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DEPARTMENT OF HUMAN SERVICES

Legislative Report

Disability Waiver Financial Management and Waiting Lists

December 2019

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I. Executive summary

This report details financial management of the state's disability waiver programs and their corresponding waiting lists. 2015 statutory changes and reforms outlined in Minnesota's Olmstead Plan have resulted in:

- Changes to the administration of disability waiver finances
- Progress toward eliminating waiting lists.

The Department of Human Services (DHS), as well as county and tribal agencies ("lead agencies"), oversee financial management of the following disability waivers:

- Brain Injury (BI) Waiver
- Community Alternative Care (CAC) Waiver
- Community Access for Disability Inclusion (CADI) Waiver
- Developmental Disabilities (DD) Waiver

Each lead agency has two distinct budgets, the CCB budget, which funds the CADI, CAC and BI waivers, and the DD budget, which funds the DD Waiver.

A. Risk levels for lead agencies

When compared to historical practice, lead agencies now operate with less risk when they manage disability waiver funding. Risk was further diminished for lead agencies with the adoption of:

- Budget-use statute (Minn. Stat. §256B.0916, subd. 12 and Minn. Stat. §256B.49, subd. 27)
- Statute reducing risk of excess budget use (Minn. Stat. §256B.0916, subd. 11 and Minn. Stat. §256B.49, subd. 26)
- The Olmstead Plan goal to eliminate the CADI waiting list and reform the DD waiting list.

These changes have enabled many lead agencies to use a greater proportion of their waiver budgets. Compared to their respective previous budget year, 38% of lead agencies used more of their CCB budget in fiscal year 2019 while 64% of lead agencies used more of their DD budget in calendar year 2018.

DHS uses its statutory authority to maximize statewide waiver funding when lead agency budgets lack the funding to meet the needs of waiver recipients. During fiscal year 2019, DHS transferred CCB waiver funding between lead agencies 15 times, and 25 times for DD waiver funding during calendar year 2018. These transfers supported more enrollment for people on waiting lists and service cost increases for recipients with increased service needs.

B. Waiting lists

DHS developed new policies for management of disability waiver waiting lists since the Olmstead Plan established waiting list goals in May 2014, which has resulted in significantly fewer people waiting for waiver services. Statutory changes have led to an increase in new waiver recipient enrollment. The increase was further encouraged through increased funding authorization from the 2015 Legislature. As a result, waiting lists have been eliminated for the CADI and DD waivers. The BI and CAC waivers also do not maintain waiting lists. Using the Olmstead Plan goals and DHS technical assistance, lead agencies ensure timely access to DD waiver funding for people according to reasonable pace standards.

DHS expects lead agencies to approve waiver funding for people on a waiting list in a timely manner. DHS tracks these actions with quarterly reports to the Olmstead Subcabinet. Additional reports are included on the DHS waiver program waitlist page.

II. Legislation

Minnesota Statutes, section 256B.0916, subdivision 8 requires the Department of Human Services to submit a report on the following information:

Subd. 8. Financial and wait-list data reporting. (a) The commissioner shall make available financial and waiting list information on the department's website.

(b) The financial information must include:

(1) the most recent end of session forecast available for the disability home and community-based waiver programs authorized under sections 256B.092 and 256B.49; and

(2) the most current financial information, updated at least monthly for the disability home and community-based waiver program authorized under section 256B.092 and three disability home and community-based waiver programs authorized under section 256B.49 for each county and tribal agency, including:

(i) the amount of resources allocated;

(ii) the amount of resources authorized for participants; and

(iii) the amount of allocated resources not authorized and the amount not used as provided in subdivision 12, and section 256B.49, subdivision 27.

(c) The waiting list information must be provided quarterly beginning August 1, 2016, and must include at least:

(1) the number of persons screened and waiting for services listed by urgency category, the number of months on the wait list, age group, and the type of services requested by those waiting;

(2) the number of persons beginning waiver services who were on the waiting list, and the number of persons beginning waiver services who were not on the waiting list;

(3) the number of persons who left the waiting list but did not begin waiver services; and

(4) the number of persons on the waiting list with approved funding but without a waiver service agreement and the number of days from funding approval until a service agreement is effective for each person.

