



***COMMUNITY
SUPPORTS
FOR
MINNESOTANS
WITH
DISABILITIES
DIVISION***

***Creating
Service Options
and Choice
in
Homes and
Communities***

**ALTERNATIVE RESOURCE
ALLOCATION METHODS
FOR THE
MR/RC WAIVER**

AND

**REIMBURSING PARENTS OF
MINOR CHILDREN**

A Report to the Minnesota Legislature

November 2000

EXECUTIVE SUMMARY

Alternative Resource Allocation Methods

The Home and Community-Based Services Waiver for Persons with Mental Retardation or Related Conditions (MR/RC Waiver) began in Minnesota in 1984. Since the initial implementation, the allocation system for distributing resources has been reviewed and revised several times with the cooperative input from counties and advocacy groups.

The changes that have been made to the allocation system continue to focus on enhancing access to appropriate services for eligible persons and placing the decision making authority close to the person receiving waiver services. Recent enhancements to the current system include:

- Closely monitoring unused allocations throughout the year and reallocating all available allocations
- Allowing counties to serve additional persons within their existing waiver budget when their budget permits
- Developing county partnerships to improve the management of waiver allocation resources
- An increase in the allocations available to serve individuals living in the community who are at risk of ICF/MR level of care.

Implementation of these methods has greatly increased the number of persons served through the MR/RC Waiver. For example, in fiscal year 1999, 582 allocations were awarded to counties, 462 were used. In fiscal year 2000, 765 allocations were awarded to counties, 762 were used.

The Department will continue to monitor the impact of these activities on the waiting list and on individuals currently being served by the MR/RC waiver. In addition, the Department in collaboration with stakeholders, will continue to evaluate administrative methods in conjunction with an overall effort to streamline and simplify all of the home and community-based services waivers available in Minnesota.

Reimbursing Parents of Minors

The Health Care Financing Administration (HCFA) allows parents of minor children to be reimbursed for care they provide to their children only under very limited circumstances. Not only are these limitations and circumstances stated in the Code of Federal Regulations and the State Medicaid Manual, but HCFA has also emphasized that these services are only funded when the person has exhausted other available resources, and the child needs extraordinary services requiring specialized skills that the parent is not already legally obligated to provide.

To date, the Department has not adopted a policy under which parents of minor children could be paid for services they provide. It is recommended that home care services under the State Plan and the home and community-based services waivers be amended to allow parents of minor children to be reimbursed under the following circumstances:

- * Standards are in place to ensure the health, safety and welfare of the child and the family
- * The service provided is one that requires specialized skills including private duty nursing, physical therapy, occupational therapy, speech therapy and respiratory therapy
- * The parent is licensed or professionally certified to provide the services
- * The parent meets criteria similar to relative hardship waivers for personal care assistant services
- * The number of hours would be limited in accordance with wage and hour laws
- * Current assessment and authorization procedures for home care and home and community-based services are followed
- * The county arranging the home and community-based services will assure health and safety.

LEGISLATION

Laws of Minnesota, 1999 Chapter 245, Article 5, Section 119

REPORTS ON ALTERNATIVE RESOURCE ALLOCATION METHODS AND PARENTS OF MINORS

- (a) The commissioner of human services shall consider and evaluate administrative methods other than the current resource allocation system for the home and community-based waiver for persons with mental retardation and related conditions. In developing the alternatives, the commissioner shall consult with county commissioners from large and small counties, county agencies, consumers, advocates, and providers. The commissioner shall report to the chairs of the senate health and family security budget division and house health and human services finance committee by January 13, 2000.
- (b) By January 15, 2000, the commissioner of human services shall present recommendations to the legislature on the conditions under which parents of minors may be reimbursed for services, consistent with federal requirements, health and safety, the child's needs, and not supplanting typical parental responsibility.