North Carolina Olmstead Plan



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Table of Contents

[Introduction 5](#_Toc84932335)

[*Olmstead v. L. C.* 6](#_Toc84932336)

[The Development of North Carolina’s Olmstead Plan 7](#_Toc84932337)

[North Carolina’s System to Support Individuals with Disabilities 9](#_Toc84932338)

[Systems Overview 9](#_Toc84932339)

[System Strengths, Gaps, and Challenges in Supporting Individuals with Disabilities 10](#_Toc84932340)

[North Carolina’s Olmstead Plan Priorities 13](#_Toc84932341)

[Priority Area 1: Strengthen Individuals’ and Families’ Choice for Community Inclusion through Increased Access to Home and Community Based Services and Supports 13](#_Toc84932342)

[Priority Area 2: Address the Direct Support Professional Crisis 17](#_Toc84932343)

[Priority Area 3: Divert and Transition Individuals from Unnecessary Institutional and Segregated Settings 20](#_Toc84932344)

[Priority Area 4: Increase Opportunities for Supported Education and Pre-employment Transition Services for Youth with Disabilities, and Competitive Integrated Employment for Adults with Disabilities 25](#_Toc84932345)

[Priority Area 5: Increase Access to Safe, Decent, and Affordable Housing 30](#_Toc84932346)

[Priority Area 6: Address Gaps in Services 34](#_Toc84932347)

[Priority Area 7: Explore Alternatives to Overly Restrictive Guardianship 38](#_Toc84932348)

[Priority Area 8: Address Disparities in Access to Services 41](#_Toc84932349)

[Priority Area 9: Increase Input from Individuals with Lived Experience 44](#_Toc84932350)

[Priority Area 10: Reduce Transportation Burdens for Individuals with Disabilities 46](#_Toc84932351)

[Priority Area 11: Use Data for Quality Improvement 47](#_Toc84932352)

[Plan Implementation/Oversight 51](#_Toc84932353)

[Designated Olmstead Staff 51](#_Toc84932354)

[Ongoing Role of the Olmstead Plan Stakeholder Advisory 51](#_Toc84932355)

[Making *Olmstead* Everyone’s Responsibility 52](#_Toc84932356)

[Conclusion 53](#_Toc84932357)

[Appendix A: North Carolina’s Additional Efforts to Date in Achieving Olmstead Plan Priorities 55](#_Toc84932358)

[Priority Area 1: Strengthen Individuals’ and Families’ Choice for Community Inclusion through Increased Access to Home and Community Based Services and Supports 55](#_Toc84932359)

[Priority Area 2: Address the Direct Support Professional Crisis 55](#_Toc84932360)

[Priority Area 3: Divert and Transition Individuals from Unnecessary Institutional and Segregated Settings 56](#_Toc84932361)

[Priority Area 4: Increase Opportunities for Supported Education and Pre-employment Transition Services for Youth with Disabilities, and Competitive Integrated Employment for Adults with Disabilities 57](#_Toc84932362)

[Priority Area 5: Increase Access to Safe, Decent, and Affordable Housing 58](#_Toc84932363)

[Priority Area 6: Address Gaps in Services 59](#_Toc84932364)

[Priority Area 8: Address Disparities in Access to Services 60](#_Toc84932365)

[Priority Area 9: Increase Input from Individuals with Lived Experience 60](#_Toc84932366)

[Appendix B: Olmstead Plan Stakeholder Advisory Membership, Committee Assignments, and Staff Work Group (October 7, 2021) 61](#_Toc84932367)

[OPSA Leadership 61](#_Toc84932368)

[OPSA Membership 61](#_Toc84932369)

[OPSA Committees 64](#_Toc84932370)

[Lead Subject Experts 66](#_Toc84932371)

[Lead Data Experts 66](#_Toc84932372)

[Appendix C: OPSA Housing Workgroup Driver Diagram 67](#_Toc84932373)

[Appendix D: Glossary of Terms 69](#_Toc84932374)

[Appendix E: Abbreviations Used in this Document 77](#_Toc84932375)

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# Introduction

 *To be added by DHHS in final Plan*

# *Olmstead v. L. C.*

Within the disability community, the *Olmstead v. L. C.* Supreme Court case[[1]](#footnote-1) is often compared to *Brown v. Board of Education*, and with good reason. Like *Brown*, *Olmstead* is a transformative driver of cultural and systemic change. The *Olmstead* decision, which derives from the Americans with Disabilities Act (ADA), provided our country with a sweeping interpretation of the ADA’s “integration mandate.” Writing for the court, Justice Ruth Bader Ginsburg stated that “unjustified segregation” of people with disabilities in institutional settings was unlawful discrimination under the ADA. The ruling established that public entities like the North Carolina Department of Health and Human Services must provide community-based services to people with disabilities when: (1) such services are appropriate; (2) the affected person doesn’t oppose treatment that takes place in the community; and (3) providing such services can be “reasonably accommodated, taking into account the resources available… and the needs of others who are receiving disability services...”[[2]](#footnote-2) Since the ruling, efforts to implement *Olmstead* have brought thousands of people with disabilities into the mainstream of American life.

# The Development of North Carolina’s Olmstead Plan

In January 2020, the North Carolina Department of Health and Human Services (DHHS) engaged the Technical Assistance Collaborative (TAC), in partnership with the Human Services Research Institute (HSRI), to assist in the development and implementation of a comprehensive, effectively working plan to support the state’s residents with disabilities in the most integrated settings appropriate to their needs as required under *Olmstead*. Following 15 listening sessions and extensive qualitative and quantitative data review, TAC issued a report that included both an assessment and an analysis of how the systems, funding, services, and housing options of the DHHS and other state agencies function to serve people with disabilities in integrated settings.[[3]](#footnote-3) The findings of this report, summarized below, were among many sources of information used in the development of the state’s Olmstead Plan. The report also offered information germane to subsequent phases of the initiative, specifically, technical assistance for implementation activities, as deemed necessary; and development and implementation of a system for performance evaluation and outcome measurement.

In the early summer of 2020, the DHHS Secretary announced appointments to the Olmstead Plan Stakeholder Advisory (OPSA), a group of diverse stakeholders from the disability advocacy community, including individuals with lived experience and their families; service providers; managers of provider networks (e.g., the Local Management Entities/Managed Care Organizations or LME/MCOs); professional associations; policymaking leaders within the DHHS; and state legislators from both sides of the aisle. The OPSA is co-chaired by the recent past chair of The Coalition and the current chair of the North Carolina Coalition on Aging. These Community Co-Chairs are joined by a Departmental Co-Chair, the Deputy Secretary for NC Medicaid. Please see [Appendix B](#_Appendix_B:_Olmstead) for a current list of OPSA members and their affiliations.

Shortly after the OPSA’s first meeting, the DHHS adopted the following mission statement for the Olmstead initiative:

*In collaboration with our partners, the NC DHHS provides essential services to assist people with disabilities to reside in and experience the full benefit of inclusive communities.*

After discussion with its membership, the OPSA also adopted this vision statement:

*North Carolina champions the right of all people with disabilities to choose to live life fully included in the community*.

The DHHS recognized that while the OPSA would play a key role in advising the Department during plan development, the focused work for development and implementation would require staff and individuals involved in carrying out the day-to-day work. The DHHS subsequently complemented the Advisory with a team of subject matter and data experts from across the Department, along with representatives from LME/MCOs and their provider networks. This OPSA Staff Work Group is led by the Office of the Senior Advisor on the Americans with Disabilities Act (ADA) and the Office of the General Counsel. The DHHS next formed committees from the OPSA’s membership, composed of external stakeholders, DHHS leadership, and other DHHS staff members, to develop recommendations and action steps to address plan priorities. The 2021 committees are:

Housing

Community Capacity Building

Children, Youth, and Families

Older Adults

Employment

Transitions to Community

Workforce Development

Quality Assurance and Quality of Life

The Department selected eight OPSA members to chair the committees, and each committee was assigned staff to guide and inform its work. Please see [Appendix B](#_Appendix_B:_Olmstead) for a list of OPSA committees and membership.

To date, the OPSA has convened six quarterly meetings, which have spotlighted key policy innovations; featured presentations from national experts;[[4]](#footnote-4) provided committee updates; and reviewed progress and provided feedback on Olmstead Plan development. The subcommittees have met regularly, providing meeting minutes and summaries to the Assistant Director for Olmstead Plan Development in the Office of the Senior Advisor on the ADA; these were forwarded to TAC for review.

# North Carolina’s System to Support Individuals with Disabilities

## Systems Overview

### State Structure

The North Carolina Department of Health and Human Services (DHHS) has 33 divisions and offices[[5]](#footnote-5) in six broad service areas: Health; Opportunity and Well-Being; Medicaid; Operational Excellence; Policy and Communications; and Health Equity. The DHHS also oversees 14 facilities: developmental centers; neuro-medical treatment centers; psychiatric hospitals; alcohol and drug abuse treatment centers; and two residential programs for children. These divisions and offices are responsible for the oversight of state and federal funding; program development; establishing and informing statewide policy; providing advocacy and protection for recipients; providing technical assistance on evidence-based and promising practices; and overseeing quality improvement.

### The Role of Local Management Entities/Managed Care Organizations, Tailored Plans, and Standard Plans

Since July 1, 2013, Local Management Entities/Managed Care Organizations (LME/MCOs) have been responsible for statewide management and oversight of the public system of mental health, developmental disabilities, and substance use disorder services at the community level. Their role is to coordinate both behavioral health and intellectual/developmental disability (I/DD) services, and payments for those services. This coordination is accomplished through a network of local community service providers which contract with and are monitored by the LME/MCOs. The LME/MCOs receive a monthly payment from the DHHS’ Division of Health Benefits (NC Medicaid) based on the number of Medicaid beneficiaries residing in each LME/MCO’s catchment area. Medicaid beneficiaries receive mental health, substance use disorder, and I/DD services through the LME/MCO’s authorization for services within their network. LME/MCOs are also charged by General Statute to serve people who are uninsured, with funding supplied through U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) block grants that require matching state funds as a “Maintenance of Effort.” The state portion of non-Medicaid funding is appropriated by the General Assembly and referred to as “single stream funding.”

Prior to July 1, 2021, Medicaid beneficiaries were enrolled in NC Medicaid Direct, administered by the DHHS, for physical health and pharmacy benefits. Effective on that date, most Medicaid beneficiaries were required to enroll in a Medicaid managed care plan run by an insurance company, referred to as a “Standard Plan.” Standard Plans provide integrated physical health, behavioral health, pharmacy benefits, and long-term services and supports to most Medicaid beneficiaries, as well as programs and services that address unmet health-related resource needs.

Beginning on July 1, 2022, selected LME/MCOs will operate Behavioral Health I/DD Tailored Plans to provide specialized services for individuals with significant behavioral health conditions, intellectual/developmental disabilities (I/DDs), or traumatic brain injury (TBI). Tailored Plans will include integrated physical health care, pharmacy benefits, and long-term services and supports, as well as programs and services to address unmet health-related resource needs.

NC Medicaid’s “[Tailored Plan Information for Providers](https://medicaid.ncdhhs.gov/media/8743/download)” [PDF] resource provides more information.

## System Strengths, Gaps, and Challenges in Supporting Individuals with Disabilities

### Strengths of the System

North Carolina has been engaged for many years in transforming its services and systems to support individuals with disabilities as fully included members of their communities.

The Transitions to Community Living (TCL) effort has resulted in positive outcomes and improved delivery of services for many adults with serious mental illness (SMI) in North Carolina, and may act as a framework for serving people with other disabilities. North Carolina leverages numerous federal resources to support individuals with disabilities, including Medicaid Home and Community Based Services (HCBS) waivers, Money Follows the Person (MFP), the Children’s System of Care model, and the development of affordable housing. North Carolina has made progress in providing opportunities for competitive integrated employment for individuals with disabilities; Governor Cooper signed Executive Order No. 92, declaring North Carolina an Employment First state. The DHHS promotes evidence-based practices that support children, adults, and older adults with behavioral health disorders; individuals with I/DD; and individuals involved with the criminal justice system. North Carolina’s universities have created model programs, and provide training and consultation in evidence-based practices. LME/MCOs provide community-based services and supports in addition or as alternatives to Medicaid state plan services. Finally, the DHHS has entered into a contract with the Cherokee Indian Hospital Authority to support the Eastern Band of Cherokee Indians in addressing the health needs of American Indian/Alaska Native Medicaid beneficiaries, the first Indian managed care entity of its kind in the nation.[[6]](#footnote-6)

### Challenges within the System

While progress has been made towards achieving the vision of *Olmstead*, there is more work to do. Not enough community-based service providers have developed the skills necessary to serve individuals with complex needs or challenging behaviors, leaving state-operated facilities and costly, out-of-state psychiatric residential treatment facilities (PRTFs) as the only options for services for these individuals. Gaps in services impede community integration; additional community-based service options and capacity are needed for children, adults, and older adults with disabilities to reduce reliance on institutional and congregate care settings. Yet the growth of service capacity is challenged by the staffing crisis faced by North Carolina and every state across the country. There are not enough staff, including but not limited to direct support professionals, to serve individuals with disabilities. Finally, the supply of affordable, accessible housing is limited in locations where services and transportation are readily available for individuals with disabilities.

A number of barriers inhibit both access to the services and supports that do exist and to the development of additional services to support individuals with disabilities as integrated members of their communities. Individuals and families must wait for services and funding. The Registry of Unmet Needs exceeds 15,000 individuals with I/DD, more than the number of Innovations Waiver participants. More than one in ten North Carolinians lacks access to health care coverage and must rely on limited and shrinking state funding for community-based services, leading them to turn instead to crisis, emergency department, and state-operated health care services. Finally, overly restrictive guardianship has been identified as a consistent barrier to community inclusion, affecting individuals with all disabilities and of all ages.

No Olmstead Plan can remedy every need and challenge a state faces in serving and supporting its residents with disabilities. This Plan, set forth by the DHHS, is intended to highlight how the Department’s current work, future implementation efforts, and use of resources can be viewed through an Olmstead lens to achieve the state’s vision of community inclusion for individuals with disabilities in North Carolina’s publicly funded system of services and supports.