(d) By December 1 of each year, the commissioner shall compile a report posted on the department's Web site that includes:

(1) the financial information listed in paragraph (b) for the most recently completed allocation period;

(2) for the previous four quarters, the waiting list information listed in paragraph (c);

(3) for a 12-month period ending October 31, a list of county and tribal agencies required to submit a corrective action plan under subdivisions 11 and 12, and section 256B.49, subdivisions 26 and 27;

(4) for a 12-month period ending October 31, a list of the county and tribal agencies from which resources were moved as authorized in section 256B.092, subdivision 12, and section 256B.49, subdivision 11a, the amount of resources taken from each agency, the counties that were given increased resources as a result, and the amounts provided.

The report also fulfills the reporting requirement in Minnesota's Olmstead Plan: Workplan, approved by the Subcabinet on Oct. 29, 2018, activity 1H:

Table 1: Reporting requirements

1	Key activity	Expected outcome	Deadline	Agency/ partners
H	**Report to the Subcabinet** a summary of the annual legislative report. Provide an update on the following: • An estimate on funding needed to eliminate the waiting list; and • The number of people on other waivers who are eligible for Developmental Disabilities (DD) waivers. Summary information on: • The needs of people waiting; • Options to meet their needs; • Evaluation of existing programs to determine if there are effective program changes; • Analysis of alternate options; and • Recommendations to meet the needs of people with disabilities to receive needed services in the most integrated settings.	Individuals will move from the waiting lists at a reasonable pace.	Provide annual update to Subcabinet by Feb. 28, 2019, and annually thereafter.	DHS

III. Introduction

This report details financial management of the state's disability waiver programs and their corresponding waiting lists. Recent statutory changes and reforms outlined in Minnesota's Olmstead Plan have resulted in:

- Changes to the administration of disability waiver finances
- The progress toward authorizing waiver services for people on waiting lists.

DHS and lead agencies oversee financial management of the following disability waivers:

- Brain Injury (BI) Waiver for people with a traumatic, acquired or degenerative brain injury who require the level of care provided in a nursing facility or the level of care provided in a neurobehavioral hospital
- Community Alternative Care (CAC) Waiver for people with chronic illness that requires the level of care provided in a hospital
- Community Access for Disability Inclusion (CADI) Waiver for people with disabilities who require the level of care provided in a nursing facility
- Developmental Disabilities (DD) Waiver for people with developmental disabilities or a related condition who require the level of care provided in an Intermediate Care Facility for Persons with Developmental Disabilities (ICF/DD)

Because of financial management changes made to the disability waiver programs:

- The state and lead agencies have eliminated disability waiver waiting lists and are now managing Reasonable Pace Standards for the DD waiver.
- More people have access to home and community-based waiver services.

A. Waiver financial management

Minnesota administers its disability waiver programs through lead agencies. Lead agencies enroll new recipients and authorize existing recipient costs within budgets determined by methodologies described in Minnesota's federally approved waiver plans.

Each lead agency manages two distinct budgets, the CCB budget and the DD budget. The CCB budget includes lead agency service authorizations for the following programs in one budget:

- Brain Injury (BI) Waiver
- Community Access for Disability Inclusion (CADI) Waiver
- Community Alternative Care (CAC) Waiver

Expenditures for the Developmental Disabilities (DD) Waiver programs are managed in a separate budget.

Historically, lead agencies repaid the state, using local funding sources, for authorizations and spending in excess of their waiver budgets. This high-risk scenario encouraged conservative budget management among lead agencies and led to large budget reserves.

Recent legislation provided DHS with a greater ability to work with lead agencies to maximize waiver funding. New tools allow for agencies to function as real-time budget managers and mitigate the risk of excess spending. The results of these changes are seen in sections below.

B. Waiver waiting list overview

When a lead agency's budget does not have the capacity to enroll new recipients, it sometimes creates a waiting list for new enrollees. This capacity for enrollees may be limited by:

- The number of people the federal government approved to be served by state waiver plans
- The amount of funding the Legislature approves for the state's share of program costs.

Lead agencies create waiting lists when people who are eligible and have a need for waiver services do not have immediate access. It is, however, extremely rare for that person to receive no services at all. Other non-waiver services, such as personal care assistance and case management, for people with disabilities are available while a person waits for access to waiver services.

In recent history, only CADI and DD waivers have had a waitlist. No waitlist has been maintained for CAC or BI waivers.

C. CADI Waiver waiting list

The Minnesota Legislature approved sufficient funding to eliminate the CADI Waiver waiting list during the 2015-2016 biennium. Because of DHS and lead agency enrollment efforts, this goal was successfully achieved Oct. 1, 2016. DHS continues to work with lead agencies to provide access to the CADI Waiver for people who are eligible and need CADI Waiver services.

