



## **House Bill 1012**

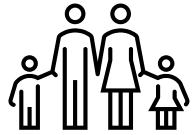
House Appropriations | Human Resources Division  
*Representative Jon Nelson, Chairman*

### **Aging & Adult Services**

*Helping older adults and adults with physical disabilities to remain living in their homes and communities*

NORTH  
**Dakota** | Human Services  
Be Legendary.™

# DHS 2021-2025 KEY PRIORITIES



## Strong Stable Families

- Maintain family connections
- Improve stability and prevent crises
- Promote and support recovery and well-being



## Early Childhood Experiences

- Support workforce needs with improved access to childcare
- Help kids realize their potential with top quality early experiences
- Align programs for maximum return on investment



## Services Closer to Home

- Create pathways that help people access the right service at the right time
- Engage proactively with providers to expand access to services



## Efficiency Through Redesign

- Embrace process redesign to find efficiencies in our work
- Leverage technology to support greater efficiency, quality and customer service



## High-Performing Team

- Develop a One DHS Team culture
- Engage team with opportunities for learning and development
- Implement fiscal scorecard to drive efficiency and effectiveness

## Reinforce the Foundations of Well-being

Economic Health | Behavioral Health | Physical Health

# AGING & ADULT SERVICES

## Program Purpose

Help older adults and individuals with physical disabilities to remain in their own homes and communities.

Protect the health, safety, welfare and rights of residents of long-term care settings and vulnerable adults in the community.



# AGING & ADULT SERVICES

## New in 19-21

SPED Eligibility

New Waiver  
Services

HCBS Case  
Managers

DOJ  
Settlement

Electronic Visit  
Verification



# AGING & ADULT SERVICES

## What we do

### Aging & Disability Resource Link (ADRL)

- Toll free resource line for people with questions about how to access services
- Centralized intake for HCBS services
- Proactive in-reach and out-reach to build awareness of HCBS options

### HCBS Case Management

- HCBS case management provided to consumers
- Eligibility review
- Care Team planning
- Service authorization

### Protective Services

- Vulnerable Adult Protective Services delivered statewide
- Ombudsman services for long term care residents

### Senior Nutrition & Community Supports

- Administration of Older Americans Act
- Senior nutrition program
- Support for Family Caregivers
- Lifespan Respite grant

### Administration HCBS and Partnerships

- HCBS 1915(c) Medicaid waiver
- Medicaid State Plan – Personal Care
- SPED / Expanded SPED
- Money Follows the Person

# AGING & ADULT SERVICES

## Aging & Disability Resource Link (ADRL)

### Top 5 Information Requests

- In-home assistance
- Adult protective services
- Medicaid information
- Family caregiver support program (FCSP)
- Older adults/aging Issues

Web  
6147

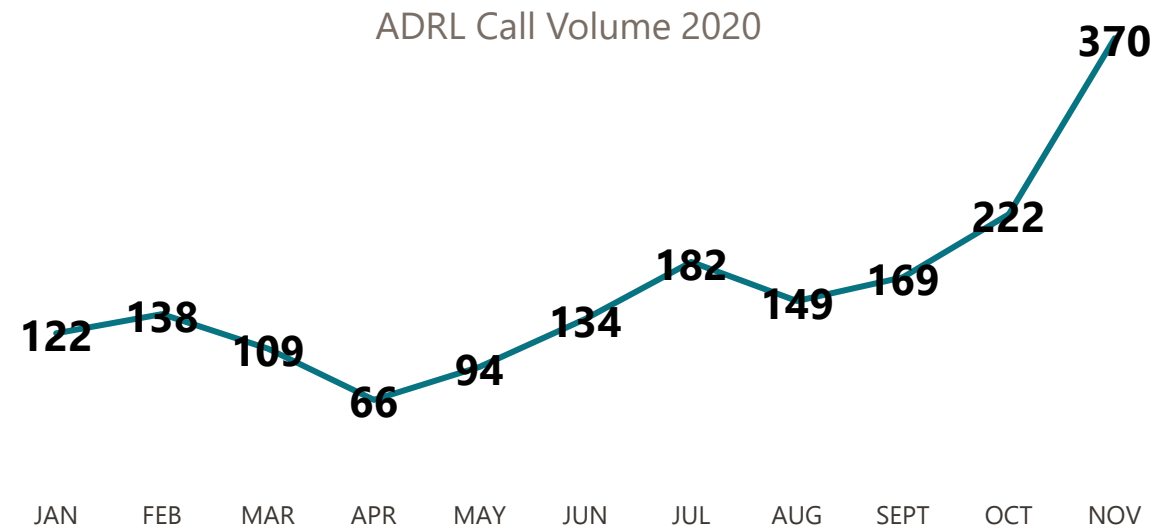
Phone  
2,776



# AGING & ADULT SERVICES

## ADRL Centralized Intake

- Process to receive HCBS referrals
- Based on no wrong door (NWD) approach
- Network built to support individuals needing LTC services by simplifying and streamlining access to information and services
- 6 FTE dedicated to centralized intake
- Fully implemented January 2021



**7 in 10**

*Americans 65+ will need LTC services for an average of 3 years*

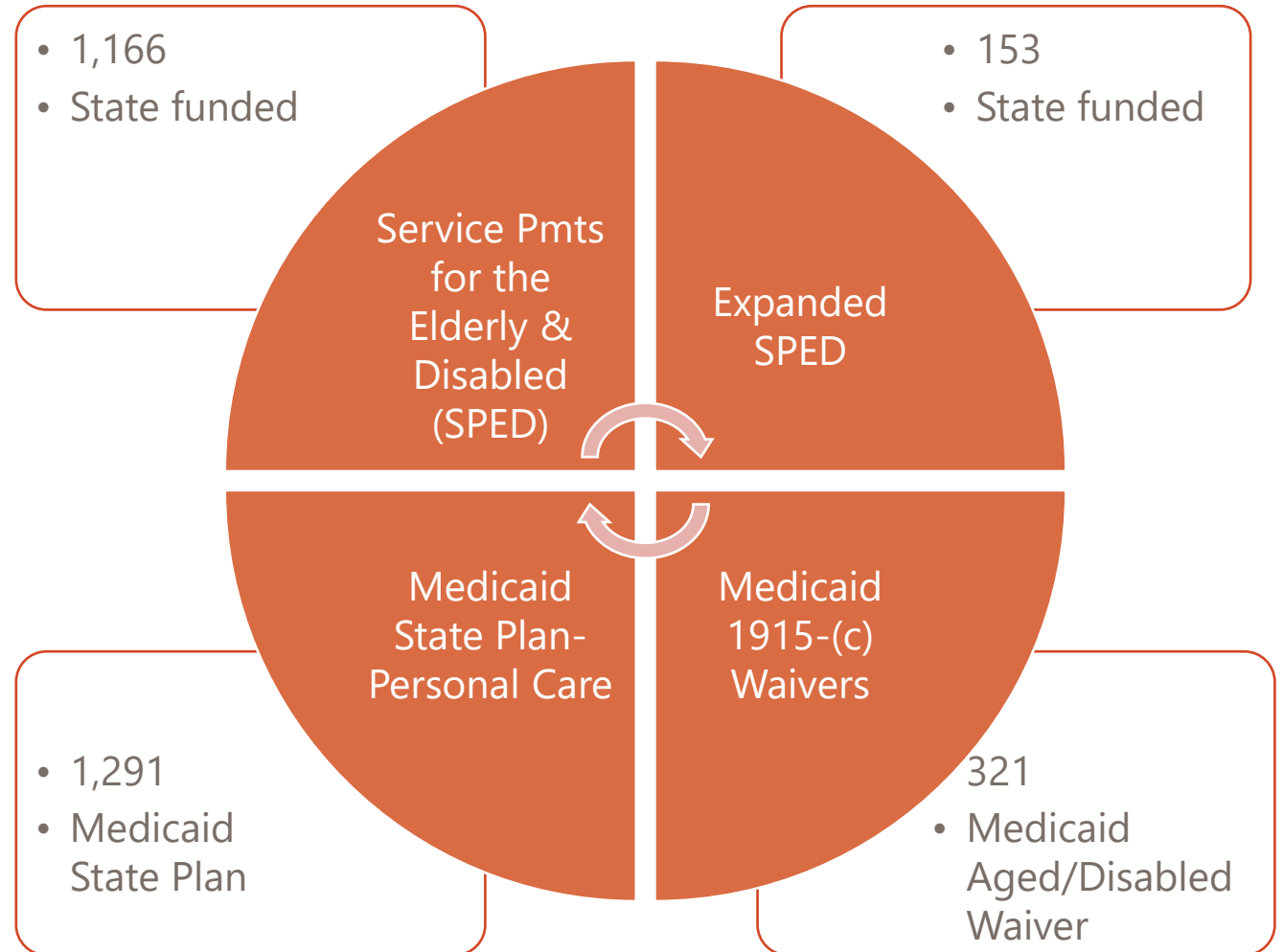
# AGING & ADULT SERVICES

## Home and Community Based Services

**2,300**

HCBS supported 2,300 unduplicated recipients

- Primarily serves older adults and individuals with physical disabilities
- Recipients must be both functionally and financially eligible
- May have client cost share based on income
- Federal and state funds





