

**The Arc of Minnesota  
CDCS Questions and Answers  
August 12, 2004**

**When will the new state-set budget amounts go into effect?**

People currently using the CDCS option will be receiving their state-set budget amount in the near future. If your current budget amount (as set by the county) is less than the state-set budget amount, the new amount will go into effect on October 1, 2004.

The CDCS option will be available for individuals on all waivers (TBI, CADI, CAC) in the Arc Great Rivers service area beginning October 1, 2004. These individuals will receive their state-set budget if they want to access the CDCS option. Individuals on these waivers will not get a CDCS county-set budget.

For individuals currently using the CDCS option, their state-set budget will go into effect one year after the anniversary of their current plan date but no later than April 2006.

-Many people develop a plan that is effective from January – December. If your next plan is from January – December 2005, the state-set budget will go into effect January 2006.

-If your plan is effective from November 2004 – November 2005, your new budget will begin December 2005.

-If your plan is from February 2005 – January 2006, your new budget will begin February 2006.

No county-set budget will be effective after April 2006.

**I am on the a different waiver (either CADI, CAC, or TBI), when can I start using the CDCS option?**

The CDCS option will be available for individuals on all waivers in the counties currently provided CDCS beginning October 1, 2004. In other counties it will be available on April 1, 2004. Individuals on those waivers will receive their state-set budget if they want to use the CDCS option. Individuals will not get a CDCS county-set budget.

**What determines my budget amount?**

For individuals on the MR/RC waiver and using CDCS as an option, the screening document is used to calculate a state-set budget that is determined by a formula using a variety of variables. Some of these variables include: age, disability(ies), motor skills, behavioral issues, and need for specialized services. Arc does not have access to the specific formula nor can we tell you how your specific budget was determined. However, we are gathering information on an individual's county-set budget versus his/her state-set budget. Please go to our web site at [www.arcminnesota.com](http://www.arcminnesota.com). and fill out the CDCS Data Collection form and family story.

Additionally, if you think your screening document does not adequately describe the individual's needs, please call your local chapter Arc advocate to discuss re-screening.


**What about the amendments that take effect October 1, 2004 and what about allowable and unallowable expenses?**

In order to try to ensure consistency in the implementation of CDCS throughout the state, and across all waivers, a variety of changes were instituted to the program that will go into effect on October 1, 2004. For individuals currently using the CDCS option, the biggest (non budget) change has to do with the unallowable expenditure list established by the Minnesota Department of Human Services. Many individuals will be unable to purchase some goods and services that they had been able to purchase previously. Beginning October 1, 2004, the counties cannot authorize purchases that are on the DHS unallowable list. This means CDCS plans, allocations and spending will have to change.

There are also some items that DHS will allow CDCS participants to purchase which were previously not allowed by some counties. This change in allowable expenditures will also take place on October 1, 2004. This may also mean that CDCS plans will have to change to reflect the new purchases. One change in allowable expenditures for all counties is that parents of minors and spouses of individuals may be able to be paid for services in some instances. Contact Arc for information on the criteria and if you have any questions regarding the criteria.

A list of allowable and unallowable expenditures is available on our webpage at [www.arcminnesota.com](http://www.arcminnesota.com)

**What are my appeal rights?**

The answer to this question depends on what you are appealing. The Department of Human Services has said that the state-set budgets are not open to appeal.  The Arc of Minnesota will be exploring this further and sharing with you any updated information.

If you want to purchase a good or service and the county denies you that purchase, you could appeal that denial. The Arc of Minnesota encourages you to contact an individual advocate for assistance on this issue.

**What if I cannot meet the health and safety needs with the state-set budget amount?**

You may return to traditional waiver services through a licensed provider. We encourage you to talk with an Arc advocate to fully discuss this issue.

