



# **Fiscal Year 2023 DD Waivers Slots Allocation Report**

**(Item 311.R.1 of the 2022 Appropriation Act)**

**July 11, 2023**

*DBHDS Vision: A Life of Possibilities for All Virginians*

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# Item 311.R.1 DD Waiver Slots Allocation Report

## Preface

Item 320 R.1. of the 2022 *Appropriation Act* requires the Department of Behavioral Health and Developmental Services (DBHDS) to report on the allocation of Developmental Disability waivers annually. The language reads:

*S.1. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.*

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## **Introduction**

This report covers the period of July 1, 2022 to June 30, 2023 and shows the allocation and distribution of waivers by type, region, and Community Services Board (CSB).

## **Newly Funded DD Waiver Slot Allocations**

DBHDS allocates DD waiver slots to each of the CSBs according to the following rubric. When at least 40 new slots are funded by the General Assembly in either the Community Living or Family and Individual Supports waivers, one slot will be allocated by DBHDS to each CSB. Additional slots, up to the total number of available slots for a given waiver, will be allocated by DBHDS to each CSB for individuals living within that CSB's catchment area based upon the following factors and criteria:

1. The population within the specific CSB catchment area
2. The percentage of Medicaid eligible individuals in the catchment area
3. The percentage of individuals on the "Priority One" portion of the statewide DD waiver waiting list

If there are Building Independence waiver slots to be allocated, they are allocated by region.

There were no new DD waiver slots funded in FY23, so none were allocated.

## **Reassigned Slots**

When a person leaves their DD waiver slot due to death, relocation out of state, loss of eligibility or declining further waiver services, that slot becomes available for reassignment by the local Waiver Slot Assignment Committee to another person in that CSB's jurisdiction. When a person leaves their DD waiver slot due to death, relocation out of state, loss of eligibility or declining further waiver services, that slot becomes available for reassignment by the local Waiver Slot Assignment Committee to another person in that CSB's jurisdiction. A much larger total number of DD waiver slots "turned over" in FY23 than in FY22 (671 vs. 454). The number of reassigned slots was greater for each of the three waivers. This may be due to the fact that CSBs were aware that the end of the Public Health Emergency (PHE) was approaching (and then occurred on May 11<sup>th</sup>). During the PHE individuals could not lose eligibility for Medicaid services, including DD waiver services. However, during the early spring, when the May 11<sup>th</sup> projected date for the end of the PHE was known, DBHDS informed each CSB of inactive slots at that CSB and urged CSB staff to reach out to the individuals assigned to those slots to determine whether they still desired waiver services. If they indicated they did not intend to use services, the slots could be reassigned even before the end of the PHE. Therefore, slots that had been held by individuals not using services who did not intend to use them in the future, began to be reassigned to individuals on the waiting list.

Table Three breaks out the turnover by waiver.

<b>Table 3: Number of Existing Slots by Waiver Reassigned in FY22</b>	
<b>Waiver</b>	<b>Number of Slots Reassigned (Turn Over)</b> [May be multiple times per slot]
Building Independence	28
Family & Individual Supports	267
Community Living	159
<b>TOTAL</b>	<b>454</b>

## Emergency Slots

DBHDS maintains a pool of Community Living waiver slots that may be assigned to individuals deemed in an emergency status according to the following criteria:

1. Child protective services has substantiated abuse/neglect against the primary caregiver and has removed the individual from the home; or
2. Adult Protective Services has found that the individual needs and accepts protective services; or
3. Abuse/neglect has not been founded, but corroborating information from other sources (agencies) indicates that there is an inherent risk present and there are no other caregivers available to provide support services to the individual; or
4. Death of primary caregiver or lack of alternative caregiver coupled with the individual's inability to care for himself and endangerment to self or others without supports; or
5. An individual who transitioned from one of the DD Waivers to the Medicaid Works program chooses to resume DD Waiver services.

Requests for emergency slots are forwarded by the Community Services Board (CSB) to DBHDS to determine if the individual's situation meets the above criteria. Once the pool of emergency slots reaches a minimum of three slots, the next nonemergency waiver slot that becomes available at the CSB in receipt of an emergency slot shall be reallocated to the DBHDS emergency slot pool in order to ensure emergency slots remain to be assigned to future emergencies within the Commonwealth's fiscal year.