D. DD Waiver waiting list reform

DHS began to reform the management of the DD Waiver waiting list Dec. 1, 2015. Minnesota's Olmstead Plan and existing Minnesota statutory waiver priorities informed these efforts. The changes made to the DD waiting list include two related components:

- Waiting list categories
- Reasonable pace standards.

Waiting list categories

The Olmstead Plan establishes four categories to organize the DD Waiver waiting list. These categories reflect priorities in Minn. Stat. §256B.092, subd. 12. The lead agency assigns a category based on a person's urgency of need. A person's urgency of need is based on information gathered during that person's MnCHOICES assessment for long-term services and supports, which is documented on a department-provided form (PDF). The lead agency makes a final determination by consulting with the assessed person to determine their level of need and provides notification of their assigned urgency category.

The four urgency categories are:

- **Institutional exit:** People in this category live in an institutional setting, have indicated they would like to leave that setting and prefer to receive home and community-based services.
- **Immediate need:** People in this category meet prioritization criteria established in Minn. Stat. §256B.092, subd. 12. The applicable criteria include people who:
    - Have an unstable living situation due to the age, incapacity or sudden loss of the primary caregivers
    - Experience a sudden closure of their current residence
    - Require protection from confirmed abuse, neglect or exploitation
    - Experience a sudden change in need that no longer can be met through state plan services or other funding resources alone
- **Defined need:** People in this category have an assessed need for waiver services within one year of the date of assessment
- **Future need:** People in this category do not have a current need for waiver services or do not wish to use waiver services within the next year

The DD Waiver waiting list includes people in the institutional exit, immediate need and defined need categories. DHS does not consider people in the future need category to be on a waiting list, as they do not have a current need for, or desire to use, waiver services.

If a person's need for waiver services changes following an assessment, he or she has the right to request a new assessment at any time. This may allow for the lead agency to update his/her urgency category to reflect the change in need.

Reasonable pace standards

DHS defines "reasonable pace standards" as the number of days a person may reasonably expect to wait between the date of his or her assessment and the date when the lead agency approves waiver funding. Then, planning for services may begin. DHS and lead agencies track reasonable pace standards and waiting-list status using a shared web-based tool. If a lead agency exceeds the reasonable pace standard, DHS will contact the lead agency to address the situation.

A person's waiting list category determines the reasonable pace standard. The reasonable pace standards for the four categories are:

- **Institutional exit:** 45 days from the date of assessment to the date the lead agency approves waiver funding
- **Immediate need:** 45 days from the date of assessment to the date the lead agency approves waiver funding
- **Defined need:** 45 days from the date of assessment to the date the lead agency approves waiver funding, as funding is available
- **Future need:** No standard, as this category is not included on the waiting list.

Data about DD Waiver waiting list categories and reasonable pace goals is found in Section VII of this report.

IV. Lead agency waiver financial management

Each lead agency manages all disability waiver costs from two distinct budgets: CCB service authorizations budget and DD service expenditures.

A. CCB Budgets

During fiscal year 2019 (July 1-June 30), the most recently completed fiscal year, lead agencies on average authorized 94% of their CCB budget. Overall, 38% of lead agencies used a greater proportion of their CCB budgets in fiscal year 2019 than fiscal year 2018. The following table provides a summary of lead agency CCB waiver budgets for fiscal year 2019 as of Oct. 8, 2019.

Table 2: FY 2019 CCB budget use

Lead agency	Allowable budget	Amount authorized	Reserve amount	Reserve percent
Aitkin	$3,968,992	$3,509,060	$459,932	12%
Anoka	$113,194,754	$111,264,490	$1,930,264	2%
Becker	$11,246,477	$11,181,758	$64,719	1%
Beltrami	$15,177,682	$14,398,131	$779,551	5%
Benton	$9,908,606	$9,707,805	$200,801	2%
Blue Earth	$24,959,024	$23,386,656	$1,572,368	6%
Brown	$10,799,959	$9,488,295	$1,311,664	12%
Carlton	$14,942,515	$13,835,913	$1,106,602	7%
Carver	$25,398,329	$22,676,792	$2,721,537	11%
Cass	$10,149,426	$9,776,823	$372,603	4%
Chisago	$21,606,216	$19,723,180	$1,883,036	9%
Clay	$36,159,760	$31,962,910	$4,196,850	12%
Clearwater	$1,961,967	$1,873,435	$88,532	5%
Cook	$710,737	$537,268	$173,469	24%
Crow Wing	$18,118,576	$15,441,535	$2,677,041	15%
Dakota	$143,646,369	$140,813,681	$2,832,688	2%
Douglas	$10,616,148	$8,539,211	$2,076,937	20%
Fillmore	$6,814,403	$5,637,916	$1,176,487	17%