**What should I consider before dropping CDCS?**

The answer to this depends on if you are considering dropping the CDCS option or if you are considering dropping the waiver. You do have the option to drop CDCS and return to traditional

waiver services. You retain the option to return to CDCS at a later date. If you are considering dropping the waiver, realize that there is now a long list of individuals waiting for the MR/RC waiver and it could be a long time before you are offered it again. If you are considering dropping the waiver, we encourage you to discuss this with an Arc advocate.

**Effective October 1, CDCS will no longer be an option for people living in licensed family foster care settings. What can I do?**

County staff should be working with individuals who will be unable to access CDCS services due to the fact that they are living a licensed family foster care setting. These individuals will have to go back to traditional waiver services. Using in-home supports, personal supports extended personal care attendant and supportive employment through traditional waiver services may provide some flexibility. We would encourage you to work with an Arc advocate. We would also encourage you to write a letter describing your own situation.

**What is the relationship between the ISP (Individual Support Plan) and the CSP (Community Support Plan)?**

It is anticipated that the CSP will replace the ISP. In other words, individuals on CDCS will not have a separate ISP – that the CSP will include all the requirements of an ISP. It is vital that the plan document the needs of the individual, including those needs identified on the screening document. The plan should also identify how those needs will be addressed. In the event that the county denies the plan or a part of the plan, a connection between the needs and how to meet those needs will be important in any conciliation or appeal.

**Will I have to pay my county case manager for providing some of the duties listed under flexible case management?**

The CDCS amendment differentiates between required county functions and flexible direct support functions. Required county functions include determining eligibility for services, providing the CDCS budget, providing consumers using CDCS with resources and information, approving and monitoring the plan are not included in the CDCS budget amount. Flexible direct support functions (which may have been provided by a support coordinator) are an option service. If the consumer chooses this service, it must be paid for from the individual budget. Some of these functions include facilitating the development of a person center community support plan; assistance with recruiting, hiring, training, etc of staff, provide training and what ever other tasks the consumer wants to have the person do. Parents of minors are unable to get paid to perform flexible case management functions for their own son or daughter.

**What can I do to be active and informed on CDCS issues?**

Join The Arc. Join our Public Policy Network. Many local chapters will be holding meetings to provide you with information on CDCS. We will be developing an action plan for monitoring the implementation of CDCS. We will notify you of what action needs to be taken and when. Then,

it's up to you to take action. Your energy and assistance is vital in order to make positive changes in the CDCS option.

If you have additional questions that you think should be added to this fact sheet, please contact Jacki at [jmccormack@arcgreatrivers.com](mailto:jmccormack@arcgreatrivers.com) or 651-523-0876.

The Minnesota Department of Human Services (DHS) has information on CDCS on their web page. Go to [www.dhs.state.mn.us](http://www.dhs.state.mn.us) click on the A – Z topics index and go to Consumer Directed Community Supports

*CDCS Questions and Answers developed by Arc Great Rivers.*

**The Arc of Minnesota  
CDCS Questions and Answers  
August 23, 2004**

**When will the new state-set budget amounts go into effect?**

People currently using the CDCS option will be receiving their state-set budget amount in the near future. If your current budget amount (as set by the county) is less than the state-set budget amount, the new amount will go into effect on October 1, 2004.

For individuals currently using the CDCS option, their state-set budget will go into effect one year after the anniversary of their current plan date but no later than April 2006.

-Many people develop a plan that is effective from January – December. If your next plan is from January – December 2005, the state-set budget will go into effect January 2006.

-If your plan is effective from November 2004 – November 2005, your new budget will begin December 2005.

-If your plan is from February 2005 – January 2006, your new budget will begin February 2006.

No county-set budget will be effective after April 2006.

**I am on a different waiver (either CADI, CAC, or TBI), when can I start using the CDCS option?**

The CDCS option will be available for individuals on all waivers in the counties currently offering CDCS beginning October 1, 2004. In other counties it will be available on April 1, 2005. Individuals on those waivers will receive their state-set budget if they want to use the CDCS option.