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# North Carolina’s Olmstead Plan Priorities

North Carolina’s Olmstead Plan envisions all people with disabilities exercising their right to choose a life that is fully included in the community. This Plan sets forth priorities and strategies to help achieve this vision. In each priority, initial target measures are identified to assess progress in implementing strategies. Measures will be revised and refined, and new measures developed, as the Department of Health and Human Services (DHHS) enhances its ability to track data and establish baselines. This initial Plan will guide the Department’s efforts as follows:

Year One: January 1, 2022 – December 31, 2022

Year Two: January 1, 2023 – December 31, 2023

This draft of the North Carolina Olmstead Plan is being published for public comment. As noted in the conclusion, the Plan that is ultimately adopted following public comment is intended to be a living document that is subject to regular change based on any number of circumstances, such as: meeting targets earlier than expected; failing to meet targets; receiving funding from the General Assembly or the federal government; or changing the trajectory of goals based on public input, learned experience, or circumstances that are unaccounted for or unforeseen. The DHHS welcomes scrutiny and criticism of this draft proposal, and will endeavor to finalize an Olmstead Plan that is fruitful, comprehensive, and achievable.

Priority Area 1: Strengthen Individuals’ and Families’ Choice for Community Inclusion through Increased Access to Home and Community Based Services and Supports

### What Priority Area 1 Means

Home and Community Based Services (HCBS) provide opportunities for Medicaid beneficiaries to receive services in their homes or in a community-integrated setting rather than in institutions or other isolating settings.

### Why Priority Area 1 is Important

North Carolina has four Medicaid waivers that provide federal matching funds for HCBS: the Innovations waiver for individuals with intellectual/developmental disabilities (I/DD); the traumatic brain injury (TBI) waiver; and, for children and adults who are medically fragile or medically complex, the Community Alternatives Program for Children (CAP/C) waiver and the Community Alternatives Program for Disabled Adults (CAP/DA) waiver, respectively. The Centers for Medicare and Medicaid Services (CMS) issued a Final Rule on the requirements for settings in which residential and employment/day services are provided to HCBS recipients. North Carolina must be fully compliant with the Final Rule by March 23, 2023 or risk losing federal revenue.

There are currently waiting lists for two of North Carolina’s four HCBS waivers. Approximately 2,100 people are on the CAP/DA waiver waiting list, and approximately 15,000 people are on the Innovations waiver waiting list (the Registry of Unmet Needs).[[7]](#footnote-7) Although the CAP/C waiver does not have a waiting list, the maximum participant count of 4,000 is reaching its limit. The demand for CAP/DA waiver services will likely increase; over the last ten years, while the North Carolina population saw a 10 percent increase, there was a 41.9 percent increase in the population over 65 years old.[[8]](#footnote-8) Finally, while the TBI waiver is a “pilot” and does not have a waiting list, eligibility for this waiver is limited to a few counties within the state.

Section 9817 of the American Rescue Plan Act temporarily increases Federal Medical Assistance Percentage (FMAP) rates by 10 percentage points for certain Medicaid HCBS expenditures. This federal funding boost can help states increase community-based options for people with disabilities. The policy of promoting community inclusion comports with Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131–12134, as interpreted by the Supreme Court in *Olmstead v. L.C.,* 527 U.S. 581 (1999). The ruling requires public entities to administer services to individuals with disabilities in the most integrated setting appropriate to their needs.

### North Carolina’s Priority Area 1 Efforts to Date

#### ***HCBS Transition Plan***

* As of July 8, 2021, the DHHS had validated that 70.29 percent of the 6,000 residential, supported employment, and day supports sites providing HCBS to waiver recipients were in compliance with the Final Settings Rule.[[9]](#footnote-9)
* The Department of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) is also revising I/DD and TBI state-funded service definitions to include HCBS principles, making these services comparable for recipients.

#### Expanded Opportunities for Community Inclusion and HCBS

* On July 12, 2021, the DHHS submitted to CMS a proposal and estimated expenditures for a number of initiatives to strengthen HCBS in North Carolina in support of this Olmstead Plan (see strategies below). The DHHS has received a partial approval of the Plan and, at the request of CMS, is in the process of providing clarification.
* The North Carolina General Assembly has proposed expanding participant counts in the Innovations waiver by 1,000, with 800 of these slots available by January 1, 2022, pending legislation. The North Carolina legislature has also proposed adding 114 slots to the CAP/DA waiver, pending legislation.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Priority Area 1 Strategies

* The DHHS will ensure that all remaining sites providing HCBS that are identified within the transition period are validated and in compliance with the Final HCBS Settings Rule by no later than March 2023.
* The DHHS will continue efforts to promote serving individuals in community-integrated settings, and will assess annual expenditures for institutional and community-based care with the intent of further rebalancing state and federal resources to support more individuals with disabilities in the community.
* The Division of Health Benefits (DHB) will add Innovations, CAP/DA, and CAP/C waiver slots using enhanced FMAP, pending CMS approval, and newly appropriated state funds.
* The DHHS will expand eligibility for the TBI waiver by adding counties of residence, reducing the age of eligibility to 18 years old, and increasing the income limit to 300 percent of the federal poverty level.
* The DHB will develop a state waiting list database of individuals with I/DD and, in the future, individuals with TBI, for both state-funded services and Medicaid-waiver-funded services.
* The DHB will inform families of children on the Registry of Unmet Needs that their children may be eligible and should be assessed for services through the CAP/C Waiver or Personal Care Services, as covered under the State Plan.
* The DHB is actively developing a Remote Supports service definition, initially for the TBI waiver renewal, followed by the Innovations waiver and, pending CMS approval, will use enhanced FMAP to add remote technology support to CAP/C and CAP/DA waivers.
* The DHB will expand Home Health services to include persons who are transitioning from institutions to the community and who have three or more chronic conditions of any type, and will expand Specialized Therapies for people transferring to the community from institutions for the first year.
* The DHB is revising North Carolina’s regulations that set the cap on eligibility for 1915(c) waiver benefits for individuals transitioning from institutional care, to reduce/eliminate the deductible for community-based services, thereby increasing access to HCBS for these individuals.

### Baseline Data/Targeted Measures for Priority Area 1

#### Baseline Data for Priority Area 1[[10]](#footnote-10)

As of May 1, 2021, there were 13,138 individuals with I/DD supported by the Innovations waiver, and more than 15,000 individuals on the Registry of Unmet Needs (waiting list).

In Fiscal Year 2019, there were 11,534 adults with physical disabilities supported by the CAP/DA Waiver and 2,650 children with complex medical conditions supported by the CAP/C waiver.

The TBI waiver currently supports 41 individuals but has a capacity of 107 slots.

#### Targeted Measures for Priority Area 1

* By March 2023, 100 percent of HCBS settings will comply with the Final HCBS Settings Rule.

As noted in Table 1 below, the DHHS will provide more than 2,300 additional participants with access to HCBS waivers by December 31, 2023.

**Table 1: Planned Increases to HCBS Waiver Participation in North Carolina**

|  | Calendar Year 2022 | Calendar Year 2023 |
| --- | --- | --- |
| Innovations  | Increase by 1,000  | Increase by 1,000 |
| CAP/DA | Increase by 114 | Increase by 200 |
| CAP/C | Expand to 5,000 | Increase if needed |

### Resource Requirements for Priority Area 1

#### HCBS Transition Plan

The DMH/DD/SAS will cover the cost to apply the Final HCBS Settings Rule requirements to state-funded services within the existing state appropriation.

#### Expanded HCBS Opportunities

The cost of additional waiver slots will be covered through federal Medicaid revenues and increased state appropriations as approved by the North Carolina General Assembly.

The estimated state share of the cost of HCBS policy proposals will be covered through State Fiscal Year 2023 using a portion of the enhanced FMAP for HCBS.

Priority Area 2:
Address the Direct Support Professional Crisis

### What Priority Area 2 Means

Direct support professionals (DSP) are individuals who are employed to “provide a wide range of supportive services to individuals…on a day-to-day basis, including habilitation, health needs, personal care and hygiene, employment, transportation, recreation, housekeeping and other supports, so that these individuals can live, work and participate in their communities” and “lead self-directed, community and social lives.”[[11]](#footnote-11) DSPs support activities of daily living to the extent needed and provide support and advocacy for individuals to be fully included in their communities. DSPs may work in community-based facilities or provide services to Medicaid waiver participants who live in their own apartments or with family.

### Why Priority Area 2 is Important

The quality of support provided by DSPs to individuals with physical disabilities, intellectual/ developmental disabilities (I/DD), mental health needs, and substance use disorders has a profound influence on their satisfaction with services and supports paid for by the State of North Carolina. Specific factors that can have a significant impact on the quality of life for these individuals include the competence, stability, and satisfaction of DSPs, as well as turnover rates and vacancies.

The success of Home and Community Based Services (HCBS) and other community-based services depends on having a workforce, inclusive of professional caregivers and, in some cases, family members who can meet the needs of individuals with disabilities living in the community. This is not only a matter of hiring enough qualified individuals, but of retaining them as well. While raising the hourly rate they receive is viewed as the priority solution to increase hiring of DSPs, requiring competency-based training is essential to improving the quality of services provided.

North Carolina has more than 123,000 direct service workers,[[12]](#footnote-12) including DSPs, and the need for these workers is projected to increase by at least 20,000 jobs by 2028.[[13]](#footnote-13) However, the direct service workforce has high rates of turnover and lower rates of employee retention; 53 percent of the state’s direct service workforce live at or near poverty level.[[14]](#footnote-14) Adequate rates of pay must be established, and competency-based training made available.

Currently, there is a gap between the HCBS services authorized and the services delivered by providers, attributed in large part to the lack of DSPs and in-home nurses. This gap will only widen as the DHHS is proposing to increase the number of participants for the Innovations, Community Alternatives Program for Children (CAP/C), Community Alternatives Program for Disabled Adults (CAP/DA), and traumatic brain injury (TBI) waivers. Adding waiver slots without also addressing the shortage of DSPs may create an environment where people have more difficulty accessing services.

Raising DSP wages will go a long way in stabilizing the workforce, however additional efforts will also be necessary to maximize the available workforce. The expanded use of assistive technology is emerging as a strategy to relieve the overwhelming demand for DSPs. For example, “smart homes” support individuals with I/DD, TBI, and physical disabilities to live independently. The technology and supports are designed to anticipate challenges and threats to safety and resolve them before they happen, allowing staff to intervene only when needed rather than being present 24/7. While not the solution for everyone, technology can empower individuals with disabilities with greater independence and expand access to HCBS support.[[15]](#footnote-15)

### North Carolina’s Priority Area 2 Efforts to Date

* In May 2021 the General Assembly introduced HB 914, an act to provide a rate increase for direct support services to Medicaid beneficiaries. Designated Medicaid providers covered by the bill include: those offering waiver services; those providing personal care services; intermediate care facilities for individuals with intellectual disabilities (ICF/IIDs); nursing facilities; home health providers; and behavioral health residential facilities.
* The Division of Health Benefits (DHB) developed and implemented a pilot program to expend $1.6 million by June 30, 2021 to provide communication access services for deaf, deaf-blind and hard-of-hearing Medicaid beneficiaries.
* By December 2021 the Division of Aging and Adult Services (DAAS), in collaboration with the NC Assistive Technology Project, will have accessed funds awarded via a COVID Aging and Disability Resource Center grant. These funds will support the initiation of specific services to assist seniors with disabilities to learn about and use assistive technology for communication and safety.
* Self-direction is an option under the Innovations, CAP/DA, and CAP/C waivers.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 2

* The DHB will, pending CMS approval, allocate enhanced Federal Medical Assistance Percentage (FMAP) funds to increase DSP wages, to be sustained on an ongoing basis, pending inclusion of the additional funds in future state budgets.
* The DHB will, pending Centers for Medicare and Medicaid Services (CMS) approval, allocate enhanced FMAP for the recruitment and training of DSPs.
	+ The Department of Health and Human Services (DHHS) will consult with qualified individuals to determine the competency-based curricula for training DSPs across sectors.
* The DHHS will establish a credential for DSPs that recognizes lived experience and that is portable among geographic regions of the state, and will identify a credentialing association/board/entity to develop and manage the credentialing process; advocate for the credential; and manage grievances.
* The DHB will assess the ability of families to receive authorized services for their medically complex children, given the shortage of in-home nurses.
* The Division of Services for the Blind (DSB) will provide virtual instruction to enable 50 individuals with visual impairment to successfully utilize assistive technology and adaptive devices to enhance their independent functioning in the home, family, community, and employment.

The DHHS will work with the Standard Plans and Local Management Entities/Managed Care Organization (LME/MCO) Tailored Plans to increase the use of “smart home” technologies that support independent living.

### Baseline Data / Targeted Measures for Priority Area 2

#### Baseline Data for Priority Area 2

The average starting wage for a DSP in North Carolina is $10.88/hour; the average wage paid ongoing is $11.95/hour.[[16]](#footnote-16)

In Fiscal Year 2019, the penetration rate for assistive technology among Innovations waiver recipients was 7.9 percent.[[17]](#footnote-17)

In Fiscal Year 2020, the Division of Vocational Rehabilitation Services (DVRS) provided assistive technology services including assessments, provision of adaptive equipment, and training for 700+ consumers.

Between April 2020 and August 2021, the DAAS Assistive Technology Project served 6,404 individuals. Of those served, 2.147 have a disability and 1,299 are age 60 or older.

In Fiscal Year 2019, the penetration rate for the self-directed Community Navigator service among individuals on the Innovations waiver was 24.8 percent;[[18]](#footnote-18) self-direction was selected by 23 percent of CAP/DA participants and 38 percent of CAP/C participants.

#### Targeted Measures for Priority Area 2

* Effective July 1, 2022, DSPs will be eligible to receive a wage increase to $15.00/hour.
* By December 31, 2023, an additional 100 individuals will receive assistive technology, including “smart homes” technology, through Standard Plans and LME/MCO Tailored Plans.
* By December 31, 2023, 20 percent more seniors will have increased access to assistive technology through the Aging and Disability Resource Center DAAS Assistive Technology Project.

By December 31, 2023, an additional five percent of individuals on the CAP/DA, CAP/C, and Innovations waivers will choose to self-direct their services.

### Resource Requirements for Priority Area 2

Pending CMS approval, the DSP wage increase will be covered via enhanced FMAP and a General Assembly proposed budget increase through State Fiscal Year2023.

Priority Area 3: Divert and Transition Individuals from Unnecessary Institutional and Segregated Settings

### What Priority Area 3 Means

Diversion services provide individuals with disabilities the supports needed to remain at home, alleviating the need for institutional or congregate living. Many individuals with disabilities want to remain in their homes, but they or their families lack the resources or assistance they need to do so safely. More individuals could be supported in community-based settings of their choice if they and their families could easily access information about services to support greater independence.

Transition services and supports assist people to integrate into the community after leaving institutions or settings that hindered community inclusion. Individuals with disabilities can languish in such settings if they do not have either the supports to be successful, or the resources to cover transition costs such as first-month’s rent or move-in expenses.