Lead agency	Allowable budget	Amount authorized	Reserve amount	Reserve percent
Freeborn	$8,496,233	$6,294,416	$2,201,817	26%
Goodhue	$12,860,818	$12,693,249	$167,569	1%
Hennepin	$416,967,893	$415,073,582	$1,894,311	0%
Houston	$3,576,684	$2,632,272	$944,412	26%
Hubbard	$5,032,630	$4,959,453	$73,177	1%
Isanti	$12,011,124	$12,082,386	($71,262)	-1%
Itasca	$23,542,253	$20,357,336	$3,184,917	14%
Kanabec	$7,088,409	$5,604,050	$1,484,359	21%
Kandiyohi	$20,344,601	$19,289,876	$1,054,725	5%
Koochiching	$3,518,884	$3,294,185	$224,699	6%
Lake	$4,322,067	$3,561,973	$760,094	18%
Lake of the Woods	$1,543,258	$1,490,108	$53,150	3%
Le Sueur	$8,054,197	$8,076,166	($21,969)	0%
Mille Lacs	$14,280,975	$12,383,675	$1,897,300	13%
Morrison	$9,072,238	$8,621,994	$450,244	5%
Mower	$14,658,563	$12,857,444	$1,801,119	12%
Nicollet	$11,260,521	$9,199,859	$2,060,662	18%
Nobles	$5,477,218	$4,517,217	$960,001	18%
Olmsted	$42,588,639	$41,987,661	$600,978	1%
Otter Tail	$22,413,624	$20,004,117	$2,409,507	12%
Pine	$7,475,483	$6,846,039	$629,444	8%
Ramsey	$220,401,908	$218,087,499	$2,314,409	1%
Rice	$20,139,766	$18,165,653	$1,974,113	10%
St. Louis	$74,979,160	$67,532,849	$7,446,311	10%
Scott	$30,702,894	$28,637,973	$2,064,921	7%
Sherburne	$28,306,943	$27,762,846	$544,097	2%
Sibley	$5,022,197	$4,409,270	$612,927	12%
Stearns	$50,309,792	$45,554,232	$4,755,560	9%

Lead agency	Allowable budget	Amount authorized	Reserve amount	Reserve percent
Todd	$10,145,263	$8,506,412	$1,638,851	16%
Wabasha	$4,767,894	$4,510,298	$257,596	5%
Wadena	$9,746,525	$9,583,663	$162,862	2%
Washington	$41,923,311	$39,252,153	$2,671,158	6%
Watonwan	$3,139,561	$3,069,202	$70,359	2%
Wilkin	$3,171,629	$2,366,440	$805,189	25%
Winona	$25,333,592	$22,269,711	$3,063,881	12%
Wright	$43,408,733	$38,344,801	$5,063,932	12%
Leech Lake Trice	$848,593	$810,925	$37,668	4%
White Earth Tribe	$6,520,780	$6,564,074	($43,294)	-1%
DVHHS Alliance	$6,887,400	$7,153,954	($266,554)	-4%
FMCHS Alliance	$15,925,744	$11,956,083	$3,969,661	25%
McLeod, Meeker, Renville Alliance	$25,643,393	$23,065,109	$2,578,284	10%
MnPrairie Alliance	$21,998,391	$21,363,820	$634,571	3%
Northwest 8 Alliance	$29,630,317	$23,714,575	$5,915,742	20%
Region 6 West Alliance	$17,254,460	$15,371,166	$1,883,294	11%
SWMHHS Alliance	$33,244,661	$27,450,052	$5,794,609	17%
Statewide	**$1,863,419,159**	**$1,761,084,677**	**$102,334,482**	**5%**

Note for all references

- The Des Moines Valley Health and Human Services (DVHHS) Alliance includes Cottonwood and Jackson counties.
- The Faribault/Martin County Human Services (FMCHS) Alliance includes Faribault and Martin counties.
- The New Horizon Alliance includes Douglas, Grant, Pope, Stevens and Traverse counties.
- The MnPrairie Alliance includes Dodge, Steele and Waseca counties.
- The Northwest 8 Alliance includes Kittson, Mahnomen, Marshall, Norman, Pennington, Red Lake and Roseau counties.
- The Region 6 West Alliance includes Big Stone, Chippewa, Lac Qui Parle, Swift and Yellow Medicine counties.
- The Southwest Minnesota Health and Human Services (SWMHHS) Alliance includes Lincoln, Lyon, Murray, Pipestone, Redwood and Rock counties
- The Region 4 South Alliance (in the Table 3 below) includes Grant, Pope, Stevens and Traverse counties.

