

Home and Community-Based Services State Transition Plan Milestones

Background

In order to collect consistent information on the implementation of the Home and Community-Based Settings (HCBS) regulations and Statewide Transition Plan (STP), the Centers for Medicare & Medicaid Services (CMS) has identified a standard set of milestones to track across states. Since each state is different, the milestone must align with the STP evidence. States may need to provide more than one date for a particular milestone because the states will report completion in percentages, such as 25 percent or 50 percent complete. This approach will provide CMS insight in regards to the status of completion pertaining to particular milestones.

Instructions and Reminders

The following milestone list provides CMS the opportunity to track progress in implementation of each state’s STP. Please provide dates for each milestone and where possible, the corresponding page number in the STP. Per the State Operations and Technical Assistance call on February 4, 2016, the state will receive email reminders 30 days prior to the due date of each milestone input into the system and when milestones are past due. States will also have the opportunity to update CMS on the milestones below through the HCB Settings website.

- All dates included in the template below should also align with the STP.
- The red italic text provides additional details related to each milestone. Please reach out to CMS with specific questions.
- Some milestones may have the same proposed due dates-as these steps may be undertaken simultaneously.
- States are encouraged to provide additional details on each milestone in the description column below. The description field will be transferred and available for viewing on the HCB Settings Website.

Milestone	Description	Proposed End Date	STP Page No.
Systemic Assessment and Remediation			
Completion of systemic assessment	A state-level assessment of regulations, policy bulletins, and service definitions was conducted to determine alignment with the federal requirements. This state-level assessment was conducted jointly by the Department of Human Services and the Department of Aging. All current regulations, bulletins, and waiver service definitions that pertain to services delivered through Pennsylvania’s 1915 (c) waivers were reviewed in their entirety. While the assessment found no direct conflicts with the new	August 2016	STP – 19 and Appendix I, Systemic Assessment

	federal requirements, regulations, bulletins and service definitions will be developed or revised to address areas where all documents reviewed were found to be silent in regard to the federal requirements and to provide objective and measurable standards.		
Complete modifying rules and regulations, including provider manuals, inspection manuals, procedures, laws, qualification criteria, etc.	Office of Developmental Programs (ODP): 100 percent complete. Analyze Pennsylvania’s landlord tenant law and determine what constitutes comparability for residential settings.	March 2016	Eight of Consolidated (Con.) Attachments Seven of Adult Autism Waiver (AAW) Attachments
	100 percent complete. Create a draft of the 55 Pa. Code Chapter 6100 regulations with stakeholder input. Create draft changes to 55 Pa. Code Chapters 2380, 6400, and 6500. The draft was released for public comment from November 5, 2016 to December 20, 2016. ODP is currently reviewing comments and determining changes to be made to the regulations based on comments.	November 2016	Two of Con. and Person/Family Directed Support (P/FDS) Attachments Two and seven of AAW Attachments
	75 percent complete. The service definitions and provider qualification criteria were submitted to CMS for approval in March 2017 for the Consolidated and Person/Family Directed Support (P/FDS) waivers; and will be submitted in July 2017 for Adult Autism Waiver (AAW). Consolidated and P/FDS service definitions and qualification criteria were released for public comment from December 3, 2016 to January 17, 2017. ODP is currently reviewing the comments and making decisions about the changes to be made based on the comments.	July 2017	Three and Nine Con and Three P/FDS
	100 percent complete. AAW service definitions and qualification criteria were released for public comment March 3 to April 4, 2017.	April 2017	
	Office of Long-Term Living (OLTL): Publication of policy on individual service plan documentation requirements: OLTL will issue policy on the documentation requirements for person-centered planning.	October 2016	OLTL Waiver Transition Plans: Aging 10-11, Attendant Care