**What determines my budget amount?**

For individuals on the MR/RC waiver and using CDCS as an option, the screening document is used to calculate a state-set budget that is determined by a formula using a variety of variables. Some of these variables include: age, disability(ies), motor skills, behavioral issues, and need for specialized services. Arc does not have access to the specific formula nor can we tell you how your specific budget was determined. However, we are gathering information on an individual's county-set budget versus his/her state-set budget. Please go to our web site at [www.arcminnesota.com](http://www.arcminnesota.com). And fill out the CDCS Data Collection form and family story.

Additionally, if you think your screening document does not adequately describe the individual's needs, please call your local chapter Arc advocate to discuss re-screening. Changes to the screening document will affect one's CDCS budget only if a formal face-to-face screening is conducted by the county and signed by the person or their guardian.

**What about the amendments that take effect October 1, 2004 and what about allowable and unallowable expenses?**

In order to try to ensure consistency in the implementation of CDCS throughout the state, and across all waivers, a variety of changes were instituted to the program that will go into effect on October 1, 2004. For individuals currently using the CDCS option, the biggest (non budget) change has to do with the

unallowable expenditure list established by the Minnesota Department of Human Services. Many individuals will be unable to purchase some goods and services that they had been able to purchase previously. Beginning October 1, 2004, the counties cannot authorize purchases that are on the DHS unallowable list. This means CDCS plans; allocations and spending will have to change.

There are also some items that DHS will allow CDCS participants to purchase, which were previously not allowed by some counties. This change in allowable expenditures will also take place on October 1, 2004. This may also mean that CDCS plans will have to change to reflect the new purchases. One change in allowable expenditures for all counties is that parents of minors and spouses of individuals may be able to be paid for services in some instances. Contact Arc for information on the criteria and if you have any questions regarding the criteria.

A list of allowable and unallowable expenditures is available on our web page at [www.arcminnesota.com](http://www.arcminnesota.com)

### **What are my appeal rights regarding the state-set budget amount?**

The answer to this question depends on what you are appealing. The Department of Human Services has said that the state-set budgets are not open to appeal and force of law and that waiver amendment has the effect of law. *We are continuing to explore that issue and will update this answer periodically.*

*As Counties begin to share budget information they will be informing CDCS recipient's of their right to appeal. Please consider the following points as you review your options:*

- *If you are considering appealing your state-set rate, please contact an Arc advocate to review your options.*
- *If you believe that your current screening document does not accurately reflect assessed needs, you should request a new screening after reviewing your situation with an Arc advocate.*
- *If you disagree with the results of the assessment, the screening or your state-set budget you should request a conciliation or appeal. In such appeals, you should ask the county and DHS for detailed information showing what specific information was used to determine your budget amount and how that information was used in the CDCS formula.*
- *If you believe that the new budget amount will not meet the CDCS participant's particular health, safety and/or welfare needs AND that the provider services will not meet those needs either, you should appeal. DHS and the county that administers the recipient's waiver are obligated to assure that the person's health, safety and welfare needs are met. If the CDCS budget is cut, the state and county must assure that waiver and other services are made available to meet your identified service needs.*
- *If you appeal, you must do so in writing. You should include in your appeal letter a request to continue your current budget amount under CDCS while the appeal is pending. To learn more about the appeals process go to [www.arcminnesota.com](http://www.arcminnesota.com)'s home page. In the box titled "Other News, Events, and Items of Interest" click on "How to Appeal Cuts in Your Waivered Services." Also on the home page you can click on "DHS Information about Appeal Hearings."*

### **What are my appeal rights if the county does not approve my plan or any part of my plan?**

If you want to purchase a good or service and the county denies you that purchase, you could appeal that denial. The Arc of Minnesota encourages you to contact an individual advocate for assistance on this issue.

### **What if I cannot meet the health and safety needs with the state-set budget amount?**

You may return to traditional waiver services through a licensed provider. We encourage you to talk with an Arc advocate to fully discuss this issue.