# AGING & ADULT SERVICES

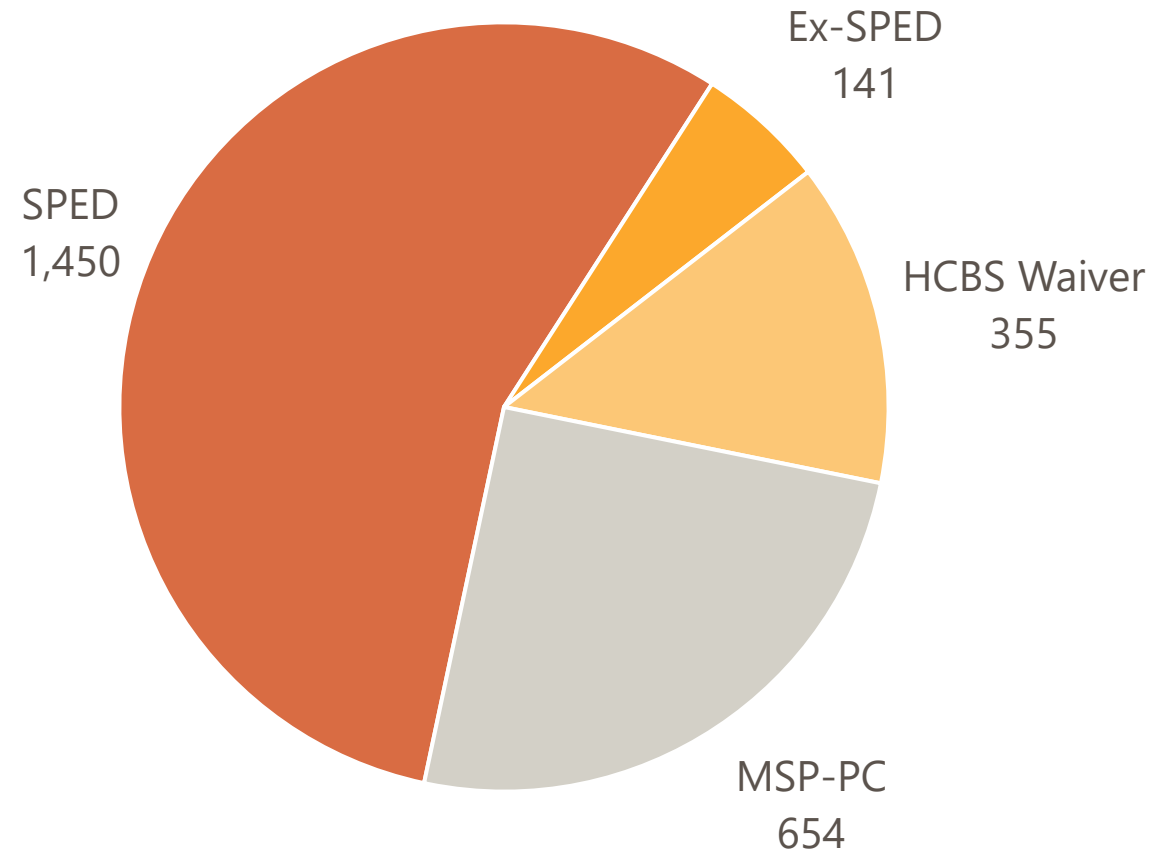
## *Types of Support Services available via HCBS*

- Adult Day Care
- Adult Foster Care
- Adult Residential Care
- Attendant Care
- Case Management
- Chore Service
- Community Support Services / Residential Habilitation
- Community Transition Services
- Companionship
- Emergency Response System
- Environmental Modification
- Extended Personal Care
- Emergency Response System
- Environmental Modification
- Family Home Care & Family Personal Care
- Home Delivered Meals
- Homemaker Services
- Non-Medical Transportation
- Personal Care Services
- Respite Care
- Specialized Equipment
- Supervision
- Supported Employment
- Transitional Care

# AGING & ADULT SERVICES

## Individuals receiving HCBS services (Nov 2020)

ND's HCBS for older adults and people with physical disabilities are coordinated by 64 HCBS case managers and delivered by 1149 Qualified Service Providers (QSPs) who served 2,300 people ages 18-104 in 2020



Source: DHS HCBS Caseload Data Nov 2020

# AGING & ADULT SERVICES

## HCBS Case Managers

**64**

HCBS case managers who work in  
19 Human Service Zones across  
ND

**3,057**

Individuals served by HCBS case  
managers (Nov 2020)

**283 & 54**

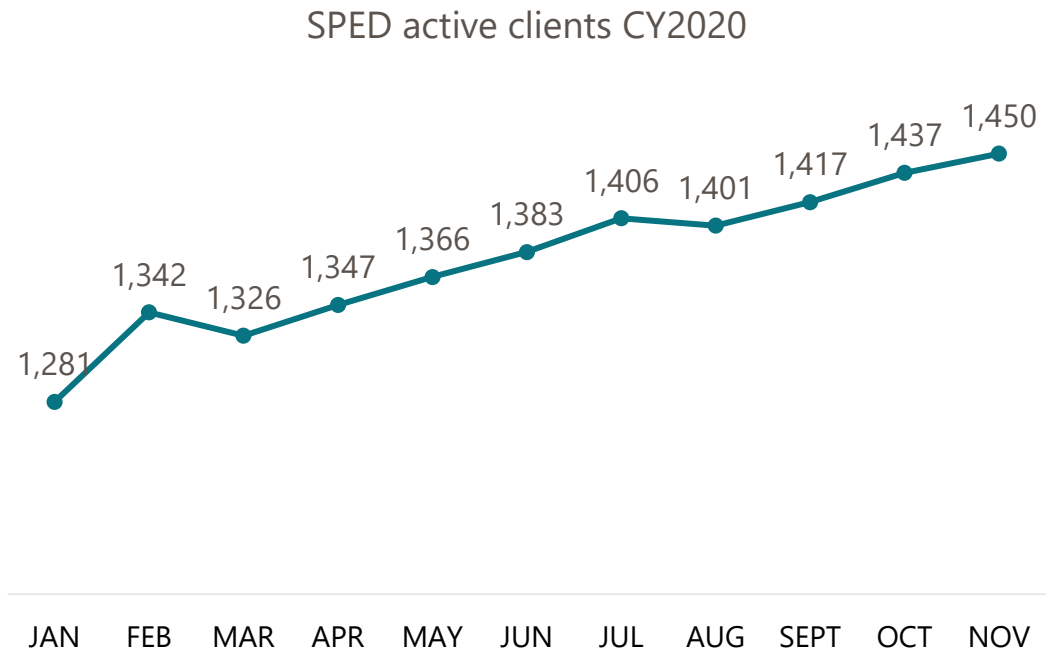
On average, 283 new referrals and  
54 new cases opened for HCBS  
each month



# AGING & ADULT SERVICES | NEW IN 19-21

## HCBS Investments – SPED Eligibility

- Rebased client fee schedule and annual Cost of Living Adjustment (COLA)
- Updated functional eligibility criteria
- Resulted in **730 new clients** accessing services in CY2020
- **25% increase** in the total number served in CY2019
  - 94% have assets less than \$25,000
  - Average monthly service cost of **\$486** per person



# AGING & ADULT SERVICES | NEW IN 19-21

## HCBS Investments – Enhanced services

### Added Services to Medicaid 1915(c) Aged & Disabled Waiver

- Residential habilitation
- Community supports
- Companionship

Services provide for up to 24-hour care in a private home or agency adult foster care and reduce social isolation of Medicaid eligible adults who screen at a Nursing Facility Level of Care



# Meet Joan



**In ND we served 1,166  
people like Joan in CY2020**

Joan is 83 years old

She lives alone in her own home

Joan has assets of less than \$25,000. She has a monthly income of \$1,020 per month

Joan has several age-related physical impairments (vision loss, rheumatoid arthritis, heart disease) that make it hard for her to complete housework and personal cares

Joan is a good candidate for **SPED** services.

# Meet Lana



**In ND we served 153 people  
like Lana in CY2020**

Lana is 62 years old

She lives alone in an apartment.

Lana is Medicaid eligible. Her monthly income is from SSI, \$783 per month

Lana has some behavioral health needs and difficulty remembering to take her medications. Lana needs a safe, supervised, structured environment.

Lana is a good candidate for **Expanded SPED** services.

# Meet Betty



**In ND we serve an average  
of 321 people like Betty  
each year**

Betty is 67 years old

Betty lives with her husband who is her primary caregiver.

Her monthly income comes from SSI is \$1191 each month. Betty is Medicaid eligible.

She meets a Nursing Facility Level of Care because of her dementia and related impairments. She needs supervision and help with her personal cares.

Betty is a good candidate for the **HCBS Medicaid Waiver**.



# Meet Margo



**In ND we served an average  
of 588 people like Margo  
each year**

Margo is 63 years old

Margo has a number of disability-related physical impairments. She needs hands-on care for an average of 240-300 hours per month.

She is Medicaid eligible and meets a nursing home level of care.