	<p>Public Comment Target Date: August 2015 Implementation Target Date: December 2015 100 percent complete. It was issued December 7, 2015 to be effective December 21, 2015. Bulletin has been re-issued with further guidance and made effective on October 14, 2016.</p> <p>100 percent complete. OLTL drafted a bulletin titled Home and Community-Based Settings Requirements. It was released for stakeholder comment from August 15, 2016 to September 1, 2016. It was issued and became effective on December 28, 2016. Please note: OLTL’s waiver transition plans referenced publication of policy on non-residential settings and residential settings. This was combined into the Home and Community-Based Settings Requirements bulletin.</p> <p>100 percent complete. OLTL developed a site assessment tool in accordance with the HCBS Final Rule for OLTL use to determine site compliance. Assessments will include review of provider policies and procedures, documentation of on-site visit, review by OLTL Subject Matter Expert (SME) panel to determine next steps for each site (i.e. corrective action plan, heightened scrutiny submission, disenrollment). Implementation of site assessment tool and panel process was completed in March 2017.</p> <p>Community Health Choices (CHC) Waiver Application: OLTL will make revisions to service definitions and provider qualifications within the CHC waiver application. Public Comment completed: May 2016 Submission target date: April 2017</p> <p>OLTL will analyze Pennsylvania’s landlord tenant law and determine what constitutes comparability for residential settings after residential site assessment has been completed. Any identified changes will be addressed during the remediation period.</p>	<p>December 2016</p> <p>March 2017</p> <p>Submission to CMS: April 2017</p> <p>January 2018</p>	<p>Waiver (ACW) 7, CommCare Waiver (COMMC) 11, Independence Waiver (Indep.) 9-10, OBRA 11-12</p> <p>OLTL Waiver Transition Plans: Aging 10-11, ACW 7, COMMC 11, Indep. 9-10, OBRA 11-12</p> <p>OLTL Waiver Transition Plans: Aging 11, COMMC 12, Indep. 10, OBRA 12</p>
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Implementation of new rules and regulations: 50 percent complete	<p>Not applicable for OLTL.</p> <p>ODP: Task Not Started: Begin upon CMS approval of the Consolidated, P/FDS, and Adult Autism (AA) Waivers by CMS.</p>	July 2017	Three and nine Con. and three P/FDS Two, eight, and 11 of AAW Attachment
Implementation of new rules and regulations: not started	ODP: Task Not Started: Begin upon issuance of final 6100 regulations.	September 2017	27 Four and ten of Con., four of P/FDS, three and eight of AAW Attachment
Site-specific Assessments			
Completion of site-specific assessment	<p>ODP: 10 percent complete. In the fall of 2017, all Consolidated Waiver, AAW, and P/FDS Waiver providers will complete a self-assessment of their compliance with current applicable waivers, regulations, and policies. ODP has begun work on developing a self-assessment tool.</p> <p>An onsite monitoring of all residential and day habilitation providers that serve participants in the AAW will be conducted. An onsite review will also be completed for all waiver providers who either did not complete a self-assessment or whose self-assessments indicate noncompliance.</p> <p>An onsite review will be completed for approximately 33 percent of Consolidated and P/FDS waiver providers for compliance with applicable waiver and regulations. An onsite review will also be completed for all waiver providers who either did not complete a self-assessment or whose self-assessments indicate noncompliance</p>	<p>Fall 2017</p> <p>July 2018</p> <p>July 2018</p>	<p>Four and ten of Con., four of P/FDS</p> <p>Four and nine of AAW Attachments</p> <p>33</p>

