

Senate Bill 7 in Brief

- In this bill, Senator Jane Nelson changes how the state manages and pays for medical and long-term services and supports (LTSS) for all people covered by Medicaid and the Medicaid waivers. This brief focuses on the provisions of the bill that will change how people with intellectual and developmental disabilities (I/DD) get medical and LTSS. The basic goals of the new system are to:
 - Make the best use of state dollars and keep costs down;
 - Make the services better;
 - Make it easier for people with I/DDs to find out about programs and services they can get; and
 - Promote person-centered planning and self-direction.
- The bill directs the Health and Human Services Commission (HHSC) and Department of Aging and Disability Services (DADS) to conduct a pilot project to test providing LTSS to people with I/DD through a managed care arrangement instead of a Medicaid waiver. The pilot would be conducted no later than September 1, 2014 and run for at least 24 months.
- People with I/DD who are Medicaid eligible will get basic attendant and habilitation services through STAR+PLUS managed care. STAR+PLUS is the state's integrated medical and LTSS Medicaid managed care program. At this time, the program provides services to people eligible for the Community-based Alternatives (CBA) waiver program.
- By September 1, 2016, the Texas Home Living (TxHmL) waiver program will roll into STAR+PLUS. HHSC will determine if STAR+PLUS will provide all LTSS services or some services will continue to be provided by TxHmL.
- By September 1, 2018, the rest of the community-based waivers that serve people with I/DD would move into STAR+PLUS. These are the Home and Community-based Services (HCS), Community Living Assistance and Support Services (CLASS), and Deaf Blind and Multiple Disabilities (DBMD) waiver programs. HHSC will determine if STAR+PLUS will provide all LTSS services or if the waivers will continue to provide some services.
- All children currently served by the Medically Dependent Children Program (MDCP) waiver program will be transferred into the STAR Kids program. It's a managed care program for children that are not already covered by STAR+PLUS.
- The State Supported Living Centers (SSLCs) are not included in the bill.

The Arc of Texas Response

For many years and for a lot of good reasons, The Arc opposed moving home and community-based services for people with I/DD into managed care. Any system redesign must show that the diverse needs of Texans with I/DD are truly understood or accounted for in managed care as it exists in our state today.

The Arc supports the ultimate goals outlined in Senate Bill 7: increasing access to services, serving more people, promoting high-quality services, person-centered planning and self-direction, and improving outcomes for people with I/DD. We look forward to working with our lawmakers and state agency leadership in addressing these issues and having an active role in designing a LTSS system that embodies universal values for people with I/DD. The Arc has already submitted some recommendations to Senator Nelson's office.

For people with intellectual and developmental disabilities.

8001 Centre Park Drive, Suite 100 • Austin, Texas 78754 • 1-800-252-9729 • www.thearcoftexas.org

The Arc of Texas Recommendations:

- The CBA waiver program recently transitioned to STAR+PLUS. Consumer outcomes and the cost-effectiveness of the CBA transition should be evaluated before other waiver programs are moved to STAR+PLUS.
- People with I/DD have life-long and long-term needs that don't fit the standard medical model of health care and managed care. The state should ensure that MCOs in this program have significant knowledge and experience serving people with I/DD. (There is significant expertise with the Local Authorities and the redesigned system should take advantage of that.)
- The state should ensure that MCOs contract with providers that have proven experience and expertise in serving this population. Today we have providers that have—over a long time—developed considerable expertise in person-centered and community-based services.
- There should be an independent initial and ongoing assessment to ensure the long-term health and safety of people with I/DD.
- The bill should include an appropriate definition of functional need that addresses the diverse habilitation needs of people with I/DD (i.e., work supports, ongoing training/learning, community involvement, decision-making). Functional need is more than basic activities of daily living and physical disabilities.
- The bill ensures people who pick the consumer-directed services (CDS) option will get a person-centered plan. CDS is a great option for many people, but it is not a good fit for everybody. The bill should ensure that all people with I/DD in managed care have person-centered planning with help from experienced and unbiased facilitators.
- The state should continue serving people in the community, even those with the most intensive, long-term service and support needs, including persons with dual diagnosis of I/DD with medical and/or psychiatric disabilities. Although SSLCs serve a portion of this population, the majority remains in the community living with their families or under the care of providers.
- The MCOs must be able to properly respond to people in crisis. MCOs need to have adequate capacity to serve people in crisis in the community rather than in institutions. The MCOs should incur penalties for preventable institutionalization.
- The system redesign should provide an independent ombudsman, not associated with the MCO or Medicaid agency, to provide people with I/DD when they encounter problems with the MCO.
- SB 7 should not focus on “Congregate” living arrangements but on promoting integrated housing in the community.
- The State Supported Living Centers (SSLCs) are not included in the system redesign.
- The State must make sure that the policies created in relation to this bill reflect the most current and progressive research, tools, and expertise related to people with I/DD in a managed care system.
- The Arc of Texas and other important community stakeholders should be included in planning, design, implementation and evaluation of the pilots and all components of the system redesign and implementation.

**For more information, contact Ginger Mayeaux, Advocacy Specialist at
Gmayeaux@thearcoftexas.org or 1-800-252-9729 (toll-free).**