



Legislative Report

Disability Waiver Financial Management and Waiting List

Disability Services Division

December 2018

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Disability Services Division

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I. Executive summary

This report details financial management of the state’s disability waiver programs and length of time to access waiver services. Recent 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) and the state’s lead agencies (counties and tribal nations) 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 CAC, CADI and BI waivers are managed within a “CCB” budget. The DD budget funds the Developmental Disabilities (DD) Waiver.

A. Risk levels for lead agencies

When compared to historical practice, there is now shared responsibility between DHS and lead agencies, with one outcome being that lead agencies now operate with less risk when they manage disability waiver funding. Risk was diminished for lead agencies with the adoption of statutes that:

- Set allocation-use expectations for lead agencies ([Minn. Stat. §256B.0916, subd. 12](#) and [Minn. Stat. §256B.49, subd. 27](#))
- Reduce risk of excess budget use ([Minn. Stat. §256B.0916, subd. 11](#) and [Minn. Stat. §256B.49, subd. 26](#))

DHS uses its statutory authority to maximize statewide waiver funding when lead agency budgets lack the funding to meet the needs of waiver recipients. DHS transferred CCB waiver funding between lead agencies 29 times in fiscal year 2018 and 30 times for DD Waiver funding during calendar year 2017. These transfers supported more enrollment for people on waiting lists and service-cost increases for recipients with increased service needs.

These changes have enabled many lead agencies to use a greater proportion of their waiver budgets. Compared to their respective previous budget years, 22 percent of lead agencies used more of their CCB budget in fiscal year 2018 while 34 percent of lead agencies used more of their DD budget in calendar year 2017.

B. Waiting lists

DHS developed new policies regarding management of disability waiver waiting lists since the Olmstead Plan established waiting list goals in May 2014. This 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. Waiting lists also have decreased as lead agencies have verified and prioritized urgency of need for DD Waiver services. As a result of these changes, there no longer are people waiting for CADI services because of lead agency financial limitations for the CADI waiver. The DD waiting list continues to have a record low number of people waiting for funding, while time on the waiting list has decreased to just about two months. The BI and CAC waivers also do not have waiting lists to access services.

DHS expects lead agencies to approve waiver funding for people 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 Statute, 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 \(PDF\)](#), approved by the subcabinet on Oct. 23, 2018, activity 1H:

Table 1: Reporting requirements

1	Key activity	Expected outcome	Deadline	Other agency(s) or partners
H	<p>As part of the Subcabinet quarterly report each February, provide an update on the following:</p> <ul style="list-style-type: none"> • An estimate on funding needed to eliminate the waiting list; and • The number of people on other waivers who are eligible for Developmental Disability (DD) waivers. <p>Summary information on:</p> <ul style="list-style-type: none"> • 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 February 28, 2018 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
- Progress toward authorizing waiver services for people in a timely manner.

The Department of Human Services (DHS) and the state's lead agencies (counties and tribal nations) 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 nearly eliminated disability waiver waiting lists
- 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 would repay the state, using local funding sources, for authorizations and spending in excess of their waiver budget. This high-risk scenario encouraged conservative budget management among lead agencies and lead to unnecessarily large budget reserves.

Recent legislation provided DHS with a greater ability to work with lead agencies to maximize waiver funding. New tools allow 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 enough funding 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
- 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, are available even if a person has to wait for access to waiver services.

In recent history, only CADI and DD waivers have had a waitlist. No waitlist has been needed 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 successfully was achieved as of 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 implementation of reforms to 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](#). A category is assigned based on a person's urgency of need. A person's urgency of need is based on information gathered during that person's assessment for long-term services and supports which is documented on the [DD Waiver Waiting List Category Determination Tool, DHS-7209 \(PDF\)](#). The lead agency makes a final determination by consulting with the assessed person to determine his/her level of need and provides notification of the assigned urgency category.

The four urgency categories are:

- **Institutional exit:** People in this category currently reside 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 currently 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 anytime. This may allow 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 can reasonably expect to wait between the date of his/her assessment and the date when the lead agency approves waiver funding. Then, planning for services can begin.

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.

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.

Data regarding 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 the most recently completed fiscal year (FY 2018, which is July 1, 2017-June 30, 2018), lead agencies, on average, authorized services that totaled 96 percent of their CCB budget. Overall, 22 percent of lead agencies used a greater proportion of their CCB budgets in fiscal year 2018 than fiscal year 2017. Table 2 provides a summary of lead agency CCB waiver budgets for fiscal year 2018 as of October 9, 2018.