	5310) and life sharing (unlicensed and licensed through 55 Pa. Code Chapter 6500). This will only apply to the Consolidated Waiver and AAW as there are no residential services in the P/FDS Waiver.		
Completion of residential provider remediation: 50 percent complete	<p>OLTL estimates that 50 percent of residential provider sites that provide residential habilitation will be remediated by March 2018. This date will be revised as sites are reviewed.</p> <p>ODP is not using a tiered monitoring or remediation process. Residential providers remediated will include providers of Residential Habilitation (unlicensed and licensed through 55 Pa. Code Chapters 6400, 3800 and 5310) and life sharing (unlicensed and licensed through 55 Pa. Code Chapter 6500). This will only apply to the Consolidated Waiver and AAW as there are no residential services in the P/FDS Waiver.</p>	March 2018	11 of Consolidated Five and ten of AAW
Completion of residential provider remediation: 75 percent	<p>OLTL estimates that 75 percent of residential provider sites that provide residential habilitation will be remediated by September 2018. This date will be revised as sites are reviewed.</p> <p>ODP is not using a tiered monitoring or remediation process. Residential providers remediated will include providers of Residential Habilitation (unlicensed and licensed through 55 Pa. Code Chapters 6400, 3800 and 5310) and life sharing (unlicensed and licensed through 55 Pa. Code Chapter 6500). This will only apply to the Consolidated Waiver and AAW as there are no residential services in the P/FDS Waiver.</p>	September 2018	11 of Consolidated Five and ten of AAW
Completion of residential provider remediation: 100 percent	<p>OLTL estimates that 100 percent of all residential provider sites that provide residential habilitation will be remediated by March 17, 2019.</p> <p>ODP: Residential providers remediated will include providers of Residential Habilitation (unlicensed and licensed through 55 Pa. Code Chapters 6400, 3800 and 5310) and life sharing (unlicensed and licensed through 55 Pa. Code Chapter 6500). This will only apply to the Consolidated Waiver and AAW as there are no residential services in the P/FDS Waiver.</p>	March 17, 2019 December 2018	11 of Consolidated Five and ten of AAW
Completion of nonresidential provider	OLTL estimates that 25 percent of nonresidential provider sites that provide adult day, employment skills development, and structured day will be remediated by September 2017. Nonresidential provider sites do not include	September 2017	

<p>remediation: 25 percent</p>	<p>services provided in participants' private homes, which is presumed to be in compliance. This date will be revised as sites are reviewed.</p> <p>ODP is not using a tiered monitoring or remediation process. Consolidated and P/FDS waiver nonresidential providers remediated will include community participation support providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380 and 2390. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p> <p>AAW nonresidential providers remediated will include day habilitation providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p>	<p>June 2018</p>	<p>Five of Con. and P/FDS</p> <p>Five and ten of AAW</p>
<p>Completion of nonresidential provider remediation: 50 percent</p>	<p>OLTL estimates that 50 percent of nonresidential provider sites that provide adult day, employment skills development, and structured day will be remediated by March 2018. Nonresidential provider sites do not include services provided in participants' private homes, which is presumed to be in compliance. This date will be revised as sites are reviewed.</p> <p>ODP is not using a tiered monitoring or remediation process. Consolidated and P/FDS waiver nonresidential providers remediated will include community participation support providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380 and 2390. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p> <p>AAW nonresidential providers remediated will include day habilitation providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p>	<p>March 2018</p> <p>June 2018</p>	<p>Five of Con. and P/FDS</p> <p>Five and ten of AAW</p>
<p>Completion of nonresidential provider</p>	<p>OLTL estimates that 75 percent of nonresidential provider sites that provide adult day, employment skills development, and structured day will be remediated by September 2018. Nonresidential provider sites do not include</p>	<p>September 2018</p>	

<p>remediation: 75 percent</p>	<p>services provided in participants' private homes, which is presumed to be in compliance. This date will be revised as sites are reviewed.</p> <p>ODP is not using a tiered monitoring or remediation process. Consolidated and P/FDS waiver nonresidential providers remediated will include community participation support providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380 and 2390. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p> <p>AAW nonresidential providers remediated will include day habilitation providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p>	<p>June 2018</p>	<p>Five of Con. and P/FDS</p> <p>Five and ten of AAW</p>
<p>Completion of nonresidential provider remediation: 100 percent</p>	<p>OLTL estimates that 100 percent of all nonresidential provider sites that provide adult day, employment skills development, and structured day will be remediated by March 17, 2019. Nonresidential provider sites do not include services provided in participants' private homes, which is presumed to be in compliance.</p> <p>ODP: Consolidated and P/FDS waiver nonresidential providers remediated will include community participation support providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380 and 2390. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p> <p>AAW nonresidential providers remediated will include day habilitation providers that may provide services in settings licensed under 55 Pa. Code Chapter 2380. ODP will also remediate all other nonresidential providers and the settings in which they provide services.</p>	<p>March 17, 2019</p> <p>June 2018</p>	<p>Five of Con. and P/FDS</p> <p>Five and ten of AAW</p>
<p>Identification of settings that will not remain in the HCBS System</p>	<p>OLTL estimates that it will have identified all sites that will not remain in the HCBS system by September 2018.</p>	<p>September 2018</p>	

