



Date: August 8, 2019

DMS Numbered Memo 2019-06

Replaces DMS Numbered Memo 2018-05

To: County Department of Human Services Directors
County Department of Social Services Directors
County Department of Community Programs Directors
Long-Term Support Supervisors and Leads

From: James Jones, Medicaid Director
Division of Medicaid Services

**Children's Long-Term Support Waiver Program
Individual Service Plan Information Sharing**

Purpose

This memo rescinds and replaces DMS Numbered Memo 2018-05 from November 1, 2018. It explains changes to policy and processes regarding sharing Children's Long-Term Support (CLTS) Waiver Program service plan information with essential service providers.

Background

Federal regulations require that once an Individual Service Plan (ISP) for the CLTS Waiver Program is completed and agreed to, it must be signed by and distributed to providers who are responsible for its implementation (42 CFR § 441.301(c)(2)(ix-x)). The Centers for Medicare & Medicaid Services (CMS) has instructed that information sharing is integral to ensuring the health and safety of waiver participants. Sharing relevant information with key providers may also serve to promote their sense of belonging to a larger team that is supporting the child and family. This information can be helpful in expanding providers' perspective from the more narrow focus of delivering a specific service to seeing their individual contribution as part of a bigger picture for each child and family.

ISP Forms

A complete service plan consists of two ISP forms:

- [Individual Service Plan – Children's Long-Term Support Programs, F-20445](#)
- [Individual Service Plan – Outcomes – Children's Long-Term Support Programs, F-20445A](#)

These forms have been updated to specifically reflect children's long-term support programs and meet the federal requirements. CWAs must continue to use these forms or a DHS-approved form or system that includes all of the information contained in both the F-20445 and F-20445A.

Process

Essential Service Providers

As is current practice, the support and service coordinator (SSC) will continue to work with individual children and families to develop a person-centered service plan based on their specific goals, interests,

needs, and strengths. During the process of completing the service plan, SSCs will explain the federal requirement to share information, and work with families to help ensure that they understand that F-20445A will be shared with essential service providers included on their child's plan.

Essential service providers are defined as those who deliver waiver-funded services and have regular, direct contact with participants. "Regular" means contact that is scheduled, planned, expected, or otherwise periodic. "Direct" means face-to-face physical proximity to a participant. The following services fit the essential service provider definition:

- Adult family home
- Child care
- Child foster care
- Community integration services
- Counseling and therapeutic services
- Daily living skills training
- Day services
- Mentoring
- Nursing services
- Respite
- Supported employment
- Supportive home care (only personal care or supervision services; not routine home care or chore services)

It is important for the SSC and family to discuss the requirement to share information with essential service providers, and to identify providers with whom the family is comfortable sharing information from the ISP.

Distribution and Signatures

There are three different times when SSCs will distribute the F-20445A to essential service providers and seek signatures:

- At initial ISP development, the SSC sends copies of the F-20445A to each of the agreed-upon plan's essential service providers and requests that they sign and return a copy.
- When an ISP is updated with a new essential service provider, the SSC sends the F-20445A to the newly added provider(s) and requests that they sign and return a copy.
- At the annual review, the SSC:
 - Sends the F-20445A to all essential service providers.
 - Requests signatures from any new essential service providers added to the plan at recertification. Signatures are not required from existing providers who have already been sent an earlier version of the F-20445A.

CWAs must keep a record in the child's file to indicate each time the F-20445A is distributed, capturing:

- The agency(ies) to which it was sent.
- The date it was sent to each agency.
- The method of distribution (for example, email, mail, electronic access) to each agency.

It is acceptable to share copies of the F-20445A and receive essential service provider signatures via:

- Secure email.
- Mail (send two copies – one for the provider to sign and return, one for them to keep).
- Fax.
- Electronic access to the outcomes through an automated case management system.
- Face-to-face interactions.

Electronic signatures are acceptable. It is also acceptable to note in the participant's file when a provider expresses over the telephone that they received the F-20445A instead of receiving a physical or electronic signature. Document the name of the person who called, the agency, and the date and time of the call. The ISP and all related signatures from essential service providers are kept in the participant's file. There is no timeline or deadline for receiving essential service provider signatures, and there is no impact on the participant's enrollment, plan, or receipt of services if signatures are not returned to the CWA.

The provider agency is responsible for deciding who can sign on behalf of the agency. There are no requirements or restrictions regarding the individual(s) an agency may designate to sign the F-20445A. Agencies, sole proprietorships, and LLCs are treated similarly for the purpose of the signature requirement. Parents/guardians can sign for rendering caregivers who are not employed through one of these types of agencies (that is, who are employed directly by the family). In this instance, provide enough copies of the F-20445A for families to give to rendering caregivers.

Implementation

Effective immediately, CWAs must begin implementing [this process](#) to come into compliance with the federal regulations to disseminate information and gather signatures from essential service providers. Use the new F-20445A signature page (page 2) with all new CLTS Waiver Program enrollments and at the six-month or annual review for current waiver participants. Give the [family communication](#) to parents/guardians to help explain the process.

CWAs may use the F-20445 and F-20445A, or may use a DHS-approved local version of the ISP. All waiver agencies must begin using the new signature page immediately. This single page can be used along with (that is, in addition to) previously approved local forms or case management systems. Simultaneously, CWAs are instructed to submit any newly revised or updated local ISP form(s) to the appropriate DHS technical assistance (TA) lead as soon as possible for review and approval.

There are no changes to policy for reviewing or updating the ISP. This process does not change the need to complete authorizations or to obtain releases of information to maintain privacy and confidentiality according to state and federal requirements. Additionally, sharing information and requesting essential service provider signatures must not impact the participant's eligibility for the program, their plan, or the delivery of services. Similarly, the receipt of signed forms from providers (or the lack thereof) has no impact on service authorizations or delivery. There are no additional requirements for sharing ISP information with providers and obtaining their signatures beyond what is outlined in this communication.

Assistance

CWAs are encouraged to direct any questions to their [DHS TA lead](#).