

## ATTENDANT CARE WAIVER RENEWAL SIDE-BY-SIDE COMPARISON

| Topic   | Current Language  | Revised Language  |
|---|---|---|
| <b>Main Module</b>  |   | <p><b>Attendant Care Waiver – Transition to Community HealthChoices (See Main Module)</b></p> <p>The Commonwealth’s Department of Human Services (DHS) is embarking on a phase-in of a Managed Long-term Services and Supports (MLTSS) model of service delivery known as Community Health Choices (CHC). CHC will be rolled out in all 67 counties that comprise five (5) geographic zones.</p> <p><b>Attendant Care Waiver – Home and Community-Based Settings Waiver Transition Plan (See Main Module)</b></p> <p>A revised transition plan was issued for public comment in the January 9, 2016 Pennsylvania Bulletin as a component of the Commonwealth's Statewide Transition Plan for Home and Community-Based Settings. The final, revised transition plan will be added to the Attendant Care waiver amendment.</p>  |
| <b>Changes to “Use of Contracted Entities”</b><br><br><b>Appendix A-Administrative Authority-Appendix A-3</b> | <p>Through the current Title XIX Medicaid Waiver Grant Agreement, OLTL contracts with fifty-two (52) local Area Agencies on Aging to perform the initial level of care determination as specified in Appendix B-6. Thirty-three of these entities are Local/Regional non-state public agencies, while nineteen are Local/Regional non-governmental non-state entities.</p> <p>Annual Re-evaluations – ... the annual reevaluation for level of care is conducted by the local Service Coordination entities as described in Appendix C.</p> | <p>Through the current Title XIX Medicaid Waiver Grant Agreement, OLTL currently contracts with fifty-two (52) local Area Agencies on Aging to perform the initial level of care determination as specified in Appendix B-6. Thirty-three of these entities are Local/Regional non-state public agencies, while nineteen are Local/Regional non-governmental non-state entities. Effective September 1, 2016, OLTL will be entering into a contract with a non-governmental, non-state agency, to conduct the initial and annual level of care determinations and redeterminations, hereafter referred as Clinical Eligibility Determinations/Re-determinations. The selected entity will have subcontracts with local organizations to perform the Clinical Eligibility Determinations and Redeterminations, and will be responsible for monitoring these local organizations to ensure that initial Clinical Eligibility Determinations are completed within 15 days after the participant referral from the Independent Enrollment Entity. The selected entity will also be responsible for ensuring the annual redeterminations are conducted within 365 days of the last Clinical Eligibility Determination (initial or annual).</p> |
| <b>Appendix B-Eligibility and Access-B-3: Number of Individuals Served</b>                                    |   |   |