	<p>ODP: A public notice will be published which will list the provider name, the county in which the setting is located, the waiver service(s) provided at the setting, and the number of individuals authorized to receive services in the setting along with the determination that the setting falls into one of the following categories:</p> <ul style="list-style-type: none"> • Ineligible for waiver reimbursement as of March 2019, • Eligible for waiver reimbursement, or • Eligible for waiver reimbursement and meets criteria for CMS heightened scrutiny process. 	December 2018	<p>Six-seven of the Con. and P/FDS</p> <p>Six and ten of AAW Attachments</p>
Heightened Scrutiny²			
Identification of settings that overcome the presumption and will be submitted for heightened scrutiny and notification to provider	<p>ODP: After the completion of the onsite monitoring reviews, information on settings that are determined to have the qualities of a home and community-based setting will be submitted to CMS for heightened scrutiny. Providers will be notified of ODP's initial decision regarding the setting's eligibility.</p> <p>OLTL: After the completion of the onsite monitoring reviews, settings that are determined to have the qualities of a home and community-based setting will receive notification from OLTL that they have been determined eligible for heightened scrutiny. If the provider elects to proceed with heightened scrutiny, OLTL will publish a list of providers for public comment. Then information on these settings will be submitted to CMS for heightened scrutiny.</p>	<p>March 2019</p> <p>March 2018</p>	<p>Six and 11 of AAW Six of Con. and P/FDS</p> <p>STP 36</p>
Complete gathering information and evidence on settings requiring heightened scrutiny that it will present to CMS	<p>OLTL estimates that it will have evidentiary packages to send to CMS Spring 2018.</p> <p>ODP will gather information and evidence as part of the onsite monitoring process and remediation process. See step above.</p>	<p>Spring 2018</p> <p>November 2018</p>	<p>STP 36</p> <p>Six of Con. and P/FDS Six and 11 of AAW</p>
Incorporate list of settings requiring heightened scrutiny and information and evidence referenced	<p>ODP: A public notice will be published which will list the provider name, the county in which the setting is located, the waiver service(s) provided at the setting, and the number of individuals authorized to receive services in the setting, along with the determination that the setting falls into one of the following categories:</p>	December 2018	<p>Six-seven of Con. and seven of P/FDS</p> <p>Six and ten of AAW</p>

above into the final version of STP and release for public comment	<ul style="list-style-type: none"> • Ineligible for waiver reimbursement as of March 2019, • Eligible for waiver reimbursement, or • Eligible for waiver reimbursement and meets criteria for CMS heightened scrutiny process. <p>OLTL intends to publish a public notice listing all settings/providers that have been found eligible for continued waiver reimbursement and meets criteria for CMS heightened scrutiny process, including number of participants currently receiving services in those settings.</p>	March 2018	STP 36
Submit STP with Heightened Scrutiny information to CMS for review	<p>ODP: In the beginning of 2019, ODP will send a list of settings/providers determined eligible in accordance with the waiver to CMS for heightened scrutiny.</p> <p>OLTL: In the spring of 2018, OLTL will send a list of settings/providers identified for heightened scrutiny to CMS for its heightened scrutiny process. OLTL is on target for this.</p>	Beginning of 2019 Spring 2018	Six and 11 of AAW, seven of Con. P/FDS STP 36; OLTL Waiver Transition Plans Aging 15, COMMC 16, Indep. 14, OBRA 16
Relocation			
Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 25 percent	<p>OLTL estimates that it will have notifications to participants, guardians, case managers, and provider settings that the setting is not in compliance and that relocation is required for 25 percent of the settings determined to be out of compliance with HCBS settings requirements by December 2017.</p> <p>ODP is not using a tiered monitoring or remediation process. When a residential or nonresidential setting is found to not be in compliance with HCBS settings requirements and has no plans to remediate by March 2019, notice will be provided to individuals, guardians, supports coordinators, and providers.</p>	December 2017 September 2018	Five of Con. and P/FDS Five and ten of AAW
Complete notifying member, guardians,	OLTL estimates that it will have notifications to participants, guardians, case managers, and provider settings that the setting is not in compliance and	April 2018	