### Why Priority Area 3 is Important

Children and youth are negatively impacted by out-of-home placements, through reduced contact with their families, homes, communities, pets, friends, possessions, routines, and school settings. These changes can be traumatic, having a detrimental effect on children’s brain development and neurological function. Adults also experience negative impacts when removed from their homes, resulting in loss of independent living skills and social supports. The longer an individual with a disability is in a more restrictive setting, the more challenging it is for them to return to independent living.

In addition to the individual benefits of diversion and transition services, there are cost savings that can be invested into serving more people in the community. For example, Money Follows the Person (MFP) offers individuals the opportunity to transition to the community where they can receive home- and community-based services; on average, North Carolina saves $2,600 per person per month in its MFP program compared to the cost of institutional care.

Finally, diverting and transitioning individuals with mental health disorders from state psychiatric hospitals, adult care homes (ACHs), and homelessness are requirements of the Transitions to Community Living (TCL) settlement agreement with the U.S. Department of Justice.[[19]](#footnote-19) Over the last two years, North Carolina has been hampered in its ability to move individuals from ACHs as a result of the COVID-19 pandemic. The state fell just short of its benchmark to have 3,000 persons in housing by June of 2021. Per the TCL independent reviewer’s 2020 report, North Carolina is not on track to transition 2,000 individuals from adult care homes to supported housing slots, which is one of the main sub-requirements in the settlement agreement and the issue at the heart of the alleged *Olmstead* violations leading to the agreement.

### North Carolina’s Priority Area 3 Efforts to Date

#### Diversion

* The North Carolina Department of Health and Human Services (DHHS) created the Referral, Screening, and Verification Process (RSVP)[[20]](#footnote-20) to identify when a person with a serious and persistent mental illness (SPMI) is referred to an ACH. An “Independent Reviewer” then screens them for eligibility to TCL, to potentially divert the admission to an ACH.
* The Local Management Entities/Managed Care Organizations (LME/MCOs) are currently conducting in-reach with 1,241 adults with serious mental illness (SMI) and serious and persistent mental illness (SPMI) in state psychiatric hospitals, and with 3,852 individuals residing in ACHs, to engage and inform them about community mental health services and supportive housing options.[[21]](#footnote-21)
* The DHHS is proposing to use a portion of the American Rescue Plan Act five-percent set-aside as well as Duke Endowment funds to expand the availability of mobile crisis services to children using the Mobile Outreach Response Engagement Stabilization Service (MORES) model, including training staff in the provision of crisis services to children and a family peer support component, to divert inpatient admissions and out-of-home placements for treatment.
* Supported with Governor’s Task Force funds, the Department of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS), the Vaya Health LME/MCO, and Mission Hospital have piloted the Resource Intensive Comprehensive Case Management Model. The model focuses on diverting adults with SMI from unnecessary hospital emergency department admissions, instead linking them to intensive community supports.
* The Promise Resource Network, a nationally recognized peer-run organization in Charlotte, and the Sunrise Community for Recovery and Wellness in Asheville, operate peer-run respite centers that offer an alternative to emergency department visits, inpatient mental health services, and involuntary commitments through a non-forced, voluntary, and unlocked healing alternative.

#### Transitions

* Since 2009, North Carolina has used the MFP demonstration to transition nearly 1,400 individuals from institutional settings to community-based living.
* Since 2013, the TCL effort has transitioned more than 5,000 individuals with SMI from SPHs and ACHs, with nearly 3,000 to date occupying their own permanent supported housing and only 28 readmissions to an SPH.[[22]](#footnote-22)
* The DMH/DD/SAS is engaged in Children’s Residential Redesign, an effort focusing on family support partners to increase families’ voice and choice; active decision-making; and appropriate transitions from placement to services and supports within the community.
* In 2021, the Green Tree Peer Center opened a peer-run crisis respite program to transition individuals from emergency departments by continuing to offer crisis support and a quiet space for up to 24 hours.
* In August 2021, the DMH/DD/SAS submitted a budget amendment under the Emergency COVID Grantto help no fewer than 200 individuals from impacted counties transition from incarceration into a North Carolina Oxford House.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 3

* The DHHS will embark on Child Welfare redesign to identify children and families served by the Division of Social Services, the Division of Health Benefits (DHB), and the DMH/DD/SAS, and to establish shared outcomes to reduce out-of-home placements.
* The DMH/DD/SAS will implement seven new mobile crisis services teams for children.
* LME/MCOs will initiate in-reach to their members within seven days of admission to an ACH or SPH, and continue to provide not less than quarterly.
* The DHB will use a portion of the enhanced Federal Medical Assistance Percentage (FMAP) under the American Rescue Plan Act of 2021 to expand Healthy Options Care Needs screening to Home and Community Based Services (HCBS) beneficiaries.[[23]](#footnote-23)
* Pending Centers for Medicare and Medicaid Services (CMS) approval, the DHB will use a portion of the enhanced FMAP for bridge funding to cover transition support for individuals moving from institutional and congregate care settings into independent living.
* The Division of State Operated Healthcare Facilities (DSOHF) will continue to articulate specific stabilization goals, timeframes, and expectations for an individual’s transition back to the community via the State Developmental Centers’ Memorandum of Agreement with the individual and their family or guardian.
* The DSOHF is seeking and will incorporate stakeholder input as initial steps to developing a new strategic plan for the State Developmental Centers to be completed by December 31, 2022.
* The State Developmental Centers will establish Centers of Excellence for the purposes of testing service models and approaches to support individuals with intellectual/developmental disabilities (I/DD) in the community. These will provide training, technical assistance, and consultation for community providers to build their expertise in supporting individuals with challenging and complex needs, thereby reducing reliance on future admissions to the Centers.
* The DHHS will develop an on-demand Informed Decision Making (IDM) webinar for the LME/MCO staff and local Departments of Social Services (DSS) guardians to access at any time.
* The DHHS will expand the use of Consumer Engagement - IDM tool beyond TCL.
* The DHHS will expand the Barriers Committee which helps to resolve barriers to community living for the TCL population, to include all Olmstead populations.
* The Division of Aging and Adult Services (DAAS) will expand the use of the Screening and Priority Services Tool, or an alternative tool for prioritization of services, statewide.

The DHHS will track ambulance transports to an alternative location other than emergency departments to assist in quantifying the need for expanded peer-run respite services.

### Baseline Data/Targeted Measures for Priority Area 3

#### Baseline Data for Priority Area 3

NC Medicaid’s MFP program has transitioned 369 older adults, 418 people with physical disabilities (under the age of 65) and 583 individuals with I/DD from nursing facilities, hospitals, intermediate care facilities for individuals with intellectual disabilities (ICF/IIDs), and psychiatric residential treatment facilities (PRTFs).

In State Fiscal Year 2020, the number of individuals discharged from state psychiatric hospitals to TCL and supported housing increased by 28 percent from fiscal year 2019, and the number of individuals with SMI referred to ACHs decreased by 33 percent.[[24]](#footnote-24)

In State Fiscal Year 2020, specially trained emergency medical services (EMS) workers in five counties in North Carolina (Forsyth EMS, Orange EMS, Stokes EMS, McDowell EMS, and Onslow EMS) responded to behavioral health emergencies, reporting 1,565 community behavioral health paramedicine encounters. Of those encounters, 380 were treated on the scene, and required no transport to a higher level of emergency response; another 159 encounters resulted in the individuals being transported to alternative emergency response facilities (e.g., behavioral health urgent care centers or facility-based care centers) instead of to hospital emergency departments.

As of July 2021, ten providers in five of the sixteen Area Agencies on Aging reported using the Screening and Priority Services Tool. Four Area Agencies on Aging had offered training on use of the tool.[[25]](#footnote-25)

Peer-run crisis centers have diverted 380 individuals (24%) from inpatient admissions and transitioned 159 individuals (10%) from emergency department stays.

In State Fiscal Year 2021, 240 individuals in recovery from substance use disorders, including opioid use disorder, were mentored and transitioned from incarceration into a North Carolina Oxford House.

In Fiscal Year 2021, 25 percent of TCL-eligible individuals in Population Category 5 were diverted from ACH admissions.[[26]](#footnote-26)

In Fiscal Year 2021, 111 individuals with SMI, or co-occurring mental illness and substance use disorder, who were homeless or at risk of homelessness received Projects for Assistance in Transition from Homelessness (PATH) services.

#### Targeted Measures for Priority Area 3

* In each of Fiscal Years 2022 and 2023, MFP will support 68 transitions to the Innovations waiver and 3 transitions to the TBI waiver.
* By December 31, 2023, RSVP will divert 20 percent of TCL individuals from ACH admissions.
* By December 31, 2023, the DHHS will transition 750 individuals from ACHs.
* By December 31, 2023, 400 individuals will receive bridge funding to transition from institutional and congregate care settings to independent living.

By June 30, 2023, at least eight Area Agencies on Aging and 30 providers will be using the Screening and Priority Services Tool.

The North Carolina Council on Developmental Disabilities’ re-entry initiative will work through its initiative partner (contractor) to transition 100 individuals with I/DD in 2022 and 60 more in the first six months of 2023 from certain jails and prisons into the community with the supports and services necessary for them to thrive, thereby reducing recidivism.

### Priority Area 3 Resource Requirements

The cost of these initiatives will be covered using enhanced FMAP under the American Rescue Plan Act of 2021, pending CMS approval, LME/MCO and Tailored Plan contracts, Mental Health Block Grant set-aside funds, and existing state funds. Additional state funds may be requested as needed from the North Carolina General Assembly.

Priority Area 4: Increase Opportunities for Supported Education and Pre-employment Transition Services for Youth with Disabilities, and Competitive Integrated Employment for Adults with Disabilities

### What Priority Area 4 Means

Supported education is a person-centered approach that provides students with mental health disorders the opportunity to pursue post-secondary education options. Pre-employment transition services (Pre-ETS) are described in the Workforce Investment Opportunity Act (WIOA). The North Carolina Division of Vocational Rehabilitation Services (DVRS) is required to provide these services to students with disabilities 14 to 21 years of age in collaboration with Local Education Agencies for all eligible and potentially eligible students with disabilities. The DVRS also continues to provide vocational rehabilitation services to youth and adults with disabilities 14 years of age and older to assist them in reaching their goal of competitive, integrated employment (CIE).

### Why Priority Area 4 is Important

Supported education assists individuals with mental health disorders in gaining access to the types of employment that meet their interests and abilities, and increases their ability to be self-sufficient by earning above minimum wage, through post-secondary education. Pre-ETS provides students with job exploration counseling, work-based learning experience, counseling on employment options, workplace readiness training, and instruction in self-advocacy. CIE assists individuals with disabilities to increase their dignity, self-sufficiency, and quality of life, resulting in more positive outcomes than sheltered employment.

Participation in supported employment is a requirement in the U.S. Department of Justice Transitions to Community Living (TCL) settlement agreement; 2,500 covered individuals are to be receiving supported employment services to meet the agreement’s requirement of “substantial compliance” with respect to employment. However, according to the 2019 report of the Independent Reviewer designated by the Department of Justice to monitor North Carolina’s compliance with the TCL settlement agreement, “the number of individuals in the TCL target population receiving IPS/SE [Individual Placement and Support (IPS) - Supported Employment] remains low and IPS/SE teams struggle to improve their performance. Data supports that there are many more individuals in the TCL population who want the opportunity to go to work or back to work.” In State Fiscal Year 2021, Access to Supported Employment had the lowest mean score of 22 Transitions to Community Living Initiative (TCLI) performance indicators.

### North Carolina’s Priority Area 4 Efforts to Date

#### Supported Education/Pre-employment Transition Services for Youth

* The DVRS has 84 third-party cooperative agreements with school systems across the state in which the school systems contribute to the cost of dedicated vocational rehabilitation staff serving students with disabilities who express interest in CIE.
* The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) was awarded a U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) Healthy Transitions grant, targeted for transition-age youth and young adults [[27]](#footnote-27); the grant focuses on screening, assessment, referral, and coordination of services including access to employment and education services and supports.
* With the DVRS’s active participation on the State Transition Team, joint trainings developed in partnership with Department of Public Instruction for Local Education Agencies and local vocational rehabilitation transition staff resulted in an analysis of local needs and goal-setting to address gaps in areas related to CIE.

#### Competitive, Integrated Employment

* In March 2019, the Cooper administration declared North Carolina an Employment First state under Executive Order No. 92, affirming that individuals with disabilities can and should be valued members of the competitive work force.[[28]](#footnote-28)
* The North Carolina Department of Health and Human Services (DHHS) supports CIE for individuals with serious mental illness using the evidence-based practice of Individual Placement and Support – Supported Employment (IPS/SE). This service is an entitlement for Medicaid beneficiaries and is available as funds allow for individuals supported with state funding.
* Supported employment is a covered service for participants in the Innovations waiver, traumatic brain injury (TBI0 waiver, and available via (b)(3) services, as well as state-funded services.
* North Carolina’s first episode psychosis program consists of three pilot sites; each site has a Supported Employment and Education (SEE) specialist.
* In partnership with the North Carolina Business Committee on Education, the DVRS, North Carolina State University, Wake Technical Community College, and targeted community rehabilitation providers have developed Science, Technology, Engineering, and Math, including Computer Science (STEM/CS) internships for neuro-diverse individuals resulting in an 80 percent rate of hire.
* Effective October 1, 2021, DVRS-funded work adjustment training must be provided in an integrated location, offer a choice of three broad occupational categories, and pay at least minimum wage for work performed.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 4

* The DHHS will work with the Department of Public Instruction to promote the inclusion of employment in every Individualized Education Plan (IEP).[[29]](#footnote-29)
* The DHHS will strengthen efforts to coordinate employment services across agencies and systems to decrease reliance on segregated employment settings for youth post-graduation.
* The Division of State Operated Healthcare Facilities (DSOHF) will eliminate all State Developmental Center use of subminimum wage and will add programmatic offerings to allow for experiential informed decision-making and better prepare individuals with skills to pursue CIE when they transition to a community setting.
* The DHHS will draw upon the experience of providers (e.g., Watauga Opportunities, Inc.) that have transitioned successfully from Adult Developmental Vocational Programs (ADVPs) to supported employment.
* The DHHS will solidify Medicaid coverage for supported employment through submission of a 1915(i) Medicaid State Plan Amendment (SPA) and alignment of the supported employment service definition across funding streams.
* TCL program staff will monitor the LME/MCOs to improve their monitoring and educating the behavioral health service providers to increase IPS/SE referrals for TCL participants and other individuals with SMI/SPMI.
* The DHHS will provide trainings to DVRS, DMH/DD/SAS, and Division of Health Benefits (DHB) employment provider agencies in evidence-based practices that support individuals to achieve CIE. Trainings will be conducted through two cohorts of 35 providers by the end of Fiscal Year 2022. The DHHS will provide two additional trainings, open to any service provider, outlining best practices in CIE (e.g., customized employment) for an additional 35 providers each. This statewide training effort will equip service providers to better assist all persons with disabilities in the pursuit of gainful employment in their communities at competitive wages according to their informed choice.

