

NEW MEXICO DEPARTMENT OF HEALTH
DEVELOPMENTAL DISABILITIES SUPPORTS DIVISION MEDICALLY
FRAGILE WAIVER (MFW)

ENVIRONMENTAL MODIFICATION SERVICES

Effective July 1, 2019

Environmental Modification includes the purchase or installation of equipment and/or making physical adaptations to an individual's residence that are necessary to ensure the health, welfare and safety of the individual or enhance the individual's independence. All services must be provided in accordance with applicable federal, state, and local building codes.

Environmental Modification is available to a person of any age and is coordinated with the person, guardian, Nurse Case Manager (CM), licensed contractors, and members of the IDT as necessary to ensure quality of service and meet the standard requirements.

I. SCOPE OF SERVICES

Environmental Modification addresses targeted medical, safety or functional concerns that incorporate the person's specific clinical and functional strengths and needs.

1. Examples of Environmental Modification include the following modifications of the person's physical environment, the accompanying purchases as well as the necessary installation services:

- a. widening of doorways/hallways;
 - b. installation of specialized electric and plumbing systems to accommodate medical equipment and supplies;
 - c. lifts/elevators;
 - d. modification of bathroom facilities (roll-in showers, sink, bathtub, and toilet modifications, water faucet controls, floor urinals and bidet adaptations and plumbing); turnaround space adaptations;
 - e. specialized accessibility/safety adaptations/additions;
 - f. trapeze and mobility tracks for home ceilings;
 - g. automatic door openers/doorbells;
 - h. voice activated, light-activated, motion-activated and electronic devices;
 - i. fire safety adaptations; air filtering devices; heating/cooling adaptations;
 - j. glass substitute for windows and doors;
 - k. modified switches, outlets or environmental controls for home devices;
 - l. and alarm and alert systems and/or signaling devices.
2. Improvements or repairs to the existing home, which do not provide direct medical, safety, or functional benefit to the person or which should be included as part of routine home maintenance cannot be approved. Such non-covered adaptations, modifications or improvements include:
- a. carpeting except for repairs to carpet needed due to permitted modification, e.g., repair to carpet in a door widening;

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- b. roof repair;
 - c. furnace replacement;
 - d. remodeling bare rooms;
 - e. other general household repairs;
 - f. vehicle modifications; and
 - g. outdoor fences.
3. Duplicate environmental modifications cannot be approved. For example, if the person has a safe and usable ramp, a replacement ramp cannot be approved.
4. Environmental modifications cannot be used to fund new residential construction, even if the new dwelling is designed to accommodate the needs of individuals with I/DD.
5. Adaptations that add to the total square footage of the home are excluded from this benefit except when necessary to complete an adaptation (e.g., in order to improve entrance/egress to a residence or to configure a bathroom to accommodate a wheelchair).
5. Equipment that is covered under the State of New Mexico's Medicaid program cannot be purchased under the MFW.

II. ENVIRONMENTAL MODIFICATION SERVICES PROVIDER AGENCY REQUIREMENTS

- A. The Environmental Agency Services Provider (EMSP) must demonstrate the following:
- 1. The EMSP must have documentation verifying that the provider and any subcontractors utilized are bonded and Licensed Building Contractor(s) are authorized to complete the project by the State of New Mexico.
 - 2. The EMSP must obtain all necessary permits as required by local and state laws.
 - 3. The EMSP must demonstrate knowledge and work history showing the ability:
 - a. to interpret the principles and practices of architecture, building codes and standards, building materials and construction methods, structural, mechanical, plumbing, and electrical systems;
 - b. to interpret and prepare architectural working drawings and specifications, mediate contractual problems, and ensure compliance with all laws, rules and standards of the State of New Mexico, including the federal, state, and local building codes;
 - c. to understand and implement contracting practices and procedures, construction cost estimating and knowledge of comparable costs to accomplish the adaptations;
 - d. to incorporate architectural design, standards and technical data relating to building design and construction; and
 - e. to interpret, implement and ensure that Federal ADA standards and applicable guidelines are followed in all environmental adaptations when applicable to the person's needs.