Margo is considered high need as she is impaired in at least 5 activities of daily living (ADLs). For Margo, this includes bathing, dressing, feeding, toileting, continence, transferring, mobility inside.

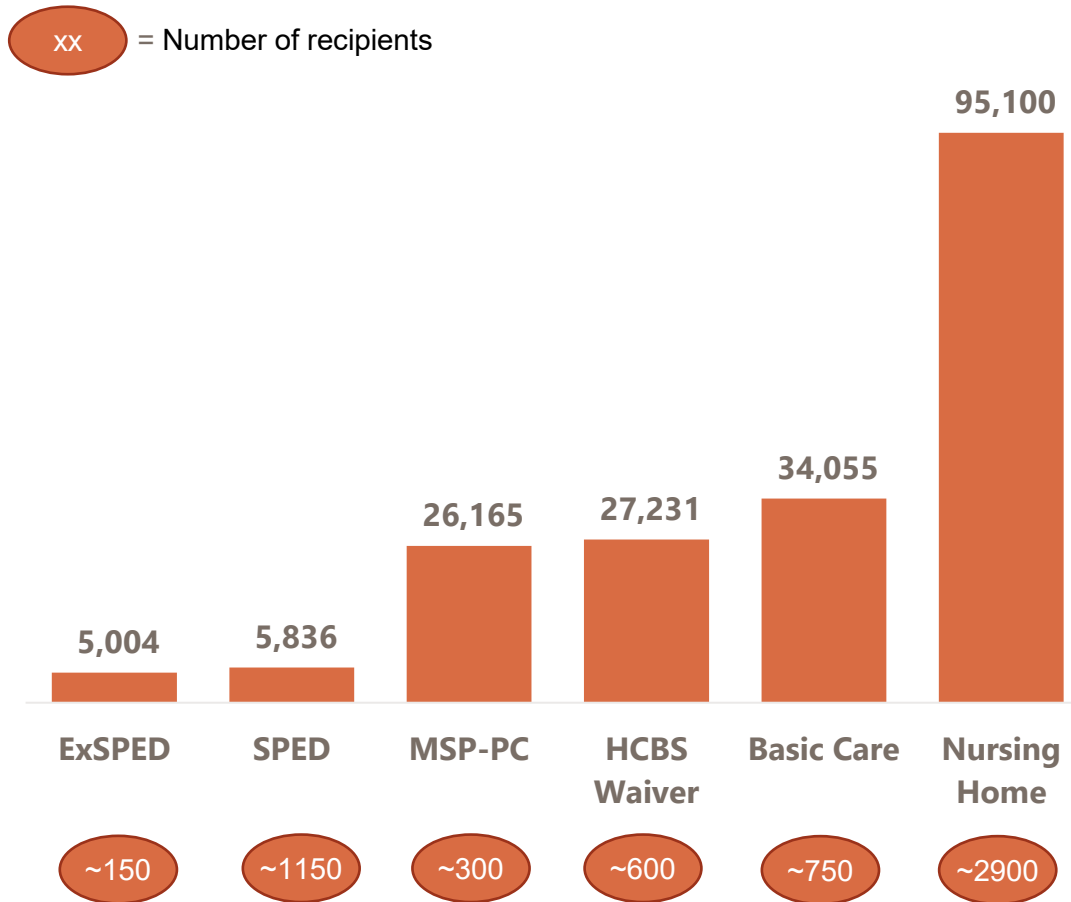
Margo is a good candidate for **Medicaid State Plan-funded Personal Care**

# DHS FUNDED LONG TERM CARE AND HCBS SERVICES

## Total cost by type of service

### Cost Per Recipient Per Year

Cost paid by state by service in \$ in State Fiscal Year 2020



### Program Descriptions / Detail

- **Service Payments for the Elderly and Disabled (SPED):** Provides services for people who are older or physically disabled, have limited assets, and who have difficulty completing tasks that enable them to live independently at home.
- **Expanded SPED (Ex-SPED):** Pays for in-home and community-based services for people who would otherwise receive care in a licensed basic care facility.
- **Home and community-based services (HCBS) waiver:** This waiver from the federal government allows the state to use Medicaid funds to provide services enabling eligible individuals who would otherwise require nursing home services to remain in their homes or communities.
- **Medicaid State Plan personal care (MSP-PC):** Personal care services available under the Medicaid state plan and enable persons with disabilities or chronic conditions accomplish tasks they would normally do for themselves if they did not have a disability.
- **Basic Care:** Room and board and personal care services for persons eligible for Medicaid.

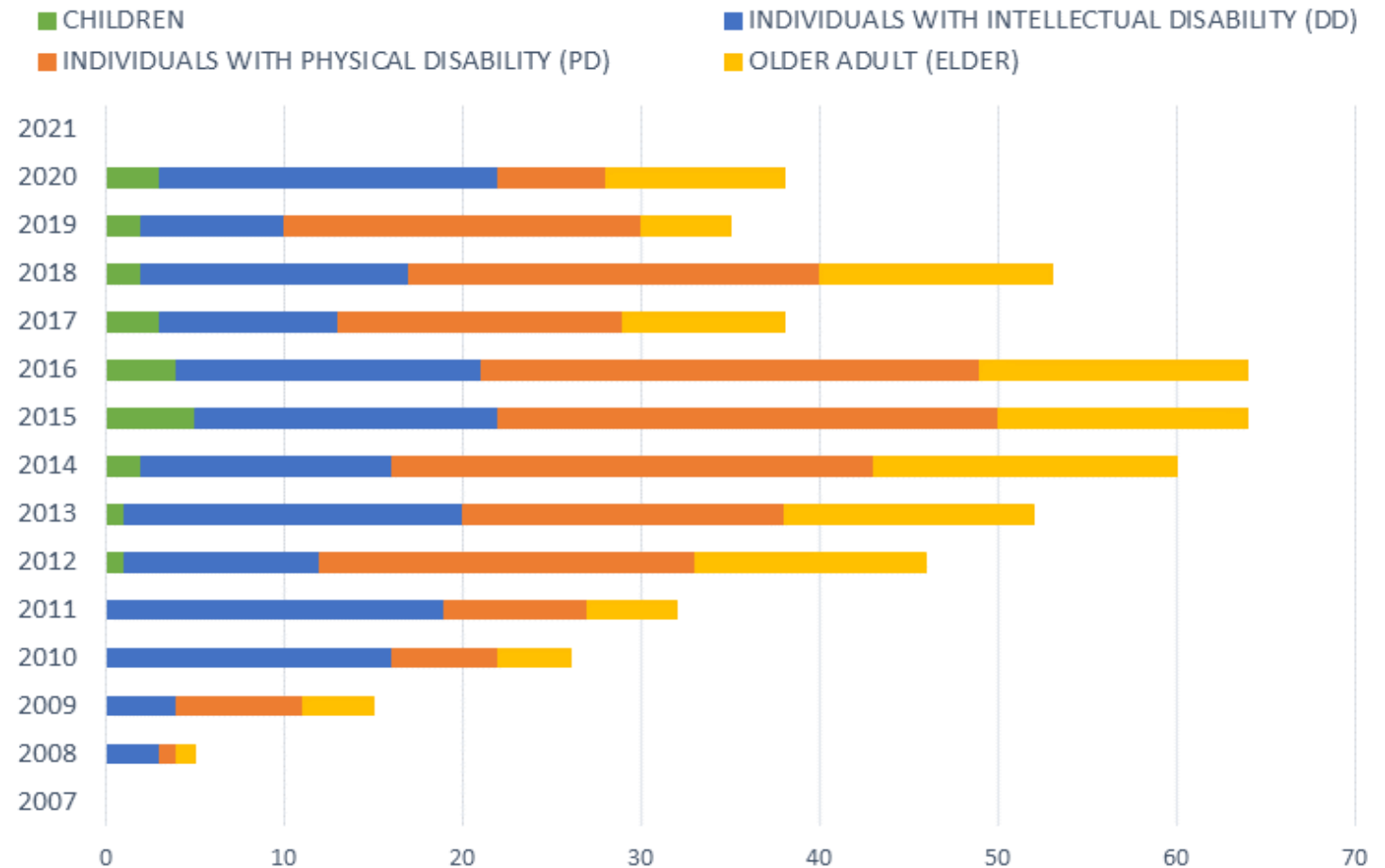
# AGING & ADULT SERVICES

## Money Follows the Person

Federal Grant designed to assist states to increase the use of home and community-based services (LTSS System Rebalancing)

- Eliminate barriers that prevent individuals from receiving LTSS in the settings of their choice
- Original award - \$8.9 million (2007)
- Award through 2020 - \$29 million (fed) and \$1.7 million (state)
- Transitioned 528 individuals from institutional settings back to the community

