Frequently Asked Questions (FAQ) on CSB Priority Access Guidelines
For People with Developmental Disabilities (DD)

Background: The CSB has new, legally mandated responsibilities to implement a redesigned system of services for people with developmental disabilities, funded through Medicaid waivers. Fairfax’s CSB has also historically provided locally funded, non-mandated employment and day services and some residential services for individuals with intellectual disability. CSB and Fairfax County are challenged now to provide these non-mandated services in an equitable, sustainable way to many more people, including newly eligible individuals who have developmental disabilities other than intellectual disability.

The CSB has proposed an equitable and sustainable model for the delivery of non-mandated services in response to direction from the BOS. The CSB will continue to perform an ongoing assessment of the immediate and long term costs of these non-mandated services. In the wake of no new additional funding for non-mandated employment & day services in the FY 2018 Advertised Budget, the CSB anticipates needing to change how it prioritizes access to non-mandated employment & day service. Unless an additional funding source is identified, the proposed new criteria will need to be implemented when the CSB begins to approach its expenditure authority in this line of business. The CSB will inform leadership within the county on the progression of spending in this non-mandated service throughout FY 2018. This FAQ reflects the questions we’ve received about the proposed model, described most recently before the BOS on February 21, 2017, and available here: http://www.fairfaxcounty.gov/csb/about/2017-02-21-dd-waiver-redesign-update.pdf

Who is eligible for developmental disability services through the CSB?

To be eligible for CSB developmental disability services, an individual must meet the following criteria:

- Meet the definition of a developmental disability as defined in the Code of Virginia §37.2-100.
- Meet criteria on the Virginia Individual Developmental Disabilities Eligibility Survey (VIDES), an assessment tool that will be administered by CSB staff during the eligibility appointment.

Once I am eligible for CSB developmental disability services, what specific services does the CSB provide?

The CSB directly or through contract provides three areas of developmental disability service. Only the first one of these areas is mandated. The service areas are:
1. **Support Coordination** (also called case management) – Is the core service that helps individuals and families assess and access needed supports based on a Person Centered Plan. It is the *only* mandated service. The CSB is required to provide long term care support coordination to individuals who are receiving services under one of the Home and Community Based Developmental Disability Medicaid Waivers (MW). Episodically a specific case management need may be identified for a person on the state’s Medicaid Waiver Waiting List (MWWL). If this occurs, then within available resources, the CSB also provides requisite case management targeted to address the need. The Board has funded this expanded mandated service adding $2,731,901 supporting 14 new full time support coordinators in FY2017 and an additional 12 positions in the FY2018 advertised budget.

2. **Residential Services** – Is an array of non-mandated residential supports that includes Respite and Drop-in. Although some residential services are fully covered by Medicaid Waiver, others are funded in whole or part by local dollars.

3. **Employment and Day Support Services** (EDS) – Is an array of non-mandated employment assistance and training and meaningful day activities. This area receives substantial local funding.

**Why does the CSB have to limit access to non-mandated services like EDS?**

As a result of the Department of Justice Settlement Agreement with the Commonwealth of Virginia (DOJSA) in 2012, the state redesigned Medicaid Waiver and merged previously separate Intellectual Disability and Developmental Disability service systems into one integrated service system. These changes have opened many opportunities for individuals while posing some unique challenges for implementation. For example, prior to this past year, the Community Services Board was only charged with providing services to individuals with Intellectual Disability (ID) and now we are the public agency for individuals with Developmental Disabilities inclusive of those with ID. The challenges for the County and the CSB inherent in these opportunities are most closely tied to the magnitude of the numbers of individuals newly eligible for services and the significant amount of local funding tied to services.

In light of the projected number of individuals newly eligible for CSB services, the Board of Supervisors (BOS) recognizes that the current funding model for non-mandated services was not viable. So, they directed the CSB to develop specific options for an equitable and sustainable service model and set aside reserves this year to support equity while the CSB developed a plan for the future.
If my loved one is already receiving non-mandated EDS or Residential services will they lose these services?

No. Individuals currently receiving non-mandated EDS or residential/respite services in Fiscal Year (FY) 2017 will continue to receive those services.

Will the BOS need to allocate some amount of money in FY 2019 and future years to accommodate new recipients of non-mandated services?

Yes. The CSB will exhaust reserves established by the BOS for EDS in the coming year. In order to support new people thereafter, new money is required. Historically, the annual increase to fund just Fairfax County Public School (FCPS) ID graduates has been in the $1.0 - $1.5 million range.

How do these changes impact residential services?

Residential services, including drop-in and respite, receive some local funding and are now open to the newly-eligible individuals with DD in need of these services. Although it is too early to determine whether demand will exceed budgeted resources in FY 2018, services will be allocated using the same priority access guidelines.

My loved one graduates this June. Will he and all special education DD grads (inclusive of graduates with Intellectual Disability) get EDS no matter their need or Medicaid Waiver status?

All special education graduates eligible for CSB services and leaving school in June of 2017, will receive EDS no matter their need or Medicaid Waiver status.

My loved one does not graduate FCPS until June 2018. Will she and all special education DD grads (inclusive of graduates with Intellectual Disability) get EDS no matter their need or Medicaid Waiver status?

Beginning with special education graduates eligible for CSB services leaving school in June of 2018 and all subsequent classes, their Medicaid Waiver status and their needs will affect priority access to EDS. Only those with Medicaid Waiver will be offered priority access to EDS, while those without Medicaid Waiver will be offered access based on need through a small amount of local funding allocated by the BOS each year.
My loved one just became eligible for CSB services and is not a recent graduate. Will a newly eligible person in the community with DD get EDS no matter their need or Medicaid Waiver status?