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| <p><b>"Appendix C- Services- Appendix C-2-b- Child Abuse Clearances"</b></p> | <p>The Department of Human Services maintains a child abuse registry of individuals who have been named as a perpetrator of founded or indicated child abuse. A similar registry is not maintained for individuals who have been named as a perpetrator of founded or indicated elder abuse; these results are reported on the criminal history background check.</p> <p>Written results of child abuse clearances are required for all direct care workers providing services in homes where children reside. These clearances are obtained from the Office of Children, Youth and Families, DHS-Childline and Abuse Registry, P.O. Box 8170, Harrisburg, Pennsylvania 17105-8170, (717)783-6211 within 30 work days from the date the employee/provider initiates services to the participant. Support service workers who are employed by waiver participants must have child abuse clearances completed prior to hire so that participants can make an informed decision on whether to employ a worker who has been named as a perpetrator of founded or indicated child abuse.</p> <p>The home care/personal assistance agency is responsible for securing child abuse clearances for their employees. The agency must have a system in place to document that the child abuse clearance was conducted. In the interim of securing the written results of child abuse clearances, the provider of service will obtain written certification from the employee which confirms that the employee has not, within five (5) years immediately preceding the date of employment with the waiver program, been named on a central child abuse registry as being a perpetrator of founded or indicated child abuse.</p> | <p>Clearances are required for all direct care workers providing services in homes where children reside. A child is defined as an individual under 18 years of age.</p> <p>Employees who are either “responsible for the welfare of” or have “direct contact with” a child must obtain the following three certifications:</p> <ul style="list-style-type: none"> <li>• Report of criminal history from the Pennsylvania State Police (PSP);</li> <li>• Fingerprint based federal criminal history submitted through the Pennsylvania State Police or its authorized agent (FBI); and</li> <li>• Child Abuse History Certification from the Department of Human Services (Child Abuse).</li> </ul> <p>Requests for criminal history reports can be processed through the Pennsylvania State Police web-based computer application called “Pennsylvania Access To Criminal History” (PATCH), at <a href="https://epatch.state.pa.us">https://epatch.state.pa.us</a>, or by submitting the “Request For Criminal Record Check” form SP4-164 (updated 7/2015) to the following address: Pennsylvania State Police, Central Repository – 164, 1800 Elmerton Avenue, Harrisburg, PA 17110-9758, (717) 425-5546.</p> <p>The Department of Human Services is utilizing Cogent Systems to process fingerprint-based FBI record checks. The fingerprint based background check is a multiple step process. The Cogent Systems Web site <a href="https://www.pa.cogentid.com/index_dpwNew.htm">https://www.pa.cogentid.com/index_dpwNew.htm</a> allows individuals to apply online, as well as provide detailed information regarding the application process.</p> <p>Child Abuse History Certifications are obtained online at <a href="http://www.compass.state.pa.us/CWIS">http://www.compass.state.pa.us/CWIS</a>, or through the DHS ChildLine and Abuse Registry, P.O. Box 8170, Harrisburg, Pennsylvania 17105-8170, (717) 783-6211 or toll free at (877) 371-5422. Written results are required within 30 work days from the date the employee/provider initiates services to the participant. Support service workers who are employed by waiver participants must have child abuse clearances completed prior to hire so that participants can make an informed decision on whether to employ a worker who has been named as a perpetrator of founded or indicated child abuse.</p> <p>Beginning July 1, 2015, certifications must be obtained every 60 months. Any employee with current certification issued prior to July 1, 2015, must renew their certifications within 60 months from the date of their oldest certification or if their current certification is older than 60 months.</p> <p>If an employee is arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a program, activity or service, or is named as a perpetrator in a founded or indicated report, the employee must provide the administrator or their designee with written notice not later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. An employee who willfully fails to disclose information as required above commits a misdemeanor of the third degree and shall be subject to discipline up to and including termination or denial of employment.</p> |

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|       | <p>The F/EA is responsible for securing child abuse clearances for prospective support service workers. The cost of conducting child abuse clearances is included in the monthly per member per month rate paid to the F/EA. In addition, the F/EA must have a system in place to document that the child abuse clearance was conducted.</p> <p>OLTL reviews provider personnel records as part of the biennial monitoring to ensure that child abuse clearances are conducted and documented as referenced in the Quality Improvement section below. In addition to regularly scheduled monitoring, OLTL may review records as necessary during incident report investigations or other circumstances as warranted.</p> | <p>The home care/personal assistance agency is responsible for securing these clearances for their employees. The agency must have a system in place to document that the clearances were conducted. In the interim of securing the written results of the clearances, the provider of service will obtain written certification from the employee which confirms that the employee has not, within five (5) years immediately preceding the date of enrollment into the waiver program been named on a central child abuse registry as being a perpetrator of founded or indicated child abuse.</p> <p>The F/EA is responsible for securing clearances for prospective support service workers. The cost of conducting clearances is included in the monthly per member per month rate paid to the F/EA. In addition, the F/EA must have a system in place to document that the clearances were conducted.</p> <p>OLTL reviews provider personnel records as part of the biennial monitoring to ensure that the clearances are conducted and documented as referenced in the Quality Improvement section. In addition to regularly scheduled monitoring, OLTL may review records as necessary during incident report investigations or other circumstances as warranted.</p> |

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|---------------------------------------|-------------------------|-------------------------|
| <b>Appendix D</b>                     |                         |                         |
| <b>Appendix E</b>                     |                         |                         |
| <b>Appendix F</b>                     |                         |                         |
| <b>Appendix G</b>                     |                         |                         |
| <b>Appendix H</b>                     |                         |                         |
| <b>Appendix I</b>                     |                         |                         |
| <b>Appendix J-Cost<br/>Neutrality</b> |                         |                         |