Table Four details the waivers and CSBs to which emergency slots were assigned each quarter. There were more emergency slots assigned this fiscal year than last (87 vs. 76) and for the first time there was a Building Independence waiver emergency slot assigned. The increase in requests for emergency slots may have been caused by the fact that there were no new FY23 DD waivers funded/available for allocation.

**Table 4: Emergency Slots Assigned in FY23 by CSB**

Q FY	CSB	Community Living Waiver	Family and Individual Support	Building Independence	Total
1Q FY23	ALEXANDRIA	1			1
1Q FY23	BLUE RIDGE CSB	4			4
1Q FY23	CHESTERFIELD CSB	4	1		5
1Q FY23	COLONIAL BEHAVIORAL HEALTH	1			1
1Q FY23	DISTRICT 19 MEN HLTH SER	1			1
1Q FY23	FAIRFAX-FALLS CHURCH CSB	3	1		4
1Q FY23	HIGHLANDS CMNTY SVCS BOARD	1			1
1Q FY23	LOUDOUN COUNTY CSB	1			1
1Q FY23	MIDDLE PENINSULA NORTHERN NECK CSB		1		1
1Q FY23	NORTHWESTERN COMMUNITY SVCS	1			1
1Q FY23	PRINCE WILLIAM COUNTY CSB	3	1	1	5
1Q FY23	RAPPAHANNOCK RAPIDAN CSB	1			1
1Q FY23	VALLEY CSB	1			1
2Q FY23	BLUE RIDGE CSB	1			1
2Q FY23	CUMBERLAND MTN		2		2
2Q FY23	DISTRICT 19 MEN HLTH SER	1			1
2Q FY23	FAIRFAX-FALLS CHURCH CSB	1	3		4
2Q FY23	HANOVER COUNTY COMMUNITY SERVICES	2	1		3
2Q FY23	LOUDOUN COUNTY CSB	1			1
2Q FY23	NORFOLK COMMUNITY SERVICES BOARD	1	1		2
2Q FY23	NORTHWESTERN COMMUNITY SVCS	2	1		3

2Q FY23	PRINCE WILLIAM COUNTY CSB		1		1
2Q FY23	REGION TEN CMMNTY SVCS BRD	2			2
3Q FY23	CHESAPEAKE		1		1
3Q FY23	FAIRFAX-FALLS CHURCH CSB	1			1
3Q FY23	HANOVER COUNTY COMMUNITY SERVICES		1		1
3Q FY23	HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1			1
3Q FY23	LOUDOUN COUNTY CSB	1			1
3Q FY23	NORTHWESTERN COMMUNITY SVCS	1			1
3Q FY23	PRINCE WILLIAM COUNTY CSB	1	1		2
3Q FY23	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD		1		1
3Q FY23	RAPPAHANNOCK RAPIDAN CSB	1			1
3Q FY23	REGION TEN CMMNTY SVCS BRD	1			1
3Q FY23	RICHMOND BHVRL HLTH AUTHORITY	2	1		3
3Q FY23	VALLEY CSB	1			1
4Q FY 23	ALEXANDRIA	1			1
4Q FY 23	CHESAPEAKE	1			1
4Q FY 23	CHESTERFIELD		1		1
4Q FY 23	DISTRICT 19 MEN HLTH SER	1			1
4Q FY 23	DPCSB	1			1
4Q FY 23	FAIRFAX-FALLS CHURCH CSB	5	1		6
4Q FY 23	HANOVER COUNTY COMMUNITY SERVICES	1	1		2
4Q FY 23	HIGHLANDS CMNTY SVCS BOARD		1		1
4Q FY 23	NORFOLK COMMUNITY SERVICES BOARD	2			2

4Q FY 23	NORTHWESTERN COMMUNITY SVCS	2			2
4Q FY 23	PRINCE WILLIAM COUNTY CSB	1			1
4Q FY 23	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD	3			3
4Q FY 23	VA BEACH	1	1		2
4Q FY 23	WTCSB	1			1
<b>Total</b>		<b>63</b>	<b>23</b>	<b>1</b>	<b>87</b>

## Reserve Slots

Reserve slots may be used for transitioning an individual who, due to documented changes in his support needs or a preference for supports found in a waiver with a less comprehensive array of supports, requires or requests a move from the DD waiver in which he is presently enrolled into another of the DD waivers to access necessary services.

If there are insufficient reserve slots in a given waiver to accommodate the needs of individuals whose needs qualify them to move from their current waiver, the names of those individuals meeting the criteria will be kept on a chronological list until such time as a slot in that waiver is available.

