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Transition of Day Habilitation to Individualized Skills & Socialization

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Agenda

- Service Description
- Ratio Requirements
- Licensing
- Contact Information



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Important Note from HHSC

- HHSC is in the process of promulgating rules for the new Individualized Skills and Socialization service.
- The information in this presentation is based on HHSC's draft rules which were posted for public comment on August 12 and may change based on public comment.
- HHSC will propose rates through the regular public hearing processes before the service implements.
 - Questions regarding Individualized Skills and Socialization Services rates can be sent to PFD-LTSS@hhs.texas.gov.



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Service Description

Types of Individualized Skills & Socialization

In the DBMD, HCS, and TxHmL programs:

- On-site
- Off-site
- In-home (*HCS and TxHmL only*)



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On-site & Off-site Individualized Skills & Socialization

- Provides person-centered activities
- Supports the pursuit and achievement of employment
- Provides personal assistance for an individual who cannot manage personal care needs
- Provides assistance with medications and the performance of tasks delegated by a Registered Nurse (RN)

Does not include activities in which an individual:

- Produces marketable goods
- Paid below minimum wage for producing the goods



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On-site Individualized Skills & Socialization

- Provided in a building or a portion of a building owned or leased by an Individualized Skills and Socialization provider
- Includes transportation from one on-site location to another on-site location
- Promotes an individual's development of skills and behavior that support independence and personal choice



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On-site Prohibited Residential Settings

On-site Individualized Skills and Socialization is not provided in:

- Prohibited residential settings set forth in the rules
- Residence of an individual or another person



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On-site Prohibited Residential Settings

- Prohibited settings per program:

HCS & TxHmL	DBMD
Intermediate Care Facility for individuals with an Intellectual Disability (ICF/IID)	Intermediate Care Facility for individuals with an Intellectual Disability (ICF/IID)
Nursing facility	Nursing facility licensed or subject to being licensed in accordance with Texas Health and Safety Code, Chapter 242
Assisted Living Facility (ALF)	Assisted Living Facility (ALF), unless it provides licensed assisted living in the DBMD program
Residential child-care operation licensed by HHSC unless it is an agency foster home	Residential child-care operation licensed or subject to being licensed by DFPS unless it is a foster family home/foster group home
An inpatient chemical dependency treatment facility	Facility licensed or subject to being licensed by the Department of State Health Services (DSHS)
A mental health facility	Residential facility operated by the Texas Youth Commission
Facility operated by Texas Workforce Commission	Jail or prison
Residential facility operated by the Texas Juvenile Justice Dept., a jail, or a prison	
Hospital	



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Heightened Scrutiny

- There are additional requirements for individualized skills and socialization providers if the on-site service will be provided in a setting that is in the same building as, on the grounds of, or immediately adjacent to a prohibited residential setting, including an ICF/IID residence.
- Heightened scrutiny is a review process in which CMS determines whether the setting has the qualities of a home and community-based setting.
- Heightened scrutiny includes an on-site visit from HHSC to gather evidence and documentation from the provider that demonstrates the service setting does not isolate individuals from the larger community and that it does not have characteristics of an institutional setting.



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Heightened Scrutiny (Cont.)

Heightened Scrutiny is required if the building where On-Site Individualized Skills and Socialization:

- Is located within the same building, on the grounds of, or physically adjacent to a **public** Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) (SSLC), a hospital, a nursing facility or another institution (does not include private ICF/IID)
- Is located within the same building/residence as a **private** Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID)



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Heightened Scrutiny (Cont.)

- If heightened scrutiny is required, providers must complete the process and receive written approval from HHSC **before submitting an application for an Individualized Skills and Socialization license**
 - The application will require an applicant to upload a letter of approval if heightened scrutiny is required.
- To initiate the heightened scrutiny process, providers must contact HHSC.
 - Instructions forthcoming in a Provider Letter.



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Off-site Individualized Skills & Socialization

- Provides activities that:
 - Integrate an individual into the community
 - Promote the development of skills and behaviors that support independence and personal choice
- Provided in a community setting chosen by the individual
- Includes transportation between an on-site location and an off-site location and between off-site locations



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Off-site Prohibited Residential Settings

Off-site Individualized Skills and Socialization is not provided in:

- Building in which on-site Individualized Skills and Socialization is provided
- Prohibited residential settings set forth in the rules
- Residence of an individual or another person



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Off-site Prohibited Residential Settings

- Prohibited settings per program:

HCS & TxHmL	DBMD
ICF/IID	ICF/IID
Nursing facility	Nursing facility licensed or subject to being licensed in accordance with Texas Health and Safety Code, Chapter 242
Assisted Living Facility (ALF)	Assisted Living Facility (ALF) licensed or subject to being licensed in accordance with THSC, Chapter 247, unless it provides licensed assisted living in the DBMD program
Residential child-care facility operation licensed by HHSC unless it is an agency foster home	Residential child-care operation licensed or subject to being licensed by DFPS unless it is a foster family home/foster group home
Hospital	Facility licensed or subject to being licensed by the DSHS
Residential facility operated by the Texas Workforce Commission	Residential facility operated by the Texas Youth Commission
Residential facility operated by the Texas Juvenile Justice Dept, a jail, or a prison	Jail or prison
A mental health facility	
In-patient chemical dependency treatment facility	



In-home Individualized Skills & Socialization

- Assistance with acquiring, retaining, and improving self-help, socialization, and adaptive skills
- Provision of age-appropriate activities that enhance self-esteem and maximize function level
- Reinforcement of skills and lessons taught



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In-home Individualized Skills & Socialization

- Provision of personal assistance for an individual who cannot manage personal care needs
- Assistance with medication and the performance of tasks delegated by a RN



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Criteria for In-home Individualized Skills & Socialization

One of the following criteria must be met:

- Physician documents that the individual's medical condition(s) justifies the need for in-home
- Licensed professional or behavioral supports service provider documents that the individuals' behavioral issue(s) justifies the need for in-home
- Individual is 55 years or older and requests to receive the service in-home



Provision of On-site & Off-site Individualized Skills & Socialization

- On-site and off-site must be provided by a licensed (DAHS) Individualized Skills and Socialization provider
- Provider must be the program provider or a contractor of the program provider
- Make both on-site and off-site available
- Provide on-site and off-site in accordance with an individual's PDP, IPC, and implementation plan
- Provider cannot require a skills test or other requirements to received off-site

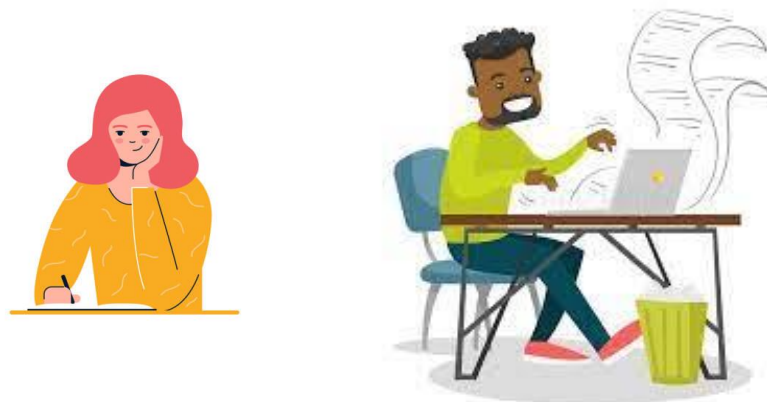


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Provision of On-site & Off-site Individualized Skills & Socialization

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- If an individual does not want to participate in a scheduled activity, or the LAR does not want the individual to participate in such activity, the provider must document the decision not to participate in the individual's record.



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Provision of In-home Individualized Skills & Socialization

- HCS and TxHmL Program providers must ensure that in-home is provided in the residence of the individual
- In-home is not required to be provided by an Individualized Skills and Socialization provider



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Provision of In-home Individualized Skills & Socialization

- HCS and TxHmL Program providers must obtain documentation:
 - From a physician that the individual's medical condition justifies the provision of in-home
 - From a licensed professional or behavioral support service provider that the individual's behavioral issues justify the need for in-home
 - Individual is 55 years of age or older and requests to receive in-home



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Ratio Requirements Per Program

HCS, TxHmL, and DBMD

Off-Site Staffing Ratios

- The purpose of Off-Site staffing ratios is to ensure:
 - Service is individualized; and
 - Health and safety of all participants.
- Off-site ratios vary by program and LON.
- HHSC is reviewing public comments received on draft rules.



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Off-Site Staffing Ratios

- **Operationalizing Ratios**
 - Service providers of off-site Individualized Skills and Socialization must be able to meet the needs of all individuals served.
 - Ratios for HCS, TxHmL and DBMD apply to the group of people being served, even if those people are not HCBS waiver members.
 - Ratios do not require providers to group participants by LON



Off-Site Staffing Ratios

An individualized skills and socialization provider must ensure that:

- The ratio of service providers to individuals is maintained in accordance with applicable program rules during the provision of off-site individualized skills and socialization, including during transportation; and
- Sufficient staff are on duty at all times to ensure:
 - the health and safety of the individuals;
 - supervision is provided in accordance with the needs of an individual; and
 - individualized skills and socialization are provided in accordance with an individual's individual plan of care (IPC), individual program plan (IPP), person-directed plan (PDP), and implementation plan, as applicable.



