

## **Brief Description of the COR Waiver**

Wisconsin's new proposed Medicaid 1915(c) Home and Community Based Waiver program called Community Opportunities and Recovery (COR) is designed to relocate residents of nursing homes who have mental health disabilities and co-occurring physical disabilities. At present there are approximately 550 individuals residing in nursing homes that have been identified as needing specialized psychiatric rehabilitation services for their mental illness. These individuals are adults who meet the nursing facility level of care. Many of them exhibit difficult behavioral challenges that may also place themselves at risk.

The new COR waiver includes a mix of case management and recovery focused services appropriate to support this target population. The availability of participant direction of services with employer authority is included in four distinct services. A comprehensive assessment of an individual's needs will determine the mix of waiver services to be provided. An individualized plan of care will be developed that includes both the mental health and physical health community-based services considered necessary to meet the unique needs including periods of intense supervision and support to remain safely in the community. The COR waiver is designed to provide the array of services not now available under the state Medicaid plan or under mental health plan benefits such as basic activities of daily living and in-home and residential supports.

Given the current lack of community resources and funding designed to meet this target group's specific needs, there has been a fiscal incentive to continue to serve these individuals in a nursing home. Many of these individuals would prefer to reside in a community setting that provides a service mix structured to support the special needs of behavioral, physical, medical, and mental health specific to the person. The new COR Waiver will help overcome financial disincentives. In general many of these individuals can be served in the community at the same or lower cost. COR will offer them a choice to live in the community.

Eligibility for COR will be based on initial and continuing nursing home eligibility, a diagnosis of serious mental illness, a co-occurring physical health condition, the interest and the ability of the individual to relocate into a community setting. The COR waiver will use the existing financial and functional eligibility processes in place for the Community Options Program –Waiver (COP-W) participants. COR will not include those individuals otherwise eligible, but seeking diversion from nursing home placement.

Through its Quality Management Strategy and Chart the state will demonstrate that COR meets established CMS assurances, is cost-effective and that there are safeguards to protect the health and welfare of individuals served through the program. Over the first three years, COR proposes to serve the totals of 50 individuals the first year, 150 individuals in the second year and 250 individuals the third year.

The COR waiver will be operated by the Wisconsin Department of Health and Family Services, Division of Disability and Elder Services, Bureau of Mental Health and

Substance Abuse Services, a separate division and bureau within the Single State Medicaid agency. The agency exercises administrative discretion in the administration and supervision of the COR waiver and issues COR policies, rules and regulations related to the waiver. County Waiver Agencies will serve as the local non-state entities.

Attachment A.2.1 on page 49 of the Revised COR Waiver Application is a table taken from the HCBS 3.3 Draft Waiver Application. It specifies the entity or entities that have responsibility for conducting each of the COR waiver operational and administrative functions. Given the size of the COR waiver and that it is a new HCBS waiver program, the SMA will perform the majority of functions. In the other functions, the SMA will dually work with the counties. The SMA will retain oversight of these functions. The county role in these functions will not allow them to exercise administrative discretion in the administration or supervision of the plan without prior approval of COR staff in the SMA. Nor will the counties role allow them to issue different policies, rules, and regulations on COR program matters. The SMA will establish and approve all of the policies affecting any of the COR waiver operational and administrative functions. The County Waiver Agencies will either provide and/or contract with service providers to meet the assessed needs of COR waiver participants.

The COR waiver will provide options to individuals to receive community-based supports tailored to address co-occurring disabilities and better meet the Americans with Disabilities Act Title II as applied in the Supreme Court *Olmstead* decision, which requires states to provide mental health service in the most integrated setting consistent with the person's needs. The COR Waiver Program will focus will be on choice, recovery, consumer direction, strong components of peer and advocate supports with the goal to move people towards an independent self-reliant life in a community setting.