The DD waivers' regulations include a requirement that CSBs make vacated "turn-over" slots available to individuals from that CSB who are waiting for a reserve slot in that waiver. The slot of the individual moving into the awaited reserve slot is then assigned by the usual means (Waiver Slot Assignment Committee) to a person on the waiting list. This greatly facilitates movement between the waivers when needed, which is a significant boon to individuals and their families in response to changing needs. There is currently a pool of reserve CL and FIS slots held by DBHDS in the event that a CSB does not have an available slot to which the person may transition.

Table Five details the movement of unique individuals between waivers and Table Six details the CSB at which each transfer occurred. It should be noted that there were fewer transitions between waivers in FY23 than in FY22 in total (52 vs. 88) as well as across all categories. It appears that more individuals' needs were adequately being met in the type of waiver for which they held a slot.

<b>Table 5: Total Reserve Slot Transitions in FY22 by Waiver</b>	
Transition from Building Independence to Family and Individual Supports	6
Transition from Building Independence to Community Living	4
Transition from Family and Individual Supports to Community Living	42
<b>TOTAL</b>	<b>52</b>



<b>Table 6: Reserve Slots Assigned in FY23 by CSB by Waiver</b>			
<b>CSB</b>	<b>BI to FIS</b>	<b>BI to CL</b>	<b>FIS to CL</b>
ALEXANDRIA COMMUNITY SERV BD	0	0	0
ALLEGHANY HIGHLANDS CSB	0	0	0
ARLINGTON MENTAL HEALTH	0	0	1
BLUE RIDGE CSB	0	0	0
CHESAPEAKE INTERGRATED BEHAV HEALTHCARE	0	0	0
CHESTERFIELD CSB	0	1	1
CITY OF VA BEACH CSB MHMRSAS	0	0	2
COLONIAL BEHAVIORAL HEALTH	0	0	1
CROSSROADS CSB	0	0	0
CUMBERLAND MNTL HLTH CTR	0	0	1
DANVILLE- PITTSYLVANIA COM SERV	0	0	1
DICKENSON COUNTY BEHAVIORAL HEALTH SVCS	0	0	0
DISTRICT 19 MEN HLTH SER	0	0	1
Eastern Shore CSB	0	0	0
FAIRFAX-FALLS CHURCH CSB	1	0	8
GOOCHLAND POWHATAN MENTAL HLTH	0	0	0
HAMPTON-NN CSB	0	0	0
HANOVER COUNTY COMMUNITY SERVICES	1	0	2
HARRISONBURG- ROCKINGHAM CSB	0	1	0

HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1	0	4
HIGHLANDS CMNTY SVCS BOARD	0	0	0
HORIZON BEHAVIORAL HEALTH	0	0	2
LOUDOUN COUNTY CSB	0	0	1
MIDDLE PENINSULA NORTHERN NECK CSB	0	0	0
MOUNT ROGERS CSB	0	0	0
NEW RIVER VALLEY COMMUNITY SERVICES	0	0	0
NORFOLK COMMUNITY SERVICES BOARD	2	0	2
NORTHWESTERN COMMUNITY SVCS	0	0	2
PIEDMONT COMMUNITY SERVICES	0	0	1
PLANNING DISTRICT ONE CSB	0	0	0
PORTSMOUTH DEPT OF BEHAVIORAL	0	0	1
PRINCE WILLIAM COUNTY CSB	1	0	1
RAPPAHANNOCK AREA COMMUNITY SERVICES BRD	0	1	3
RAPPAHANNOCK RAPIDAN CSB	0	1	3
REGION TEN CMMNTY SVCS BRD	0	0	1
RICHMOND BHVRL HLTH AUTHORITY	0	0	1
ROCKBRIDGE AREA COMMUNITY SVS BOARD	0	0	0
SOUTHSIDE CSB	0	0	1
VALLEY CSB	0	0	1
WESTERN TIDEWATER COMMUNITY SERVICES BOA	0	0	0
<b>TOTALS</b>	6	4	42

## **Conclusion**

DBHDS continues to work with the CSBs and families of individuals in need of supports to ensure that there is access to those DD waiver services most appropriate for the needs of individuals and their families. This includes the allocation of newly funded slots when available, reassignment of vacated slots, and the assignment of emergency or reserve slots to handle a crisis or ensure that the changing needs of those who currently occupy a slot are met. DBHDS also continues to work to confirm that the waivers funded to serve Virginians with developmental disabilities are being used as effectively as possible.