RUNNING MFP TRANSITION SUMMARY PER YEAR



# AGING & ADULT SERVICES

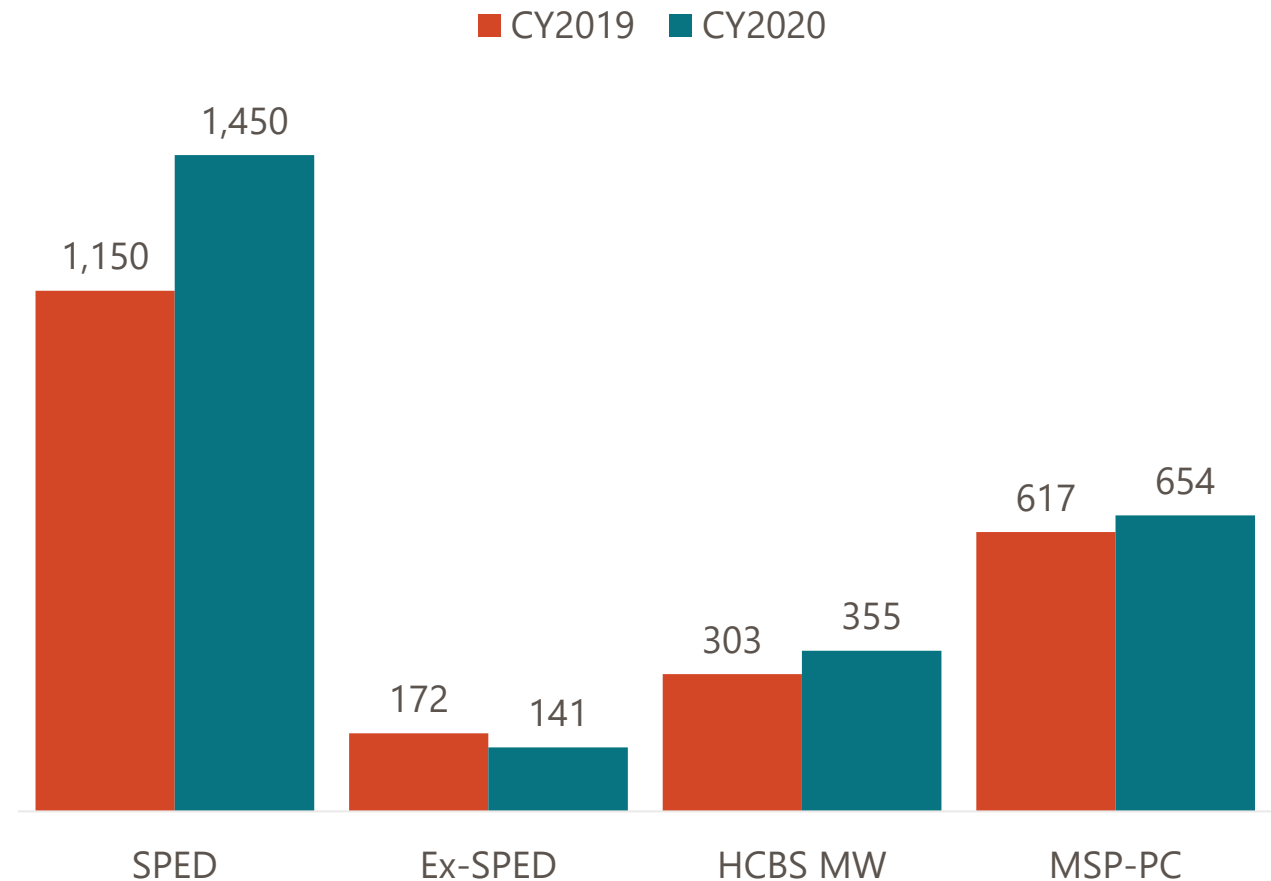
## Key Changes due to COVID: Home & Community Based Services

HCBS services have continued to be provided throughout pandemic

- Administrative Flexibility
- Allowed virtual case management
- Service flexibility e.g., authorize family to provide care
- Temporary increase service rates for family personal care and supervision
- Modified provider qualifications to speed enrollment

Noted increase in Social Isolation among HCBS recipients

HCBS Caseload Comparison CY19 to CY20



# AGING & ADULT SERVICES

## Vulnerable Adult Protective Service (VAPS)

The program addresses the safety of vulnerable adults who are at-risk of harm due to the presence or threat of abuse, neglect, or exploitation.



# AGING & ADULT SERVICES

## Vulnerable Adult Protective Service (VAPS)

1,695 allegations



1,418 investigations

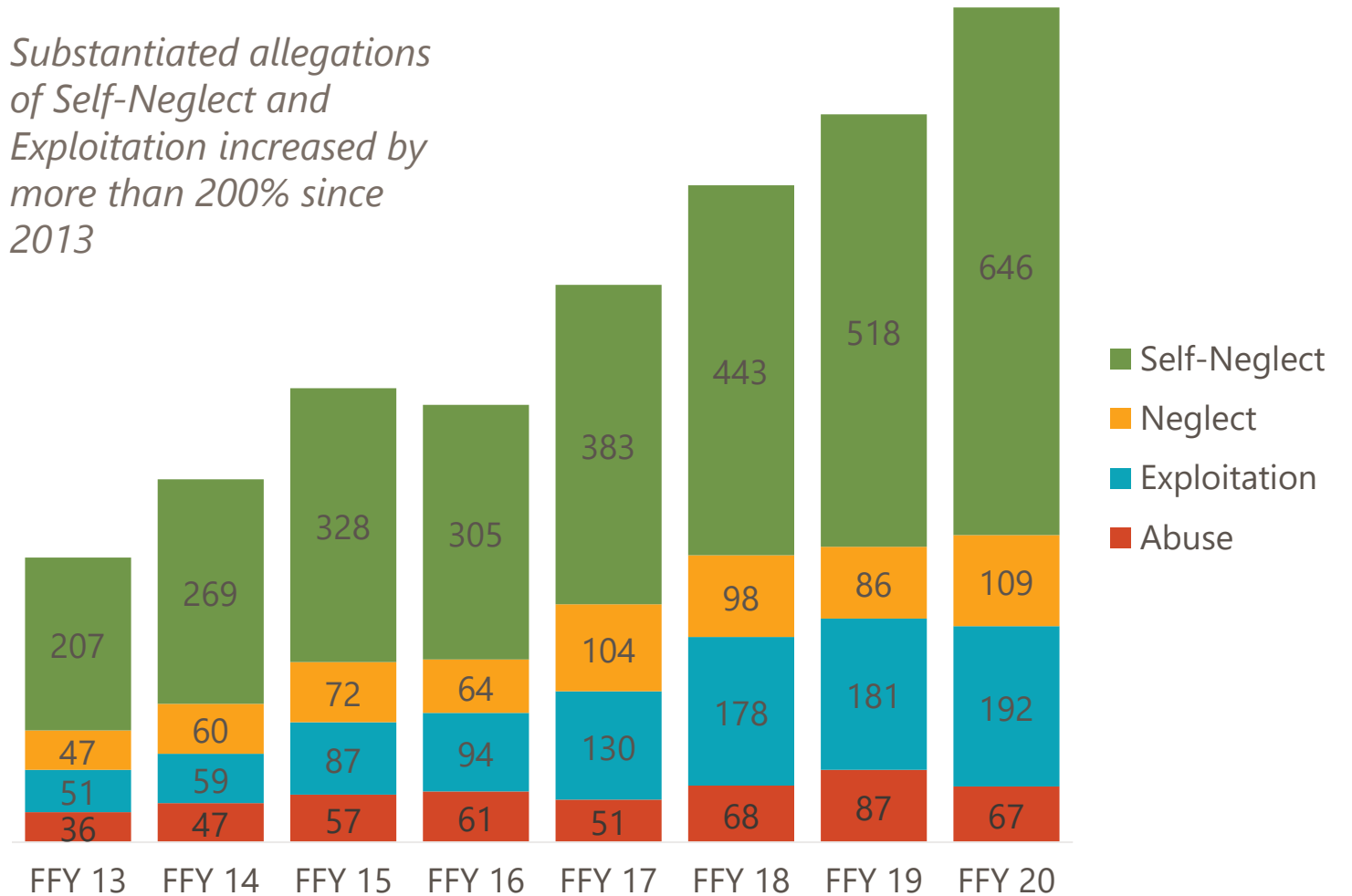


1,014 substantiated

Most common allegation:

**Self Neglect**

*Substantiated allegations of Self-Neglect and Exploitation increased by more than 200% since 2013*



# AGING & ADULT SERVICES

## Long Term Care Ombudsman

Long-Term Care Ombudsmen are advocates for resident rights. They help protect the quality of life and quality of care of anybody who lives in a nursing home, basic care or an assisted living facility.