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Licensing

Joshua Bann, Program Specialist, Long-term Care
Regulation, Policy and Rules



Provider Licensing

- Providers will need a Day Activity Health Services (DAHS) – Individualized Skills and Socialization service category license
- Application process:
 - Apply via online licensure portal (TULIP)
 - License application process will be available late November/December
 - Each physical location will require a separate license

TULIP is an online system for submitting long-term care license applications. All Nursing Facility Administrators are required to register through TULIP. If you have previously registered with the system, it is not necessary to register again to apply for a new license. The system will also provide the current status of an application. For issues related to registration and errors received in TULIP, please contact TULIP Support at TULIP_Support@hhsc.state.tx.us

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Texas Unified Licensure Information Portal (TULIP)

Email

Password

Log In

[Forgot your password?](#) [Not a Member?](#)

If you have previously attempted to register but didn't complete the registration (no email to complete registration received), please contact TULIP support TULIP_Support@hhsc.state.tx.us

This application works only in Google Chrome browser
Click here for additional information about TULIP
Click here for HHSC Privacy Policies and Practices

Nursing Facility Administrator

Verify License

[Click here](#) to verify the license of a Nursing Facility Administrator (NFA). It is not required to register or login to search the license of an individual.

HHSC is implementing a new credentialing system for nursing facility administrators in TULIP.

HHSC requests all applicants having issues with the application process in TULIP, review the NFA user guide. If that doesn't answer your question, email the NFA licensing program using the email address listed below to request help from HHSC staff to navigate through the system.

For any further questions regarding Nursing Facility Administrator applications, please contact:

The NFA Program can be contacted at 512-438-2015,
NFA_Licensing_Program@bha.texas.gov

Provider Licenses

For questions about the provider licensure applications and the licensing process, please contact provider licensure program at 512-438-2630 or by email at:

Provider Licensing

- Temporary license will be issued prior to survey
- Initial inspection is required before issuance of standard license
- \$75 for a 3-year license
- Inspected every 2 years



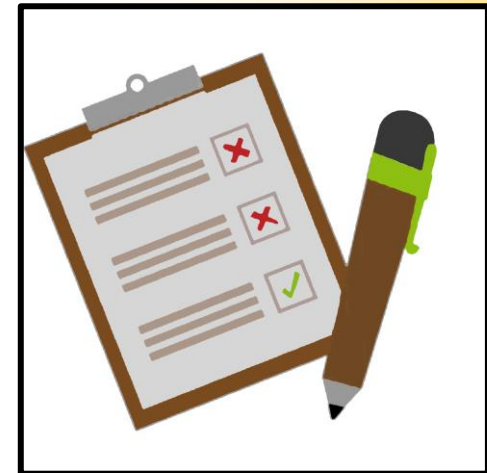
HHSC Complaint and incident Intake (CII):
800-458-9858



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Provider Licensing

- Not all DAHS rules are applicable to Individual Skills and Socialization – exempted from requirements outside the scope of services
- Check the Individualized Skills and Socialization Long-term Care Regulatory (LTCR) website for training opportunities - <https://www.hhs.texas.gov/providers/long-term-care-providers/long-term-care-provider-resources/individualized-skills-socialization>



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ICF/IID Providers and Heightened Scrutiny

Individualized Skills and Socialization Provider Attestation

- Providers will need to attest during the licensure application process whether the on-site service will be provided in a setting that is in the same building as, on the grounds of, or immediately adjacent to a prohibited setting, including an ICF/IID residence.
- If heightened scrutiny is required, an applicant will be required to upload written approval from HHSC that the setting has been approved in order for the license to be issued.
- **Reminder:** If heightened scrutiny is required, providers must complete the process and receive written approval from HHSC **before submitting an application for an Individualized Skills and Socialization license.**



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Community Engagement Plan

Community Engagement Plan (Slide 2 of 3)

To obtain license, providers must attest their Community Engagement Plan includes:

- Description of how the organization will meet the requirement to make off-site available to individuals



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Community Engagement Plan

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- Description of how the organization will work with contracted Program providers to obtain information from individuals PDP and use that information to inform on-site and off-site activities that align with their PDP
- Description of how staff will respond to an emergency or unexpected event that may occur during an on-site and off-site activity





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Questions?



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Thank you!

Please send questions to:

HCSPolicy@hhs.texas.gov

TxHmLPolicy@hhs.texas.gov

DBMDPolicy@hhs.texas.gov

LTCRPolicy@hhs.texas.gov