- Living arrangements
- Community Integration

South Dakota provider self-assessment tool developed as adaptation of assessment tool in CMS toolkit

Two-tier Quality Assurance Validation

- DDD staff conduct random sample on-site assessment
- Self-advocate/parent/guardian interviews

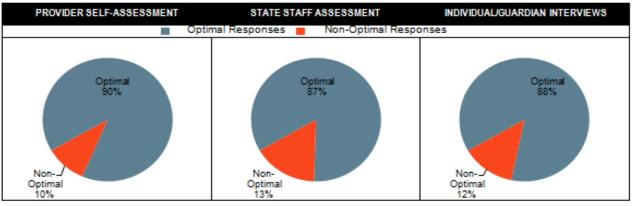
### SOUTH DAKOTA MEDICAID SOUTH DAKOTA HOME AND COMMUNITY BASED SERVICES STATEWIDE TRANSITION PLAN South Dakota Department of Social Services Division of Medical Services DSS🖚 2015 700 Governors Drive | Pierre, SD 57501

#### http://dss.sd.gov/medicaid/hcbs.aspx

#### **Informing HCBS Transition Plan with Data**

#### CHOICES ASSESSMENT RESULTS AND ACTION ITEMS

#### ASSESSMENT RESULTS



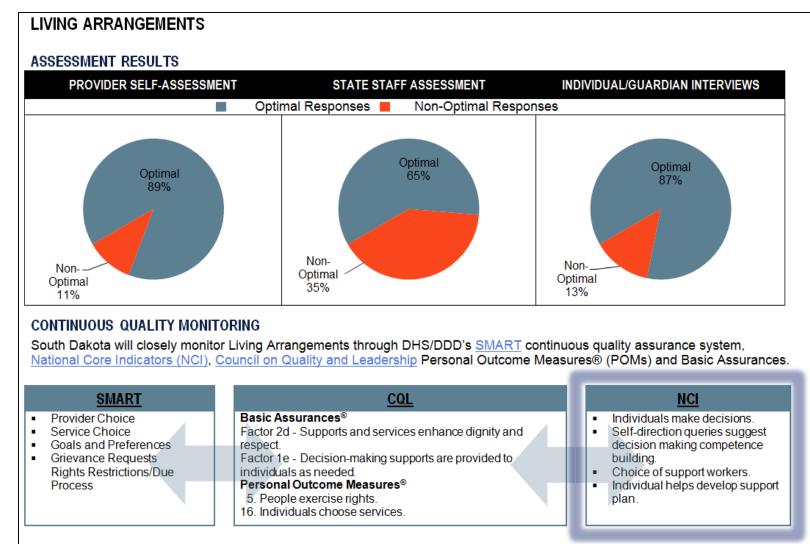
#### STRENGTHS

ASSESSMENT ITEM	PROVIDER ASSESSMENT RESULTS	QUALITY ASSURANCE RESULTS	DIFFERENCE
Dignity and Respect	98%	96%	-2%
Autonomy	87%	87%	0%
Physical Accessibility	93%	93%	0%
Privacy	95%	88%	-7%
Location	99%	94%	-5%

#### AREAS FOR IMPROVEMENT

ASSESSMENT ITEM	PROVIDER ASSESSMENT RESULTS	QUALITY ASSURANCE RESULTS	DIFFERENCE	
Community Integration	72%	79%	+7%	
Living Arrangements	89%	76%	-13%	

