



# Mi Via Waiver Renewal 2020

New Mexico's 1915(c) Self-Directed Home and Community-Based Services Waiver  
NM Department of Health (DOH), Developmental Disabilities Supports Division (DDSD)  
NM Human Services Department (HSD)  
Medical Assistance Division (MAD)

# Objectives

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- Receive an overview of the Mi Via Waiver
- Review renewal timelines & public input process
- Understand guiding principles for renewal work
- Highlight the Centers of Medicare and Medicaid Services(CMS) Waiver appendices & Federal Regulations
- Review waiver renewal topical items
- Hear your recommendations and feedback

# What is Mi Via?

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- New Mexico's self-directed home and community based services (HCBS) waiver
- A community-based alternative to institutional care for people with intellectual and/or developmental disabilities (IDD) or medically fragile conditions with IDD
- Facilitates greater participant choice, direction, and control over services and supports

# What is Self-Direction?

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Self-direction allows the participant to:

- Have greater control
- Have more freedom
- Have a meaningful life in the community
- Choose when where and how services will be provided
- Choose who they want to provide the services
- Choose who will assist them in planning and managing their services and supports
- Provides a tool that leads to self-determination

# Waiver Administration

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## Administrative Agency



## Medical Assistance Division

Human Services Department (HSD)

## Operational Agency



## Developmental Disabilities Supports Division (DDSD)

Department of Health (DOH)

# Mi Via Waiver Public Input Process

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- The Mi Via Advisory Committee
  - New Mexico Mi Via Self-directed Waiver  
Renewal Steering Committee
- Consultant Input meetings
- Vendor Forums
- Statewide outreach meetings (public Town Halls) May –July 2019
- The Public Comment and Public Hearing Process
  - Tribal Notification – September 2019
  - Public Comment – October 2019
  - Public Hearing – November 2019

# Renewal Timelines

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- ❑ Current CMS-approved Mi Via Waiver expires September 30, 2020
  - ❑ Application submission date: January 1, 2020
  - ❑ Implementation date: October 1, 2020
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- ❑ Amendments to an approved waiver may be submitted during the 5 year renewal period

# Guidelines for Mi Via Waiver Renewal Work

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**People with I/DD are active and productive members of their communities and have rights and responsibilities including:**

- The right to self-direct
- The right to full inclusion and access to the community
- Dignity of risk, or the right to take risks when engaging in life experiences along with the right to make informed choices



# Guidelines for Mi Via Waiver Renewal Work

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**Mi Via Waiver services should be provided in the most integrated settings and should promote:**

- person centered planning
- choice, self-determination and self-direction
- independence and individuals living the life they prefer in the community
- opportunities for competitive employment
- opportunities for skill building
- opportunities to decrease dependence on care giving
- development of natural supports

# Guidelines for Mi Via Waiver Renewal Work

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**In operating a system of Mi Via waiver services, DDS is committed to a service system which:**

- Promotes self-direction
- Follows national best practices
- Is streamlined and simplified
- Ensures continuous quality improvement
- Is sustainable
- Promotes an equitable distribution of resources

# Mi Via Waiver Appendices

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- **Appendix A: Waiver Administration and Operation**  
What entities are involved in the operation of the Waiver?
- **Appendix B: Participant Access and Eligibility**  
Who receives Waiver services?
- **Appendix C: Participant Services**  
What services does the Waiver offer?

# Mi Via Service Categories

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**Living Supports**

**Community Membership Supports**

**Health and Wellness**

**Other Supports/Goods**

# Mi Via Waiver Appendices

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- **Appendix D: Person Centered Planning (PCP) & Service Delivery**  
How are the participants' needs identified and addressed during person-centered planning ? How does the state monitor delivery of waiver services?
- **Appendix E: Participant Direction of Services**  
opportunities to self direct services
- **Appendix F: Participant Rights**  
How are Participant rights protected ?

# Mi Via Waiver Appendices

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- **Appendix G: Participant Safeguards**

What safeguards has the state established to protect the participants from harm?

- **Appendix H: Systems Improvement**

Description of system for continuous quality improvement including discovery and remediation.

# Mi Via Waiver Appendices

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- **Appendix I: Financial Accountability**

How does the state assure financial accountability i.e. make payments for services, assure integrity of the payments, comply with federal requirements to receive a matching funds?

- **Appendix J : Cost Neutrality Demonstration**

Does the state meet statutory cost neutrality requirements ? i.e. the average per person cost for HCBS services must be less than the average per person cost for institutional care

# Federal Requirements

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CMS Final Rule: HCBS Settings Requirements

21<sup>st</sup> Century Cures Act: Electronic Visit Verification (EVV)

Home Maker Direct

In- Home Living Services

Respite



# Mi Via Rules: NM Administrative Code (NMAC)

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- The NMAC Rule for the Mi Via Waiver program will be updated to reflect changes made in the waiver renewal process.
- There will be a public comment and public hearing process for the updates and/or revisions to the NMAC Rule.
- The published Rule will be available on the HSD website.

# Mi Via Service Standards

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- Renewal will result in updates and/or revisions to the Mi Via Service Standards.
- The Mi Via Service Standards and Appendices will also include a public comment process.

# Waiver Renewal Topical Items

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- Health and Safety requirements and assurances
- Employer of Record (EOR) structure within the program
- Agency Oversight of Vendors/Participant Employees
- Abuse Neglect and Exploitation (ANE) training curriculum

# Waiver Renewal Topical Items

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- Consultant services and responsibilities
- DDW Eligibility Definition and Criteria
- Changes to the Level of Care Assessment form (initial and annual)

# Feedback, Recommendations, Questions

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Your input is valuable!

- Are there changes you would like to see in the waiver?
- Areas for improvement?

# Contacts

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# Resources

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[Mi Via Waiver-https://nmhealth.org/about/ddsd/pgsv/sdw/](https://nmhealth.org/about/ddsd/pgsv/sdw/)

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What are your  
recommendations?





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Thank You!

