

ODP Updates

MAAC

June 27, 2024

Performance-Based Contracting: What is it?



ODP is applying for a statewide 1915(b)(4) Selective Contracting waiver for residential services, which include Residential Habilitation*, Supported Living and Life Sharing* which are currently offered in the Consolidated and Community Living 1915(c) Waiver programs.

Section 1915(b) of the Social Security Act allows the Secretary of Health and Human Services discretion to waive a broad range of requirements. This is what will allow ODP to limit the provider population to providers who meet PBC standards.

*Licensed and unlicensed residential habilitation and licensed and unlicensed Life Sharing.

Performance-Based Contracting: Public Comments

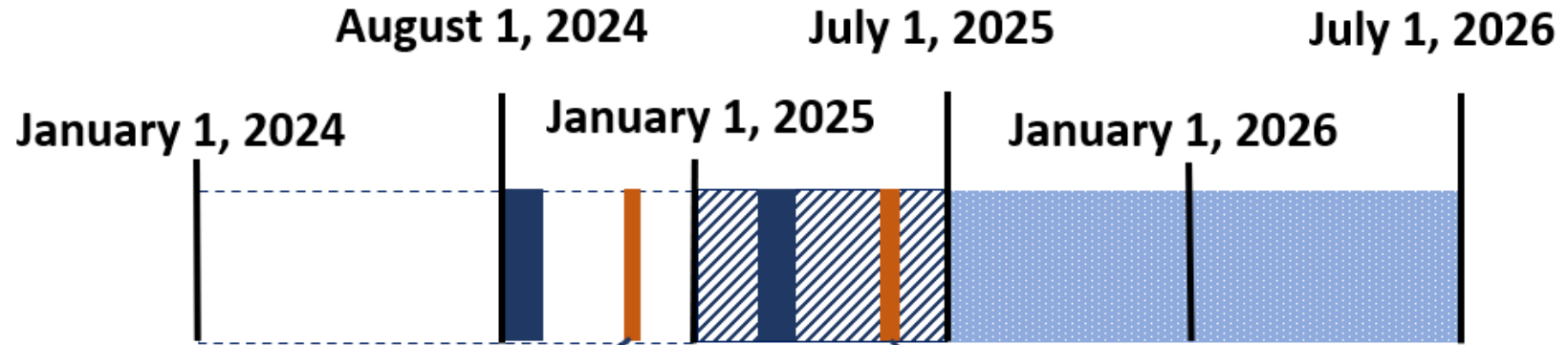
- April 20 - June 4, 2024 (45 days) Public Comments received:
 - ISAC Input
 - 9 public comment sessions/written comments
 - Total number of commenters: 152
 - Total number of comments: 1580

Performance-Based Contracting: Public Comment Themes



- Generally, strong support from all stakeholder groups recognizing the need to elevate the quality of residential services.
- Areas with high volume of comments:
 - Select/Clinically Enhanced Tiers reserved for agencies serving 10 or more individuals
 - Competitive Integrated Employment standards
 - Population served average Needs Level 4.5+ and average Health Care Level 3.5+ (HCL is established using the Health Risk Screening Tool)
 - Primary providers limited to Needs Group 1-3
 - Number of measures
 - Timeline for implementation

Performance-Based Contracting: Adjusted Timeline



Review Period #1
(Review Period: August 1 – August 31, 2024)

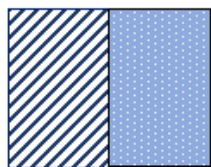
Provider Data Review Source: CY 2023

Notification of Tier Assignment: November 2024

Review Period #2
(Review Period: February 15 – March 15, 2025)

Provider Data Review Source: CY 2024

Notification of Tier Assignment: May 2025



Providers assigned to Select and Clinically Enhanced Tiers access rate add-on to FFS rates between January 2025 – June 2026 (18 months)



Providers assigned to Select and Clinically Enhanced Tiers access rate add-on to FFS rates beginning July 1, 2025 (12 months)

Performance-Based Contracting: Next Steps



- **June 25** – Completed Provider Preparedness Summits Series (included Supports Coordination and Administrative Entity sessions)
- **June 28** – Publish ODP Announcement with timeframe adjustments.
- **July 19** – Submit amended 1915(c) waivers and 1915(b)4 waiver. Publish supporting documents (Performance Standards, Implementation Plan, Attestation, Provider Data Submission Tool).
- **January 1, 2025** – Begin Performance Based Contracting (pending CMS approval)

Questions?