Persons requesting EDS who are CSB-eligible and are available to start services will receive EDS regardless of their need or Medicaid Waiver status while there are budget resources available in FY 2018 for serving new persons. Once funding reserves for EDS services have been committed, those individuals newly requesting EDS will be placed on a local wait list and subject to the new priority access guidelines.

No later than July 1, 2018 the CSB will implement priority access guidelines for new participants of EDS. Only those with Medicaid Waiver will be offered priority access to EDS, while those without MW will be offered access based on need through a small amount of local funding allocated by the BOS each year. As part of the FY 2017 Carryover Review, CSB will provide additional details on the effective date of the new priority access guidelines for new participants of EDS.

Unlike in the past, will some people have to wait to start EDS?

When local funding is exhausted, people without Medicaid Waiver will be wait-listed in order of need.

When will the local EDS wait list start?

The exact date on which the local wait list for non-Waiver individuals goes into effect depends on the rate of CSB intakes, number of individuals without MW who newly request EDS, and expenditure of the CSB’s designated reserves in coming months. For example, if a very large number of people without MW seek admission in the coming months, a local wait list could begin as early as winter 2018.

How likely is it that someone graduating in FY 2019 (Summer 2018) without a Medicaid Waiver will be wait-listed for EDS?

It is very likely. At the present moment, there is no certainty about any new EDS funding until the BOS adopts its FY 2019 Budget in April 2018. Most likely, a local wait list will have begun sometime earlier in FY 2018 due to the volume of people seeking EDS.
What criteria will be used to prioritize the local wait list for those who don’t have Waiver?

As available funding is exhausted, individuals will be waitlisted for services in order of family/individual need. We will employ the tools currently used across the State to determine priority 1, 2, or 3 on the Waiver wait list; i.e., the Critical Needs Summary and VIDES. Individuals waiting in Priority 1 status will be served prior to individuals in the other categories. In addition, the CSB Employment Services Panel is revising an employment risk assessment used in past years to refine the definition of exceptional hardships addressing health and safety.

What’s the difference between the Medicaid Waiver Waiting List (MWWL) and the local wait list that will begin for non-mandated services in Fairfax County?

The MWWL is determined and maintained by the state, and contains the names of more than 11,100 people state-wide who have qualified for a Medicaid Waiver, nearly 2,000 in Fairfax County. People are assessed by the CSB for eligibility for Medicaid Waiver and given a priority ranking of 1, 2, or 3. If no state funding is currently available, they are placed on the state MWWL. When state funding becomes available, people in Priority 1 receive the Medicaid Waiver first. Seventy-five Fairfax individuals received Waivers as a result of the state’s most recent distribution.

The local wait list will be determined and maintained by the CSB for accessing non-mandated EDS services in Fairfax County. The CSB will use the same objective criteria as the state when placing individuals on the local wait list, regardless of whether they have been ruled eligible for Medicaid Waiver. The local wait list will therefore be a mixture of those on the MWWL and those who are not eligible for Medicaid Waiver.

What will be the order of the priority groups on accessing county-funded non-mandated services?

1. Individuals who are Medicaid Waiver (MW) beneficiaries.
2. Individuals who demonstrate exceptional hardship whether or not they are on the state’s Medicaid Waiver Waiting List (MWWL).
3. Individuals who are on the MWWL and individuals who do not qualify for the MWWL, all prioritized using the same objective tools for Priority 1, 2, or 3.

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1 Priority 1 means Waiver services are anticipated to be needed within the year due to an immediate jeopardy to health and safety risk resulting from the primary caregiver’s inability to meet the care needs; or risk to individual, personal care giver, or other individual living in the home; or the individual is living in an institutional setting with a discharge plan; or the individual is young adult transitioning and is no longer eligible for IDEA services (e.g., in a foster care, residential setting, etc.). Priority 2 means Waiver services are anticipated to be needed within one to five years due to a future jeopardy to health and safety such as an unpaid primary caregiver’s declining health and ability to meet the individual’s needs; there is a lack of alternative caregivers; risk of losing housing. Priority 3 means Waiver services are probably not needed for more than five years as long as the current supports and services remain.
Special Education graduates with Intellectual Disability (ID) have always had access to fully-county-funded non-mandated EDS. Will they receive priority over newly eligible people with other Developmental Disabilities?

No. Priority cannot be diagnosis- or type of disability-based. All people with DD, inclusive of people with ID, have equal opportunity to receive, or be wait-listed for, non-mandated services according to the criteria outlined here.

Since Self-Directed (SD) Services does not serve individuals with Medicaid Waiver, under the new priority access will SD still be an option?

Yes, Self-Directed services will continue to be offered.

Who is required to receive mandated support coordination from either the CSB or one of the private DD Case Management agencies under contract to the CSB?

1. Medicaid Waiver beneficiaries
2. People on the state MWWL

Can someone who does not have MW and is not on the MWWL receive support coordination or case management?

Yes, but on a limited basis. CSB has provided this in the past in part to support people admitted to fully-county-funded non-mandated services like EDS or residential. The spend-down of the CSB’s reserves will determine the degree to which this can continue past FY 2018. Note there is no mechanism to pay the private DD Case Management agencies under contract to the CSB for such a service to individuals not on Medicaid.