# AGING & ADULT SERVICES

## Long Term Care Ombudsman

### ND Long Term Care System

5,635 Nursing Facility Beds\*  
676 Swing Beds  
2,054 Basic Care Beds  
3,066 Assisted Living Units

*\*In 252 facilities located in 79 communities*

### Most Common Complaints

#### Nursing Homes/Swing Bed

- Autonomy, Choice, Preference, Exercise of Rights, Privacy
- Care
- Systems/Others

#### Basic Care & Assisted Living

- Autonomy, Choice, Preference, Exercise of Rights, Privacy
- Admission, Transfer, Discharge, Eviction
- Financial, Property (Not due to Financial Exploitation)

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**1,267**

Information and  
Consultations

**448**

Complaints  
Received

**305**

Cases  
opened



# AGING & ADULT SERVICES

## Guardianship Establishment Fund

Fund covers most  
petitioning costs for eligible  
incapacitated adults

**151**

incapacitated adults served in 17-  
19 biennium. 147 served to date  
in 19-21 biennium

**\$2,500**

Max petitioning cost per person



# AGING & ADULT SERVICES

## Older Americans Act (OAA)

**24,600**

Older adults served in FFY2019

Serves people age 60+  
No income limits

Voluntary contribution  
Cannot deny service due to  
unwillingness or inability to  
contribute

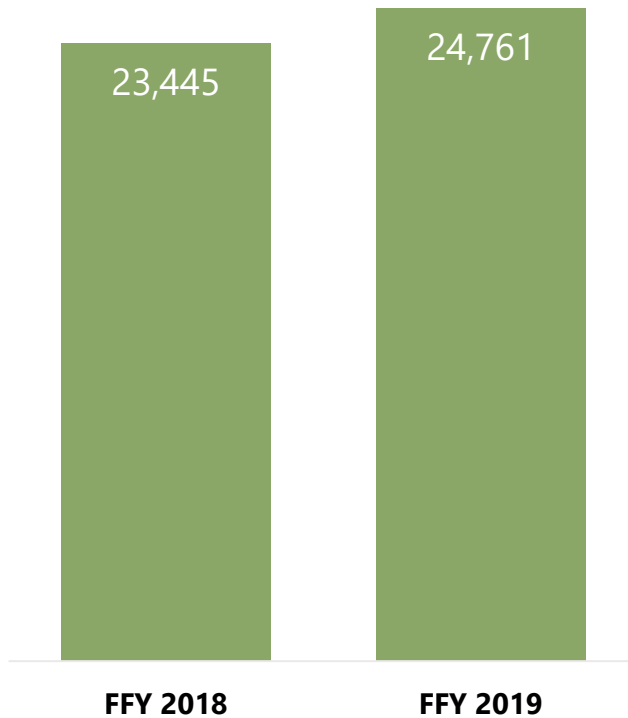
Federal, state, and local funds



# AGING & ADULT SERVICES

## Older Adults served with Older American Act Funds

Clients Served with OAA Funds  
increased by 6%



**3,919**

Clients with household  
income at or below  
**poverty** level (increase of  
5% over FFY2018)

**4,457**

Clients **over age 85**  
(increase of 2% over  
FFY2018)

**11,882**

Clients who lived in **rural**  
areas (increase of 2% over  
FFY2018)

# AGING & ADULT SERVICES

## Senior Nutrition Services

Nutrition services **reduce** hunger, **food insecurity**, malnutrition, and **promote socialization** of older adults.

Seniors with food insecurity can have many negative health consequences:

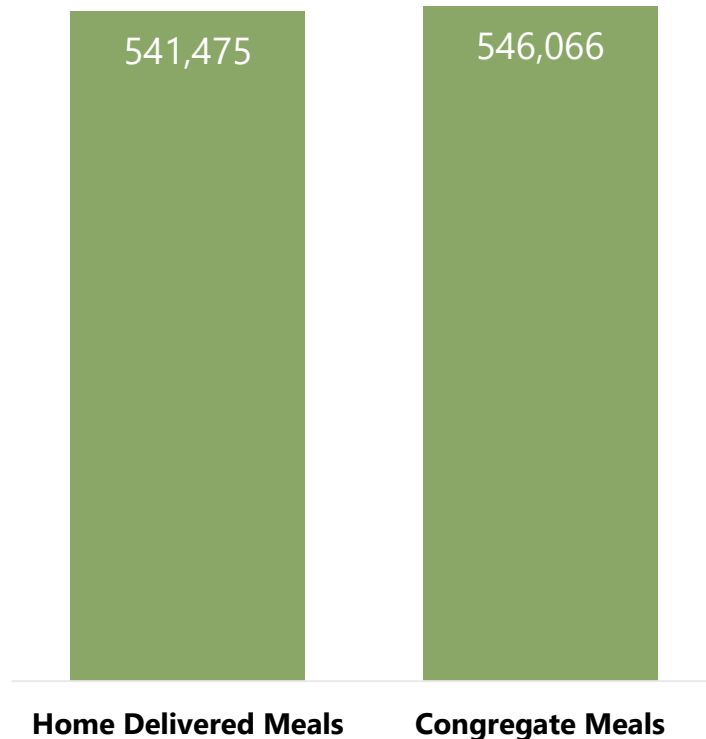
- Prolonged hospital stays
- Unintentional weight loss that can increase need for physical assistance



# AGING & ADULT SERVICES

## Older American Act Funds Nutrition Services

In 2019 people utilized home delivered and congregate meals in roughly equal rates



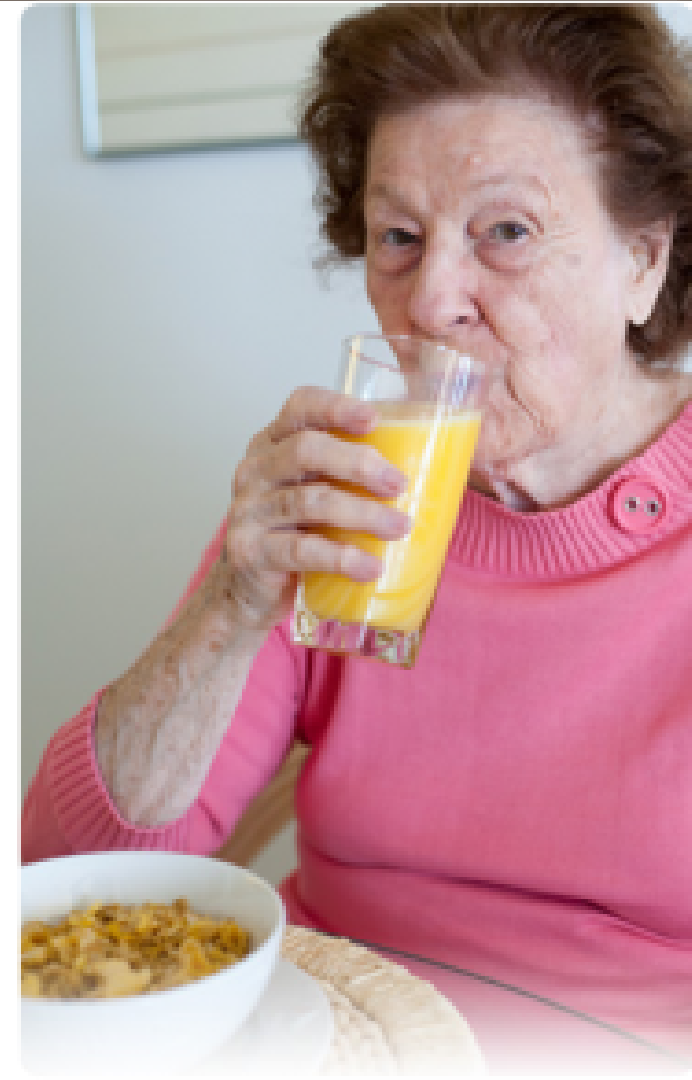
**23%**

Seniors receiving home delivered meals who are "high nutrition risk" (1,113 of 4,801 individuals served)

9.5% of the 14,311 individuals who received congregate meals in 2019 were "high nutrition risk"

**23%**

of Seniors receiving home-delivered meals have 2 or more ADL limitations (1,124 of 4,801 individuals served)



# AGING & ADULT SERVICES

## Key Changes due to COVID: Nutrition Services

The pandemic changed the way meals are delivered to older adults.

Meals options:

- Home delivered
- Pre-packaged grab-and-go
- Curbside pickup
- Frozen meal options