<p>case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 50 percent</p>	<p>that relocation is required for 50 percent of the settings determined to be out of compliance with HCBS settings requirements by April 2018.</p> <p>ODP is not using a tiered monitoring or remediation process. When a residential or nonresidential setting is found to not be in compliance with HCBS settings requirements and has no plans to remediate by March 2019, notice will be provided to individuals, guardians, supports coordinators, and providers.</p>	<p>September 2018</p>	<p>Five of Con. and P/FDS Five and ten of AAW</p>
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with HCBS settings requirements and that relocation is required: 75 percent</p>	<p>OLTL estimates that it will have notifications to participants, guardians, case managers, and provider settings that the setting is not in compliance and that relocation is required for 75 percent of the settings determined to be out of compliance with HCBS settings requirements by July 2018.</p> <p>ODP is not using a tiered monitoring or remediation process. When a residential or nonresidential setting is found to not be in compliance with HCBS settings requirements and has no plans to remediate by March 2019, notice will be provided to individuals, guardians, supports coordinators, and providers</p>	<p>July 2018</p> <p>September 2018</p>	<p>Five of Con. and P/FDS Five and ten of AAW</p>
<p>Complete notifying member, guardians, case managers, facility support staff and any other identified responsible parties that the setting is not in compliance with</p>	<p>ODP: When a residential or nonresidential setting is found to not be in compliance with HCBS settings requirements and has no plans to remediate by March 2019, notice will be provided to individuals, guardians, Supports Coordinators, and providers.</p> <p>OLTL estimates that it will have notifications to participants, guardians, case managers, and provider settings that the setting is not in compliance and that relocation is required for 100 percent of the settings determined to be out of compliance with HCBS settings requirements by September 2018.</p>	<p>September 2018</p> <p>September 2018</p>	<p>Six and 11 of AAW, 12 of Consolidation, six of P/FDS</p> <p>STP 36; OLTL Waiver Transition Plans</p>

HCBS settings requirements and that relocation is required: 100 percent			Aging 15, COMMC 16, Indep. 14, OBRA 16
Complete beneficiary relocation across all providers: 25 percent	<p>OLTL estimates that it will have 25 percent of beneficiaries in unallowable settings relocated by June 2018.</p> <p>ODP will ensure that individuals who receive services in ineligible settings transition to willing and qualified providers, if necessary. ODP is not using a tiered monitoring or remediation process.</p>	<p>June 2018</p> <p>January 2019</p>	Six and 11 of AAW Seven Con. and P/FDS
Complete beneficiary relocation across all providers: 50 percent	<p>OLTL estimates that it will have 50 percent of beneficiaries in unallowable settings relocated by September 2018.</p> <p>ODP will ensure that individuals who receive services in ineligible settings transition to willing and qualified providers, if necessary. ODP is not using a tiered monitoring or remediation process.</p>	<p>September 2018</p> <p>February 2019</p>	Six and 11 of AAW Seven of Con. and P/FDS
Complete beneficiary relocation across all providers: 75 percent	<p>OLTL estimates that it will have 75 percent of beneficiaries in unallowable settings relocated by January 2019.</p> <p>ODP will ensure that individuals who receive services in ineligible settings transition to willing and qualified providers, if necessary. ODP is not using a tiered monitoring or remediation process.</p>	<p>January 2019</p> <p>March 2019</p>	Six and 11 of AAW Seven of Con. and P/FDS
Complete beneficiary relocation across all providers: 100 percent	<p>ODP will ensure that individuals who receive services in ineligible settings transition to willing and qualified providers, if necessary.</p> <p>OLTL estimates that it will have 100 percent of beneficiaries in unallowable settings relocated by March 17, 2019.</p>	<p>March 2019</p> <p>March 17, 2019</p>	Six and 11 of AAW Seven of Con. and P/FDS

¹This section includes only those providers where remediation was required.