LME/MCOs Tailored Plan staff will enhance assertive engagement in employment and education and strategies to address common barriers and obstacles for members during In-Reach, transition planning, and after transitioning to supportive housing.

* The DMH/DD/SAS will continue transitioning reimbursement for IPS/SE for individuals with SMI/SPMI from fee-for-service to milestone payments.
* The DVRS anticipates establishing a milestone rate for work adjustment training in November 2022.

The Division of Aging and Adult Services (DAAS) will continue to promote the Senior Community Service Employment Program (SCSEP), empowering low-income older workers with disabilities to achieve economic independence while receiving training in community service activities that will assist them in gaining the marketable skills necessary to re-enter the workforce.

### Baseline Data/Targeted Measures for Priority Area 4

#### Baseline Data for Priority Area 4

In the 2018-19 In-Person Survey, National Core Indicator® (NCI)[[30]](#footnote-30) respondents in North Carolina were significantly below the NCI® national average in likelihood of having a paid community job (12% vs. 19%), and significantly above the NCI® national average in not having a paid community job despite wanting one (58% vs. 44%).[[31]](#footnote-31)

In State Fiscal Year 2019, 4,817 individuals with a disability successfully exited the DVRS vocational rehabilitation program into CIE.

* 34 percent were transition-age youth.
* 34 percent were individuals with cognitive disabilities.
* 38 percent were individuals with a psychosocial disability.

In fiscal year 2019, 27.7 percent of individuals receiving state-funded developmental disability services authorized by the LME/MCOs received ADVP services, while only 1.1 percent received supported employment.

In federal Fiscal Year 2019, Division of Services for the Blind (DSB) vocational rehabilitation services were provided to 3,085 individuals with blindness or low vision.

From October 1, 2020 through August 30, 2021, the DVRS provided employment services to over 29,000 North Carolinians with disabilities and has provided pre-employment transition services in all 100 counties of the state, serving over 3,000 students with disabilities at a cost of $8,678,871.

In Fiscal Year 2021, the DVRS purchased the following services for persons with disabilities in addition to directly provided services:

* Job Placement and Supports for $16.67M
* Training for $5.56M
* Transportation and Maintenance for $4.39M
* Pre-Employment Transition Services for $7.37M
* Assessment for $2.30M
* Treatment for $2.22M
* Rehabilitation Technology for $1.40M
* Auxiliary and Other Services for $1.61M

In State Fiscal Year 2021, more than 3,150 individuals achieved goals for CIE after working with the DVRS.

In State Fiscal Year 2021, Employment First efforts by the DHHS and the Office of State Human Resources (OSHR) touched over 1,400 North Carolinians to further the goals of the Governor’s Executive Order 92.

North Carolina’s Coordinated Specialty Care First Episode Psychosis (CSC FEP) programs reported that participants exceeded the national averages for “any time spent in work or school” and for “any time spent in work” by 12 months and 24 months.

The TCL rate for CIE is 39 percent.

#### Targeted Measures for Priority Area 4

* By December 31, 2022, the DVRS is committed to increasing by five percent the number of students with disabilities who are provided pre-employment transition services.
* By December 31, 2023, the DVRS will increase by five percent the number of vocational rehabilitation participants achieving CIE after having been provided supported employment or other on-the-job supports.
* North Carolina CSC FEP programs will report a two-percent increase above the national averages for “any time spent in work or school” by 12 months and 24 months, and for “any time spent in work” by 12 months and 24 months.
* By the end of Fiscal Year 2022, the DHHS will conduct training with two cohorts of 35 DVRS, DMH/DD/SAS, and DHB employment provider agencies on evidence-based practices that support individuals to achieve CIE. The DHHS will provide two additional trainings, open to any service provider, outlining best practices in CIE (e.g., customized employment) for an additional 35 providers each.
* By December 31, 2023, increase by five percent the number of individuals receiving state-funded and Medicaid funded supported employment services authorized by the LME/MCOs for individuals with an intellectual or other developmental disability.

By December 31, 2022, increase by three percent over the previous calendar year the number of participants who exit the DSB vocational rehabilitation program in unsubsidized CIE.

* The DVRS has committed to ensuring that at least 34 percent of career training program participants will receive a measurable skill gain to help them achieve their employment goal.

By December 31, 2023, increase by five percent IPS/SE service (through IPS/SE or Assertive Community Treatment) to TCL members and/or CIE rates.

### Resource Requirements for Priority Area 4

The cost of these initiatives will be covered using federal vocational rehabilitation awards, educational funds, Aging funds, LME/MCO Tailored Plan contracts, and existing state funds. Additional state funds may be requested as needed from the General Assembly. These goals are set by the DHHS and the listed divisions; funds will be expended as made available, according to funding guidelines.

Priority Area 5: Increase Access to Safe, Decent, and Affordable Housing

### What Priority Area 5 Means

Permanent supportive housing (PSH) combines lease-based, permanent affordable housing in the community with voluntary, flexible, and individualized services to support successful tenancies.

### Why Priority Area 5 is Important

Housing is one of the best-researched social determinants of health. Selected housing interventions have been found to improve health outcomes and decrease health care costs.[[32]](#footnote-32) People who are chronically homeless face substantially higher morbidity associated with both physical and mental health conditions and increased mortality. People who are not chronically homeless but face housing instability (in the form of moving frequently, falling behind on rent, or couch surfing) are more likely to experience poor health in comparison to their stably housed peers.[[33]](#footnote-33) Residential instability is associated with health problems among youth, including increased risks of teen pregnancy, early drug use, and depression.[[34]](#footnote-34)

Conversely, research shows that PSH is more cost-effective than institutional or congregate housing options; is better aligned with individual housing preferences; and demonstrates positive outcomes such as reduced hospitalizations and homelessness, increased housing stability, and improved behavioral and physical health.[[35]](#footnote-35)

Research has also established the correlation between environmental factors within homes, such as lead exposure, mold, pest infestation and over-crowded living conditions, and poor health outcomes.[[36]](#footnote-36) Many studies focusing on improving heath have demonstrated positive results through improved housing quality and safety.[[37]](#footnote-37)

There is an affordable housing crisis in North Carolina (and nationally). While the cost of housing varies geographically, a person with a disability receiving Supplemental Security Income (SSI) in North Carolina would have to pay 99 percent of their monthly income to rent an efficiency unit and 102 percent of their monthly income for a one-bedroom unit, making independent living unaffordable without rental assistance. Key Rental Assistance is the only state-funded subsidy program that is “disability neutral,” that is, not targeted to any particular group of people with disabilities.

Housing is a requirement within the Transitions to Community Living (TCL) settlement agreement with the U.S. Department of Justice.

### North Carolina’s Priority 5 Efforts to Date

* In 2016, the Department of Health and Human Services (DHHS) established a service definition for supported living. The North Carolina Council on Developmental Disabilities (NCCDD), with support from the state’s Money Follows the Person (MFP) program, funded a three-year grant to the Vaya Health Local Management Entity/Managed Care Organization (LME/MCO) to launch and expand supported living services across the state. The NCCDD also produced a resource web page on the topic.[[38]](#footnote-38)
* The DHHS amended the Innovations waiver to allow individuals receiving Supported Living Level 3 to exceed the $135,000 cap.
* 2,957 individuals are currently in supportive housing through TCL, and 4,573 have been housed over the life of the program.[[39]](#footnote-39)
* The DHHS embedded housing-related services and supports into Medicaid policy and the state-funded Community Support Team service definition to support and sustain reimbursement.
* Per North Carolina’s Consolidated Plan, 200 Low Income Housing Tax Credit units are set aside each year for individuals with disabilities; 10 percent of the units must be accessible.[[40]](#footnote-40)
* In 2020 the North Carolina Housing Finance Agency applied for and was awarded $7,000,000 for U.S. Department of Housing and Urban Development (HUD) Section 811[[41]](#footnote-41) Project Rental Assistance units with about 188 apartments being targeted for individuals with disabilities transitioning from or at risk for institutionalization.
* North Carolina sought and received HUD approval for a remedial preference for individuals with a serious mental illness (SMI) or serious and persistent mental illness (SPMI) who are living in an adult care home (ACH) or who are at risk of entry into an ACH, enabling individuals with SMI/SPMI who are being diverted or discharged from an ACH to have priority access to a number of newly created housing units.
* A state-funded program unique to North Carolina, the Independent Living Rehabilitation Program (ILRP), helps individuals with disabilities integrate into the community. The ILRP prioritizes people in institutional settings; people who can be diverted from institutionalization; and individuals who need support to maintain community-based living.
* The DHHS has contracted for a Strategic Housing Plan that will serve as a roadmap to expansion of affordable housing capacity for individuals with a variety of disabilities.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 5

* The DHHS will issue the Strategic Housing Plan for Individuals with Disabilities in early 2022. The Strategic Housing Plan will be based on the Olmstead Plan Stakeholder Advisory (OPSA) Housing Workgroup’s Driver Diagram (See [Appendix C](#_Appendix_C:_Housing)).
* The DHHS will support HUD housing providers, for example, The Arc of NC, in their efforts to gain more flexibility in the use of existing housing and vouchers.
* The DHHS will encourage the LME/MCOs and subsequently their Tailored Plans to utilize In Lieu Of Services to offer the individualized services and supports necessary to provide their members with community-based alternatives to institutional and congregate care settings.
* The DHHS will expand Community Inclusion pilots, beyond Eastpointe and Alliance LME/MCOs, to better promote successful tenancy and housing retention for the TCL population.
* The Division of State Operated Healthcare Facilities’ (DSOHF) State Developmental Centers will provide opportunities for individuals receiving services at the state centers to learn about supported living and to meet with individuals with intellectual/developmental disabilities (I/DD) who are living in the community with supported living services and supports.
* Facilitate and monitor occupancy of federal Housing Choice Vouchers utilized by TCL, as part of the Targeting Program, and to support individuals in 811 Mainstream units.
* Use the Integrated Supportive Housing Fund to identify and develop/rehabilitate units in Eastern counties by end of calendar year 2022.
* The DHHS will request additional funding for the Key Rental Assistance program.
* The DHHS and system partners will promote NCCDD’s Supported Living Guidebook/Resource Manual for Individuals with I/DD .[[42]](#footnote-42)
* The DHB will include performance measurements related to housing stability in Tailored Plans, with incentives for high performance.

The Division of Vocational Rehabilitation Services (DVRS) will expand efforts towards a comprehensive array of services and service delivery, and access to assistive technology, mobility, and transportation to support individuals in independent living.

### Baseline Data/Targeted Measures for Priority Area 5

#### Baseline Data for Priority Area 5

In 2019, the Division of Services for the Blind (DSB) served 1,109 eligible individuals (365 through Independent Living Rehabilitation and 744 through Independent Living Older Blind). The DSB also held 33 daily living skills classes, attended by 380 eligible individuals.

As of June 30, 2021, the Integrated Supportive Housing Program had produced 14 developments with 176 housing units. On a yearly basis, the Key Rental Assistance program serves an average of 2,400 households; there are 19,000 households on the waitlist for this assistance.

As of December 2020, 114 individuals supported by the Innovations waiver resided in Supported Living Level 1; 126 individuals resided in Supported Living Level 2; and 85 individuals resided in Supported Living Level 3 — for a total of 325.

#### Targeted Measures for Priority Area 5

* By June 30, 2022, the DHHS will house 750 additional TCL participants, including 450 from ACHs.
* By December 31, 2023, pending execution of the agreement with HUD, achieve 25 percent occupancy of PRA 811 units.
* By December 31, 2023, increase by 10 percent the number of individuals with I/DD and traumatic brain injury (TBI) receiving Supported Living or In Lieu Of services to support greater independence.
* Expand implementation of Community Inclusion pilots to all LME/MCOs.
* By December 31, 2022, the Integrated Supportive Housing Program will have produced a total of 16 developments with 243 housing units to be placed in service.

By December 31, 2023, 80 percent or more of ILRP participants will achieve their goal of living independently in their homes and communities.

Pending adoption of the final state budget, the Key Rental Assistance program will increase by $2M to $6.25M annually, supporting an additional 42 to 116 households through June 2023; if approved, $6.25M will support 116 households through at least June 2029.

*Additional measures are deferred pending release of the NC Strategic Housing Plan in late spring 2022.*

### Resource Requirements for Priority Area 5

The DHHS will work with the North Carolina Housing Finance Agency and other partners to maximize the use of federal, state, local, and private resources to develop accessible housing and to make housing affordable for individuals with disabilities. The LME/MCOs, and subsequently the Tailored Plans, are expected to fund Supported Living and In Lieu Of services. The DHHS will request that the General Assembly appropriate additional funds for the Key Rental Assistance program.

Priority Area 6: Address Gaps in Services

### What Priority Area 6 Means

Gaps in services occur when a service doesn’t exist in the array, or when there is insufficient service capacity to meet the needs of individuals assessed as needing the service.

### Why Priority Area 6 is Important

The lack of adequate community-based services and insufficient access to existing services are primary factors contributing to the admission to, and extended stay in, institutional settings for individuals with disabilities. There is considerable variability in service penetration rates among disability populations across the different Local Management Entities/Managed Care Organizations (LME/MCOs).[[43]](#footnote-43)

#### Children

While overall numbers for psychiatric residential treatment facility (PRTF) utilization have been trending slightly downward, the proportion of children going out of state is increasing.[[44]](#footnote-44) This is often due to lack of bed availability and lack of in-state provider specialization/training in the populations needing services. As a result of the COVID-19 pandemic, by December 2020, the rate of hospital emergency department discharges for pediatric patients with a behavioral health condition had increased by 70 percent over the prior year, according to the North Carolina Healthcare Association’s patient data system.[[45]](#footnote-45) Emergency department visits are also often the result of an inadequate array of community-based services or of inadequate access to the services that exist.

#### Adults

The DHHS has made progress in reaching milestones established for the Transitions to Community Living (TCL) Department of Justice settlement agreement, but continues to be challenged with supporting individuals outside of segregated settings. In June 2021, 63 of the nearly 3,000 TCL members who were housed did not remain stably housed in the community. Several of these TCL members expressed their desire to return to the congregate adult care home (ACH) setting as a result of isolation and feelings of loneliness that were amplified by the COVID-19 pandemic.

#### Older Adults

One in three North Carolina residents age 65 and older has at least one disability.[[46]](#footnote-46) The presence of a disability often contributes to social isolation and increases the likelihood of depression, substance use disorders, and poor health care outcomes. A nationwide survey conducted by Cigna Healthcare reported that three in five adults now struggle with feelings of loneliness.[[47]](#footnote-47) This figure has increased by 13 percent since 2018.