Table 2: FY 2018 CCB budget use

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Aitkin	\$3,536,188	\$3,372,872	\$163,316	5%
Anoka	\$102,147,289	\$99,233,804	\$2,913,485	3%
Becker	\$10,358,385	\$10,056,197	\$302,188	3%
Beltrami	\$12,727,466	\$12,432,028	\$295,438	2%
Benton	\$8,759,444	\$8,515,572	\$243,872	3%
Blue Earth	\$1,597,629	\$1,557,962	\$39,667	2%
Brown	\$22,322,693	\$21,461,888	\$860,805	4%
Carlton	\$13,870,708	\$13,630,969	\$239,739	2%
Carver	\$19,598,486	\$19,375,997	\$222,489	1%
Cass	\$8,845,154	\$8,691,620	\$153,534	2%
Chisago	\$19,085,688	\$18,556,107	\$529,581	3%
Clay	\$31,246,234	\$30,796,647	\$449,587	1%
Clearwater	\$1,942,036	\$1,681,320	\$260,716	13%
Cook	\$733,768	\$571,777	\$161,991	22%
Crow Wing	\$16,748,214	\$15,727,848	\$1,020,366	6%
Dakota	\$137,093,873	\$129,348,103	\$7,745,770	6%
Douglas	\$9,902,322	\$8,574,961	\$1,327,361	13%
Fillmore	\$5,149,079	\$4,769,990	\$379,089	7%
Freeborn	\$6,500,879	\$6,266,122	\$234,757	4%
Goodhue	\$11,972,211	\$11,688,497	\$283,714	2%
Hennepin	\$343,396,347	\$335,689,569	\$7,706,778	2%
Houston	\$3,448,315	\$2,740,350	\$707,965	21%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Hubbard	\$4,506,032	\$4,317,239	\$188,793	4%
Isanti	\$10,589,959	\$9,760,821	\$829,138	8%
Itasca	\$18,912,038	\$18,528,674	\$383,364	2%
Kanabec	\$4,935,681	\$4,826,227	\$109,454	2%
Kandiyohi	\$18,810,009	\$16,969,423	\$1,840,586	10%
Koochiching	\$3,477,197	\$2,924,148	\$553,049	16%
Lake	\$3,894,080	\$3,533,813	\$360,267	9%
Lake of the Woods	\$1,109,870	\$1,136,855	(\$26,985)	-2%
Le Sueur	\$6,476,301	\$6,391,846	\$84,455	1%
Mille Lacs	\$12,394,352	\$11,130,648	\$1,263,704	10%
Morrison	\$7,316,531	\$7,284,295	\$32,236	0%
Mower	\$13,040,362	\$12,228,041	\$812,321	6%
Nicollet	\$9,834,178	\$8,856,463	\$977,715	10%
Nobles	\$5,189,427	\$4,239,865	\$949,562	18%
Olmsted	\$39,839,201	\$38,598,775	\$1,240,426	3%
Otter Tail	\$20,411,610	\$19,932,635	\$478,975	2%
Pine	\$6,914,906	\$6,000,596	\$914,310	13%
Ramsey	\$201,741,189	\$196,137,015	\$5,604,174	3%
Rice	\$18,212,910	\$17,126,772	\$1,086,138	6%
St. Louis	\$68,325,501	\$65,779,950	\$2,545,551	4%
Scott	\$26,979,050	\$25,888,791	\$1,090,259	4%
Sherburne	\$24,706,773	\$24,482,481	\$224,292	1%
Sibley	\$4,552,474	\$4,019,040	\$533,434	12%
Stearns	\$42,034,659	\$40,767,799	\$1,266,860	3%
Todd	\$9,275,600	\$7,891,029	\$1,384,571	15%
Wabasha	\$4,225,226	\$3,986,467	\$238,759	6%
Wadena	\$7,823,405	\$7,827,781	(\$4,376)	0%
Washington	\$40,664,509	\$37,677,186	\$2,987,323	7%
Watonwan	\$2,871,523	\$2,652,587	\$218,936	8%
Wilkin	\$2,524,724	\$2,404,504	\$120,220	5%
Winona	\$22,393,233	\$20,244,094	\$2,149,139	10%
Wright	\$37,871,073	\$35,063,285	\$2,807,788	7%
Leech Lake Band of Ojibwe	\$822,025	\$691,954	\$130,071	16%
White Earth Nation	\$4,826,317	\$4,671,012	\$155,305	3%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
DVHHS Alliance	\$5,850,704	\$5,309,022	\$541,682	9%
FMCHS Alliance	\$11,431,544	\$11,133,151	\$298,393	3%
McLeod, Meeker, Renville Alliance	\$22,859,336	\$21,141,099	\$1,718,237	8%
MnPrairie Alliance	\$18,472,582	\$18,183,851	\$288,731	2%
Northwest 8 Alliance	\$26,085,424	\$21,902,388	\$4,183,036	16%
Region 6 West Alliance	\$15,035,677	\$13,267,651	\$1,768,026	12%
SWMHHS Alliance	\$27,651,847	\$25,828,448	\$1,823,399	7%
Statewide	\$1,625,871,447	\$1,555,477,921	\$70,393,526	4%