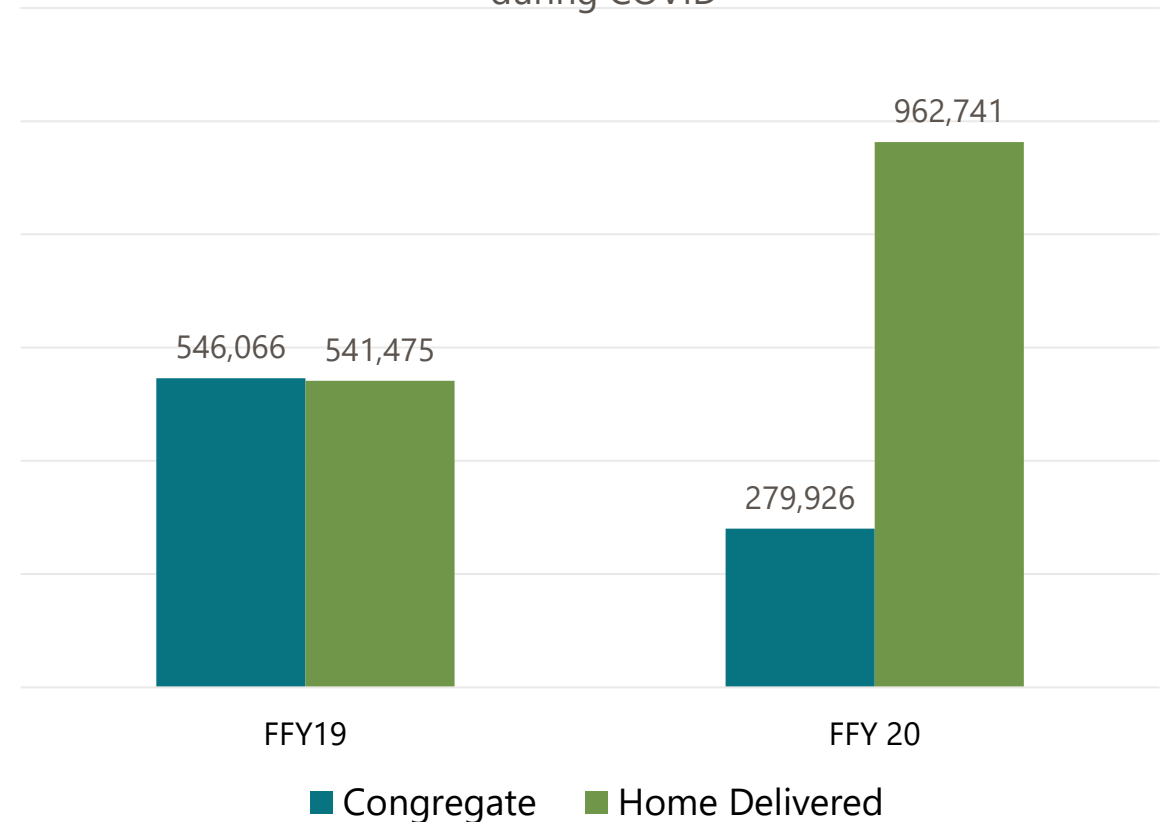
**1,242,667**

Meals served FFY2020 increased by  
14% over FFY2019

**9,362**

Consumers served

Nutrition services shifted toward home-delivered meals during COVID



# AGING & ADULT SERVICES

## Key Changes due to COVID: Nutrition Services

### Home-Delivered Meals

Increased per meal rate from \$4.60 to \$7.00 to account for increased administrative costs

### Funding

FFCRA	\$1.2 M
CARES	\$2.4 M
ND CARES	\$1.132 M



# NORTH DAKOTA OLDER AMERICANS ACT NUTRITION SITES

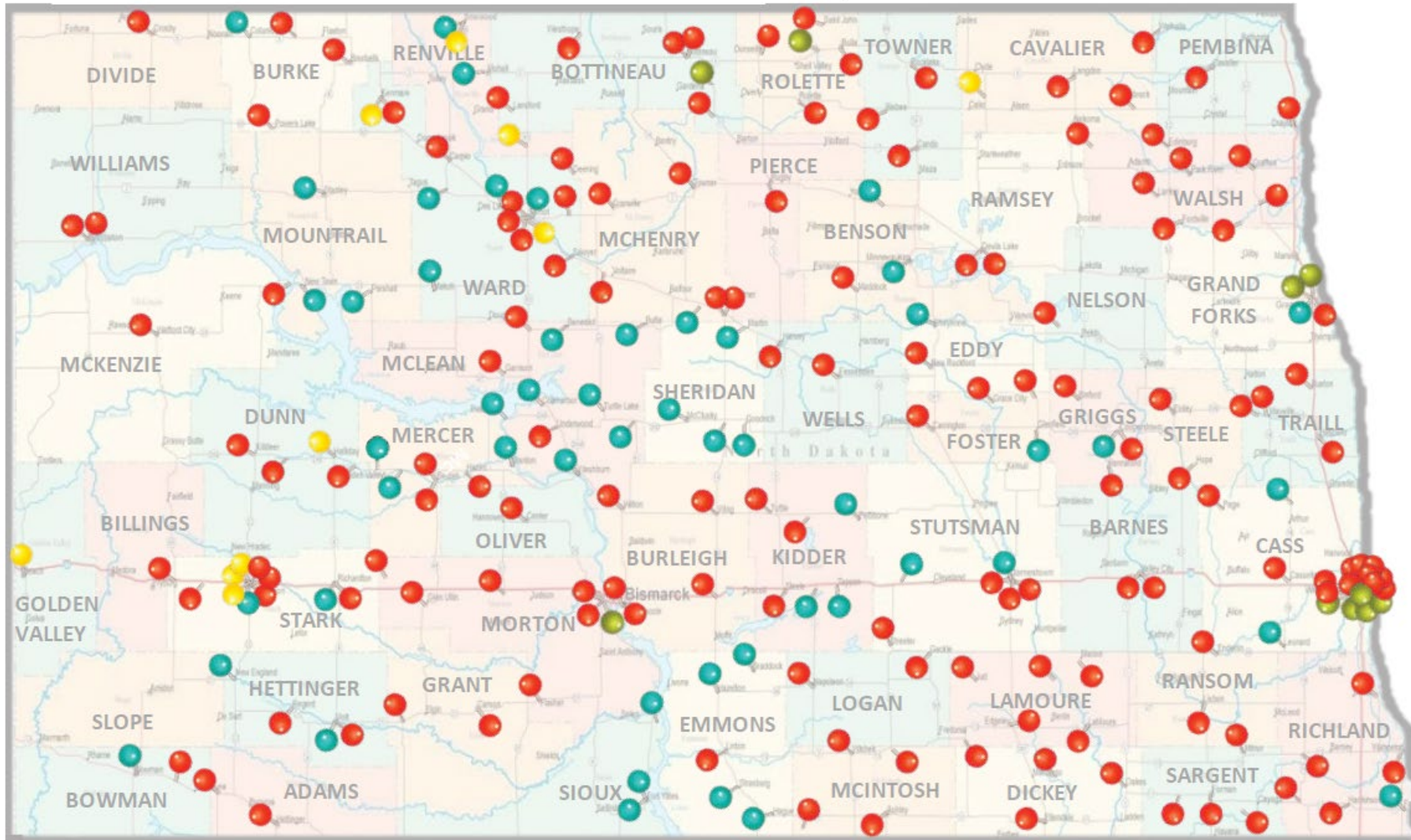
## MAP LEGEND:

-  Congregate Nutrition Sites Only
-  Home Delivered Meals (HDM) Only
-  Both Congregate and HDM Options
-  Café 60 Nutrition Sites

## STATE TOTAL:

219

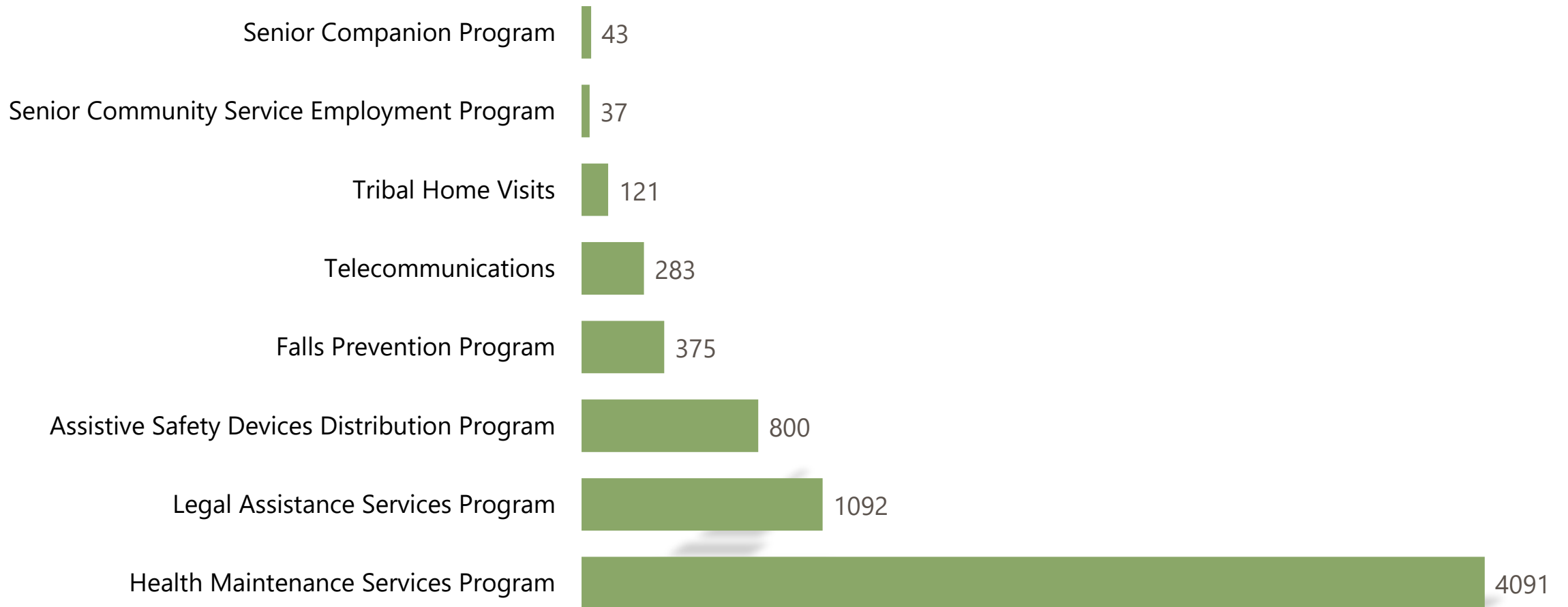
- 09 Congregate Nutrition Sites Only
- 51 Home Delivered Meals (HDM) Only
- 149 Both Congregate and HDM Options
- 10 Café 60 Nutrition Sites





