Outlier Rate Request

Many supports and services available through Wisconsin’s Children’s Long-Term Support (CLTS) Waiver Program are subject to a uniform, statewide rate schedule. There are two reasons a waiver agency may request an outlier rate exception for any service that is included in the statewide rate schedule.

A participant may require an exception to the CLTS rate schedule for one or more services due to: the complexity or intensity of the individual’s care needs, or service availability issues.

As exceptions, it is anticipated that up to 5% of participants might meet the criteria for an outlier rate. All outlier rate requests are subject to review for a final determination by the Wisconsin Department of Health Services (DHS).

Individual Care Needs

It may be appropriate to request an outlier rate when the complexity or intensity of an individual’s care needs exceeds what is common among CLTS participants. Consider whether the participant:

- Exhibits significant behaviors that require frequent intervention or near-constant supervision.
- Has physical or mental health diagnoses that require intensive intervention or care.
- Has ongoing involvement with multiple systems (such as juvenile justice, substance abuse treatment, hospitalizations or institutionalizations, etc.).

Additional questions related to determining whether an individual participant’s care needs may necessitate an outlier rate include:

- Does the child have a diagnosis for which few trained individuals can deliver care?
- Does the child have multiple diagnoses that add to the complexity of their situation?
- Does the child require intensive therapeutic care or care for medical fragility?
- Is the child undergoing intense active treatment where they might need additional care at home or in the community?
- Does the child’s situation require added training to multiple caregivers on an ongoing basis to provide care?
- Does the child need frequent or constant supervision to remain safe in their environment?

NOTE: For respite and supportive home care services, support and service coordinators (SSCs) must first apply the care level guidelines. If it is determined that the participant’s care needs exceed the high care level outlined in the guidelines, then the SSC may request an outlier rate for either of these services as well.

Service Availability

It may be appropriate to request an outlier rate when access to a service is limited by one of the following factors:

- No caregiver is located within a reasonable distance of the participant.
• No caregiver within a reasonable distance will accept the set rate.

**Process**

When a county waiver agency (CWA) identifies that a CLTS participant may need an outlier rate for one or more services, the CWA must submit a request to DHS with the appropriate documentation and rationale for the outlier rate(s).

Outlier rate requests must be submitted by an authorized representative of the CWA who has the authority to request and allocate resources on behalf of the agency. Upon submission of the outlier rate request, the authorized representative is certifying all of the following:

- The request reflects that the CWA worked in partnership with the child and family to determine support needs and the appropriate services for the individual participant.
- The CWA has indicated which services are part of the request and the outlier rate for each service.
- The CWA must additionally designate a reason for each outlier rate request. The CWA must provide rationale and indicate whether each service that is part of the request requires an outlier rate due to individual care needs or service availability.
  - “Individual care needs” indicates that the participant’s complex support needs require an exceptional care level (for example, intensive care, frequent or ongoing supervision, additional professional training) compared to what is common among CLTS participants.
  - “Service availability” indicates that the CWA attests to having explored all options to acquire the service for the participant and there is no caregiver within a reasonable distance who is willing to provide the service at the set rate.
- The CWA attests that the rate is required to obtain the support or service.
- The CWA’s leadership supports the request.
- The service meets all Medicaid Home and Community-Based Service Waiver Manual policies and appropriate SPC (service procedure code) requirements.
- All required documentation associated with the outlier rate request is in the participant’s file.
- The outlier rate is indicated in the appropriate field on the participant’s individual service plan (ISP).

Outlier rate requests must be submitted to the appropriate CLTS Technical Assistance Lead and are subject to review and approval.

Waiver agencies are instructed to submit any questions to their CLTS Technical Assistance Lead, including when there are difficulties determining the appropriateness of an outlier rate for a participant or when the family disagrees with the decision. Waiver agencies must work with DHS and follow the state’s guidance to resolve any issues when they arise.

All outlier rates are subject to record review, corrective action plans, or financial disallowances upon a negative finding.