

Adult Autism Waiver Amendment

Effective Date: January 1, 2025

KEY

Black Bold Font = Additions proposed and submitted to CMS.

Strikethrough = Information removed

Red Bold Font = Changes made because of public comment

Purple Bold Font= Changes made after submission to CMS.

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
B-3-c	Reserved Waiver Capacity	<p><i>Purpose:</i> Hospital/Rehabilitation Care</p> <p>ODP reserves waiver capacity for participants requiring hospital/rehabilitation care up to 180 days from the first date of leave. Reserved capacity begins on:</p> <ul style="list-style-type: none"> • Day 31 in medical and psychiatric hospital settings. • Day 1 in rehabilitation care programs and nursing homes. <p>Waiver capacity will be reserved for participants requiring hospital or rehabilitation care in the following settings: medical and psychiatric hospital settings, rehabilitation care programs, and nursing homes. Waiver capacity will not be reserved for participants who receive services in an acute care hospital as outlined in this waiver because they will not be disenrolled from this waiver.</p> <p>Settings which are not considered hospital/rehabilitation care include residential treatment facilities, state mental health hospitals, and private and state ICFs/ID.</p>	<p>This change clarifies that individuals who receive waiver services in an acute care hospital in accordance with requirements in the waiver and Bulletin 00-23-01 will not be disenrolled from the waiver and will not need to have waiver capacity reserved.</p> <p>Clarification regarding settings that are not considered hospital/rehabilitation care has also been added to align with other ODP waivers.</p>
C-1/C-3	Assistive Technology	<p>Assistive Technology devices costing \$750 or more must be recommended by an independent evaluation of the participant’s assistive technology needs, including a functional evaluation of the impact of the provision of appropriate assistive technology and appropriate services to the participant on the customary environment of the participant. While an independent evaluation of the participant’s assistive technology needs for devices costing less than \$750 is not</p>	<p>This change clarifies that independent evaluations of assistive technology needs for devices costing less than \$750 can be covered under Assistive Technology but are not required. All independent evaluations covered under Assistive Technology are included in the lifetime limit of \$10,000.</p>

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>required, it can be completed if the service plan team believes it will be beneficial.</p> <p>Multiple devices processed in the same transaction do not necessitate an evaluation unless the cost of any one device included on the invoice exceeds \$750.</p> <p>Independent evaluations are not required for the purchase of generators.</p> <p>The All independent evaluations must be conducted by a licensed physical therapist, occupational therapist, speech/language pathologist, or a professional certified by SHIFT as an Enabling Technology Integration Specialist (ETIS) or, or a professional certified by Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) as an Assistive Technology Professional.</p> <p><i>Specify applicable (if any) limits on the amount, frequency, or duration of this service:</i></p> <p>Assistive Technology has the following limits:</p> <ul style="list-style-type: none"> • Maximum amount for this service is \$10,000 over a participant’s lifetime. An exception to this limit may be made in accordance with ODP policy. This lifetime limit includes: <ul style="list-style-type: none"> ○ A lifetime limit of \$5,000 for generators for the participant’s primary residence only. Generators for a secondary residence are not available through the Waiver. The lifetime limit on generators may not be raised using the exception process and generators for a secondary residence are not available through the waiver. While generators have a separate lifetime limit, the amount spent on a generator is included in the overall Assistive Technology lifetime limit of \$10,000. ○ Repairs, warranties, ancillary supplies, software, and equipment. ○ Independent evaluations of the participant’s assistive technology needs. 	<p>Changes have also been made to align coverage of generators with other ODP Waivers.</p>

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
C-1/C-3	Day Habilitation	<p>Support provided should include a comprehensive is required to complete and update an analysis of the participant in relation to the following completed at least annually:</p> <ul style="list-style-type: none"> • Strongest interests & personal preferences for community activities, • Skills, strengths, & other contributions likely to be valuable to employers or the community, & • Conditions necessary for successful community inclusion and/or competitive integrated employment. 	This change clarifies expectations for the completion of a comprehensive analysis necessary to support participants in experiencing meaningful community inclusion which includes developing and sustaining a range of valued social roles and relationships and increasing potential for employment.
C-1/C-4	Transportation	<p>Expenditure for Transportation is limited to \$7,500 \$10,000 per participant's service plan year. with the following exception: For participants receiving Transportation-Trip, expenditure for the Transportation-Trip service only is limited to \$10,000 per participant's service plan year.</p>	This change increases the total allowable expenditure for all Transportation services to \$10,000 for a participant in a single service plan year to be consistent across both trip and public for a combined plan year limit.
C-1/C-3	Community Transition	<p>Community Transition Services are non-recurring set-up expenses for individuals who have are transitioning from a Medicaid-funded institution or another provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for his or her their living expenses.</p>	This change aligns with the CMS Instructions, Technical Guide and Review Criteria for 1915c waivers.
C-1/C-3	American Sign Language – English Interpreter Service	<p style="text-align: center;">*** New Service***</p> <p>The American Sign Language (ASL) - English Interpreter Service is for participants who utilize ASL.</p> <p>Interpreting is the process of conveying English in grammatically correct American Sign Language and the process of conveying American Sign Language in English. Interpreters maintain the role of a facilitator of communication rather than the</p>	An interpreter service is being added to the waiver to ensure effective communication for participants who use American Sign Language.

