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ALW PL #22-01

DATE: May 3, 2022

TO: Assisted Living Waiver (ALW) Providers and Care Coordination Agencies (CCA)

SUBJECT: Release of ALW Slots

PURPOSE: The purpose of this Policy Letter is to provide guidance on the Department of Health Care Services' (DHCS) policy for releasing additional ALW slots.

AUTHORITY: American Rescue Plan Act Section 9817

BACKGROUND:

The purpose of the ALW is to keep eligible seniors and persons with disabilities in their communities and out of institutional care settings. On July 12, 2021, DHCS submitted Medi-Cal's Home and Community-Based Services (HCBS) spending plan authorized by the American Rescue Plan Act. The Centers for Medicare and Medicaid Services (CMS) conditionally approved California's spending plan on January 4, 2022. On January 7, 2022, CMS approved DHCS' ALW amendment to add an additional 7,000 waiver slots retroactively to July 1, 2021.

To facilitate a smooth expansion, DHCS is instituting the following policy for how CCAs should process their waitlists.

DEFINITIONS:

Institutional Transition: Participant must reside in an institution for at least 60 days prior to qualifying as an institutional transition onto the Waiver. ^{1,2}

Community Enrollment: Any participant who does not meet the definition of an institutional transition will be treated as a community enrollment.

POLICY:

DHCS will release ALW waitlist slots as follows:

- 1) The number of slots DHCS releases each month may vary based on the capacity of CCA staff and the number of individuals on a CCA's waitlist.
- 2) In the first release, DHCS will release all institutional transitions to each CCA. If a CCA has less than 25 institutional transitions on their waitlist at the time of the first release, DHCS will release all institutional transitions as well as community enrollments totaling 25 waitlist slots. DHCS will closely monitor the number of waitlist slots CCAs are able to process each month to inform future releases using an experience rating CCAs with application and closure notification rates that fall below 60% after 60 days following a release will not be able to submit waitlist requests, and additional waitlist slot releases will be paused for 30 days, and until the CCAs return rate is higher than 60%.
- 3) CCAs will have 60 days from the date they are notified of an available slot to submit a complete application or to notify DHCS that a member is no longer interested in the ALW program. An individual will only be closed for "no contact" once the CCA has: provided documentation that a minimum of three (3) attempts were made to contact the individual, at least once per week over a three week period, at different times of day, and on different days of the week. CCAs must document each attempt to contact applicants in the attached spreadsheet.
- 4) CCAs will use the first sheet of the attached spreadsheet to document contact attempts and waitlist processing progress. The second sheet of the tracking document will autofill based on entries from the first sheet and will be used for high level performance tracking. A waitlist slot will be considered processed once one of the following occurs: the CCA confirms the individual has elected to decline waiver services, the individual fails to respond to the CCA after three (3) contact attempts, or the individual submits a completed application to DHCS.

¹ DHCS received CMS approval of the Appendix K authority under which a participant must reside in an institution for at least one (1) day prior to qualifying as an institutional transition onto the waiver. Appendix K flexibilities may remain in place up to six (6) months following the expiration of the federal Public Health Emergency (PHE). DHCS will notify CCAs 60 days prior to the expiration of this flexibility. California's approved Appendix K waivers can be accessed at the following link:
<https://www.dhcs.ca.gov/Pages/COVID-19-Waivers.aspx>

² The Assisted Living Waiver Webpage can be accessed at the following link:
<https://www.dhcs.ca.gov/services/ltc/Documents/ALW-Renewal-2019-2024-Approved.pdf>

- 5) Pursuant to ALW requirements, institutional transitions will continue to move straight to intake.³
- 6) Individuals added to the waitlist as an institutional transfer prior to CMS amendment approval will be included in the first waitlist slot release.
- 7) CCAs must process all community enrollment waitlist slots in the order the individual entered the waitlist.
- 8) DHCS recommends that CCAs begin to reach out to individuals on the waitlist to confirm their eligibility and continuing interest in Waiver in order to prepare for waitlist slot releases.

QUESTIONS:

If you have questions regarding the requirements of this Policy Letter, please contact ISCD at ALWP.IR@dhcs.ca.gov.

Sincerely,

Joseph Billingsley
Assistant Deputy Director and Acting Chief
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³ The Assisted Living Waiver Webpage can be accessed at the following link:
<https://www.dhcs.ca.gov/services/ltc/Documents/ALW-Renewal-2019-2024-Approved.pdf>