### **What should I consider before dropping CDCS?**

The answer to this depends on if you are considering dropping the CDCS option or if you are considering dropping the waiver. You do have the option to drop CDCS and return to traditional waiver services. You retain the option to return to CDCS at a later date. If you are considering dropping the waiver, realize that there is now a long list of individuals waiting for the MR/RC waiver and it could be a long time before you are offered it again. If you are considering dropping the waiver, we encourage you to discuss this with an Arc advocate.

### **Effective October 1, CDCS will no longer be an option for people living in licensed family foster care settings. What can I do?**

County staff should be working with individuals who will be unable to access CDCS services due to the fact that they are living in a licensed family foster care setting. These individuals will have to go back to traditional waiver services. Using in-home supports, personal supports, extended personal care attendant and supportive employment through traditional waiver services may provide some flexibility. We would encourage you to work with an Arc advocate. We would also encourage you to write your family story describing your own situation.

### **What is the relationship between the ISP (Individual Support Plan) and the CSP (Community Support Plan)?**

It is anticipated that the CSP will replace the ISP. In other words, individuals on CDCS will not have a separate ISP – that the CSP will include all the requirements of an ISP. It is vital that the plan document the needs of the individual, including those needs identified on the screening document. The plan should also identify how those needs will be addressed. In the event that the county denies the plan or a part of the plan, a connection between the needs and how to meet those needs will be important in any conciliation or appeal.

### **Will I have to pay my county case manager for providing some of the duties listed under flexible case management?**

The CDCS amendment differentiates between required county functions and flexible direct support functions. Required county functions include determining eligibility for services, providing the CDCS budget, providing consumers using CDCS with resources and information, approving and monitoring the plan are not included in the CDCS budget amount. Flexible direct support functions (which may have been provided by a support coordinator) are an optional service. If the consumer chooses this service, it must be paid for from the individual budget. Some of these functions include facilitating the development of a person center community support plan; assistance with recruiting, hiring, training, etc of staff, provide training and what ever other tasks the consumer wants to have the person do. Parents of minors are unable to get paid to perform flexible case management functions for their own son or daughter.

### **What can I do to be active and informed on CDCS issues?**

Join The Arc. Join our Public Policy Network. Many local chapters will be holding meetings to provide you with information on CDCS. We will be developing an action plan for monitoring the implementation of CDCS. We will notify you of what action needs to be taken and when. Then, it's up to you to take action. Your energy and assistance is vital in order to make positive changes in the CDCS option.

If you have additional questions that you think should be added to this fact sheet, please contact Jacki at [jmccormack@arcgreatrivers.com](mailto:jmccormack@arcgreatrivers.com) or 651-523-0876.

The Minnesota Department of Human Services (DHS) has information on CDCS on their web page. Go to [www.dhs.state.mn.us](http://www.dhs.state.mn.us) click on the A – Z topics index and go to Consumer Directed Community Supports



**The Arc of Minnesota  
CDCS Questions and Answers  
September 9, 2004**

**1. When will the new state-set budget amounts go into effect?**

People currently using the CDCS option will be receiving their state-set budget amount in the near future. If your current budget amount (as set by the county) is less than the state-set budget amount, the new amount will go into effect on October 1, 2004.

For individuals currently using the CDCS option, their state-set budget will go into effect one year after the anniversary of their current plan date but no later than April 2006.

-Many people develop a plan that is effective from January – December. If your next plan is from January – December 2005, the state-set budget will go into effect January 2006.

-If your plan is effective from November 2004 – November 2005, your new budget will begin December 2005.

-If your plan is from February 2005 – January 2006, your new budget will begin February 2006.

No county-set budget will be effective after April 2006.

**2. I am on a different waiver (either CADI, CAC, or TBI), when can I start using the CDCS option?**

The CDCS option will be available for individuals on all waivers in the counties currently offering CDCS beginning October 1, 2004. In other counties it will be available on April 1, 2005. Individuals on those waivers will receive their state-set budget if they want to use the CDCS option.