²The first 3 Heightened Scrutiny milestones should be completed prior to resubmitting the STP to CMS (the fourth HS milestone).

Quarterly reporting: Per the initial and final approval STP letter, CMS requests quarterly updates on the HS progress. The following milestones will provide a system to monitor the submission of these reports.

Milestone	Description	Proposed End Date	STP Page No.
Quarterly progress reporting updates			
Quarterly progress update	<p>OLTL: Since the state received initial approval on the STP, OLTL worked to create an onsite assessment tool to be used by monitoring staff, and created an internal process to include a panel of decision-makers to determine whether each site is fully compliant, partially compliant to be remediated through a corrective action plan, work towards heightened scrutiny, or the site should be dis-enrolled.</p> <p>OLTL released an updated individual service plan bulletin in October 2016.</p> <p>OLTL released a settings requirements bulletin in December 2016.</p> <p>ODP: Completed the public comment period (November 5, 2016 – December 20, 2016) for the proposed Chapter 6100 regulations.</p> <p>Completed the public comment period for Appendices A-H (December 3, 2016 – January 17, 2017) for the Consolidated and P/FDS waivers.</p> <p>Appendices I and J were in the public comment period from February 18, 2017 – March 21, 2017.</p> <p>The AAW Amendment was in the public comment period from March 4, 2017 – April 3, 2017.</p>	<p>Progress made September 1, 2016 - December 31, 2016</p> <p>November 2016</p> <p>March 2017</p>	<p>33</p> <p>OLTL Waiver Transition Plans: Aging ten-11, ACW seven, COMMC 11, Indep. nine-ten, OBRA 11-12</p> <p>Two of Con. and P/FDS waivers</p> <p>Three and nine Con. and three of P/FDS Three and eight of AAW</p> <p>Four and ten of Con., four of P/FDS Four and nine of AAW</p>

	In February 2017, ODP engaged PCG, a contractor, to support ODP with development of the site self-assessment tools (residential and non-residential), validation strategies and data analysis.	Fall 2017	
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Please use the following section to provide any additional milestones for which the state would like to provide information to CMS. These milestones are optional; any listed milestones will be tracked in the CMS website and should reflect any major progress. More incremental progress does not have to be noted.

Milestone	Description	Proposed End Date	STP Page No.
Additional			
Ongoing strategies to ensure compliance to rule, policy, procedure, and regulation changes.	<p>ODP Consolidated and P/FDS: all Consolidated Waiver and P/FDS Waiver providers will be continuously monitored on a three-year cycle through existing monitoring processes. Providers will be monitored for compliance with applicable waivers, regulations, and policies, which will include compliance with the CMS Rule.</p> <p>OLTL: Waiver providers will be continuously monitored on a two-year cycle through existing monitoring processes. Providers will be monitored for compliance with applicable waivers, regulations, and policies, which will include compliance with the CMS Rule.</p> <p>AAW: All waiver providers are continuously monitored for compliance per waiver requirements. Providers will be monitored for compliance with applicable waivers, regulations, and policies, which will include compliance with the CMS HCBS Final Rule.</p>		29 Six and 11 of AAW
Provide assistance to providers to meet HCB setting requirements (e.g., technical assistance, focus groups, surveys, etc.).	OLTL: OLTL will also provide guidance and technical assistance to providers to assist providers with ongoing compliance. OLTL provided training on the HCBS Settings bulletin to providers in March 2017.	March 2017	