

To: Listserv

For: Area Administrators / Human Services Area Coordinators
County Department of Community Program Directors
County Departments of Developmental Disabilities Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
County Waiver Coordinators
County DD Coordinators
Tribal Chairpersons

From; Fredi-Ellen Bove
Deputy Administrator

Subject: Children's Long-Term Support (CLTS) Waivers
Allocation of New Waiver Funds

Document Summary

Counties may apply for state allocated funding for CLTS state-funded waiver slots for new children as of July 1, 2009. This memo provides guidelines to counties on the process to apply for these resources.

Introduction

I am pleased to inform you that the 2009-11 biennial budget includes significant new resources to expand services to children with long-term support needs. This memo provides information for the use of this new CLTS waiver funding.

The Department implemented the CLTS Waivers in 2004 to assist counties in addressing the needs of children and families in the community. The CLTS Waivers were re-authorized in 2006 by the Centers for Medicare and Medicaid Services (CMS).

As you know, every county is required to implement all three CLTS Waivers. This assures access to waiver services for children with developmental disabilities (DD), severe emotional (mental health) disabilities (SED), and physical disabilities (PD). For children whose families contact the county for long-term support services, the county must assess the child's need for services under the CLTS Waivers. The county must register on the Human Services Reporting System (HSRS) children found eligible for the CLTS Waivers, but for whom funding is not available. All policies regarding Medicaid Home and Community-Based Services Waiver waiting lists may be found in the Medicaid Home and Community-Based Waivers Manual and in Division of Long-Term

Care (DLTC) Numbered Memo 2009-11, "Medicaid Home and Community-Based Services Waivers: Statewide Wait List Criteria."

The 09-11 biennial budget bill provides \$18.6 million All Funds (AF) over the biennium to increase funding for the CLTS Waivers. These funds are allocated with the legislative expectation that waiting lists for Children's Long-Term Supports will be reduced.

Background

The Children's Long-Term Support Waiver funding will do the following:

1. Ensure that children and families around the state are able to access the services they need, when they need them.
2. Reduce waiting lists for children by the end of the biennium.
3. Ensure that available funds are distributed to the county waiver agencies in a timely, fair, and equitable way.
4. Ensure that county waiver agencies have the information and support they need in order to access the available funding to serve children.

Reduction of Waiting Lists

To ensure that children and families around the state are able to access the services they need, when they need them, and to ensure waiting lists for children will be reduced by the end of the biennium, the Department has identified the minimum number of new children each county is expected to serve with the new funding.

All 72 counties are expected to serve at least three new children from their waiting list. Based on a county's census of children under age 18, additional children from the county wait list must be served. The attached chart specifies the expected number of children to be served by each county. The Department expects counties with multiple agencies administering the CLTS Waivers to coordinate which agency will request funding for children based on their support needs.

Counties are expected to follow Numbered Memo 2009-11, "Medicaid Home and Community-Based Services Waivers: Statewide Wait List Criteria," and serve the next children on their waitlist. *Counties are not limited by target group.* "When Medicaid Waiver funds for services become available, the next person on the Medicaid Waiver wait list must be offered the opportunity to receive Medicaid Waiver services.... The only exception that can be made to the first-come, first-served Medicaid Waiver wait list policy is when a person meets a crisis need criteria." The referenced memo also defines urgent or crisis need.

Allocations to Counties

Counties must use their current base county allocations before requesting new funding.

Counties may use their total funding for CLTS state-funded slots as allocations (excluding slots with one-time funding such as Crisis Slots or Transition Slots), and will not be limited to serving the same number of persons as previously allocated through

slots. County waiver agencies may not serve fewer children than the number of children receiving services prior to this new resource. Each program's allocation must be managed within the specific waiver target group; i.e., DD, PD, or SED. This allows each county the flexibility to manage the allocations for the program while continuing to provide high-quality services to children and their families.