**3. What determines my budget amount?**

For individuals on the MR/RC waiver and using CDCS as an option, the screening document is used to calculate a state-set budget that is determined by a formula using a variety of variables. Some of these variables include: age, disability(ies), motor skills, behavioral issues, and need for specialized services. Arc does not have access to the specific formula nor can we tell you how your specific budget was determined. However, we are gathering information on an individual's county-set budget versus his/her state-set budget. Please go to our web site at [www.arcminnesota.com](http://www.arcminnesota.com). And fill out the CDCS Data Collection form and family story.

Additionally, if you think your screening document does not adequately describe the individual's needs, please call your local chapter Arc advocate to discuss re-screening. Changes to the screening document will affect one's CDCS budget only if a formal face-to-face screening is conducted by the county and signed by the person or their guardian.

**4. What about the amendments that take effect October 1, 2004 and what about allowable and unallowable expenses?**

In order to try to ensure consistency in the implementation of CDCS throughout the state, and across all waivers, a variety of changes were instituted to the program that will go into effect on October 1, 2004. For individuals currently using the CDCS option, the biggest (non budget) change has to do with the unallowable expenditure list established by the Minnesota Department of Human Services. Many individuals will be unable to purchase some goods and services that they had been able to purchase previously. Beginning October 1,

2004, the counties cannot authorize purchases that are on the DHS unallowable list. This means CDCS plans, allocations, and spending will have to change.

There are also some items that DHS will allow CDCS participants to purchase, which were previously not allowed by some counties. This change in allowable expenditures will also take place on October 1, 2004. This may also mean that CDCS plans will have to change to reflect the new purchases. One change in allowable expenditures for all counties is that parents of minors and spouses of individuals may be able to be paid for services in some instances. Contact Arc for information on the criteria and if you have any questions regarding the criteria.

A list of allowable and unallowable expenditures is available on our web page at [www.arcminnesota.com](http://www.arcminnesota.com)

### **5. What are my appeal rights regarding the state-set budget amount?**

The answer to this question depends on what you are appealing. The Department of Human Services has said that the state-set budgets are not open to appeal and force of law and that waiver amendment has the effect of law. *We are continuing to explore that issue and will update this answer periodically.*

*As Counties begin to share budget information they will be informing CDCS recipient's of their right to appeal. Please consider the following points as you review your options:*

- *If you are considering appealing your state-set rate, please contact an Arc advocate to review your options.*
- *If you believe that your current screening document does not accurately reflect assessed needs, you should request a new screening after reviewing your situation with an Arc advocate.*
- *If you disagree with the results of the assessment, the screening or your state-set budget you should request a conciliation or appeal. In such appeals, you should ask the county and DHS for detailed information showing what specific information was used to determine your budget amount and how that information was used in the CDCS formula.*
- *If you believe that the new budget amount will not meet the CDCS participant's particular health, safety and/or welfare needs AND that the provider services will not meet those needs either, you should appeal. DHS and the county that administers the recipient's waiver are obligated to assure that the person's health, safety and welfare needs are met. If the CDCS budget is cut, the state and county must assure that waiver and other services are made available to meet your identified service needs.*
- *If you appeal, you must do so in writing. You should include in your appeal letter a request to continue your current budget amount under CDCS while the appeal is pending. To learn more about the appeals process go to [www.arcminnesota.com](http://www.arcminnesota.com)'s home page. In the box titled "Other News, Events, and Items of Interest" click on "How to Appeal Cuts in Your Waivered Services." Also on the home page you can click on "DHS Information about Appeal Hearings."*

### **6. What are my appeal rights if the county does not approve my plan or any part of my plan?**

If you want to purchase a good or service and the county denies you that purchase, you could appeal that denial. The Arc of Minnesota encourages you to contact an individual advocate for assistance on this issue.

### **7. What if I cannot meet the health and safety needs with the state-set budget amount?**

You may access other waiver services. We encourage you to talk with an Arc advocate to fully discuss this issue.