B. DD Budgets

Compared with 2017, lead agencies, on average, spent 2% more of their DD budgets in 2018, the most recently completed budget year. Overall, 64% of lead agencies used a greater proportion of their DD budgets in 2018 than in 2017. The following table provides a summary of lead agency DD Waiver budgets for calendar year 2018 as of Oct. 4, 2019.

Table 3: CY 2018 DD budget use

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Aitkin	$5,202,798	$3,954,464	$1,248,334	24%
Anoka	$99,382,834	$96,878,405	$2,504,429	3%
Becker	$7,156,978	$6,554,024	$602,954	8%
Beltrami	$11,536,458	$12,095,125	($558,667)	-5%
Benton	$11,525,214	$9,703,953	$1,821,261	16%
Blue Earth	$16,113,825	$15,629,975	$483,850	3%
Brown	$10,037,727	$8,238,914	$1,798,813	18%
Carlton	$14,638,441	$14,107,402	$531,039	4%
Carver	$19,251,123	$18,560,415	$690,708	4%
Cass	$9,314,695	$9,014,546	$300,149	3%
Chisago	$15,180,176	$15,388,505	($208,329)	-1%
Clay	$18,268,087	$19,761,898	($1,493,811)	-8%
Clearwater	$858,186	$912,072	($53,886)	-6%
Cook	$1,386,807	$1,151,669	$235,138	17%
Crow Wing	$12,339,192	$12,454,099	($114,907)	-1%
Dakota	$108,022,556	$106,747,812	$1,274,744	1%
Douglas	$7,426,181	$8,115,409	($689,228)	-9%
Fillmore	$8,288,996	$7,880,106	$408,890	5%
Freeborn	$11,138,201	$9,787,254	$1,350,947	12%
Goodhue	$16,723,059	$15,338,506	$1,384,553	8%
Hennepin	$331,315,905	$320,519,485	$10,796,420	3%
Houston	$7,693,220	$7,504,297	$188,923	2%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Hubbard	$4,476,632	$4,026,399	$450,233	10%
Isanti	$9,230,054	$9,430,466	($200,412)	-2%
Itasca	$17,892,738	$19,000,016	($1,107,278)	-6%
Kanabec	$4,509,808	$5,265,874	($756,066)	-17%
Kandiyohi	$10,570,167	$9,299,049	$1,271,118	12%
Koochiching	$5,127,149	$4,517,591	$609,558	12%
Lake	$5,756,027	$4,780,843	$975,184	17%
Lake of the Woods	$1,181,839	$1,358,575	($176,736)	-15%
Le Sueur	$10,088,323	$9,473,748	$614,575	6%
Mille Lacs	$7,067,119	$6,836,985	$230,134	3%
Morrison	$11,620,964	$11,663,185	($42,221)	0%
Mower	$19,804,008	$19,321,371	$482,637	2%
Nicollet	$6,043,792	$5,728,245	$315,547	5%
Nobles	$5,046,345	$4,124,074	$922,271	18%
Olmsted	$42,593,288	$38,639,603	$3,953,685	9%
Otter Tail	$13,468,883	$12,194,876	$1,274,007	9%
Pine	$6,692,360	$6,845,514	($153,154)	-2%
Ramsey	$154,341,993	$146,369,158	$7,972,835	5%
Rice	$26,277,319	$25,216,284	$1,061,035	4%
St. Louis	$72,716,603	$70,424,101	$2,292,502	3%
Scott	$32,499,242	$31,256,824	$1,242,418	4%
Sherburne	$19,688,708	$17,690,616	$1,998,092	10%
Sibley	$5,110,232	$4,327,163	$783,069	15%
Stearns	$32,808,105	$31,607,178	$1,200,927	4%
Todd	$7,851,056	$7,562,957	$288,099	4%
Wabasha	$7,960,844	$7,640,079	$320,765	4%
Wadena	$4,079,228	$3,630,908	$448,320	11%
Washington	$63,272,841	$58,466,954	$4,805,887	8%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Watonwan	$3,862,917	$3,817,028	$45,889	1%
Wilkin	$3,652,843	$3,218,435	$434,408	12%
Winona	$16,046,391	$15,696,053	$350,338	2%
Wright	$26,114,519	$25,285,629	$828,890	3%
Leech Lake Tribe	$160,589	$83,828	$76,761	48%
White Earth Tribe	$657,365	$440,932	$216,433	33%
DVHHS Alliance	$9,125,778	$8,827,051	$298,727	3%
FMCHS Alliance	$15,220,067	$14,283,894	$936,173	6%
McLeod, Meeker, Renville Alliance	$25,295,474	$23,971,548	$1,323,926	5%
MnPrairie Alliance	$20,528,734	$19,285,350	$1,243,384	6%
Northwest 8 Alliance	$34,331,327	$32,999,328	$1,331,999	4%
Region 4 South Alliance	$10,135,340	$9,720,699	$414,641	4%
Region 6 West Alliance	$20,737,813	$19,315,868	$1,421,945	7%
SWMHHS Alliance	$27,005,793	$26,750,991	$254,802	1%
Statewide	**$1,563,451,276**	**$1,500,693,605**	**$62,757,671**	**4%**