Just-in-Time Funding

The Department will be awarding the new CLTS waiver dollars as “base funding” amounts for each county. These allocation amounts should be used as a guide for counties to serve multiple children from the county’s waiting list. The funds are not broken out by calendar year because the Department understands that some counties may have the capacity to use the funds immediately and others may not be able to access funds until later in the biennium. By allocating the new funds to counties over the biennium, the Department ensures that children around the state are able to access the services they need, and are not limited by local capacity. This process also allows counties more flexibility in how they serve children.

The Department will ensure that available funds are distributed to the county waiver agencies just-in-time to serve the child. State/county contracts will be amended and funding added to contracts as new CLTS Waiver applications are approved. The amount added to the contract will equal the Waiver Cost/Day Total as identified on the child’s Individualized Service Plan, multiplied by the number of days remaining in the contract year plus 7% for estimated administrative costs. Once the funding is added to the county contract, the Waiver Cost/Day multiplied by 365 days plus 7% for estimated administrative costs will become part of the county’s continuing base allocation. The Department will monitor the number of applications submitted and the funding approved for each county. Once the county has met its obligation of the number of children to be served and received up to the total “base funding”, the Department will notify the county.

Number of new children served and county allocations will be monitored

In July 2010, the Department will identify for counties how much estimated funding remains to be contracted. The county, along with their assigned Children’s Services Specialist (CSS), will create a timeline by which the funds will be used. DHS will determine if inaction by a county waiver agency has resulted in the county being unsuccessful in utilizing the funds. This could result in a corrective action plan and, if necessary, the funds originally intended for the county will be allocated instead to other counties or to contracted entities that could fulfill the obligations not met by the county agency.

Proportionality of children served by Target Group will be monitored

In July 2010, the Department will identify any county not using all three CLTS Waivers or utilizing the waivers in a substantially disproportionate manner. These counties will be required to address the steps identified by DHS in a corrective action plan. The CSS staff will provide technical assistance as needed.

Historic experience with children's programs indicates the percentage of children served by target group is approximately within the following distribution:

<i>Target Group</i>	<i>Percentage of Children</i>
Developmental Disability (DD)	72%
Physically Disability (PD)	16%
Social Emotional Disturbance (SED)	11%

Non-Supplanting

The requirements set forth in this memo are to assure that the full amount of new funding is used to serve new children. The funds must not supplant county or other funds currently utilized for children's long-term support services. This non-supplanting expectation includes financial commitments from county mental health, child protective services, juvenile justice, as well as committed funding sources such as Community Options Program (COP) and Family Support Program (FSP) funds. Counties must maintain the level of funding for children's long-term supports based upon calendar year 2008. Counties are not allowed to withdraw or decrease local funding sources. If a county experienced extraordinary circumstances in 2008, the county should report these circumstances to their assigned CSS, and the Department will determine if a new base will be permitted.

Application Process

Counties must follow the CLTS Waiver application process. An Updated CLTS Waiver Application Checklist has been developed to assist counties in submitting applications (see attachment). Waiver agencies must begin using this form effective September 1, 2009 for all CLTS Waiver applications.

Disability Determination

As a reminder, a disability determination from the Disability Determination Bureau (DDB) is required for all children being referred for state-matched CLTS Waiver slots. Prior to submitting an application, the county must determine if the child has a current disability determination and, if not, the county must initiate and complete that process.

Deadline for submitting CLTS Waiver Applications

Waiver applications that will require a contract amendment must be submitted to the Children's Services Section no later than November 30, 2009 and November 30, 2010 in order for contract amendments to be completed for the calendar year.

REGIONAL OFFICE CONTACT: Regional Children's Services Specialists

CENTRAL OFFICE CONTACT: Julie Bryda, Section Chief

MEMO WEB SITE: http://dhs.wisconsin.gov/dsl_info/

ATTACHMENTS:

Revised CLTS Application Checklist

<http://dhs.wisconsin.gov/forms1/F2/f21080.doc>

[Annualized County Based Funding Chart](#)