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III. SERVICE REQUIREMENTS

- A. Environmental Modification Services are available to all qualified participants receiving MFW services.
 - 1. The need for the Environmental Modification should be identified in the ISP and supported by a therapy home evaluation.
 - 2. The cost of the Environmental Modification plus the administrative fee cannot exceed the maximum cost of \$5,000.00 every five ISP years.
 - 3. Environmental Modifications to the home owned by the person, owned by the guardian, owned by the family, or leased homes must be compliant with the MFW Waiver Standards and should meet the Americans with Disabilities Act (ADA) applicable guidelines when ADA guidelines will also meet the person's functional needs.
- B. The CM must obtain a signed Verification of Benefit Availability form from the MFW Manager prior to approval of this service.
- C. Pre- Service Requirements
 - 1. Nurse Case Manager
 - a. Informs family that the total allowable expenditure for Environmental Modifications Services (EMS) is a maximum of \$5,000.00 that is available to be added to the MFW budget once every five years. The \$5,000 may be used at once or in portions over the 5-year period that begins on the date of Prior Authorization approval. If the planned modification exceeds \$5,000.00, the family will be informed that they are responsible for paying all additional costs.
 - b. Assures that the ISP reflects the need for EMS to an individual's residence that are necessary to ensure the health, welfare and safety of the person and enhance the individual's level of independence.
 - c. Coordinates physician order for a Physical Therapy (PT) or Occupational Therapy (OT) home evaluation visit. A physician office visit may also be needed.
 - d. Coordinates the PT or OT home evaluation visit through the EPSDT benefit for children or Medicare/Medicaid benefit for adults. The MFW therapy benefit for adults is the payer of last resort for this evaluation. If it is necessary to apply the MFW therapy benefit for this evaluation the CM provides the person with a Secondary Freedom of Choice (SFOC) form to select a MFW therapy provider.
 - e. Provides the person/family with a Secondary Freedom of Choice (SFOC) form to select a MFW Environmental Modifications Services Provider (EMSP)

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- f. Supports ongoing communication between the family, EMSP and the therapist as needed.
 2. Therapist
 - a. The OT or PT completes the home visit, develops and provides recommendations and supporting documentation as needed for the Environmental Modifications to the family and CM, and EMSP.
 3. Any authorizations for additional consultation services related to the Modification will be obtained by the therapist as needed.
 4. EMSP
 - a. Contacts family to set up home visit and informs the family, CM and therapist of the date and time.
 - b. Completes the home visit and creates Environmental Modification plan based on input from the person/family, CM and therapist.
 - c. Finalizes plans with person/family and therapist to meet the needs of the person in accordance with the MFW Environmental Modification Standards; federal, state and local building codes.
 - d. Submits proposed plan and all costs to the family and the CM within ten business days after first visit with homeowner/person/guardian.
 5. Service may be provided when CM verifies that all preservice requirements are met, and person/family/homeowner accepts the plan and all required documents are present.
 6. The EMSP completes all proposed work in compliance with the plans and to the satisfaction of the person/family.
 7. After work is completed, the family signs and dates the original Environmental Modification plan, from the EMSP, verifying the satisfactory completion of work.
 8. The EMSP provides copies of the final signed form to the family, CM and the MFW Manager within 5 business days of signature.
 9. The EMSP retains the original forms for their files
 10. Claims for services must be received within 90 calendar days of the date of service in accordance with 8.302.2.11 NMAC.
- D. EMSP SERVICE REQUIREMENTS
1. Obtains a copy of the secondary freedom of choice.
 2. The EMSP must coordinate planning for the environmental modification with the CM, the person/ guardian/ family, as applicable and the therapist who conducted the home assessment.
 3. The EMSP must coordinate with the therapist and/or qualified person who provided the assessment to acknowledge, document and assure planned modifications will meet the person's clinical and functional needs:
 - a. Coordination should occur at an in-person on-site evaluation.