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>focus or initiator of communication. Interpreters may make an exception to this to provide communication information within the scope of the interpreter’s training.</p> <p>To use this service, the participant’s ISP team must develop an implementation plan and a plan to fade out the use of an interpreter to promote direct communication with the participant’s staff and/or unpaid supports.</p> <p>Interpretation teleservices may be provided in accordance with requirements in the Additional Needed Information Section of the Main Module. This service does not include payment for video equipment.</p> <p>Providers of residential services are responsible for meeting the communication needs of individuals receiving residential services. For participants who receive Residential Habilitation: Community Home and Life Sharing services, the interpreter service may only be used during:</p> <ol style="list-style-type: none"> 1. Incident investigations, law enforcement activity, or another crisis event, 2. Victim’s assistance, 3. Completion of the Health Risk Screening Tool, 4. Annual service assessments required in Residential Habilitation: Community Home and Life Sharing, i.e., rights training, fire safety, etc., 5. Annual service trainings required by 55 Pa. Code Chapter 6100, 6. Important team meetings, and 7. Other situations as determined to be needed by the team. <p>This service may not be used during personal care when privacy would generally be expected (while a participant is in a state of undress, during sexual activities, etc.).</p> <p>The interpreter is exclusively providing interpretation and is not providing any other service as described in this waiver. As such, interpreters are not counted in the participant’s staffing ratio for other direct services.</p>	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>A team of two or more interpreters is allowable based on complexity, length of time, and standard practices.</p> <p>Interpreters may bill up to 30 minutes of preparation time per participant per day billed.</p> <p>This service may only be funded when it is not the responsibility of another entity, or it is not available through the State Plan, Medicare, private insurance, or other responsible entity. Waiver funds may not be used to purchase this service if it is provided to the general public for free.</p> <p>Participants who have competitive integrated employment may only receive interpreter services funded through the waiver at their place of employment after the participant has applied for a reasonable accommodation under the Americans with Disabilities Act and the employer determines that providing an interpreter qualifies as an undue hardship for the employer.</p> <p>This service can be delivered in Pennsylvania and states contiguous to Pennsylvania.</p> <p><i>Specify applicable (if any) limits on the amount, frequency,</i> Interpreter services are limited to an average of 8 hours per day and must be billed using either 15-minute units or one-hour units.</p> <p><i>Service Delivery Method (check each that applies):</i> <input checked="" type="checkbox"/> Provider managed</p> <p><i>Specify whether the service may be provided by (check each that applies):</i> Legally Responsible Person</p>	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>Relative Legal Guardian</p> <p><i>Provider Specifications:</i> <i>Provider Category:</i> Agency <i>Provider Type Title</i> Interpreter Referral Agency</p> <p><i>Provider Qualifications:</i> <i>Other:</i> Agencies must meet the following standards regardless of provider service location:</p> <ol style="list-style-type: none"> 1. Have a waiver service location in Pennsylvania or a state contiguous to Pennsylvania. 2. Complete standard ODP required orientation and training. 3. New providers demonstrate compliance with ODP standards through completion of a self-assessment and validation of required documentation, policies, and procedures. 4. Have Commercial General Liability Insurance. 5. Have Workers' Compensation Insurance, in accordance with state law. 6. Comply with Department standards related to provider qualifications. 7. Have a signed ODP Provider Agreement on file with ODP if enrolled directly with ODP (not through an OHCD). The ODP Provider Agreement requires the provider to comply with all applicable federal and state statutes, regulations, and policies, including but not limited to confidentiality and HIPAA requirements. 8. Develop and implement written privacy policies and procedures that are consistent with the Privacy Rule. ODP reviews these policies and procedures 	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>when complaints are received regarding privacy or as part QA&I when warranted.</p> <p>Staff working for or contracted with the agency must meet the following standards:</p> <ol style="list-style-type: none"> 1. Comply with the Sign Language Interpreter and Transliterators State Registration Act of 2004, which requires registration with Pennsylvania’s Office of Deaf and Hard of Hearing. 2. Be at least 18 years of age. 3. Have a Pennsylvania State Police criminal history record check prior to the date of hire. If the prospective employee is not a resident of the Commonwealth of Pennsylvania or has not been a resident of the Commonwealth of Pennsylvania for at least two years prior to the date of employment, a Federal Bureau of Investigation criminal history record check must be obtained prior to the date of hire. If a criminal history clearance and/or the criminal history record check identifies a criminal record, providers must make a case-by-case decision about whether to hire the person that includes consideration of the following factors: <ul style="list-style-type: none"> • The nature of the crime; • Facts surrounding the conviction; • Time elapsed since the conviction; • The evidence of the individual’s rehabilitation; and • The nature and requirements of the job. <p>Documentation of the review must be maintained for any staff that were hired whose criminal history clearance results or criminal history check identified a criminal record.</p> <p><i>Provider Category:</i> Individual</p>	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p><i>Provider Type Title</i> Interpreter</p> <p><i>Provider Qualifications:</i> <i>Other:</i> Individuals must meet the following standards:</p> <ol style="list-style-type: none"> 1. Comply with the Sign Language Interpreter and Transliterator State Registration Act of 2004, which requires registration with Pennsylvania’s Office of Deaf and Hard of Hearing. 2. Have Commercial General Liability Insurance. 3. Be at least 18 years of age. 4. Have a signed ODP Provider Agreement on file with ODP if enrolled directly with ODP (not through an OHCD). The ODP Provider Agreement requires the provider to comply with all applicable federal and state statutes, regulations, and policies, including but not limited to confidentiality and HIPAA requirements. 5. Develop and implement written privacy policies and procedures that are consistent with the Privacy Rule. ODP reviews these policies and procedures when complaints are received regarding privacy or as part of QA&I when warranted. 6. Have a Pennsylvania State Police criminal history record check prior to the date of hire. If the prospective employee is not a resident of the Commonwealth of Pennsylvania or has not been a resident of the Commonwealth of Pennsylvania for at least two years prior to the date of employment, a Federal Bureau of Investigation criminal history record check must be obtained prior to the date of hire. If a criminal history clearance and/or the criminal history record check identifies a criminal record, providers must make a case-by-case decision about whether to hire the person that includes consideration of the following factors: <ul style="list-style-type: none"> ○ The nature of the crime; 	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<ul style="list-style-type: none"> ○ Facts surrounding the conviction; ○ Time elapsed since the conviction; ○ The evidence of the individual’s rehabilitation; and ○ The nature and requirements of the job. <p>Documentation of the review must be maintained for any staff that were hired whose criminal history clearance results or criminal history check identified a criminal record.</p>	
C-1/C-3	Residential Habilitation: Community Home and Life Sharing and Supports Coordination	Annually submit to ODP the most recent financial statements (Income Statement and Balance Sheet). that has been audited by an independent Certified Public Accountant.	This change clarifies the requirement for submission of financial statements to align with policy.
C-1/C-3	Residential Habilitation: Community Home and Life Sharing and Supports Coordination	<p>SUPPORTIVE TECHNOLOGY PROFESSIONAL</p> <p>When rendering remote support services to participants, the Residential Habilitation provider must have a supportive technology professional (direct, contracted, or in a consulting capacity) available who has either a current Assistive Technology Professional certificate from the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) or Enabling Technology Integration Specialist SHIFT certification. The supportive technology professional is responsible for:</p> <ol style="list-style-type: none"> 1. Completion of evaluations of participants’ assistive technology needs, including a functional evaluation of the impact of appropriate remote supports. 2. Completion of an evaluation plan that, at a minimum, includes: the need(s) of the participant that will be met by the remote supports; how the remote supports will 	Change to eliminate the need for Residential Habilitation providers to obtain a participant’s written consent for remote supports. This change is to further align with ID/A waiver provider qualifications for Residential Habilitation.

