



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR COMMUNITY BASED SERVICES
COA ACCREDITED AGENCY**

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Contract Correspondence Transmittal (CCT)

CCT Number: 17-06	Date of Issue: 8/1/2017
Issuance: Division of Protection and Permanency, Assistant Director – Michelle Anderson	
Key Words/Phrases: Waiver Services for OOHC Children <i>MMA</i>	
Attachments/Forms: Can a Child in Foster Care Receive Waiver Services? (Handout)	

This CCT is to clarify that any child in OOHC meeting qualifying criteria for a waiver is eligible regardless of their placement with a Private Child Placing or Private Child Caring agency. This includes the following types of waivers:

- Acquired Brain Injury Waiver Services
- Acquired Brain Injury Long Term Care Waiver
- Home and Community Based Waiver Services
- Michelle P. Waiver Services
- Model II Waiver Services
- Supports for Community Living Waiver Services

If a child is approved and receives waiver services, the Private Child Placing or Private Child Caring agency remains responsible for the provision of all therapeutic services to the child typically covered under the terms of the PCC Agreement.

While DCBS staff is required to sign any waiver application for a child in OOHC, collaboration between DCBS and the PCP or PCC is crucial to ensure the timely submission of the application and required accompanying documentation.

Please find the attached handout (Can a Child in Foster Care Receive Waiver Services?) which provides additional information and helpful links.

If you have any questions regarding this clarification, please contact Gayle Learned via email (gayle.learned@ky.gov) or by telephone at (502) 564-6852, ext. 3608.



Can a child in foster care receive Waiver Services?



The Department for Kentucky Medicaid Services (DMS) and the Department for Aging and Independent Living (DAIL) met in the latter half of 2016 to discuss concerns and issues surrounding Waiver Services for children placed in foster care. The question was NOT whether qualified children could access services while in OOHC but how delivery of the services must occur – Participant Directed Services (PDS) or Traditional Services.

This applies to all of the six types of waivers.

1. Acquired Brain Injury Waiver Services
2. Acquired Brain Injury Long Term Care Waiver
3. Home and Community Based Waiver Services
4. Michelle P. Waiver Services
5. Model II Waiver Services
6. Supports for Community Living Waiver Services

The concern was that receiving both PDS and Foster Care services was resulting in a duplication of services. In an effort to streamline this process and make it more effective for the members served, it was determined that **effective 11/1/2016** the following would apply:

- PDS members who are new to Foster Care will no longer be able to receive Participant Directed Services and must transfer to Traditional Services.
- However, any member already receiving Foster Care Services and Participant Directed Services on 11/1/2016 may continue to use PDS until the member ages out or is discharged from Foster Care.
- If a child receiving Participant Directed Services enters Foster Care after 11/1/2016, that member will be required to transfer to traditional services.

MH/DD Branch, Division of Community Alternatives, Department for Medicaid Services: 502-564-1647

<http://chfs.ky.gov/dail/default.htm> (Link to the CHFS Department for Aging and Independent Living – includes additional waiver information)

<http://chfs.ky.gov/NR/rdonlyres/FDC1BE1B-86C4-41D6-991D-1F46F8D31CCC/0/HCBWaiverTraditionalGuidebook2016.pdf> (Link to Traditional Waiver Services Guide)