### North Carolina’s Priority 6 Efforts to Date

* The Department of Health and Human Services (DHHS) has developed child clinical assessment centers — short-term (two weeks or less) stays to stabilize a child; complete a clinical assessment; provide the family with resources to return the child to the community; and transition the child to an appropriate level of care such as another PRTF, therapeutic foster care, residential treatment, or other community setting.
* All LME/MCOs support high fidelity wraparound as an “In Lieu Of” service. The DHHS is piloting youth peers, embedded in high fidelity wraparound teams with a case manager and a family partner.
* The DHHS was awarded a Substance Abuse and Mental Health Services Administration (SAMHSA) grant to support crisis system redesign.
* The DHHS’ application for the Traumatic Brain Injury (TBI) waiver extension will expand the waiver and supported living services to an additional catchment area allowing more individuals with TBI to live at home with supports.
* The Division of State Operated Healthcare Facilities (DSOHF) has implemented outpatient programs at the Alcohol and Drug Abuse Treatment Centers (ADATCs) to enhance the array of services available to support individuals with substance use disorders (SUDs) and co-occurring mental health disorders.

### Proposed Strategies for Priority Area 6

North Carolina will fill gaps in services by identifying and applying population-specific, evidence-based, best and promising practices to support individuals with disabilities.

#### Strategies for Children

* The DHHS will expand access to children’s mental health services by expanding mental health services in primary care, schools, and specialty care.
* The DHB will work with Standard Plans and LME/MCO Tailored Plans to continue to promote children’s access to personal care services via Medicaid Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) /Health Check.
* LME/MCOs and eventually Tailored Plans will increase the availability of high fidelity wrap-around services, care coordination, and therapeutic foster care families.
* Increase the supply of outpatient therapists trained to treat children with co-occurring mental health disorders and intellectual/developmental disabilities (I/DD).
* Formalize the PRTF children’s residential redesign approach in statute, thereby applying tenets of the approach to PRTFs statewide.
* Promote use of the North Carolina Psychiatry Access Line (NC PAL), telephone consultation to connect pediatricians and primary care physicians with child psychiatrists to improve diagnoses and to reduce polypharmacy for children.

#### Strategies for Adults

* The DHHS will continue advocating for Medicaid expansion, which would provide an estimated 600,000 North Carolinians with health care coverage for chronic conditions, reducing opioid related complications and improving mental health.[[48]](#footnote-48)
* The DHB will submit a 1915(i) state plan amendment to transition Medicaid coverage for (b)(3) services for children and adults.
* The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) will enhance crisis response services and increase access to them using American Rescue Plan Act funds.
* The DHHS will expand research-based behavioral health treatment services for adults with autism.

The DHHS will expand core community-based services for individuals with TBI including cognitive rehabilitation, life skills training, and neuro-behavioral programming.

#### Strategies for Older Adults

* The Division of Aging and Adult Services (DAAS) in partnership with Centers for Independent Living and others will organize a cross-departmental effort to address senior social isolation.
* Issue one-time payments focused on social drivers of health to strengthen services to this vulnerable population incident to the heightened challenges caused by COVID-19.

Make Senior Centers more welcoming of individuals with I/DD, TBI, and SMI.

### Baseline Data/Targeted Measures for Priority Area 6

#### Baseline Data for Priority Area 6

Among all individuals with serious mental illness (SMI) or Serious Emotional Disturbance (SED) served in community mental health programs in North Carolina, only 2.5 percent are ages 0-12 compared to 29.3 percent in this age group nationally.[[49]](#footnote-49)

Between July 1, 2019, and June 30, 2021, 244 North Carolina children with Medicaid were placed in an out-of-state PRTF.[[50]](#footnote-50)

In federal Fiscal Year 2018, 22 counties in North Carolina had zero child psychiatric providers, and 6 counties had only one provider per 10,000 Medicaid-enrolled youth; 8 counties did not have any pediatric provider.[[51]](#footnote-51)

The children’s residential redesign approach is currently operating in five PRTFs in North Carolina.

In North Carolina’s 2019 report to SAMHSA, community mental health services utilization per 1,000 people was 9.16 percent, well below the national average of 23.88 percent.[[52]](#footnote-52)

63 of nearly 3,000 individuals housed by TCL did not remain stably housed due to the lack of social connectedness.

As of August 2021, there were 3,945 individuals receiving Special Assistance/In-Home. This includes 1,017 individuals served through TCL.

In Fiscal Year 2018, of the 36,068 individuals with TBI who received one or more behavioral health services, 6,450 received crisis services; 1,280 lived in a skilled nursing facility; and 910 lived in a congregate care setting other than a skilled nursing facility.

#### Targeted Measures for Priority Area 6

* Children at risk of out-of-home placement will receive the evidence-based practice of high fidelity wraparound services when appropriate to divert such placements.
* By December 31, 2023, all PRTFs in North Carolina will adhere to the children’s residential redesign approach.
* By December 31, 2023, Medicaid-enrolled children with behavioral health needs will have access to child psychiatric consultation.
* By December 31, 2023, the DHHS will increase peer specialist/peer-run services by two percent.
* By December 31, 2022, fifty adults over age 21 with Autism Spectrum Disorder (ASD) will receive research-based behavioral health treatment.
* The DMH/DD/SAS will provide a minimum of five TBI-specific trainings to community-based providers statewide through in-person, webinar, or online training module formats.
* Pending approval of SB 105, the state-county Special Assistance/In-Home program will increase for adult participants.

### **Resource Requirements for Priority Area 6**

The DHHS will access Coronavirus Aid, Relief, and Economic Security (CARES) Act funding; American Rescue Plan Act funding, including enhanced Federal Medical Assistance Percentage (FMAP); federal Medicaid revenue ongoing; federal block grant funds; and existing state funds.

Priority Area 7: Explore Alternatives to Overly Restrictive Guardianship

### What Does Priority Area 7 Mean?

Guardianship is a legal process utilized when a person cannot make or communicate safe or sound decisions about their person and/or property as a result of incapacity, or when they have become susceptible to fraud or undue influence. Most individuals with disabilities are capable of making responsible decisions about many areas of their lives and need only a limited guardian, if any, appointed. The courts, however, may lack awareness of the tools available to assist individuals with disabilities to make informed decisions about their lives, and may therefore often order full guardianship, restricting the individual’s rights beyond what is needed. Supported decision-making (SDM) is an alternative to guardianship. In this approach, individuals with disabilities whose decision-making autonomy might otherwise be limited or removed make and communicate their own decisions in any number of informal arrangements, with support from trusted family and friends.

### Why Priority Area 7 is Important

Guardianship can be a barrier to realizing the intent of *Olmstead.* Nationally, people with intellectual/developmental disabilities (I/DD) who do *not* have a guardian are more likely to:[[53]](#footnote-53)

* Have a paid job
* Live independently
* Have friends other than staff or family
* Go on dates and socialize in the community
* Practice the religion of their choice

According to the North Carolina Council on Developmental Disabilities (NCCDD), guardianship is the most restrictive option of legal substitute decision-making, and continues to increase in North Carolina, specifically for younger adults with disabilities.[[54]](#footnote-54)

Money Follows the Person (MFP) program staff report that guardianship impedes the ability of some eligible individuals to benefit from the MFP program by keeping them in an institutional setting. Guardians can oppose an individual’s transition from institutional care to the community, overriding the individual’s desire to transition. County Clerks of Court, who make guardianship decisions, rely on varying and sometimes inconsistent sources of information in order to make their determination.[[55]](#footnote-55)

### North Carolina’s Priority Area 7 Efforts to Date

* Session Law 2014-100 directed the Division of Aging and Adult Services (DAAS) to develop a plan to evaluate complaints pertaining to wards under the care of publicly funded guardians. The plan promotes guardians’ understanding of law and policy, and supports guardians to act in the best interest of the individual.
* The Rethinking Guardianship North Carolina Statewide Workgroup has been in place since 2015, with the goals of promoting less restrictive alternatives to guardianship and creating long-term changes in the state’s guardianship system.
* Transitions to Community Living (TCL) adopted the Informed Decision-Making (IDM) Tool in 2020; the Department of Health and Human Services (DHHS) presented information on the tool to all 100 counties in North Carolina, targeting county Department of Social Services (DSS) guardians.

### Proposed Strategies for Priority Area 7

* Educate the community at large about SDM and other alternatives to guardianship.
* Work with public and private guardianship agencies on supportive decision-making and other alternatives to guardianship.
* Work with the North Carolina General Assembly to develop a Bill of Rights for individuals subject to guardianship.
* Educate individuals subject to guardianship about the process for full or partial restoration of their rights.[[56]](#footnote-56)
* The Division of State Operated Healthcare Facilities (DSOHF) will provide educational resources and peer learning opportunities for individuals with I/DD to better understand their rights and to strengthen their abilities to self-advocate.
* The DAAS will support county DSS and the Corporation of Guardianship to expand competency restoration efforts using continuous quality improvement reviews, training, and consultation.

Consider reform of General Statute 35A to provide a description of rights for respondents and adults subject to guardianship; improve access to legal counsel; eliminate the presumption of guardianship permanence through regular reviews; and encourage the use of supported decision-making and other less restrictive options to guardianship.

### Baseline Data/Targeted Measures for Priority Area 7

#### Baseline Data for Priority Area 7

In State Fiscal Year 2021, out of more than 6,611 adults served by a public guardian in North Carolina, 4,137 (63%) were younger adults, age 18 to 59 years old; 2,561 (75%) of these younger adults have a primary diagnosis of I/DD or mental illness.

In State Fiscal Year 2021, 37 percent of the adults served by public guardians in North Carolina were older adults; 25 percent had a primary diagnosis of I/DD or mental illness.

Between July 1, 2012 and December 31, 2015, data from the Administrative Office of the Court shows that only three percent of individuals under guardianship sought to have competency restored, but that 70 percent of these were successful in receiving restoration.[[57]](#footnote-57)

In State Fiscal Year 2021, 27 individuals had their competency restored.

#### Targeted Measures for Priority Area 7

* In 2022 and 2023, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) will educate 100 individuals with I/DD and their families each year about the benefits of SDM.
* By December 31, 2023, a total of 800 individuals with a serious mental illness (SMI) or serious and persistent mental illness (SPMI) will use the IDM tool.
* By December 31, 2023, there will be a five-percent increase in individuals who seek to have competency restored.

### Resource Requirements for Priority Area 7

The DHHS will utilize existing federal and state funds to cover the costs of these strategies and will request additional funds from the General Assembly if necessary.

Priority Area 8:
Address Disparities in Access to Services

### What Priority Area 8 Means

In North Carolina, there are measurable differences in access to health care and services between white people with disabilities and people of color with disabilities. Access to health care and services also varies among geographical areas of the state.

### Why Priority Area 8 is Important

These differences in access contribute to the overrepresentation of people of color with disabilities in more restrictive settings. Such settings separate these individuals, especially in rural areas, from the benefits of community inclusion, as well as from opportunities to achieve their full potential.

Whites compose 70.6 percent of North Carolina’s population, African-Americans compose 22.5 percent of the state’s population, Latinx/Hispanics compose 9 percent of the population, and American Indians and Alaska Natives (AI/AN) compose 1.2 percent. However, the distribution of these groups varies within the population served by publicly funded services, and intentional efforts to address these differences are warranted.[[58]](#footnote-58) The Centers for Disease Control and Prevention (CDC) acknowledges that social and economic differences often create health differences in communities of color, and that public health emergencies can isolate communities of colors from necessary resources.[[59]](#footnote-59)

Regarding geographic disparities, the percentage of individuals with a behavioral health diagnosis who received at least one service intended to respond to that diagnosis, relative to the estimated prevalence of behavioral health disorders, is different from county to county.

### North Carolina’s Priority Area 8 Efforts to Date

* The Department of Health and Human Services (DHHS) hired a Chief Equity Officer, responsible for developing, implementing, facilitating, and embedding health equity strategic initiatives into every aspect of DHHS programs, services, actions, outcomes, and internal employee culture.
* The DHHS and the Cherokee Indian Hospital Authority have entered into a contract to support the Eastern Band of Cherokee Indians (EBCI) in addressing the health needs of AI/AN Medicaid beneficiaries.[[60]](#footnote-60) This Indian Managed Care Entity, the first of its kind in the nation, will reflect Tribal principles providing care coordination services in a culturally congruent system.
* The DHHS 2021-23 Strategic Plan includes the goal to “Advance health equity by reducing disparities in opportunity and outcomes for historically marginalized populations within the DHHS and across the state.”[[61]](#footnote-61)
* Since the spring of 2020, opportunities to use telehealth have expanded significantly, increasing access to treatment and case management services for individuals residing in rural communities.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 8

* The DHHS will provide training and technical support to increase the number of highly qualified contracted providers from historically marginalized populations.
* The DHHS will require Local Management Entities/Managed Care Organizations (LME/MCOs) to collect and analyze race and ethnicity data on their members and service recipients, including individuals on the Registry of Unmet Needs.
* The DHHS will identify a vendor to provide quality translation of information/materials into the foreign languages most commonly spoken in North Carolina[[62]](#footnote-62), and in alternative formats that are readily accessible for individuals with disabilities.
* The Division of Health Benefits is actively developing a Remote Supports definition, initially for the traumatic brain injury (TBI) waiver renewal, followed by the Innovations waiver, and pending Centers for Medicare and Medicaid Services (CMS) approval, will use enhanced Federal Medical Assistance Percentage (FMAP) to add remote technology support to the Community Alternatives Program for Children (CAP/C) and Community Alternatives Program for Disabled Adults (CAP/DA) waivers to increase access to services for individuals living in rural areas of the state.
* The Office of Rural Health will support a robust network of community health workers (CHWs) to connect individuals to human services in historically undeserved communities.

The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) will focus efforts to address underserved populations, for example, individuals living in rural communities.

### Baseline Data/Targeted Measures for Priority Area 8

#### Baseline Data for Priority Area 8

Black North Carolinians utilize 27 percent of community-based mental health services funded by the DMH/DD/SAS and 32.4 percent of those funded by Medicaid, but represent 50.6 percent of all state psychiatric hospitalizations.