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>ensure the participant's health, welfare and independence; the training needed to successfully utilize the technology; and the back-up plan that</p> <p>will be implemented should there be a problem with the remote supports.</p> <p>3. Informing the participant, and anyone identified by the participant, of what impact the remote supports will have on the participant's privacy. This information must be provided to the participant in a form of communication reasonably calculated to be understood by the participant. After this has been completed, the Residential Habilitation provider must then obtain either the participant's consent in writing or the written consent of a legally responsible party for the participant. This process must be completed prior to the utilization of remote supports, and any time there is a change to the remote supports including technology devices utilized. This process must be completed prior to the utilization of remote supports and any time there is a change, including technology devices utilized.</p> <p>4. Ensuring that the remote supports technology is in working order.</p>	
C-1/C-3	Residential Habilitation: Residential Provider (Community Home) and Life Sharing Provider	<p>Agencies must meet the following standards:</p> <p>...</p> <p>5. Be qualified and enrolled to provide Residential Habilitation/Life Sharing services in the Consolidated or Community Living Waiver</p> <p>5. Actively provided direct non-residential HCBS as a provider enrolled to provide ODP Waiver services for the two years immediately prior to enrolling to provide Residential Habilitation/Life Sharing services and be in good standing (not subject to sanctions or enforcement actions by the Department).</p> <p>...</p> <p>15. At least one of the following must have experience working with individuals with an intellectual disability, developmental disability, and/or autism and have a bachelor's degree:</p>	Supporting participants through residential services can be complex and dynamic. Providing Residential Habilitation or Life Sharing services requires a provider to be prepared to meet the needs of each participant supported, as well as initiate and participate in ongoing planning and support to facilitate each participant's vision for an Everyday Life. The proposed changes were previously implemented for Residential Habilitation and Life Sharing services in other waivers administered by ODP due to input about operations which support the success of