V. Corrective action plans

Historically, statute allowed DHS to reclaim funds from lead agencies when agencies used more funding than was available in their budget. This practice was called "recoupment." Legislation passed during the 2013 and 2015 legislative sessions aimed to decrease the risk of recoupment to lead agencies that exceeded waiver budgets by allowing the development of corrective action plans with DHS. These corrective action plans would give lead agencies two years to rectify the overspending in lieu of recoupment. The same legislation clarified that recoupment would only be required in cases when the state exceeded funding designation for the waivers.

The 2015 legislation also allowed DHS to require corrective action plans if lead agencies did not use a sufficient amount of their waiver budgets. Under this new provision, a lead agency must use 97% of its budget if it also has a waiver waiting list. If a lead agency does not meet the spending threshold but sufficient budget capacity is not available to reduce its waiting list, DHS may waive the need for a corrective action plan.

A. CCB waivers corrective action plans

DHS did not issue any corrective action plans in fiscal year 2019 for lead agencies that over-authorized their CCB waiver budgets. As shown in Table 2, three lead agencies authorized amounts that exceeded their allowable budget. While a lead agency falling short does mean that statutory requirements were not met, DHS also made funding transfers, seen in Table 4, to assist in managing waiver budgets and recipient needs. Since the lead agency budgets still fell short after the transfers, DHS did not require any corrective action plans because the transfers were inadequate.

DHS did not issue corrective action plans for lead agencies for authorizing less than 97% of a waiver budget because no agency maintained a CADI waiting list during fiscal year 2019.

B. DD Waiver corrective action plans

DHS did not issue corrective action plans for overspending DD Waiver budgets in calendar year 2018, the most recently complete year. DHS transferred funds to all lead agencies that were at risk of overspending, as seen in Table 5, before to the conclusion of the calendar year.

DHS did not issue any corrective action plans in calendar year 2018 to lead agencies who spent less than 97% of a waiver budget because these agencies did not maintain a waiting list.

VI. Funding transfers

Legislation from 2013 authorized DHS to transfer waiver funding between lead agencies when needed. DHS has used this authority to transfer funds to lead agencies that have demonstrated sound financial management, but exceeded their allowable budgets nonetheless. Lead agencies that receive a transfer often exceed their budget because of new recipient enrollment from waiting lists or large service cost increases for existing waiver recipients.

A. CCB funding transfers

DHS transferred CCB funding between lead agencies 15 times in fiscal year 2019. Table 4 provides details of these funding transfers.

Table 4: CCB funding transfers by lead agency

Lead agency	Change in budget	Amount
Becker	increase	$330,000
Benton	increase	$386,000
Dakota	decrease	$4,000,000
Hennepin	increase	$12,000,000
Hubbard	increase	$37,000
Isanti	increase	$143,000
Itasca	decrease	$5,000,000
Lake of the Woods	increase	$131,000
Le Sueur	increase	$356,000
McLeod	increase	$432,000
Olmsted	increase	$764,000
Stearns	decrease	$2,643,500
Washington	decrease	$3,000,000
DVHHS	increase	$40,500
White Earth Nation	increase	$740,000

B. DD funding transfers

DHS transferred DD Waiver funding between lead agencies 25 times in calendar year 2017. Table 5 shows these transfers. Lead agencies listed multiple times had their budgets adjusted on more than one occasion.