#### **Informing HCBS Transition Plan with Data**

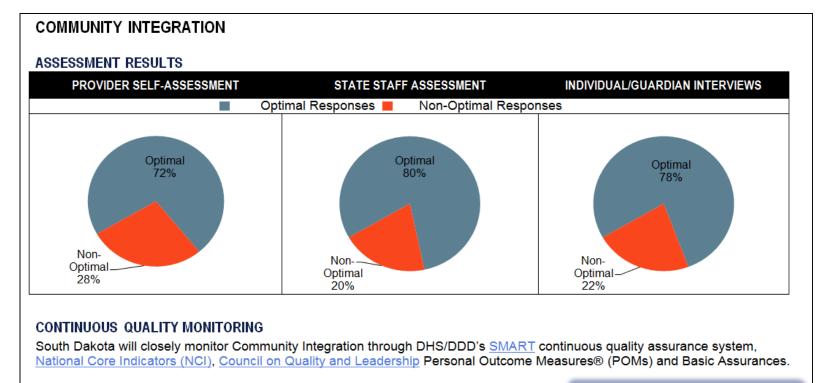


### **Informing HCBS Transition Plan with Data**

<ul> <li>NCI</li> <li>Individuals make decisions.</li> <li>Self-direction queries suggest decision making competence building.</li> <li>Choice of support workers.</li> <li>Individual helps develop suppor plan.</li> </ul>	t
	dditional NCI Indicators: Who chose the place where you live? Did you choose the people you live with? Or did you choose to live by yourself? Do you have a key to your home? Can you lock your bedroom if you want to? Can you be alone with friends or visitors at your home?



#### **Informing HCBS Transition Plan with Data**



<u>SMART</u>	CQL	<u>NCI</u>
<ul> <li>Goals and Preferences</li> <li>Rights Restrictions</li> <li>Due Process/Restorations Plans for Restrictions.</li> <li>Safety</li> </ul>	<ul> <li>Basic Assurances<sup>®</sup></li> <li>Factor 2d - Supports and services enhance dignity and respect.</li> <li>Factor 1e - Decision-making supports are provided to individuals as needed.</li> <li>Personal Outcome Measures<sup>®</sup></li> <li>13. People live in integrated environments.</li> <li>14. People interact with other members of the community.</li> <li>19. People participate in life in the community.</li> </ul>	<ul> <li>People do certain activities in the community: shopping, religious practice, entertainment, vacations, meetings.</li> <li>Social capital within the community.</li> <li>Individual is employed in the community.</li> </ul>

#### **Informing HCBS Transition Plan with Data**

#### NCI NATIONAL People do certain activities in the CORE community: shopping, religious N DICATOR SM practice, entertainment, vacations, meetings. Social capital within the community. Individual is employed in the community. Additional NCI Indicators: Can you see your friends when you want to? ٠ Can you see and/or communicate with your family when you want to?

- How often did you go out for entertainment in the past month?
- How often did you go out to a restaurant or coffee shop in the past month?
- Do you participate in community groups or other activities in your community?

**Continuous Quality Improvement & Monitoring** 

### Moving the needle...



## Indiana's Statewide Transition Plan

Analysis and Utilization Of NCI Data Cathy Robinson, Director Bureau of Developmental Disabilities Services



### Indiana's Initial Look at NCI Data to Demonstrate HCBS Compliance



Indiana's initial approach involved using the NCI data as a starting point for examining the landscape of information to establish compliance with the HCBS rule.

At the time of initial analysis, it appeared the data largely represented noncompliance issues from a number of our programs and services, and we ultimately felt it wasn't enough information/data to conclusively decide our state's next steps.

### Indiana's Analysis of NCI Data

- DDRS utilized the NCI data <u>as a starting point, and ultimately a road map</u>, to identify the compliance status of the waiver programs.
- When Indiana measured this information against other program data collected, the need for further information and review was determined.
- Indiana also confirmed that NCI data was not inclusive of all HCBS requirements during the initial analysis period in **2014**; more data was needed for documentation of settings compliance
- A more in depth analysis is being conducted via the Individual Experience Survey (IES) data. Upon review and analysis of IES data, Indiana will then determine compliance with the specific HCBS Settings requirements.
- For these reasons, **for purposes of measuring compliance with the settings rule,** the NCI data will not be used moving forward
- However, it will be accessed by Indiana for <u>purposes of triangulating</u> <u>data as a way to validate ongoing compliance with the rule</u>.