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<ul style="list-style-type: none"> • Executive Director, • Chief Executive Officer, • Chief Operations Officer, or • Director, Assistant or Associate Director. <p>16. The organization must have a chief financial officer with 5 years' experience or evidence of contracted financial management services.</p> <p>17. Have a person fill the role of Chief Executive Officer (CEO) at all times. The agency must have a written plan stating who will fill the role of the CEO should the current CEO leave their position.</p> <p>18. In the case of an entity newly enrolled to provide Residential Habilitation/Life Sharing services, or a current provider hiring new executive level staff, one of the following positions:</p> <ul style="list-style-type: none"> • Executive Director, • Chief Executive Officer, • Chief Operations Officer, or • Director, Assistant or Associate Director <p>must have a bachelor's degree & a minimum of 5 years' experience in an executive-level position relating to the provision of residential services to individuals with an intellectual disability, developmental disability, autism, and/or serious mental illness, with responsibility for all of the following:</p> <ul style="list-style-type: none"> •Day-to-day residential agency operations; •Oversight of the development and implementation of residential agency-wide policies and procedures; •Supervision of management-level staff; and •Compliance with applicable state and federal regulations. 	<p>participants gathered from residential providers across Pennsylvania. ODP proposes similar changes in the Adult Autism Waiver to the qualifications providers must meet to ensure that all residential providers are financially prepared, new providers have prior experience before delivering residential services, and the provision of services will continue without interruption due to organizational changes at the executive level.</p>

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>19. Newly hired CEOs must complete the ODP approved Health Risk Screening Tool Orientation and Dual Diagnosis Training within 30 days of hire.</p> <p>20. Notify the ODP Regional Office within 10 business days of the hiring date of a new CEO, including an interim or acting CEO.</p>	
C-1/C-3	Residential Habilitation: Residential Provider (Community Home) and Life Sharing Provider	The Residential Habilitation/Life Sharing provider is also responsible for providing physical health maintenance services, including those required by a licensed nurse when required to assure health and wellness or as required in the service plan.	This change clarifies that Residential Habilitation and Life Sharing providers must have licensed nurses available when serving participants with needs that require care by a licensed nurse. This requirement applies to the Residential Habilitation and Life Sharing services in their entirety.
I-2-a	Rate Determination Methods	Changes to the fee schedule are communicated through a public notice published in the Pennsylvania Bulletin prior to the effective date of any change or addition. ODP uses a variety of mechanisms to obtain public comment on rate determination methodologies, including stakeholder workgroup discussions, draft documents distributed for public comment, communications, and public meetings. Final rates and information about the rate setting methodology can be accessed at: https://www.pa.gov/en/agencies/dhs/resources/for-providers/developmental-programs-for-providers/odp-rates.html. The rate for each service is also included in the service plan.	CMS requested inclusion of information about where rates can be accessed.
I-2-a	Rate Determination Methods	Vendor Goods and Services for Assistive Technology, Community Transition Services, Remote Supports, Transportation (Public), Home Modifications, and Vehicle Modifications, and the American Sign Language - English Interpreter Service , providers are reimbursed at the invoice cost for the service or equipment provided. DHS reimburses those services based on the cost charged to the general public for the service or equipment.	An interpreter service is being added to the waiver to ensure effective communication for participants who use American Sign Language. The waiver will pay what the provider charges to anyone who is not enrolled in the waiver.