### **8. What should I consider before dropping CDCS?**

The answer to this depends on if you are considering dropping the CDCS option or if you are considering dropping the waiver. You do have the option to drop CDCS and return to traditional waiver services. You retain the option to return to CDCS at a later date. If you are considering dropping the waiver, realize that there is now a long list of individuals waiting for the MR/RC waiver and it could be a long time before you are offered it again. If you are considering dropping the waiver, we encourage you to discuss this with an Arc advocate.

**9. Effective October 1, CDCS will no longer be an option for people living in licensed family foster care settings. What can I do?**

County staff should be working with individuals who will be unable to access CDCS services due to the fact that they are living a licensed family foster care setting. These individuals will have to go back to traditional waiver services. Using in-home supports, personal supports, extended personal care attendant and supportive employment through traditional waiver services may provide some flexibility. We would encourage you to work with an Arc advocate. We would also encourage you to write your family story describing your own situation.

**10. What is the relationship between the ISP (Individual Support Plan) and the CSP (Community Support Plan)?**

It is anticipated that the CSP will replace the ISP. In other words, individuals on CDCS will not have a separate ISP – that the CSP will include all the requirements of an ISP. It is vital that the plan document the needs of the individual, including those needs identified on the screening document. The plan should also identify how those needs will be addressed. In the event that the county denies the plan or a part of the plan, a connection between the needs and how to meet those needs will be important in any conciliation or appeal.

**11. Will I have to pay my county case manager for providing some of the duties listed under flexible case management?**

The CDCS amendment differentiates between required county functions and flexible direct support functions. Required county functions include determining eligibility for services, providing the CDCS budget, providing consumers using CDCS with resources and information, approving and monitoring the plan are not included in the CDCS budget amount. Flexible direct support functions (which may have been provided by a support coordinator) are an optional service. If the consumer chooses this service, it must be paid for from the individual budget. Some of these functions include facilitating the development of a person centered community support plan; assistance with recruiting, hiring, training, etc of staff; provide training and what ever other tasks the consumer wants to have the person do. Parents of minors are unable to get paid to perform flexible case management functions for their own son or daughter.

**12. I would like to get paid to take care of my child. I think the tasks are above and beyond typical parenting responsibilities. The county has said I can't do that. What should I do?**

Contact an Arc advocate for assistance. The county cannot automatically deny you the ability to pay yourself.

**13. I received a budget increase. When does it go into effect? What do I need to do?**

The first thing you need to do is change or amend your plan to reflect the new budget increase. The plan should document how the increase dollar amount will be allocated. You will not be able to use your new dollar amount until the plan, with the increased dollar allocation, has been approved by the county.

**14. I have been using the waiver along with ICF/MR respite. Can I still do that?**

Previously, people have been going on and off the waiver to use respite in an ICF/MR facility. Under the new amendments, people are only able to go on and off the waiver only once during the calendar year. At this time, people will not longer be able to go on and off the waiver to access ICF/MR respite; however, DHS has

submitted a waiver request that would allow ICF/MR respite to be a waiver service. When and if this is approved, people using the CDCS waiver will be able to use ICF/MR respite if it is approved in their plan.

#### **15. What can I do to be active and informed on CDCS issues?**

Join The Arc. Join our Public Policy Network. Many local chapters will be holding meetings to provide you with information on CDCS. We will be developing an action plan for monitoring the implementation of CDCS. We will notify you of what action needs to be taken and when. Then, it's up to you to take action. Your energy and assistance is vital in order to make positive changes in the CDCS option.

If you have additional questions that you think should be added to this fact sheet, please contact Jacki at [jmccormack@arcgreatrivers.com](mailto:jmccormack@arcgreatrivers.com) or 651-523-0876.

The Minnesota Department of Human Services (DHS) has information on CDCS on their web page. Go to [www.dhs.state.mn.us](http://www.dhs.state.mn.us) click on the A – Z topics index and go to Consumer Directed Community Supports

Updated 9/8/04