Black North Carolinians are disproportionately represented in the utilization of crisis services, representing 30 percent of the population in some communities but 50 percent of all crisis contacts.[[63]](#footnote-63)

Three of seven LME/MCOs do not track the race and ethnicity of individuals who are on the Registry of Unmet Needs; one LME/MCO collects the demographic information but does not analyze or report it.[[64]](#footnote-64)

Among the adult substance use disorder (SUD) population, Duplin County had the lowest penetration rate at 12 percent while Haywood County had the highest penetration rate at 58 percent, nearly five times higher.[[65]](#footnote-65)

#### Targeted Measures for Priority Area 8

* The DHHS will provide up to two webinars in calendar year 2022 and again in calendar year 2023 to increase the number of highly qualified contracted providers from historically marginalized populations.
* The DHHS will increase by five percent the number of Black North Carolinians utilizing community-based mental health services funded by the DMH/DD/SAS and Medicaid in an effort to reduce overrepresentation in use of crisis services and state psychiatric hospital admissions.

All LME/MCOs will collect and analyze race, ethnicity, and gender data on their members, including individuals on the Registry of Unmet Needs.

### Resource Requirements for Priority Area 8

LME/MCO and Tailored Plan rates are determined to be actuarially sound to cover the administrative costs and to provide the services necessary to meet the contractual requirements for members. The DHHS will seek additional state funds from the General Assembly to cover costs apart from the LME/MCO Tailored Plan contracts if necessary.

Priority Area 9:
Increase Input from Individuals with Lived Experience

### What Priority Area 9 Means

Individuals with lived experience have firsthand knowledge about services and supports and the systems that provide them. These individuals are able to share a point of view and to provide vital information that those who represent their interests may overlook or ignore.

### Why Priority Area 9 is Important

Organizations that incorporate individuals with firsthand experience in developing, designing, and delivering services are better able to deliver services that are appropriately targeted, efficient, fully integrated, culturally appropriate, and sustainable. Individuals are less likely to participate in services that do not reflect their needs and interests.

Of all stakeholders participating in the Technical Assistance Collaborative’s (TAC) Services and Systems Assessment listening sessions and online survey, the individuals most directly impacted by the service system were least represented, despite efforts to solicit their participation.[[66]](#footnote-66)

### North Carolina’s Priority Area 9 Efforts to Date

The Money Follows the Person (MFP) program has four stakeholder engagement meetings per year, each averaging an attendance of 200 or more. In addition, the program funds the facilitation of Supported Living Levels 2 & 3 stakeholder meetings and workgroups.

In the fall of 2021, the North Carolina Council on Developmental Disabilities (NCCDD) issued its federally required Five-Year Plan for FY 2022 – 2027, based on input received from over 500 individuals and families of individuals with intellectual/developmental disabilities (I/DD).

In 2020, leaders from the Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS) held virtual Town Hall meetings throughout North Carolina to hear from consumers, families, and advocates about how the behavioral health system is working and how the DHHS can advance a system that fosters independence, improves health, and promotes well-being for all North Carolinians.

The DHHS has included meaningful representation of individuals with lived experience on the Olmstead Planning Stakeholder Advisory (OPSA).

Peer Voice of North Carolina is a U.S. Substance Abuse and Mental Health Services Administration (SAMHSA)-funded grassroots nonprofit in Mecklenburg County that uses the voices, experiences, and resilience of people who have overcome trauma, mental health, substance abuse, and related barriers to elevate recovery and wellness by providing a forum for individuals to have a voice and to influence mental health reform.

Please see [Appendix A](#_Appendix_A:_) for additional North Carolina efforts to date.

### Proposed Strategies for Priority Area 9

* The DHHS will continue to seek active participation in the OPSA by individuals with lived experience.
* The DHHS will explore ways to recognize financial costs associated with the time that people with lived experience contribute as members of DHHS workgroups and committees.
* The DHHS will explore opportunities to fund initiatives that give voice to and empower advocacy efforts of individuals with lived experience of behavioral health, I/DD, traumatic brain injury (TBI), and other disabilities.
* NCCDD will make peer support training available for people with lived I/DD experience.
* The DHHS will continue to conduct My Individual Experience surveys[[67]](#footnote-67) of HCBS recipients.
* The DHHS will increase support of consumer-operated services.
* Introduce the option for state funds to support consumer-run services.
* The DHHS will promote and educate individuals about self-direction during annual renewals of Individual Support Plans (ISPs) and for individuals receiving Medicaid-funded services for the first time.

### Baseline Data/Targeted Measures for Priority Area 9

#### Baseline Data for Priority Area 9

Thirty-one percent of the 45 members of the OPSA are people with lived experience.

The DHHS will establish baseline data on consumer-operated services that support individuals with SMI, I/DD, and TBI.

#### Targeted Measures for Priority Area 9

* The DHHS will increase support for organized advocacy groups led by families and individuals with lived experience.
* After establishing baseline data, the DHHS will establish a target to increase support for consumer-operated services.

### Resource Requirements for Priority Area 9

The DHHS will utilize existing federal and state funds as well as Local Management Entity/Managed Care Organization (LME/MCO) Tailored Plan contracts to cover the costs of these strategies.

Priority Area 10: Reduce Transportation Burdens for Individuals with Disabilities

### What Priority Area 10 Means

Individuals with disabilities and older adults often lack the financial resources to own a vehicle or to afford public transportation when it exists. Many parts of North Carolina do not have public transportation such as buses, cabs, or ride-share drivers.

### Why Priority Area 10 is Important

With limited or no transportation options, individuals with disabilities are unable to visit with family and friends and to access food and clothing stores, health care providers, recreation centers, and social activities — in other words, to become integrated members of their communities. A robust service array is of little benefit if individuals are not able to access the opportunities due to the lack of transportation.

### North Carolina’s Priority Area 10 Efforts to Date

* The Department of Health and Human Services (DHHS) obtained Centers for Medicare and Medicaid Services (CMS) approval to allocate up to $650 million in state and federal Medicaid funding to cover the cost of providing select Healthy Opportunities Pilot services related to housing, food, transpor­tation, and interpersonal safety that directly impact the health outcomes and health care costs of Medicaid members.

### Proposed Strategies for Priority Area 10

* Pending CMS approval, the Division of Health Benefits is proposing to add remote technology support to Community Alternatives Program for Children (CAP/C) and Community Alternatives Program for Adults with Disabilities (CAP/DA) waivers.
* The DHHS will continue to expand telehealth and scope of practice flexibilities to reduce transportation burdens.
* The DHHS will work with Standard Plans, Local Management Entities/Managed Care Organizations (LME/MCOs), and subsequently Tailored Plans to enhance Medicaid coverage for Non-Emergency Medical Transportation[[68]](#footnote-68) in compliance with the Consolidated Appropriations Act of 2021.[[69]](#footnote-69)
* The DHHS will evaluate the impact on health care utilization of Healthy Opportunities’ investment in transportation.

The DHHS will promote opportunities for Peer Support Specialists and individuals with disabilities to establish ride-share arrangements.

### Baseline Data/Targeted Measures for Priority Area 10

#### Baseline Data for Priority Area 10

The DHHS will seek to establish baseline data on the number of individuals in rural and underserved ZIP codes served through telehealth services.

#### Targeted Measures for Priority Area 10

After establishing baseline data, the DHHS will set a target for increasing the number of people served through telehealth services in rural and underserved ZIP codes.

### Resources Required for Priority Area 10

The DHHS will utilize, pending CMS approval, enhanced FMAP for HCBS; existing federal and state funds; and LME/MCO Tailored Plan contracts to cover the costs of these strategies.

Priority Area 11: Use Data for Quality Improvement

### What Priority Area 11 Means

Regularly collecting and reporting data allows for objective assessment of the provision of services and progress towards achieving identified goals and measurement of outcomes, as opposed to strictly determining the number of services delivered. Data should be used in determining areas of service provision that need to be improved.

### Why Priority Area 11 is Important

Data is essential for validating or refuting popular beliefs that, left unchecked, can create a false sense of reality, either positive or negative. However, data collection must serve a purpose. DHHS staff have reported that in spite of ample data, they still have an incomplete sense of the quality of the services being delivered, and of the impact those services are having on recipients’ lives.

There are numerous evidence-based and promising practices that demonstrate positive results. However, providers may elect not to transition to these practices absent incentives to do so. As stewards of federal and limited state funds, the Department of Health and Human Services (DHHS) should be driving service system transformation by requiring its contractors, Local Management Entities/Managed Care Organizations (LME/MCOs), and eventually the Tailored Plans to prioritize the expenditure of funding to develop a data-driven service delivery system.

Finally, data analysis will be essential to determine the extent to which North Carolina is achieving its Olmstead Plan priorities.

### North Carolina’s Priority Area 11 Efforts to Date:

* Behavioral Health Intellectual/Developmental Disability (I/DD) Tailored Plans will be required to:
* Develop quality management and improvement programs, quality assessment and performance improvement plans, and at least three performance improvement projects.
* Achieve National Committee for Quality Assurance health plan accreditation with the Long-Term Services and Support Distinction for Health Plans by the end of Contract Year 3.
* Report a wide range of quality metrics, including outcome metrics, with variations depending on whether the enrollee is receiving Medicaid- or state-funded services.
* DHHS staff are working with Manatt to develop a set of patient-reported outcomes measures (PROMs) for both Standard and Tailored Plans, intended to cover health-related quality of life, symptoms, consumer experiences, and health behaviors.
* DHHS staff are working with Mathematica to enhance Transitions to Community Living (TCL) data quality and integration, performance measurement, and use of program data for evaluation and decision-making, and to establish a quality assurance framework that can be expanded as a model for the state’s Olmstead Plan.
* The DHHS is developing a score card for LME/MCOs which will reflect data-driven performance on selected measures.
* The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) is expanding the data collected from providers who serve individuals under involuntary commitment to assess if the involuntary commitment was necessary and appropriate.
* The DMH/DD/SAS is conducting performance audits of the LME/MCOs, targeting reviews of specific services to determine whether they are meeting service definition requirements.
* The DMH/DD/SAS is aligning financial incentives to support the delivery of research-based behavioral health services.

###  Proposed Strategies for Priority Area 11

* The DHHS will invest in the technology needed to support more seamless data storage, integration, retrieval, and visualization across the Department.
* The DHHS will finalize a Master Patient Index to link service recipients’ records across multiple datasets for more robust analyses.
* The DHHS will create a professional development series on available data resources to help staff understand the data that is available across the Department, the benefits and limitations of different data resources; how to request data from other divisions; and how to leverage data assets to inform decision-making.
* The DHHS will work with Mathematica to develop a quality assurance framework and test strat­egies that can be expanded across initiatives that impact individuals with a variety of disabilities.
* The DHHS will utilize key data points, performance measures, and indicators to assess progress towards achieving Olmstead Plan priorities and revising priorities, strategies, and measures as necessary.

The DHHS Division of Budget and Analysis and the DHHS Office of the Controller will create a set of financial performance dashboards to promote stewardship of key funding resources, including division budgets, CARES Act funding, American Rescue Plan Act funding, and block grants, and to support management in making timely informed decisions.

### Resource Requirements for Priority Area 11

The DHHS will utilize existing federal and state funds to cover the costs of these strategies. The DHHS will seek additional state funds from the General Assembly if necessary.

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# Plan Implementation/Oversight

## Designated Olmstead Staff

While this initial Olmstead Plan reinforces North Carolina’s vision for transitioning its services and systems to support individuals with disabilities in choosing integrated and inclusive community settings that meet their needs, the Department of Health and Human Services (DHHS) recognizes that effective and regular oversight will be necessary to facilitate implementation of the Plan. Therefore, the DHHS is proposing:

* To establish an Office of Olmstead Plan Implementation that will be led by the Senior Advisor on the Americans with Disabilities Act (ADA). The Senior Advisor reports directly to the Deputy Secretary for Medicaid within the DHHS. The Office will be staffed sufficiently to carry out the duties necessary to provide continued leadership and education; to monitor the implementation of Plan strategies; to assess progress towards measures; and to assist in resolving barriers and challenges that might impede implementation.
* To create an Olmstead Steering Committee, consisting of representatives from DHHS divisions and essential sister agencies, to guide and monitor North Carolina’s progress in achieving the Olmstead Plan priorities.

To appoint and staff a second iteration of the Olmstead Plan Stakeholder Advisory (OPSA) to advise the state regarding its Olmstead Plan.

## Ongoing Role of the Olmstead Plan Stakeholder Advisory

In addition to its internal structure of the Olmstead Steering Committee, North Carolina is committed to achieving this Olmstead Plan’s goals. The state recognizes that ongoing external stakeholder participation is key to achieving these goals and to transparency. The DHHS will continue to convene the OPSA and to seek the Advisory’s regular input and feedback regarding progress in implementing the Olmstead Plan and future Plan revisions.

## Making *Olmstead* Everyone’s Responsibility

As the Department continues to incorporate compliance with *Olmstead* into its day-to-day operations, the ongoing assessment of progress and need for Plan modifications must be the responsibility of every division. Review of the Plan should be incorporated into the role of all relevant committees, boards, commissions, and councils; progress must be captured in evaluation and reports; and action steps and requested resources must be included in strategic plans.



Figure 1. Cycle of Olmstead Planning
*TAC 2019*

# Conclusion

North Carolina intends for the Olmstead Plan to be a living plan rather than a static document. The Department of Health and Human Services (DHHS) anticipates that goals, strategies, and measures will need to be adjusted and refined as implementation proceeds. The DHHS anticipates this plan will result in rebalancing of federal and state funds in favor of community-based services and supports. Moreover, the Plan will enhance community inclusion for people with disabilities and their families. The ability to achieve some of the Plan’s goals and to implement some of its strategies will depend in part on the availability of additional federal and state funds. The DHHS will work closely with and will need the full support of its stakeholders, its sister agencies, and the North Carolina General Assembly to secure the Plan’s success.

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# Appendix A: North Carolina’s Additional Efforts to Date in Achieving Olmstead Plan Priorities

Priority Area 1: Strengthen Individuals’ and
Families’ Choice for Community Inclusion through Increased Access to Home and Community Based Services and Supports

* The North Carolina State Treasurer’s Office administers [Achieving a Better Life Experience (ABLE) accounts](https://savewithable.com/nc/home.html), providing North Carolinians with disabilities — including physical, developmental, and mental health or other conditions — the opportunity to save money, while preserving their Supplemental Security Income (SSI) and Medicaid income.

Priority Area 2:
Address the Direct Support Professional Crisis

* In April 2021, the North Carolina General Assembly introduced HB 665, an act to act to address the staffing crisis impacting intermediate care facilities for individuals with intellectual disabilities.
* The Trillium LME/MCO’s *Choose Independence* Initiative offers funds to assist with purchases of Smart Home technology applications.