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- b. If in-person on-site coordination cannot occur or if this is not needed because the planned modification is very minor, coordination can occur via e-mail or phone with MFW Manager approval.
 - c. Both the evaluator and the EMSP should document what was agreed upon regarding the Environmental Modification Plan during this meeting or through alternate communication.
4. The EMSP must develop an Environmental Modification assessment of the home and the scope of work needed to complete the modification.
5. The EMSP must provide an itemized price quote to the CM within ten business days after first visit with homeowner/person/guardian.
6. The EMSP must provide or secure licensed contractor(s) or vendor(s) to provide construction and/or remodeling services.
7. The EMSP must ensure that proper design criteria are addressed in planning and design of the adaptation.
8. The EMSP must interpret codes and clarify building procedures to the person, guardian, homeowner or other family members, CM, and Provider Agencies and DDS prior to construction activities.
9. The EMSP must review plans submitted by sub-contractors, if applicable, for environmental modifications to ensure that the plans are architecturally sound, address functional needs outlined in the Environmental Modification Evaluation, and comply with state and local building codes and standards.
10. The EMSP must provide administrative and technical oversight of construction projects.
11. When requested, the EMSP must provide consultation to the person, guardian, homeowner or family, CM, and DDS concerning environmental modification projects to the person's residence prior to or during construction activities.
12. The EMSP must ensure inspection of the final environmental modifications to ensure:
 - a. compliance with all local, state, and federal codes and requirements
 - b. the adaptation (s) meet the approved plan submitted for environmental adaptation.
13. The EMSP must meet reasonable timelines for completion of environmental modifications.
14. The EMSP must contact person/guardian/homeowner within one business week of being notified of the signed SFOC to schedule the initial site visit.
15. The EMSP must complete all modifications within six weeks of the approved budget. A waiver of this time-line must be sought from DDS if extraordinary circumstances prevent the EMSP from meeting this requirement.
16. The EMSP must review accuracy of construction costs submitted by sub-contractors, if applicable.

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17. The cost of the Environmental Modification plus the administrative fee cannot exceed the maximum cost of \$5,000.00 every five ISP years. Administrative costs of the environmental Modification Service Provider (EMSP) will not exceed fifteen percent (15%) of the total cost of the environmental modification project managed by the Provider Agency.
 18. The EMSP must provide a minimum of a one-year written warranty of the work completed, including both materials and labor, to person, guardian, family, homeowner and CM.
 19. Withholding or denial of final payment may occur if the person in service or his/her guardian files a dispute to the MF Waiver Manager regarding the quality of work and the MFW Manager agrees with the complaint.
- E. Cost of Materials:
1. Materials utilized in projects must be of Medium Grade and meet industry construction standards while considering the personal preferences of the homeowner.
 2. MF Waiver funds may not be used for upgrades in materials that do not offer functional benefits to the person.
 3. Purchase receipts for all materials must be kept in the EMSP file and must be furnished to the CM.
- F. Documentation for Environmental Modification Services will be maintained by the MF CM. The EMS documentation will include: ISP section related to the need/goals for the EMS, the DDS Benefit Verification form, the therapist's EMS Evaluation, secondary freedom of choice form(s), EMS Plan, EMSP detailed cost report and documentation of work completion and acceptance/satisfaction by the individual/guardian/homeowner.
- G. EMS documentation will be retained by the CM program and provided by MFW Manager upon request.

IV. USE OF FUNDS

- A. Cost estimates, items and project plans are required to specifically identify the materials to be purchased and the labor costs associated with the expenditure of MFW versus non-MFW funds.
- B. MFW funds may not be utilized to upgrade fixtures or other construction materials solely based on aesthetic qualities or personal preferences when lower cost fixtures or materials can provide the same or similar functional benefit to the person.
- C. EMSP's may not provide any materials/services not in the original approved bid.
- D. MFW funds cannot be used to repair environmental modification upgrades or other augmentations to environmental modifications when MFW funds did not cover the original environmental modification.
- E. Any augmentation or upgrade to the MFW funded portion of the environmental modification may void any warranties in place.

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F. When one or more individual(s) in Waiver services, are family members and will benefit from an environmental modification, each impacted participant may equally divide the cost of the environmental modification from their respective ISP budget.