Table 5: DD funding transfers by lead agency

Lead agency	Change in budget	Amount
Beltrami	Increase	$948,941
Benton	Decrease	$169,418
Blue Earth	Increase	$100,000
Chisago	Increase	$75,000
Clay	Increase	$840,000
Clearwater	Increase	$40,000
Crow Wing	Increase	$400,000
Fillmore	Increase	$50,000
Freeborn	Decrease	$133,307
Itasca	Increase	$850,000
Kanabec	Increase	$800,000
Kandiyohi	Decrease	$121,114
Lake of the Woods	Increase	$200,000
Mille Lacs	Increase	$80,000
Morrison	Increase	$382,262
Mower	Increase	$70,000
Olmsted	Decrease	$215,829
Otter tail	Decrease	$143,194
Pine	Increase	$200,000
Ramsey	Decrease	$2,441,501
St. Louis	Decrease	$323,514
Sherburne	Decrease	$192,231
Stearns	Decrease	$134,703
Watonwan	Increase	$250,000
Washington	Decrease	$362,446

VII. DD waiting list categories and reasonable pace

Minnesota's Olmstead Plan establishes goals for implementation of DD Waiver waiting list urgency of need categories and corresponding reasonable pace standards. Additionally, 2016 legislation requires DHS to post quarterly data about people on the DD waiting list on its public website. The majority of people who receive an assessment are not included in the tables below. This is because they are either:

- Not requesting the DD waiver within the next 12 months
- Already on the DD waiver

The following sections contain the most recent data from the Olmstead quarterly report and the DHS public website reports.

A. DD waiting list categories and reasonable pace

Table 6 provides information about meeting those goals from April through June 2018. This information also was included in the most recent quarterly report to the Olmstead Subcabinet.

Table 6: Waiting list categories and reasonable pace

Urgency of need category	Total number of people assessed	Funding approved within 45 days	Funding approved after 45 days	Still on the waiting List
Leaving an institution	24	19	4	1
Immediate need	120	84	28	8
Defined needs	243	153	72	18
Totals	**387**	**256**	**104**	**27**

B. Days waiting on DD waiting list

Table 7 displays the average number of days people on the DD waiting list have been waiting since their first assessment following reform implementation. This table includes data as of June 30, 2019.

Table 7: Average number of days waiting on DD waiting list

Waitlist category	Average days waiting
Institutional exit	68
Immediate need	45
Defined need	64
Total	**59**

C. Planned services and ages of people on the DD waiting list

Table 8 has details about the ages, urgency of need categories and planned services of people on the DD waiting list. Please note, a person may have more than one planned service. These people will appear multiple times in this table. Totals will differ from Table 6 because of when the data were obtained.

Table 8: DD waiting list by planned service, urgency category and age

Planned Service	Urgency of need category	Total	0-12	13-17	18-22	23-39	40-64	65+
24-hour emergency assistance	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	0	0	0	0	0	0	0
	Total	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Adult day care	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	0	0	0	0	0	0	0
	Total	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Assistive technology	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	3	0	1	2	0	0	0
	Total	**3**	**0**	**1**	**2**	**0**	**0**	**0**
Caregiver training and support	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	2	1	0	1	0	0	0
	Total	**2**	**1**	**0**	**1**	**0**	**0**	**0**
Case management	Institutional exit	0	0	0	0	0	0	0
	Immediate need	5	1	2	0	1	1	0
	Defined need	21	8	5	4	3	1	0
	Total	**26**	**9**	**7**	**4**	**4**	**2**	**0**
Consumer-directed community supports (CDCS)	Institutional exit	0	0	0	0	0	0	0
	Immediate need	1	0	1	0	0	0	0
	Defined need	13	7	2	2	2	0	0
	Total	**14**	**7**	**3**	**2**	**2**	**0**	**0**
Consumer training and education	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	0	0	0	0	0	0	0
	Total	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Crisis-respite	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	0	0	0	0	0	0	0
	Total	**0**	**0**	**0**	**0**	**0**	**0**	**0**