#### <u>HCBS Requirements Needing further Review, byond</u> <u>that available by **2013-2014** NCI Data</u>

- Control of Personal Resources
- Ensures the individual receives services in the community with the same degree of access as individuals not receiving Medicaid HCBS
- Allows full access to the greater community/Engaged in community life
- Freedom to furnish and decorate their unit
- Access to food at any time
- Setting is physically accessible to the individual A lease or other legally enforceable agreement to protect from eviction
- Privacy in their unit including entrances lockable by the individual

#### **NCI Data Review**

Indiana identified a number of areas or requirements where the information collected in the NCI data was lacking. There were areas Indiana determined adequate information was not contained in the NCI data to fully establish Indiana's HCBS compliance. Additionally, there were components that were not truly captured at the time, to reflect the settings requirements CMS is measuring.



and IE Day Checklist 606 Indiana's

#### 90 DAY CHECKLIST

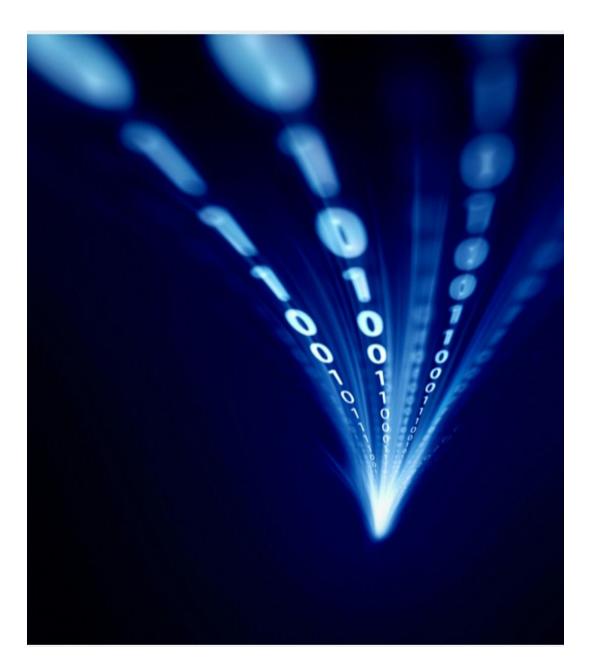
Indiana is currently redesigning its 90 Day Checklist to incorporate HCBS rule elements for ongoing compliance monitoring.

The modified checklists will serve as a data collection method for the state, a monitoring tool, and resource for case managers.

The checklists are also being redesigned to provide enhanced settings assessment and person centered approaches.

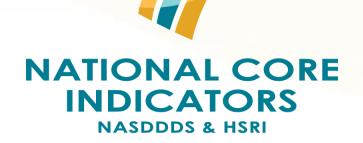
#### IES

The data derived from Indiana's Individual Experience Survey will be used to determine compliance of settings with assessment results analyzed by 4/01/16 and site specific assessment results submitted in an amended STP by 9/30/16.



### In Summary

Indiana will use the NCI data going forward as 'background information' or as accompanying, relevant data that could potentially be cross-referenced, or where we feel we might need to validate elements of our other data collection efforts (our Individual Experience Survey, or our 90 day checklists for ongoing compliance assessment).



NCI and HCBS: State Level Monitoring of Compliance and Systemic Quality Monitoring

www.nationalcoreindicators.org



## New HCBS Service Setting Requirements Align with NCI Domains

### NCI is a Person-Centered Tool that Provides Information on:

- Individual characteristics of people receiving services
- Locations where people live
- Activities they engage in during the day including whether they work
- The nature of their experiences with the supports that they receive (e.g., with case managers, ability to make choices, self-direction)
- Context of their lives friends, community involvement, safety
- Health and well-being, access to healthcare

#### **HCBS Requirements**

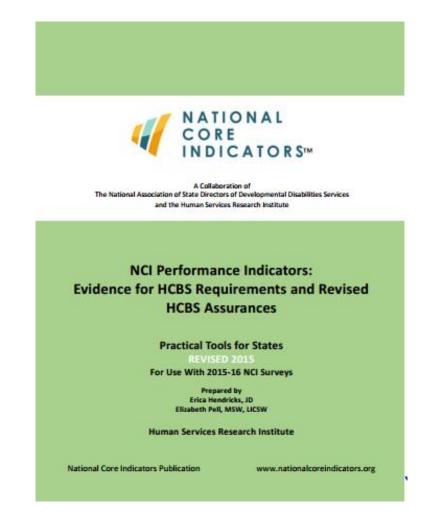
- Privacy and rights
- Community integration
- Relationships
- Choice
- Integrated work
- Control personal resources
- Person centered service plan
- Individual's experience is key!

