

VAN BUREN COMMUNITY MENTAL HEALTH AUTHORITY POLICIES & PROCEDURES

Title: Provisional Provider Approval for Home and Community-Based Services (HCBS)
Originated: 12/08/23

Number: I.08.02
Approved By: Executive Team

DIRECTIVE:

This procedure shall serve as a guideline to define the provisional approval process that SWMBH's participant CMHSPs will utilize with their providers to ensure that the Network Provider complies with the HCBS final rule.

DEFINITIONS:

HCBS Provisional Approval: A process that allows a new provider, or an existing Network Provider with a new setting or service, to be contracted to provide services to HCBS participants for up to 90 days after completion of a site visit and the HCBS New Provider Survey is approved by the PIHP.

HCBS Provisional Approval for One: Completion of a site visit and an HCBS New Provider Survey have resulted in finding indicating qualities of an institution or isolating features. After additional consultation with MDHHS and the PIHP such restrictive features are found to be HCBS compliant for the one specific participant due to their individual health and safety needs. HCBS Provisional Approval for One will be reviewed every 90 days by MDHHS and the PIHP to determine if restrictions are still needed for the participant's safety.

PROCEDURES:

- A. Van Buren is responsible for ensuring that any new site, new network provider, or new program of relevant waiver services completes the appropriate Provisional Approval process prior to executing a contract with them. Applicable services include specialized residential providers who serve individuals on the habilitation supports waiver as well as other 1915(i) services (skill building, supported employment, and community living supports). See attachments for instructions on the appropriate Provisional Approval processes.
- B. Van Buren shall complete a site review prior to executing a contract to ensure that the new provider, program, or site does not have the qualities of an institution or have isolating factors. If such factors are found a Provisional Approval for One process must occur prior to contract.
- C. Van Buren is responsible for working with any new provider to ensure compliance with HCBS standards. This includes ongoing site reviews as outlined in SWMBH Operating

Policy 2.13 and remediating any HCBS non-compliant areas as determined by the completed survey.

- D. The PIHP is responsible for tracking all new sites, new network providers, and new programs.
- E. The PIHP is responsible for administering all HCBS comprehensive surveys within 90 days of appropriate provisional approvals and ongoing as required.
- F. The PIHP is responsible for monitoring to ensure full compliance for new network providers through the HCBS corrective action and remediation process.

REFERENCES:

- A. Medicaid Managed Specialty and Services Concurrent 1915(b)/(c) Waiver Program
FY19 Section 18.1.13

ATTACHMENTS:

- A. 2.19A HCBS Residential Provisional Approval Survey (dated 11.29.2021)
- B. 2.19B HCBS Non-Residential Provisional Approval Survey (dated 11.29.201)
- C. 2.19C Guide for Home and Community Based Provisional Approval Process
- D. 2.19D HCBS Provisional Approval Flowchart