Day training and habilitation (DTH)	**Institutional exit**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
	Immediate need	0	0	0	0	0	0	0
	Defined need	4	0	0	2	2	0	0
	Total	**4**	**0**	**0**	**2**	**2**	**0**	**0**
Homemaker	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	0	0	0	0	0	0	0
	Total	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Housing access	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	1	0	0	0	1	0	0
	Total	**1**	**0**	**0**	**0**	**1**	**0**	**0**
In home family support	Institutional exit	0	0	0	0	0	0	0
	Immediate need	1	0	1	0	0	0	0
	Defined need	10	3	2	4	1	0	0
	Total	**11**	**3**	**3**	**4**	**1**	**0**	**0**
Modification/equipment	Institutional exit	0	0	0	0	0	0	0
	Immediate need	1	1	0	0	0	0	0
	Defined need	5	2	1	2	0	0	0
	Total	**6**	**3**	**1**	**2**	**0**	**0**	**0**
Personal support	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	6	0	0	4	2	0	0
	Total	**6**	**0**	**0**	**4**	**2**	**0**	**0**
Respite (not ICF/DD)	Institutional exit	0	0	0	0	0	0	0
	Immediate need	1	0	0	0	0	1	0
	Defined need	6	2	1	3	0	0	0
	Total	**7**	**2**	**1**	**3**	**0**	**1**	**0**
Supportive living services (SLS)	Institutional exit	0	0	0	0	0	0	0
	Immediate need	2	0	1	0	1	0	0
	Defined need	4	0	0	2	1	1	0
	Total	**6**	**0**	**1**	**2**	**2**	**1**	**0**
Specialist Services	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	2	0	0	1	1	0	0
	Total	**2**	**0**	**0**	**1**	**1**	**0**	**0**
Supported employment	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	2	0	0	1	1	0	0
	Total	**2**	**0**	**0**	**1**	**1**	**0**	**0**

Transportation, chore, personal care assistance (PCA)	**Institutional exit**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
	Immediate need	0	0	0	0	0	0	0
	Defined need	2	1	0	1	0	0	0
	Total	**2**	**1**	**0**	**1**	**0**	**0**	**0**
Total with planned services	Institutional exit	0	0	0	0	0	0	0
	Immediate need	5	1	2	0	1	1	0
	Defined need	23	8	5	6	3	1	0
	Total	**28**	**9**	**7**	**6**	**4**	**2**	**0**
Total with no planned services	Institutional exit	4	0	0	0	0	3	1
	Immediate need	3	1	0	0	1	1	0
	Defined need	6	3	0	3	0	0	0
	Total	**13**	**4**	**0**	**3**	**1**	**4**	**1**
Total, unduplicated	Institutional exit	4	0	0	0	0	3	1
	Immediate need	8	2	2	0	2	2	0
	Defined need	29	11	5	9	3	1	0
	Total	**41**	**13**	**7**	**9**	**5**	**6**	**1**

D. People with DD Waiver funding approved

Table 9 includes information about people who a lead agency has approved for DD Waiver funding, but do not yet have a waiver service agreement to begin services. People might not start the waiver immediately after funding approval because service planning and locating providers might take additional time. This information is current as of June 30, 2019.

Table 9: People without service agreements

Measure	Number of people
Number of people with funding approved by no services agreement	23
Average number of days since funding approval	108

E. New DD Waiver recipients

Table 10 displays information about people who began DD Waiver services between June 1 and 30, 2019.

Table 10: New DD Waiver recipients

Measure	Number of people
Number of people who started DD Waiver from waiting list	109
Number of people who started DD Waiver not from waiting list	75
Number of people who left the waiting list but did not start the DD Waiver	19

VIII. Approving funding for people on the DD Waiver waiting list

Over the four most recent Olmstead Quarterly Reports, an average of 96% of the total number of people assessed had funding approved. Furthermore, funding was approved for an average of 72% of people assessed within reasonable pace standards. As shown in Table 6, 387 people were assessed as meeting an urgency of need of one of the waiting list categories between April and June 2018, while at the end this period 27 people were still waiting for approved funding. These figures demonstrate the ability of lead agencies to effectively approve DD waiver funding within the reasonable pace standards and keep the overall size of the waiting list low.

The average time spent on the DD waiting list is just under two months, as seen in Table 7. This short amount of time has been the product of collaboration between DHS and lead agencies to prioritize funding approval for people with the most urgent needs and focus on meeting reasonable pace standards. Ultimately, people on the DD waiting list regularly have funding approved regardless of category.

IX. Recommendations

DHS recommends maintaining current DD Waiver participant growth in order to enable lead agencies to continue to approve funding for people in all DD waiting list categories and maintain the historically low number of people on the waiting list as well as waiting time.

In the 2019 Waiver Reimagine legislative report (PDF), DHS recommended continued development of a method of allocating resources on an individual basis, instead of at the lead agency level. Each person's individual budget would be based on their assessed support needs and allow people with disabilities and their families to drive the support planning process. The 2019 Legislature approved resources to continue developing this method, which will be described in a 2021 report.