### **NCI Domains**

- Privacy and rights
- Community integration
- Relationships
- Choice
- Integrated work
- Self direction and control of personal funds
- Adult Consumer Survey conveys experiences of state's service population from the Individual's perspective!

### "NCI-HCBS Crosswalk"

- <u>NCI Performance Indicators: Evidence</u> for HCBS Requirements and Revised <u>HCBS Assurances</u>
- References NCI indicators useful for systemic assessment of HCBS Requirements & Waiver Assurances



## What's in the Crosswalk?

- HCBS Requirements and NCI Data
  - Organized by HCBS Requirements
  - Revised Crosswalk has survey question numbers for reference
  - Quick View Tables
- Revised HCBS Assurances and NCI Data

### **NCI-HCBS Crosswalk Example**

HCBS	Assessment of	NCI Survey &	NCI Data
Requirement	NCI's Utility	Question	Element
Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources	NCI data are useful for demonstrating systemic compliance.	ACS, Background Information BI-39	<ul> <li>Paid individual job <ul> <li>in a community –</li> <li>based setting. (If</li> <li>yes):</li> </ul> </li> <li>Number of hours <ul> <li>worked or spent at</li> <li>this activity in a</li> <li>typical two week</li> <li>period</li> </ul> </li> <li>Is this job done <ul> <li>primarily by a</li> <li>group of people</li> <li>with disabilities?</li> </ul> </li> </ul>

## **NCI-HCBS Crosswalk Example**

HCBS	Assessment of	NCI Survey &	NCI Data
Requirement	NCI's Utility	Question	Element
Optimizes autonomy and independence in making life choices	NCI data are useful for demonstrating systemic compliance.	ACS, Choices Q.51	Who chose (or picked) the place where you live?

## **NCI-HCBS Crosswalk Example**

HCBS	Assessment of	NCI Survey &	NCI Data
Requirement	NCI's Utility	Question	Element
[Person-centered service plan] Includes people chosen by the individual	NCI data are useful for demonstrating systemic compliance.	ACS, Satisfaction with Services/ Supports Q.34	Did the service planning meeting include the people you wanted to be there?

### National Core Indicators – Moving Forward in Partnership with States

- Housing
- Relationships
- Well being
- Choice
- Rights and Respect
- Education & Work
- Full integration!



http://www.coe.int/t/dg3/disability/

### Updates for 2015-16

- Survey updated for 2015-16 data collection cycle
- New questions relate to HCBS requirements
- Incorporates feedback from states

### Resources

- CMS' HCBS website: HCBS Final Regulations, Fact Sheets, webinars, Transition Plan Compliance toolkit, & Statewide Transition Plans & CMIA letters: <u>http://www.medicaid.gov/HCBS</u>
- 2. CMS mailbox for ongoing Q&A & comments: <u>chbs@cms.hhs.gov</u>
- 3. National Core Indicators website: <u>www.nationalcoreindicators.org</u>
- 4. HCBS Advocacy website, <a href="http://hcbsadvocacy.org/">http://hcbsadvocacy.org/</a>



# Questions?

Please Post your questions within the Chat Box on Your Screen



National Association of State Directors of Developmental Disabilities Services



# Thank You For Participating

This webinar will be posted on the <u>www.nasddds.org</u> website

Future Webinars include:

Sarah Taub NCI Webinar Series: National Core Indicators and Autism Spectrum Disorder: Putting the Data in Context March 10, 2016 2:00PM Eastern Time

# NASDDDS

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