



**Community Living Assistance and Support Services (CLASS) and Deaf Blind with Multiple Disabilities (DBMD) Quarterly Webinar**  
**Participant Q&A**  
**09/07/2023**

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## **Service Planning Team (SPT) Signatures**

Health and Human Services Commission (HHSC) will allow electronic signatures for in-person meetings per Title 40 Chapter 49 Texas Administrative Code (TAC) Rule [§49.305, Records](#). HHSC will accept faxed signatures as well per CLASS TAC Rule [§259.65\(c\)\(2\), Development of an Enrollment IPC](#).

Service Planning Team (SPT) meeting signatures are the documentation of agreement with an individual plan of care (IPC) or individual program plan (IPP). Signature dates must be prior to the IPC effective date. SPT meeting notes should include documentation of who attended the SPT and the date of the meeting.

## **CLASS/DBMD Handbook and Form Updates**

HHSC will be updating the CLASS and DBMD Handbooks in the coming months. HHSC will provide a GovDelivery when updates are published.

[Form 3625, CLASS/CFC - Documentation of Services Delivered](#), has been updated and is currently available online.

[CLASS Form 3621, CLASS/CFC — Individual Plan of Care](#), has been updated online and in the IDD Portal.

[DBMD Form 6517, Individual Program Plan \(IPP\) Service Review](#), was published on 8/31/23. DBMD Form 6501 Individualized Skills and Socialization section can be found on page 14 of the form.

[Form H1003, Appointment of an Authorized Representative](#), is used to appoint an authorized representative to allow another person to act for a person.

H4800 is an internal document for HHSC staff to complete and not for CMA's.

## **Individual Participation Mandatory Requirements**

Please review CLASS TAC Rule [§259.103](#) and DBMD TAC Rule [§260.113](#),

Mandatory Participation Requirements of an Individual, which outlines requirements for individuals to participate in and attend SPT meetings. This includes admitting case management agency (CMA) and direct service agency (DSA) representatives to the individual's residence for a scheduled meeting.

## **IPP Service Review Meetings**

CLASS IPP Service Reviews are conducted with the individual and legally authorized representative (LAR) in-person to review CLASS Program services. Meetings may occur at a location chosen by the individual/LAR but at least once per IPC year, the meeting must occur in the individual's home.

DBMD IPP Service Reviews are conducted with the individual and LAR (if applicable) in-person to review DBMD Program services. Meetings occur at a location as requested by the individual/LAR or in the individual's home. Please review the IPP Service Review Schedules in accordance with [CLASS Program Manual](#) and [DBMD Provider Manual](#).

Our policy team is working to update the CLASS Provider Manual to provide an accommodation for the 4th IPP Service Review to be held separately from the renewal SPT meeting. This will alleviate any conflict if the renewal SPT meeting is conducted by videoconference as allowed in rule. If the SPT meeting is held in-person, then it may be conducted simultaneously with the 4th IPP Service Review.

It is important to remember the purpose of meeting in the setting where services are delivered is to allow the case manager (CM) to verify that services listed on the IPC are delivered as described in the IPP. This function is best accomplished by the CM observing CLASS services in the setting in which they are provided. The CMA will report any concerns regarding service providers to the DSA or consumer directed service (CDS) employer (as applicable). This may include how services are being provided, lack of services being provided, and/or other observations. The CMA is usually the first point of contact and supports the individual/LAR with concerns and needs of the CLASS Program.

## **Individualized Skills and Socialization**

Individualized skills and socialization is an available service in the DBMD Program. For off-site individualized skills and socialization activities the program provider should work to identify similar interests amongst individuals so that activities could be planned to accommodate transportation availability. The program provider can also develop a plan to find out where the interest is for group activities and provide individuals a choice among a number of activities that would align with their individual goals. Program providers should consider

the individual's preference and the individual can provide input in planning and scheduling for the day. Accommodation from the program provider for an individual who chooses not to participate in a scheduled activity or request to engage in an alternative activity should be considered.

Individualized skills and socialization is not an available service in the CLASS Program.

### **In-Person SPT Meetings**

Per the guidance of [26 TAC §259.57](#), during all service planning activities, the SPT must follow the person-centered planning (PCP) process. If an individual or LAR requests that an SPT meeting be held in-person, it is the expectation that all SPT members attend the meeting in-person. Both the DSA and the CMA should make accommodations to ensure an in-person meeting is convened with all members of the SPT.

At any time, an individual or LAR may file a complaint with the [HHSC Office of the Ombudsman](#) to assist in a resolution if accommodations for in-person meetings are not provided.

Per CLASS TAC Rule [§259.79](#), the CMA may convene a service planning team meeting in-person or by videoconferencing for IPC revisions.

Per DBMD TAC Rule [§260.77](#), the CM may convene a service planning team meeting at a time and location convenient to the individual or LAR for an IPC revision.

### **Home and Community Based Services (HCBS) Rule Implementation**

HHSC has adopted rules in the CLASS ([26 TAC Chapter 259](#)) and DBMD Programs ([26 TAC Chapter 260](#)). The rules implement the federal HCBS settings requirements and moved the CLASS and DBMD Program rules from TAC Title 40, Social Services and Assistance to Title 26, Health and Human Services.

### **Person-Centered Planning Process**

The person-centered planning process reflects the services and supports that are important for the individual to meet the needs identified through an assessment of functional need, as well as what is important to the individual's preferences for the delivery of such services and supports. This process is driven by the individual within the requirements of the program.

The IPP describes the outcomes to be achieved through the service and the

actions and methods to be used to achieve the outcomes. Each program service describes individualized goals for the service. The goals are outcome-based, are measurable, and have a start date and projected completion date.

