

# Vermont Home- and Community-Based (HCBS) Conflict of Interest Plan

Preparing for Technical Assistance  
February 2022

# Why are we here?

- In October 2021, the Centers for Medicare and Medicaid Services (CMS) determined that Vermont's HCBS, or HCBS-like, programs do not comply with conflict of interest requirements.
- Vermont must ensure direct service provision is independent from:
  - evaluations of eligibility,
  - needs assessments, and
  - person-centered plan development
- Vermont's five HCBS programs are:
  1. Choices for Care Program
  2. Brain Injury Program
  3. Developmental Disabilities Services Program
  4. Community Rehabilitation and Treatment Program
  5. Intensive Home- and Community- Based Services Program

# What's the plan?

- Available here: [Conflict of Interest: Home- and Community-Based Services | Department of Vermont Health Access](#)
- **Step 1:** Initial stakeholder engagement (October – December 2021)
  - Updates provided at existing boards/committees.
  - Issue notice in the Global Commitment Register.
- **Step 2:** Submit HCBS conflict of interest plan to CMS (December 17, 2021)
- **Step 3:** Prepare for Technical Assistance Contractor
  - Develop and issue request for proposals (RFP) for technical assistance (TA) contractor to facilitate conflict of interest plan scope of work.

# What kind of technical assistance?

1. Assessment of current HCBS programs
2. Stakeholder Engagement
3. Recommendation of eligibility, assessment, and case management/person-centered planning solutions
4. Implementation planning and execution

# Draft Goals for Input

- A. Final implementation solution(s) will align with the Quadruple Aim of improving client experience, improving the health of populations, reducing costs of care, and improving health care provider experience.
- B. Program transitions related to conflict of interest compliance are conducted using a person-centered approach to ensure continuity and quality of care for individuals.
- C. Disruption and instability in the current systems of care are minimized by ensuring HCBS system sustainability for both providers and the State, including the need to take provider workforce capacity and the impacts of COVID-19 into account.

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# Draft Goals for Input<sub>(Continued)</sub>

- D. Final implementation solution(s) comply with federal HCBS COI requirements which ensure the independence of entities performing evaluations of eligibility, needs assessments, and person-centered plan development.
- E. Final implementation solution(s) are aligned across the five specialized programs to the extent possible to reduce administrative burden on individuals, providers, and the State.
- F. The stakeholder engagement process is robust, comprehensive, and inclusive.
- G. Final implementation solution(s) will consider and align with other case management and care coordination programs offered to Vermont Medicaid members, to the extent possible, to promote care integration across the care continuum and prevent duplication.

# Stakeholder Engagement

**Goal:** The stakeholder engagement process is robust, comprehensive, and inclusive.

- Stakeholder engagement will be ongoing through planning development, and implementation.
- **Stakeholder engagement campaign: Begins January 1, 2023**
  1. Communication that the state is starting a process to assess HCBS programs which could eventually result in program changes.
    - Who should receive this communication and how? General notice? Letters? To whom?
  2. Advisory stakeholder group to offer targeted feedback on HCBS programs and options for change.
    - What should the makeup of the stakeholder group be?
    - How often should the stakeholder group meet?

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# Stakeholder Engagement (Continued)

## - Stakeholder engagement campaign:

3. Regional stakeholder meetings throughout Vermont to provide information and collect feedback.

- How should regional meetings be structured? For instance, who should be invited? What should the topics be? Separated by program?

4. Alternative modes of informing/engaging with stakeholders:

- Webinars, Letters, Surveys, Brochures, Interviews, Focus Groups, Other?

- **Formal public comment:** Stakeholders will have the opportunity to provide formal public comment before any significant changes are made to eligibility processes or reimbursement for services.