# AGING & ADULT SERVICES

## Other OAA services that support older adults



# AGING & ADULT SERVICES

## State-funded Supportive Service programs

### **Dementia Care Program**

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- Care Consultation
- Education, training, information and referral for professionals, caregivers and the public

### **Telecomm Equipment Distribution**

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- Specialized telecommunications equipment for individuals with communication impairments

# AGING & ADULT SERVICES

## Key Changes due to COVID: Supportive Services

**The COVID-19 pandemic disproportionately impacted older adults.**

### **Supportive Community Services**

Funds companionship and shopping support for older adults

#### **Funding**

CARES                      \$1.0 M

### **Family Caregiver Services**

Increased allowable amount of respite and supplemental services

#### **Funding**

CARES                      \$0.5 M

### **Ombudsman Activities**

Technology to allow for virtual visits in skilled nursing facilities and basic care

#### **Funding**

CARES                      \$0.1 M

# AGING & ADULT SERVICES

## Key Changes due to COVID: Aging Disability Resource Link (ADRL)

- Additional \$305K ADRL grant (ACL via FFCRA / CARES)
- Serves individuals 18+ with a disability impacted by COVID-19
  - Transition coordination services
  - Financial assistance for one-time moving costs, and rental assistance
  - Companionship services and shopping
  - Technology to allow for virtual visits in skilled nursing facilities & basic care



# AGING & ADULT SERVICES

## Settlement Agreement between U.S. DOJ & State of ND

Purpose is to ensure that the State will meet the ADA requirements by providing services, programs, and activities for individuals with physical disabilities in the most integrated setting appropriate to their needs.

### **Effective December 14, 2020**

*Agreement will terminate eight years after effective date if Parties agree that the state has attained substantial compliance with all provisions and maintained that compliance for a period of one year.*



# AGING & ADULT SERVICES | DOJ SETTLEMENT

## Americans with Disabilities Act

The Americans with Disabilities Act (ADA) requires public agencies to **eliminate unnecessary segregation** of persons with disabilities and provide services in the **most integrated setting** appropriate to the needs of the individual.

In **1999** the Federal Supreme Court **Olmstead** decision **affirmed** the **ADA** requirements.



# AGING & ADULT SERVICES | DOJ SETTLEMENT

## Benefits of DOJ Agreement

1

**Expands and raises awareness** about community-based care options available to adults with physical disabilities

2

Allows individuals to make **informed choices**, including the option to receive care while enjoying the benefits of community living in the least restrictive setting

3

Builds upon the investments made by the 2019 Legislature and our **shared goal** of improving services to citizens

# WHO ARE WE TRYING TO REACH?

# TARGET POPULATION

## Basic Eligibility

- Individual with physical disability
- Over age 21
- Eligible or likely to become eligible to receive Medicaid long-term services and supports (LTSS)
- Is likely to require LTSS for at least 90 days.



## IF in skilled nursing setting

- Receive Medicaid-funded nursing facility services AND
  - Likely to require long term services and supports
- Receive nursing facility services AND
  - Likely to become eligible for Medicaid within 90 days, have submitted a Medicaid application, and have approval for a long-term nursing facility stay

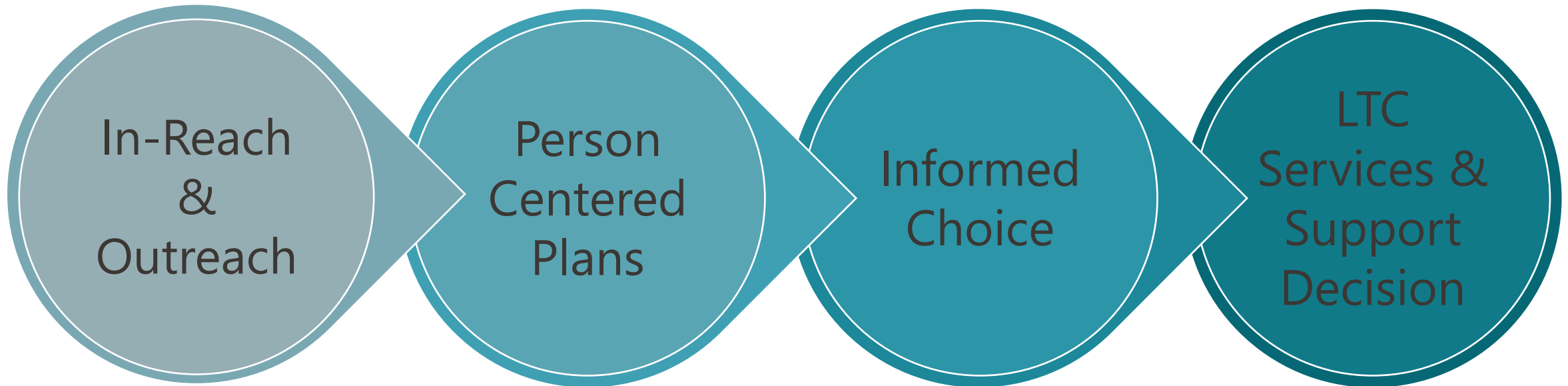
## IF in hospital or home setting

- Referred for a nursing facility level of care determination AND
  - Likely to need services long term
- Need services to continue living in the community AND
  - Currently have a HCBS Case Manager or have contacted the ADRL



# AGING & ADULT SERVICES

## Informed Choice Strategy – Implemented January 1, 2021



- Process to identify individuals and give them an opportunity to make an informed decision about where to receive services.
- In-Reach: Making connections when individual is in hospital or skilled nursing facilities.
- Out-Reach: Connecting with someone who is living in their home and searching for care.

- Process, driven by the individual that identifies supports and services that are necessary to meet the individual's needs in the most integrated setting.
- Consumer works with HCBS case manager to examine range of options.

- The choice that is made after person has been provided with information about options for integrated settings and engaged in person-centered planning.
- Finalization of Care Plan and connection to resources as needed.

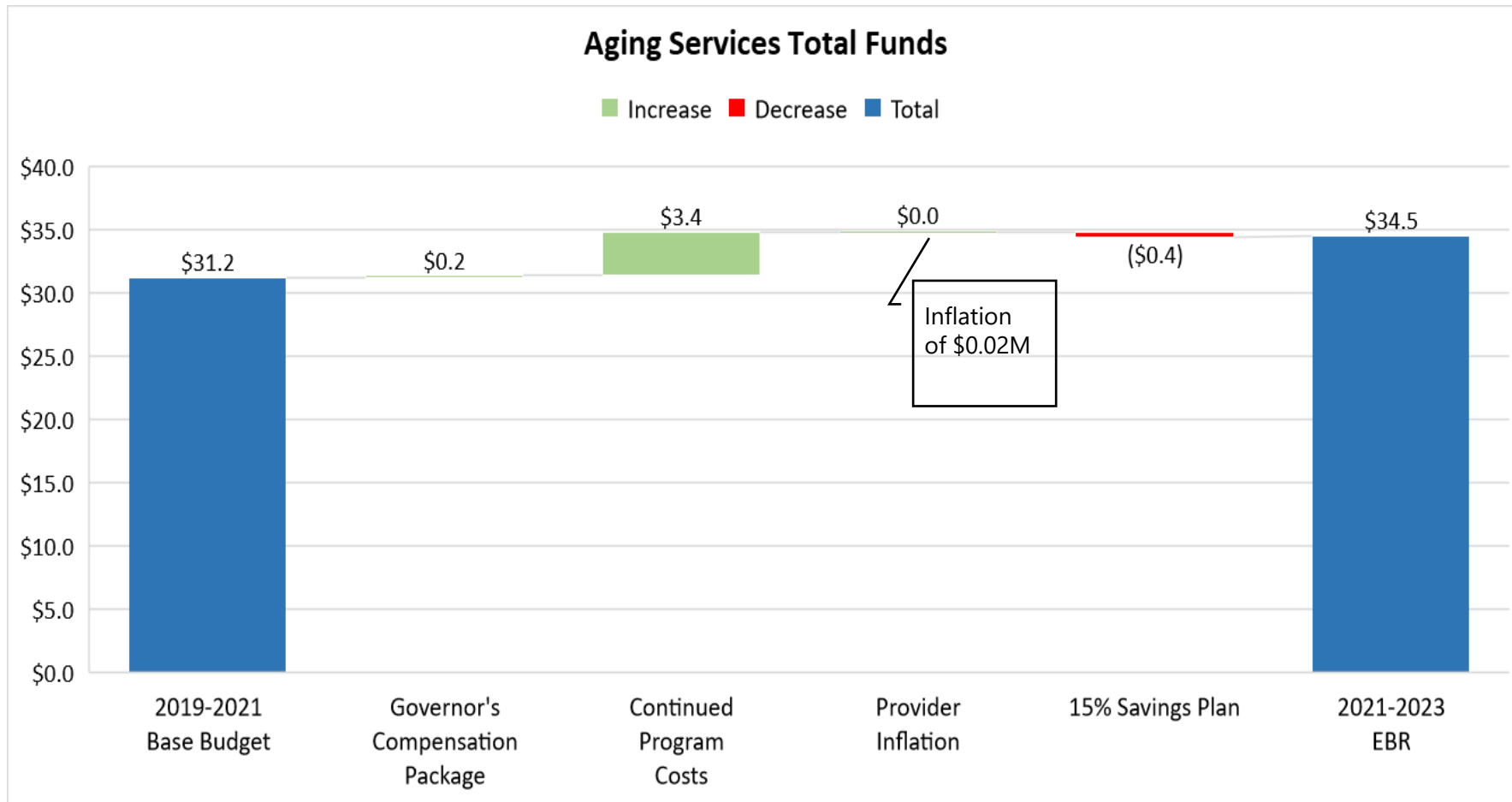
- Decision about individual care. All decisions are respected, and consumer is assisted in accessing HCBS if desired.
- Individual receives services in the setting and manner they selected; periodic follow up with case manager continues.