## **Rate Increases and Policy Changes**

Program rates are based on legislative direction and overseen by [HHSC Provider Finance Department](#). Questions related to CLASS and DBMD Program rates can be sent to [PFD-LTSS@hhs.texas.gov](mailto:PFD-LTSS@hhs.texas.gov).

During the 88<sup>th</sup> Legislative Session through Rider 29, the DBMD Program case management service rate increase was approved to be effective September 1, 2023. HHSC will be providing additional information related to the implementation of the new rate as it is available.

For rate information, please contact [Provider Finance Department](#).

HHSC has approved increased attendant payment rates per [Information Letter 2023-33](#) in the CLASS and DBMD Programs effective Sept. 1, 2023. In response to the rate increases, action is required only for authorized individual plans of care (IPCs) that include one or more of the service codes outlined in [Information Letter 2023-38](#).

For more information related to payment rates in the [CLASS Program](#) and the [DBMD Program](#), visit the Provider Finance Department site on the HHSC webpage.

HHSC PFD follows a biennial fee review schedule to systemically review Medicaid and other client services reimbursement rates. Prior to each Legislative Session, PFD publishes Rates Tables, which contain information regarding the cost to fully fund each rate according to the methodology established under the biennial fee review process. PFD plans to review the CLASS case management rate and rate methodology as part of biennial fee review. However, all rates are limited to available appropriations, regardless of methodological rates calculated by PFD.

## **Employment First**

HHSC is currently in the process of implementing the Employment First Uniform Assessment Tool for use in the CLASS and DBMD Programs. Employment First provides employment opportunities for individuals with disabilities who are enrolled in Medicaid waiver programs. Employment First intends to increase individuals access to employment support services and ensure their needs are tailored to their person-centered plan.

HHSC published [IL 2023-22, Employment First Uniform Assessment Tool](#) and will

be providing further guidance in Fall 2023.

The Employment First Discovery Tool is used to ensure that an individual who indicates a desire to work is afforded the opportunity by completing the assessment tool. The tool will guide the service planning team's discussion of an individual's employment goals.

### **MESAV/ Data Entry Errors**

For a MESAV corrections, CLASS TAC guidance states that once HHSC approves an IPC, a CMA and DSA must review MESAV to identify any inconsistencies. Whoever is authorized to bill for the services may request changes to be made.

After following the process to submit data entry error corrections to PCS, along with supporting documentation, and have not received a response after multiple attempts, contact PCS with attention to Marie Redman.

Per CLASS TAC RULE [§259.69](#) and [§259.79](#), if the information on the enrollment, renewal or revised IPC is inconsistent with the information in MESAV, notify HHSC of the inconsistency and initiate CLASS Program services and CFC services for the individual in accordance with the individual's enrollment, renewal, or revised IPC no later than seven calendar days after the CMA receives HHSC's notification.

PCS data enters what is provided on an authorized IPC and will not calculate differences made for increases.

### **CPR/ First Aid Training**

Per CLASS TAC Rule [§259.357](#), training in cardiopulmonary resuscitation (CPR) and choking prevention includes an in-person evaluation by a qualified instructor of the service provider's ability to perform these actions. Therefore, the training must include an in-person evaluation by a qualified instructor verifying the service provider's ability to perform these actions.

The requirement for First Aid was removed with the new HCBS rule update in February 2023. DBMD TAC 26 Part 1, Chapter 260 Subchapter D RULE [§260.205](#) Training states that program providers must ensure that the program director, case manager, intervener and service providers have current certification in choking prevention and CPR.

### **Electronic Visit Verification (EVV) Information**

For Alternative Device, program providers would be responsible for paying for any Alternative Device outside for the 7.5% when the member meets the certain

criteria. Criteria and policy explanation can be found here. [EVV Alternative Device Policy \(texas.gov\)](#).

For individuals that stay with their EVV provider, HHSC does not directly reimburse program providers and FMSAs for the use of an EVV proprietary system. However, program providers and FMSAs can report costs related to their EVV proprietary system through established Medicaid cost reporting processes. HHSC evaluates this data when setting future Medicaid rates. Not all Medicaid programs utilize cost reports. [Email the HHSC Provider Finance Department](#) or contact your MCO for more information about Medicaid cost reporting.

EVV requirements effective 01/01/24 for nursing services, OT and PT apply to RN services, EVV would be required for those services. Please see [Electronic Visit Verification \(EVV\) Programs, Services and Service Delivery Options Required to Use EVV](#) for more information and details.

Beginning October 1, EVV users will be expected to go live with HHAExchange and use HHAX for any EVV transactions. All EVV Visit Transactions should be completed in the HHAExchange system on October 1st.

## **Consumer Directed Services (CDS)**

Please visit the [Consumer Budget Workbooks \(Excel\)](#) that are posted online for the most recent updates.

## **Medicaid/ Eligibility**

If an individual temporarily loses Medicaid coverage, please contact 2-1-1 and inform your CMA.

CMA is required to notify the DSA (and FMSA if applicable) of fair hearings for Medicaid ineligibility.

Please reach out to [pesfairhearingnotifications@hhs.texas.gov](mailto:pesfairhearingnotifications@hhs.texas.gov) with any questions regarding the Fair Hearing process, appeal process, and forms.

## **Important Links**

Recordings and presentation copies of webinars can be found on the following HHSC Website location:

CLASS: [CLASS Provider Webinars | Texas Health and Human Services](#)

DBMD: [DBMD Provider Training, Webinars and Podcasts | Texas Health and Human Services](#).

Please see the [September 7 CLASS and DBMD Quarterly Webinar](#) for contact information.