

Community First

Please note some essential facts about Community First and Rolland Settlement Amendments. Budget debate takes place during the week of April 28 and you should begin to phone your house members to support amendments during that week. Email Alerts will be at The Arc action center too available from a link at arcmass.org

- Implementing the Community First 1115 waiver is a significant commitment to re-balancing the state's long term care system, it is the most significant component of Chapter 211, the Long-Term Care Choices Act of 2006. This is a first step to address the bias which exists in favor of funding institutional over home/community care.
- The Community First waiver allows 15,600 clients to receive transitional and home and community based services (HCBS).
 - For many of these individuals, this will make community choice possible for the first time in their lives.
 - 5,000 of the enrollees will also be eligible to receive MassHealth for the first time because of eligibility changes.
 - The waiver will subsume individuals currently participating in the 1915c HCBS waivers for frail elders and those with traumatic brain injury. They will now have access to a broader array of services than previously.
- All waiver enrollees will receive case management, including long term care options counseling. Waiver services include but are not limited to:
 - Transition services
 - Medication management
 - Home-delivered meals
 - Residential supports
 - Behavioral health services
 - Homemaker, laundry and grocery shopping services
 - Environmental adaptation
- Nearly 14,000 waiver enrollees will have an option to self-direct many of their waiver services with an individual budget and the supports to effectively use it.
- When we help clients live in the community and leave or avoid an institutional stay, we not only improve the quality of their lives by giving them independence and a choice of community living, we also decrease spending on institutional care.
- Waiver implementation will also support long term care access by freeing up discretionary funded community care for elders and people with disabilities who are not eligible for the waiver.
- Implementation of the Community First Waiver is expected to be delayed as much as three months from the 1/1/09 target due to the lengthy negotiation process with CMS resulting from recently changed federal rules.
- Adopting this waiver amendment will enable the Commonwealth to move quickly towards achieving the full enrollment necessary to ensure budget neutrality. This amendment will fund the Patrick Administration's Community First initiative.
- Implementing a Community First policy is a major priority of the Patrick Administration
 - The Community First 1115 waiver initiative enables the Commonwealth to effectively leverage expanded federal reimbursement to provide for expanded community-based services for elders and people with disabilities, allowing more individuals who choose, to live and thrive in the community.

Nursing Home Rate Increase Amendment

- The related amendment to zero out the nursing home rate increase addresses the difficult revenue situation that exists in the Commonwealth.
- The rate provided in the Ways/Means budget meant that "Community First" was reduced by \$30 Million. In the meantime, Rolland settlement was agreed to which requires a little over \$15 Million, the amount of the rate increase.
- We will make no headway at all in addressing the institutional bias in funding if we don't begin to fund Community First with significant investment
- Federal financial requirements for budget neutrality also require a significant investment otherwise we run the risk of losing federal matching dollars through Medicaid
- Nursing home providers do have a formal rate-setting process through Health Care Finance & Policy which has resulted in rate increases in the past and will continue in the future

Rolland Amendment

- This amendment would fund the signed settlement for the Rolland vs. Cellucci case at the full cost of \$17.5M.
- The Commonwealth settled Rolland vs. Cellucci in March.
- If not funded the state could be found in contempt of court.
- This settlement will provide enhanced community services to Rolland class members (individuals with mental retardation or other developmental disabilities who have been residing in nursing facilities) so that they can more appropriately live in community settings (if they choose), and will also provide enhanced services in nursing facilities to those Rolland class members who remain there.
- The lawsuit was originally filed in federal court in 1998.
- Rolland class members are adults age 18 or older with mental retardation and other developmental disabilities in Massachusetts who reside in nursing facilities, those who resided in nursing facilities on or after October 29, 1998, or who are or should be screened for admission to nursing facilities
- The settlement addresses unresolved issues from the original court order.
- Over a four year period the Commonwealth will place 640 individuals who are currently in nursing facilities into community-based homes and ensure that those in the nursing facility awaiting placement are able to receive specialized services as necessary.