# OVERVIEW OF BUDGET CHANGES

Description	2019-2021 Budget	Increase/ (Decrease)	2021-2023 Executive Budget
<b>Salary and Wages</b>	7,531,996	1,115,342	8,647,338
<b>Operating</b>	20,507,198	1,178,637	21,685,835
<b>Grants</b>	3,175,102	944,491	4,119,593
<b>Total</b>	31,214,296	3,238,470	34,452,766
<b>General Fund</b>	12,128,232	297,546	12,425,778
<b>Federal Funds</b>	18,109,325	3,171,725	21,281,050
<b>Other Funds</b>	976,739	(230,801)	745,938
<b>Total</b>	31,214,296	3,238,470	34,452,766
<b>Full Time Equivalent (FTE)</b>	44.00	0.00	44.00

# AGING & ADULT SERVICES

## Overview of Total Budget Changes (in millions)

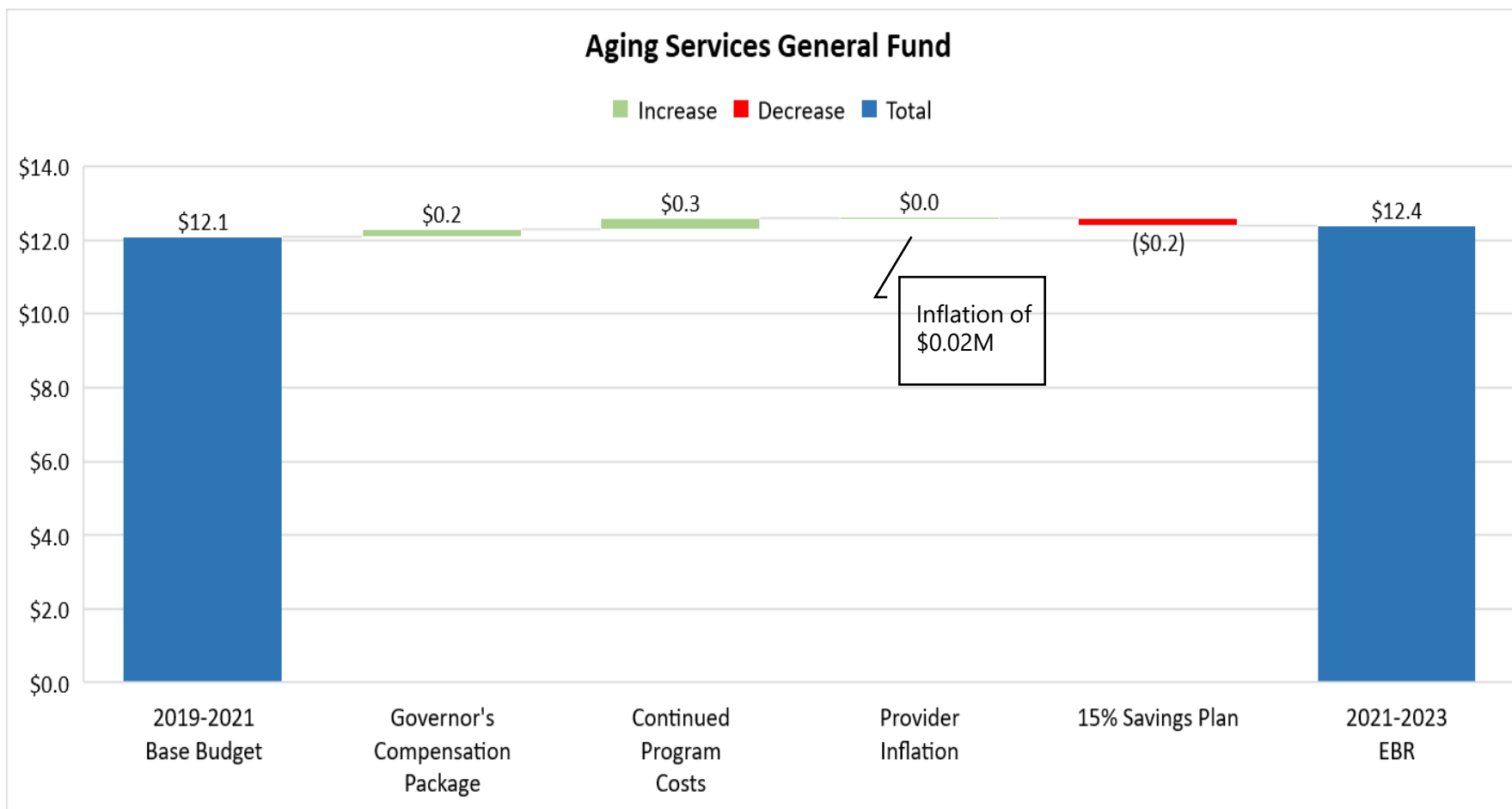


Overall increase of \$3.2M from 2019-2021 Base Budget

- Continued Program Costs of \$3.4M:
  - Annual salary adjustments of \$0.9M
  - Increase in rent at PHP of \$0.2M
  - Increase in contracted costs of \$2.3M
- Provider Inflation of \$0.02M:
  - VAPS contracts with counties
  - State Funds to Providers
- 15% Savings Plan of (\$0.4M):
  - Elimination of rent at PHP of (\$0.2M)
  - Reduction of contracted costs for Alzheimer's Association Dementia Care of (\$0.2M)

# AGING & ADULT SERVICES

## Overview of General Fund Budget Changes (in millions)



Overall increase of \$0.3M from 2019-2021 Base Budget

- Continued Program Costs of \$0.3M:
  - Annual salary adjustments of \$0.4M
  - Operating costs of (\$0.1M)
- Provider Inflation of \$0.02M:
  - VAPS contracts with counties
  - State Funds to Providers
- 15% Savings Plan of (\$0.2M):
  - Elimination of rent at PHP of (\$0.08M)
  - Reduction of contracted costs for Alzheimer's Association Dementia Care of (\$0.168M)

# AGING & ADULT SERVICES

## Nutrition Walk-Through

**North Dakota Department of Human Services**  
**Changes in Nutrition Services from 2019-2021 Appropriation to 2021-2023 Executive Budget To House**

Service Description	2019-2021 Appropriation	Changes in federal funds	Changes in general fund	2021-2023 Budget to OMB	Inflation 1%/1%	2021-2023 Budget To House
Congregate Meals	5,102,530	0	0	5,102,530	0	5,102,530
Home Delivered Meals	3,826,794	0	0	3,826,794	0	3,826,794
Nutrition Services Incentives	1,693,820	0	0	1,693,820	0	1,693,820
State Funds to Providers	1,392,038	0	0	1,392,038	20,950	1,412,988
<b>Total</b>	12,015,182	0	0	12,015,182	20,950	12,036,132
<b>General Funds</b>	4,182,656	0	0	4,182,656	20,950	4,203,606

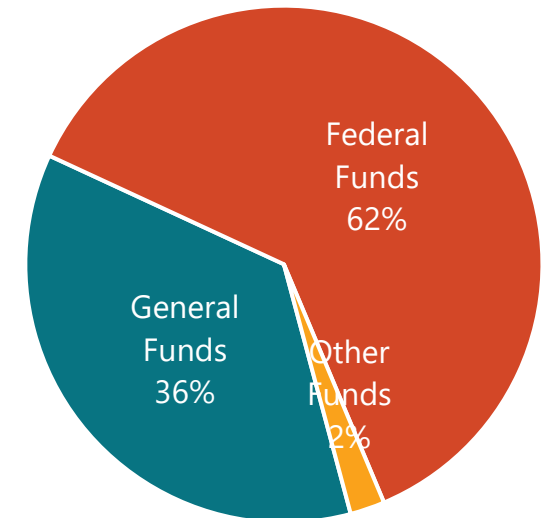
# Aging & Adult Services Budget Summary

**19-21 Budget** **\$31,214,295**

**21-23 Budget (exec)** **\$34,452,766**

44 FTEs; no change in FTEs projected; \$3,238,471 budget increase (98% in federal funds)

- Implementation of in-reach and out-reach and centralized intake for home and community-based services
- Continuation of Money Follows the Person
- Various programmatic and operating efficiencies





## Contact Information

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