Priority Area 3: Divert and Transition Individuals from Unnecessary Institutional and Segregated Settings

### Diversion

* The General Assembly has appropriated funding from the sale of the Dorothea Dix State Hospital property to the DHHS to establish state psychiatric hospital diversion services.[[70]](#footnote-70) Funds have been allocated to convert existing licensed acute medical inpatient beds into licensed psychiatric or substance use inpatient beds or to create new licensed psychiatric or substance use inpatient beds, including in rural communities. In addition, funding was allocated to create new beds in a facility-based crisis program.
* Medicaid-eligible individuals on the waitlist for waiver services may qualify for (b)(3) Medicaid services and State Plan personal care, additional services focused on helping individuals remain in their homes or communities and avoid institutionalization or hospitalization.
* The Special Assistance/In-Home program provides cash supplements to support low-income individuals to live in the community as an alternative to institutions such as nursing facilities and adult care homes.
* North Carolina Systemic, Therapeutic, Assessment, Resources and Treatment (NC START) is a statewide community crisis prevention and intervention program for individuals age six and above with intellectual/developmental disabilities (I/DD) and co-occurring complex behavioral and/or mental health needs. START crisis prevention and intervention services are provided through clinical systemic consultation, training, education, therapeutic respite, crisis response and therapeutic coaching.

The DHHS implemented community behavioral health paramedicine pilots that use specially-trained emergency medical services (EMS) staff to intervene with patients experiencing behavioral health crises, and provide incentives for the participating EMS to either treat on-scene or route those patients not needing medical treatment to lower cost alternatives instead of hospital emergency departments.[[71]](#footnote-71)

### Transitions

* The DHHS invested in the creation of and staff training on the use of a Consumer Engagement - Informed Decision Making (IDM) tool to facilitate transitions from adult care homes (ACHs).
* The DHHS contracts require the Behavioral Health I/DD Tailored Plans … “to identify members who are receiving care in an institutional setting and help transition them to the community, if their needs can be met safely in the community.”[[72]](#footnote-72)
* The Division of Aging and Adult Services (DAAS) has developed and piloted a Screening & Priority Services Tool to be used for older adults and individuals with disabilities and their caregivers to assess their level of functioning, need for services and access to resources in order to establish their prioritization for services.
* NC FIT (Formerly Incarcerated Transitions) program, a partnership between UNC Family Medicine, the North Carolina Department of Public Safety, The North Carolina Community Health Center Association, Federally Qualified Health Centers, County Departments of Public Health, community-based reentry organizations, and local reentry councils, establishes patient-centered primary care medical homes for returning inmates with chronic medical conditions, mental illness and/or substance use disorder. The FIT program provides vouchers to cover the office visits and medication costs for uninsured patients and utilizes specially trained community health workers (CHWs) with a personal history of incarceration, to establish rapport and trust and act as peer navigators in all aspects of reentry.

Priority Area 4: Increase Opportunities for Supported Education and Pre-employment Transition Services for Youth with Disabilities, and Competitive Integrated Employment for Adults with Disabilities

### Supported Education/Pre-employment Transition Services for Youth

* The Division of Vocational Rehabilitation Services (DVRS) provides pre-employment transition services and/or vocational rehabilitation services to all youth and students with disabilities to assist them in reaching their competitive integrated employment goals.
* The DVRS partners with the Youth Development Centers for adjudicated youth to provide Pre-Employment Transition Services and fosters connection to the local Vocational Rehabilitation office when returning to the home community.
* The DVRS has 113 dedicated transition positions and serves students with disabilities in all 100 North Carolina counties.
* The DVRS has recently revised its policy on supports provided for students and youth with disabilities who participate in comprehensive transition and post-secondary programs allowing additional funding for those that meet the established criteria.

### Competitive Integrated Employment

* The DVRS has funded traditional supported employment services for people with I/DD under a milestone funding structure since 2013, incentivizing outcomes over delivery of units of services.
* In 2019, the DHHS and Vaya Health developed the North Carolina Collaborative for Ongoing Recovery through Employment (NC CORE), a pilot project in which fee-for-service Medicaid reimbursement and state funding was replaced with a shared funding model. Both Vaya Health and DVRS fund the achievement of milestones for the provision of Individual Placement Support – Supported Employment (IPS/SE). The Alliance LME/MCO is in the process of implementing the approach, and the Partners, Trillium, and Sand Hills LME/MCOs are engaged in planning.
* The DVRS, the Division of Health Benefits (DHB) and the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services (DMH/DD/SAS) are strengthening their partnerships to support competitive, integrated employment (CIE) opportunities for North Carolinians with disabilities.
* NCcareers.org represents a collaborative effort to produce an accessible online resource for employment training, supports, and resources available to all North Carolinians, including those with disabilities. This effort is supported by the DHHS, the Department of Commerce, the Department of Public Instruction, and the University of North Carolina.
* The DVRS has added fee for service benefits counseling with approved vendors to increase access to benefits counseling for vocational rehabilitation clients.
* The DMH/DD/SAS has provided funding to sponsor Individual Placement and Support staff in receiving benefits counseling training through Cornell University, and has increased the state-funded IPS rate for providers with a benefits counselor on the team.

Priority Area 5: Increase Access to Safe, Decent, and Affordable Housing

* In 2020, a group of advocates, assisted by the DHHS, formed the Innovations Supported Living Stakeholders Levels 2 & 3 workgroup to advance strategies that offer greater access to, and sustainability of, supported living for individuals with significant disabilities.
* In Fiscal Year 2019, the DHHS partnered with the North Carolina Housing Finance Agency to develop the Integrated Supportive Housing Program, which provides interest-free loans to community developments where up to 20 percent of the units are integrated and set aside for households participating in the Transitions to Community Living program.[[73]](#footnote-73)
* The DHHS established LME/MCO contract requirements for Housing Specialists.
* North Carolina has 3,847 federal housing vouchers targeted exclusively to people with disabilities.
* Key Rental Assistance is funded in the amount of approximately $5.5 million annually.
* Proposed Special Provisions for S.B. 105, 2021 Appropriations Act, include eliminating the cap on the number of allowable state-county Special Assistance/In-Home payments.

Priority Area 6: Address Gaps in Services

* Since 2019, the DHB has provided research-based behavioral health treatment as a Medicaid state plan service for individuals under the age of 21.
* The North Carolina General Assembly recently approved legislation allowing licensure of Board Certified Behavior Analysts.
* The DHHS has engaged the Alliance of Disability Advocates North Carolina to provide community inclusion supports and benefits counseling to TCL recipients in the Alliance and Eastpointe catchment area.
* The DHHS recently reallocated Single Stream Funding based on data driven measures, successfully redistributing this state-only funding to the LME/MCOs with substantiated need.

Priority Area 8:
Address Disparities in Access to Services

* The DHHS has been meeting regularly with the Latino Congress to discuss strategies for improving communication about DHHS benefits and services to the Latinx community.
* On June 1, 2021, the DMH/DD/SAS held an open dialogue to create a safe space for individuals to share their perceptions about diversity, equity, and inclusion.[[74]](#footnote-74)

Priority Area 9:
Increase Input from Individuals with Lived Experience

* TCL includes consumer satisfaction surveys as a tool for assessing the quality of services and overall success of the initiative.
* As part of its five-year plan process, in September 2020, the North Carolina Council on Developmental Disabilities (NCCDD) held statewide input sessions for adult and youth (age 30 and under) self-advocates to identify the issues that matter to them and the initiatives that NCCDD should work on to make North Carolina a more inclusive state for people with I/DD.
* In 2019, the DHHS held numerous statewide listening sessions to obtain input from a broad range of stakeholders, including Medicaid beneficiaries, to design initiatives under Medicaid Transformation.

# Appendix B: Olmstead Plan Stakeholder Advisory Membership, Committee Assignments, and Staff Work Group (October 7, 2021)

## OPSA Leadership

**OPSA Community Co-Chairs**:
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19. **Strong Able Youth Speaking Out (SaySo)** – Carmelita Coleman, Executive Director,

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### Professional Organizations, Agencies and Associations

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### Olmstead Plan Stakeholder Advisory Staff Work Group

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# Appendix C: OPSA Housing Workgroup Driver Diagram

*To be added.*

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# Appendix D: Glossary of Terms

**(b)(3) Services** – Additional supports for people who have Medicaid insurance. They are offered in addition to the services in the North Carolina Medicaid State Plan. These services focus on helping people remain in their homes and communities and avoid higher levels of care, such as hospitals. North Carolina’s Local Management Entities/Managed Care Organizations (LME/MCOs) can offer these additional services as a result of savings from the Medicaid waivers. The term “(b)(3)” refers to the section of the federal Social Security Act that allows states to offer these services under a Medicaid waiver.

**811 Mainstream Program** – Allows persons with disabilities to live as independently as possible in the community by subsidizing rental housing opportunities which provide access to appropriate supportive services. The U.S. Department of Housing and Urban Development (HUD) Section 811 program is authorized to operate in two ways: by providing interest-free capital advances and operating subsidies to nonprofit developers of affordable housing for persons with disabilities, and by providing project rental assistance to state housing agencies.

**1915(i) State Plan Option** **–** Allows the state to provide Medicaid coverage for certain home and community-based services (HCBS) to people with disabilities who do not meet the criteria for an institutional level of care and who have incomes lower than 150 percent of the federal poverty level.

**ABLE ACT and Accounts** – The North Carolina State Treasurer’s Office administers the Achieving a Better Life Experience (ABLE) Act, a federal law signed in December of 2014, that allows individuals with disabilities and their families to save for the future and fund essential expenses like medical and dental care, education, community- based supports, employment training, assistive technology, housing, and transportation. ABLE accounts are tax-exempt savings accounts for qualified disability expenses.

**Adult Developmental Vocational Program (ADVP)** – A day/night service which provides organized developmental activities for individuals with intellectual/developmental disabilities to prepare them to live and work as independently as possible. ADVP services may only be provided in a licensed or Vocational Rehabilitation approved facility.

**American Rescue Plan Act –** A $1.9 trillion economic [stimulus bill](https://www.whitehouse.gov/american-rescue-plan/) passed signed into law on March 11, 2021, building upon many of the measures in the CARES Act from March 2020.

**Assertive Community Treatment**

An evidence-based practice that provides community-based, multidisciplinary mental health treatment for individuals with severe and persistent mental illness.

**Assistive Technology –** Comprises both devices and services:

* Assistive technology as a device can be any item or piece of equipment that helps a person with a disability to increase, maintain, or improve their ability to function. Assistive technology as a device can range from low-tech devices, such as a cane or wheelchair, to high-tech devices, such as a software program on a computer, or screen readers. Note: Medical devices that are surgically implanted are not considered assistive technology.
* Assistive technology as a service can involve any combination of the following:
* Evaluation of an individual’s needs
* Acquisition of assistive technology devices (e.g., purchasing, leasing, or loaner programs).
* Selection, fitting, or repairing of a device.
* Training an individual with a disability or their caregiver on how to use assistive technology.

**Behavioral Health Disorders –** Mental health disorders, substance use disorders, or co-occurring mental health and substance use disorders.

**Behavioral Health I/DD Tailored Plans –***To be added*

**CAP/C Waiver –** A 1915(c) Home and Community Based Services waiver that provides services for medically fragile children under 21 who are at risk of institutional care. By providing in-home nursing care, case management, and other supports, CAP/C can help these children stay at home with their families.

**CAP/DA Waiver** – This waiver program provides a cost-effective alternative to institutionalization for a Medicaid beneficiary who is medically fragile and at risk for institutionalization if Home and Community Based services approved in the CAP/DA waiver were not available. These services allow the beneficiary to remain in or return to a home- and community-based setting.

**Children’s Residential Redesign –** Psychiatric residential treatment facility (PRTF) residential redesign efforts are expected to improve treatment and agency outcomes.

**The** **Coalition** – [The Coalition](http://www.nccoalition.org) is a group of statewide organizations in North Carolina that are committed to assuring the availability of services and supports for individuals who experience addictive diseases, mental illness, and developmental disabilities.

**Coalition on Aging** – A coalition whose mission is to improve the quality of life for older adults through collective advocacy, education, and public policy work. This group works to develop programs for children with autism, advocate and help families navigate services, and educate state policy makers on the needs of children with autism.

**Coronavirus Aid, Relief, and Economic Security (CARES) Act –** Signed into law March 27, 2020, provides over $2 trillion of economic relief to workers, families, small businesses, industry sectors, and other levels of government that have been hit hard by the public health crisis created by COVID-19.

**Competitive, Integrated Employment** – Defined by the Rehabilitation Act as work that is performed on a full-time or part-time basis for which an individual is: (a) compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience; (b) receiving the same level of benefits provided to other employees without disabilities in similar positions; (c) at a location where the employee interacts with other individuals without disabilities; and (d) presented opportunities for advancement similar to other employees without disabilities in similar positions.

**Comprehensive Transition and Postsecondary Program** – *To be added*

**Coordinated Specialty Care** – A team-based collaborative, recovery-oriented treatment team approach involving individuals who are experiencing first episode psychosis.

**Consumer-Operated Services –** Services that are fully independent, separate, and autonomous from other mental health agencies, with the authority and responsibility for all oversight and decision-making on governance, financial, personnel, policy, and program issues. Services are predominantly staffed by individuals with lived experience.

**Direct Support Professional** – Staff who work one-on-one with individuals with disabilities with the aim of assisting them to become integrated into the community or the least restrictive environment.

**Early and Periodic Screening, Diagnostic and Treatment (EPSDT)** – Known as Health Check in North Carolina, provides comprehensive and preventive health care services for children under age 21 who are enrolled in Medicaid. EPSDT is key to ensuring that children and adolescents receive appropriate preventive, dental, mental health, developmental, and specialty services.

**Federal Medical Assistance Percentages** – The percentage rates used to determine the matching funds rate allocated annually to certain medical and social service programs in the United States.

**Healthy Opportunities –** Designed to test and evaluate the impact of providing select evidence-based, non-medical interventions related to housing, food, transportation, and interpersonal safety to high-needs Medicaid enrollees.

**High Fidelity Wraparound** – An evidence-informed and standardized supportive care coordination service for youth (3-20 years old) with serious emotional disturbance and youth with serious emotional disturbance plus a co-occurring substance use disorder or intellectual/developmental disability. “In Lieu Of “service definitions have been developed to promote the use of high fidelity wraparound services across the state.

**Home and Community Based Services** – Health and human services that address the needs of people with functional limitations who need assistance with everyday activities, like getting dressed or bathing. HCBS are often designed to enable people to stay in their homes, rather than moving to a facility for care.

**Housing Choice Vouchers –** These vouchers assist very low-income families to afford decent, safe, and sanitary housing. Housing can include single-family homes, townhouses, and apartments and is not limited to units located in subsidized housing projects. Housing choice vouchers are administered locally by public housing agencies (PHAs). A family that is issued a housing voucher is responsible for finding a suitable housing unit whose owner agrees to rent under the program. A housing subsidy is paid to the landlord directly by the PHA on behalf of the participating family. The family then pays the difference between the amount subsidized by the program and the actual rent charged by the landlord.