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
I-3-g-2	Organized Health Care Delivery System	<p>(a) Supports Coordination organizations can apply to become OHCDs entities for the Adult Autism Waiver services of Community Transition Services, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and/or Vehicle Modifications. Supports Coordination organizations qualify for OHCDs designation because they provide Supports Coordination as a direct service. Specialized Skill Development agencies can apply to become OHCDs entities for the Adult Autism Waiver service of Assistive Technology, Transportation, Home Modifications, American Sign Language (ASL)- English Interpreter Service, and/or Vehicle Modifications. Specialized Skill Development agencies qualify for OHCDs designation because they provide Specialized Skill Development as a direct service. Supported Employment agencies can apply to become OHCDs entities for the Adult Autism Waiver services of American Sign Language (ASL)- English Interpreter Service and Transportation. Supported Employment agencies qualify for OHCDs designation because they provide Supported Employment as a direct service.</p> <p>...</p> <p>When monitoring OHCDs, ODP will review documentation of the contracting mechanism between the OHCDs and the provider. OHCDs is allowed in this waiver for services for which providers are paid based on invoice costs—Home Modifications, Assistive Technology, Community Transition Services, Transportation (Public), Transportation-Trip, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications. The cost of the service will vary based on the specific support a person needs – different providers will have different rates because of the different supports provided. The invoices for Transportation-Trip will be based on the rate schedule as described in I-2-a and not individual provider rates</p> <p>(b) Home Modifications, Community Transition Services, Assistive Technology, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications providers have the option to directly enroll as an Adult Autism Waiver provider should they not desire to work through an OHCDs.</p>	<p>An interpreter service is being added to the waiver to ensure effective communication for participants who use American Sign Language. This service can be delivered through Organized Health Care Delivery Systems.</p>

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>...</p> <p>(c) Participants in the AAW receive a complete list of providers of all waiver services at the time of enrollment, during the annual plan review, and at any other time by request. The list of providers of Community Transition Services, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modification Services includes both OHCDs and providers directly enrolled to provide those services. Participants may exercise the right of choice from among all those providers enrolled for the service.</p> <p>(d) Agencies or individuals who provide Community Transition Services, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications must meet all Adult Autism Waiver requirements. The Supports Coordinator must document the successful delivery or completion of the Community Transition, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications services once completed.</p> <p>(e) & (f) ODP reviews all ISPs and scrutinizes Community Transition Services, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications (and all services) to ensure they are necessary, appropriate, and that expenditures are within the monetary limits for the service. Community Transition Services, Assistive Technology, Home Modifications, Transportation, American Sign Language (ASL)- English Interpreter Service, and Vehicle Modifications are subject to the same financial accountability oversight as other Adult Autism Waiver services. For a sample of Adult Autism Waiver participants, ODP reviews the Supports Coordination organization records and interviews with participants, family members, and provider staff to verify that services were furnished as billed. The sample is sufficient to obtain a 90%</p>	

Appendix	Waiver Section	Recommended Revised Language	Reason for Change
		<p>confidence level with a 10% margin of error. ODP will also ensure the arrangements between the OHCDs entity and the agency or individual providing the service meet OHCDs requirements. For Community Transition, Assistive Technology, Home Modifications, and Vehicle Modifications services, these arrangements may not be formal contracts as these services generally represent short-term or single purchase transactions.</p> <p>...</p> <p>Agencies wishing to provide Assistive Technology, Vehicle Modification, Home Modification, Transportation, American Sign Language (ASL)- English Interpreter Service or Community Transition Services directly may enroll as AAW providers by following the same process as providers of other services in the AAW. Interested providers must first enroll with Pennsylvania’s Office of Medical Assistance Programs. The provider then submits an application to provide services for the Adult Autism Waiver that is reviewed to ensure the provider meets the qualifications for the service(s) specified by the provider. If the provider meets the qualifications, the ODP Waiver Provider Agreement is executed.</p>	