



Leveraging the State's Olmstead Plan and Creating Choice for People with Intellectual and Developmental Disabilities

Background

The North Carolina Department of Health and Human Services (NCDHHS) is committed to empowering people with disabilities with the tools and resources they need to live healthy, independent lives in their communities. Advancing choice and autonomy in services for people with intellectual and development disabilities (I/DD) is a foundational part of that commitment. Whenever possible, people with disabilities should be able to access services in the setting that is the best fit for them, including in home and community-based settings. For all of us, access to the community is essential for helping us thrive.

Making that vision a reality requires a strong and coordinated infrastructure. That requires having enough qualified and fairly compensated Direct Support Professionals (DSPs) to provide home and community-based services. It also requires making sure there is enough funding to pay for those services, including by increasing the number of people being served by the Medicaid Innovations Waiver program. Finally, it requires a coordinated effort across multiple public and private sector partners to transition North Carolina's physical infrastructure supporting people with I/DD away from large institutional settings and towards smaller home and community-based settings.

This white paper briefly summarizes important steps that NCDHHS has already taken as a part of its broader and longer-term 2021 Olmstead Plan. It also outlines an additional \$150 million in annualized investment.

Building on North Carolina's Olmstead Plan

The updated 2022-23 North Carolina Olmstead Plan, released in December 2021, was developed with the principles and spirit of the Supreme Court's decision in *Olmstead v. L.C.* in mind. The goal is to assure that North Carolina supports people with disabilities and provides opportunities to receive services and supports in places and in ways that are person-centered and integrated into day-to-day life.

The Olmstead Plan addresses people of all ages with disabilities and has specific benchmarks for people with I/DD. It was developed by the Olmstead Advisory Committee, a committee made up of people with disabilities, families, advocates, providers, and state staff. The plan covers the 2022 and 2023 calendar years with the expectation that it will be renewed for two-year periods in the future. It guides annual policy and funding requests for the State budget.

This document uses the Olmstead plan as its foundation and lays out specific short-term milestones and funding needed to realize the Olmstead plan's vision. NCDHHS has listened to multiple community stakeholders and outlined these actions to advance the Olmstead vision within the realities of the current system.

In 2022 several important steps were taken to address the goals of the Olmstead Plan. These include:

- Secured funding for 1,000 additional Innovations Waiver slots
- Provided a \$210 million recurring appropriation that raised the hourly rate for innovation service by \$2.10, allowing for wage increases for many Direct Support Professionals
- Increased In Home Personal Care Services (PCS) rates by over \$4.00, also allowing for wage increases for many Direct Support Professionals
- Submitted an 1915(i) Medicaid state plan amendment to increase community-based services for Medicaid-eligible individuals who do not have an Innovations Waiver slot

In April 2023, NCDHHS will also launch Behavioral Health and I/DD Tailored Plans. These specialized plans will integrate the management of physical and behavioral health services, as well as specialty services. They serve people with significant behavioral health needs as well as people with I/DDs enrolled in a Medicaid-funded Behavioral Health and I/DD Tailored Plan.

Proposed New Investments

The following actions are based on the priority commitments in the Olmstead Plan and will be implemented by policy changes by NCDHHS. If funded by the North Carolina General Assembly, this will result in more than 150 million dollars of federal and state investment in FY 2023/24.

1. Increase Wages for Direct Support Professionals (DSPs)

- Raise Innovations Waiver rates \$3 per hour in FY 2023/24
- Require that 75% of the rate increase funding go to Direct Support Professionals
- Establish an online certification program for DSPs in FY 2024/25 that will be linked to enhanced rates for providers beginning in FY 2025/26
- Annualized investment of recurring state dollars needed: \$36,000,000

2. Increase Innovations Waiver slots

- Add 1,000 Comprehensive Innovations Waiver slots. Annualized investment of recurring state funds needed: \$24,400,000

3. Strengthen LME/MCO accountability for providing authorized waiver services

- In order to ensure transparency and accountability, create benchmarks in LME/MCO contracts for expected percentage of waiver services authorized that were provided starting in FY 2023/24
- Establish and publicly post a performance dashboard by Jan 2024
- Require LME/MCO's to create and post a provider dashboard by July 2025

4. Encourage and support large private facilities with over 50 beds to convert to smaller settings.

This process will gradually introduce choice and options for people with I/DD, ensuring that staffing and infrastructure are in place to support newer options.

- Identify Intermediate Care Facilities by October 2023
- Conversion completed by December 2027

5. Continue to shorten the standard length of stays in state-operated I/DD facilities

- Long-term Admissions to State I/DD centers were ended in 2012.

- The Division of State Operated Health Facilities' strategic plan outlines specific milestones for continuing to reduce the length of stays in its facilities. NCDHHS actions will continue to follow this plan.
- Develop plan for State I/DD centers supporting community services finalized by January 2024

6. Create in-reach plan for people with I/DD in Adult Care Homes

Choice is an important component of this plan. In-reach programs help to communicate those available choices to people with I/DD in adult care homes or their guardians.

- Create in-reach plan that outlines a schedule and process for meeting with people with IDD living in Adult Care Homes and Assisted Living Facilities (ACHs) by July 2023. Issue RFP for these services.
- Conduct in-reach for all people with IDD living in ACHs by January 1, 2025
Annualized investment of state dollars needed: \$2,000,000