**Housing and Community Based Services (HCBS) Final Rule –** The final HCBS regulations set forth new requirements for several Medicaid authorities under which states may provide home and community-based long-term services and supports. The regulations enhance the quality of HCBS and provide additional protections to individuals who receive services under these Medicaid authorities. Learn more at Home & Community Based Services Final Regulation.

**Independent Living Rehabilitation Program** –The [Independent Living Rehabilitation program](https://www.ncdhhs.gov/assistance/disability-services/independent-living-for-people-with-disabilities) provides an alternative to living in a nursing home or other facility for eligible individuals. Services are person-centered and may be provided directly, purchased or coordinated through other community resources.

**Individual Placement and Support /Supported Employment (IPS/SE)** – An evidence-based practice that assists individuals with severe mental illness and other debilitating disorders to find competitive, community employment and provides ongoing, individualized services with a focus on employment.

**“In Lieu Of” Services** –Alternative mental health, substance use disorder, or intellectual/developmental disability services that are not included in the state Medicaid plan or managed care contract but that are clinically appropriate, cost-effective alternatives to State Plan services. These services are not required, and are provided at the discretion of Local Management Entities/Managed Care Organizations.

**Innovations Waiver –** This Medicaid waiver supports children and adults with intellectual/ developmental disabilities (I/DD) who meet Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF/IID) level of care criteria, or are a risk of being placed in an ICF/IID, to live in the community.

**Key Rental Assistance** –This rental assistance program [PDF] is administered by the North Carolina Housing Finance Agency to make Targeting Program units/housing affordable to very low income households.

**Milestone Payments** –A method of payment for a service that achieves a defined stage in the client’s progression towards exiting vocational rehabilitation to Competitive Integrated Employment. This payment model is a change from paying for services at an hourly rate regardless of the whether the client progressed towards their vocational goal.

**Mobile Response and Stabilization Services** ­**–** An enhanced mobile intervention targeting families and children ages 3-21 who are experiencing escalating emotional or behavioral symptoms or traumatic circumstances that have compromised the child’s ability to function at their baseline within the family, living situation, school or community environments. This program will support the enhancement of the current mobile crisis response to be more child- and family-focused in meeting behavioral health crisis needs. Startup costs will enhance five existing mobile crisis teams and coverage in ten counties. The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services will work with Local Management Entities/Managed Care Organizations (LME/MCOs) to select a mix of rural and urban counties for the pilot project. The enhancements are added to existing mobile crisis teams.

**Money Follows the Person (MFP)** –The MFP program helps Medicaid-eligible North Carolinians who live in inpatient facilities to move into their own homes and communities with supports. North Carolina was awarded its MFP grant from the Centers for Medicare and Medicaid Services in May 2007 and began supporting individuals to transition in 2009.

**North Carolina Collaborative for Ongoing Recovery through Employment (NC CORE)** –The NC CORE initiative is an innovative payment structure that addresses the discrepancy between fee-for-service (FFS) and milestone payments by switching both the state and Medicaid FFS payments to milestones for supported employment services.

**North Carolina** – **Psychiatry Access Line (NC PAL)** ­– [NC-PAL](https://ncpal.org/node/3) is a free telephone consultation and education program to help health care providers address the behavioral health needs of their patients.

***Olmstead v. L.*C** – The *Olmstead* decision was the result of a United States Supreme Court case regarding discrimination against people with mental disabilities. The court held that under the [Americans with Disabilities Act](https://en.wikipedia.org/wiki/Americans_with_Disabilities_Act), individuals with mental disabilities have the right to live in the community rather than in institutions if "the State's treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated, taking into account the resources available to the State and the needs of others with mental disabilities."

**Oxford House** ­– A housing program designed to support people committed to a sober lifestyle, that does not include paid staff and is self-run by the people who live there.

**Penetration Rate** – The number of unduplicated eligible individuals and consumers who have received at least one billable service during the fiscal year.

**Projects for Assistance in Transition from Homelessness (PATH)** –Federal grant program that provides assistance to individuals who are homeless or at risk of homelessness and who a have serious mental illness. PATH funds are distributed to states/territories, which contract in turn with local public or nonprofit organizations to fund a variety of services to homeless individuals, including outreach, treatment, case management, and housing supports.

**Remote Supports** **(Remote Technology)** – Utilizes two-way communication in real time, through the use of sensors, cameras, or other devices to provide direct care by monitoring support and providing supervision assistance remotely. (In general, remote supports is an emerging service that combines technology and direct care support for people with disabilities including individuals with developmental disabilities via a less invasive virtual means.)

**Resource Intensive Comprehensive Case Management Model** –*To be added*

**Rethinking Guardianship –** [Rethinking Guardianship](https://rethinkingguardianshipnc.org/wp-content/uploads/sites/1731/2021/07/2017-Rethinking-Guardianship-Year-3-and-Final-Report.pdf) is a collaborative effort of the North Carolina Council on University of North Carolina-Chapel Hill School of Social Work’s Jordan Institute for Families that is committed to improving life for people who are experiencing guardianship or who could benefit from less restrictive alternatives to guardianship.

**Substance Abuse and Mental Health Services Administration –** A branch of the U.S. Department of Health and Human Services charged with improving the quality and availability of treatment and rehabilitative services in order to reduce illness, death, disability, and the cost to society resulting from substance use disorders and mental illnesses.

**Senior Community Service Employment Program (SCSEP)** – Places individuals 55 and older who are economically disadvantaged into part-time community service assignments while helping them transition into unsubsidized employment. SCSEP empowers low-income older workers to achieve economic independence while training in community service activities that assist in gaining marketable skills to re-enter the workforce. The Division of Aging and Adult Services and four national contractors administer SCSEP in the state.

**Serious Emotional Disorders** – Conditions experienced by children, birth to 18 years old, determined by DSM-IV Diagnosis and moderate to severe impairment in functioning. Also referred to as [Serious Emotional Disturbance](https://ccfhh.org/what-is-serious-emotional-disturbance-sed/).

**Serious and Persistent Mental Illness** – A mental illness or disorder (but not a primary diagnosis of Alzheimer’s disease, dementia, or acquired brain injury) experienced by a person who is 18 years of age or older, that is so severe and chronic that it prevents or erodes development of functional capacities in primary aspects of daily life such as personal hygiene and self-care, decision-making, interpersonal relationships, social transactions, learning and recreational activities; or satisfies eligibility for Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) due to mental illness.

**Serious Emotional Disturbance –** See “Serious Emotional Disorders.”

**Sheltered Employment** – A wide range of segregated vocational and nonvocational programs for individuals with disabilities, such as sheltered workshops, adult activity centers, work activity centers, and day treatment centers. These programs differ extensively in terms of their mission, services provided, and funding sources.

**Single Stream Funding** –Flexible funds appropriated by the North Carolina General Assembly to pay for services for individuals who have a diagnosis of mental illness, a developmental disability, or a substance use disorder issue, or a combination of these, but who are not eligible for Medicaid coverage. Services are delivered by providers contracted with Local Management Entities/Managed Care Organizations (LME/MCOs) which are paid via a non-Unit Cost Reimbursement (non-UCR) fee structure, but LME/MCOs are required to submit claims for services rendered and the value of these claims will be considered in settlement of the single stream funding account.

**Smart Technology –** Refers to the vast array of interconnected devices that are still designed to perform the same normal functions of device usage with a greater degree of autonomy than their non-smart equivalents. (i.e., the smart refrigerator which allows you to interact versus the non-smart refrigerator- both still used for cold food storage). However, smart options devices generally permit decision-making through software, connect via the internet, and tend to have apps for enhanced access or control.  Smart technologies are universal devices that tend to make life easier for non-disabled people and allow increase access for disabled individuals. Likewise, smart houses are homes designed with multiple smart technologies built in or added to work in tandem to provide the advantage of convenience and other benefits.

**Social Determinants of Health** – Conditions in the environments in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks.

**Special Assistance / In Home Program –** [The Special Assistance In-Home (SA/IH) program](https://www.payingforseniorcare.com/north-carolina/saih-program) provides low-income North Carolina residents who are eligible for Medicaid with a monthly cash benefit to help them remain living in their homes.

**State Transition Team –** Team consists of members from the Division of Vocational Rehabilitation Services, Department of Public Instruction representatives, college/university representatives, parents, students, and various community and advocacy organizations with a focus on the transition of students with disabilities from school to employment or post-secondary education.

**Subminimum Wage** – Section 14(c) of the Fair Labor Standards Act authorizes employers, after receiving a certificate from the Wage and Hour Division, to pay special minimum wages — wages lower than the federal minimum wage — to workers who have disabilities for the work being performed.

**Supplemental Security Income –** A federal income supplement program funded by general tax revenues to help people who are elderly, blind, or have disabilities, and who have little or no income. It provides cash to meet basic needs for food, clothing and shelter.

**Supported Decision-Making –** *To be added*

**Supportive Housing –** *To be added*

**Supported Living –** The North Carolina Innovations waiver includes a [Supported Living service definition](https://medicaid.ncdhhs.gov/providers/programs-and-services/behavioral-health-idd/nc-innovations-waiver/supported-living-service) that enables people with significant disabilities the opportunity to live in their own homes.

**Systems of Care (SOC) –** A philosophy supported in North Carolina in which providers work together in coordinated networks of community services and supports that are organized to meet challenges of persons with disabilities.

**Targeting Program –** A partnership between the North Carolina Housing Finance Agency and the North Carolina Department of Health and Human Services to provide access to affordable housing for low-income people with disabilities and/or those experiencing homelessness.

**Transitions to Community Living (TCL)** – The State of North Carolina entered into the TCL settlement agreement with the United States Department of Justice in 2012. The purpose of this agreement was to make sure that persons with mental illness can live in their communities in the least restrictive settings of their choice. The DHHS has worked to develop in-reach, transition, and community-based services to support those with serious mental illness in moving from facilities to the community.

**Workforce Innovation and Opportunity Act (WIOA)** – Signed into law on July 22, 2014, WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. Under the Act, each U.S. state and territory submits a Unified or Combined State Plan to the U.S. Department of Labor and Department of Education that outlines its workforce development system's four-year strategy, and updates the plan as required after two years. WIOA empowers North Carolina to train its workforce and guides how the NCWorks initiative connects job seekers to employers.

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# Appendix E: Abbreviations Used in this Document

**ABA** – Applied Behavioral Analysis therapy

**ACH** – Adult care home

**ADA** – Americans with Disabilities Act

**ADATC** – Alcohol and Drug Addiction Treatment Center

**ADVP** – Adult Developmental Vocation Program

**ARPA** – American Rescue Plan Act

**CAP/C** – Community Alternatives Program for Children

**CAP/DA** – Community Alternatives Program for Disabled Adults

**CARES Act** – Coronavirus Aid, Relief and Economic Security Act

**CHW** – Community Health Worker

**CIE** – Competitive Integrated Employment

**CMS** – Centers for Medicare and Medicaid Services

**DAAS** – Division of Aging and Adult Services

**DHB** – Division of Health Benefits

**DHHS** – Department of Health and Human Services

**DMH/DD/SAS** – Division of Mental Health, Developmental Disabilities and Substance Abuse Services

**DPI** – Department of Public Instruction

**DSB** – Division of Services for the Blind

**DSOHF** – Division of State Operated Healthcare Facilities

**DSP** – Direct Support Professional

**DSS** – Division of Social Services or local Department of Social Services

**DVRS** – Division of Vocational Rehabilitation Services

**EBCI** – Eastern Band of Cherokee Indians

**EMS** – Emergency Medical Services

**EPSDT** – Early and Periodic Screening, Diagnostic and Treatment (Health Check)

**FMAP** – Federal Medical Assistance Percentage(s)

**HCBS** – Home and Community Based Services

**HUD** – U.S. Department of Housing and Urban Development

**ICF/IID** – Intermediate Care Facility for Individuals with Intellectual Disabilities

**I/DD** – Intellectual/Developmental Disabilities

**IDM** – Informed Decision Making

**IPS/SE** – Individual Placement Support – Supported Employment

**ISHP** – Integrated Supportive Housing Program

**LME/MCO** – Local Management Entity/Managed Care Organization

**MFP** – Money Follows the Person

**MORES** – Mobile Outreach Response Engagement Stabilization Service

**NCCDD** – North Carolina Council on Developmental Disabilities

**NC CORE** – North Carolina Collaborative for Ongoing Recovery through Employment

**NC FIT** – North Carolina Formerly Incarcerated Transitions Program

**NCI** – National Core Indicator

**NC PAL** – North Carolina Psychiatry Access Line

**NC START** – North Carolina Systemic, Therapeutic, Assessment, Resources and Treatment

**OPSA** – Olmstead Plan Stakeholder Advisory

**Pre-ETS** – Pre-Employment Transition Services

**PROMS** – Patient-Reported Outcomes Measures

**PRTF** – Psychiatric Residential Treatment Facility

**RSVP** – Referral, Screening, & Verification Process

**SAMHSA** – Substance Abuse and Mental Health Services Administration

**SDM** – Supported Decision-Making

**SED** – Serious Emotional Disturbance

**SMI** – Serious Mental Illness

**SPMI** – Severe and Persistent Mental Illness

**SUD** – Substance Use Disorder

**TBI** – Traumatic Brain Injury

**TCL** – Transitions to Community Living

**WIOA** – Workforce Investment Opportunity Act

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8. 2019 Population estimates, U.S. Census Bureau. [↑](#footnote-ref-8)
9. Per conversation with North Carolina Division of Mental Health, Developmental Disabilities, and Substance Abuse Services staff. [↑](#footnote-ref-9)
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72. Department of Health and Human Services Request for Applications #: 30-2020-052-DHB BH I/DD Tailored Plan, November 13, 2020. [↑](#footnote-ref-72)
73. The Integrated Supportive Housing Program fosters a collaboration between a local housing developer, DHHS, and the LME/MCO to increase the supply of integrated, affordable rental housing. This housing consists of independent rental units where no more than 20% of the units are required to be set aside for persons with a disabling condition. Prospective tenants will be referred by DHHS and are anticipated to come with rental assistance and connection to supportive services. See [Integrated Supportive Housing Program: Program Guidelines](https://www.nchfa.com/sites/default/files/page_attachments/ISHPProgramGuidelines.pdf) [PDF]. [↑](#footnote-ref-73)
74. See also North Carolina Department of Health and Human Services (n.d.). [Diversity and Inclusion](https://www.ncdhhs.gov/divisions/human-resources/additional-hr-services/diversity-and-inclusion). Retrieved September 30, 2021 from https://bit.ly/3mM4E4W [↑](#footnote-ref-74)