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, Mahnommen, 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 2016, lead agencies, on average, spent the same percentage (94 percent) of their DD budgets in 2017 (the most recently completed budget year). Overall, 34 percent of lead agencies used a greater proportion of their DD budgets in 2017 than in 2016. Table 3 provides a summary of lead agency DD Waiver budgets for calendar year 2017 as of Oct. 9, 2018.

Table 3: CY 2017 DD budget use

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Aitkin	\$4,886,562	\$3,885,991	\$1,000,571	20%
Anoka	\$89,832,528	\$82,624,076	\$7,208,452	8%
Becker	\$6,359,393	\$5,984,593	\$374,800	6%
Beltrami	\$11,534,611	\$10,934,488	\$600,123	5%
Benton	\$10,998,908	\$9,827,752	\$1,171,156	11%
Blue Earth	\$15,100,163	\$14,492,382	\$607,781	4%
Brown	\$9,927,037	\$8,705,868	\$1,221,169	12%
Carlton	\$13,833,193	\$12,515,112	\$1,318,081	10%
Carver	\$18,378,087	\$17,909,636	\$468,451	3%
Cass	\$9,894,069	\$9,067,456	\$826,613	8%
Chisago	\$14,022,121	\$13,445,889	\$576,232	4%
Clay	\$18,951,667	\$18,179,773	\$771,894	4%
Clearwater	\$780,118	\$741,671	\$38,447	5%
Cook	\$1,324,978	\$1,110,365	\$214,613	16%
Crow Wing	\$12,422,720	\$11,918,251	\$504,469	4%
Dakota	\$96,262,562	\$95,304,024	\$958,538	1%
Douglas	\$7,677,739	\$7,424,730	\$253,009	3%
Fillmore	\$7,696,345	\$7,286,605	\$409,740	5%
Freeborn	\$10,407,938	\$8,942,382	\$1,465,556	14%
Goodhue	\$16,284,177	\$14,918,380	\$1,365,797	8%
Hennepin	\$308,323,293	\$292,756,405	\$15,566,888	5%
Houston	\$7,795,131	\$7,162,134	\$632,997	8%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Hubbard	\$4,538,504	\$3,929,815	\$608,689	13%
Isanti	\$8,411,637	\$7,637,039	\$774,598	9%
Itasca	\$17,336,417	\$16,913,845	\$422,572	2%
Kanabec	\$4,788,878	\$4,759,345	\$29,533	1%
Kandiyohi	\$10,237,566	\$8,738,841	\$1,498,725	15%
Koochiching	\$5,141,765	\$4,232,776	\$908,989	18%
Lake	\$5,712,182	\$4,714,790	\$997,392	17%
Lake of the Woods	\$1,472,933	\$1,358,961	\$113,972	8%
Le Sueur	\$9,902,363	\$9,001,809	\$900,554	9%
Mille Lacs	\$6,742,331	\$6,500,723	\$241,608	4%
Morrison	\$11,529,679	\$10,954,902	\$574,777	5%
Mower	\$18,520,273	\$17,247,418	\$1,272,855	7%
Nicollet	\$5,911,843	\$5,230,082	\$681,761	12%
Nobles	\$5,147,147	\$4,670,369	\$476,778	9%
Olmsted	\$40,280,329	\$37,427,638	\$2,852,691	7%
Otter Tail	\$13,240,297	\$11,677,823	\$1,562,474	12%
Pine	\$6,528,086	\$6,233,028	\$295,058	5%
Ramsey	\$149,602,322	\$136,583,312	\$13,019,010	9%
Rice	\$24,275,223	\$22,812,818	\$1,462,405	6%
St. Louis	\$73,740,080	\$69,532,388	\$4,207,692	6%
Scott	\$26,533,149	\$26,161,419	\$371,730	1%
Sherburne	\$16,716,154	\$15,102,848	\$1,613,306	10%
Sibley	\$5,010,273	\$4,254,163	\$756,110	15%
Stearns	\$30,180,561	\$28,696,974	\$1,483,587	5%
Todd	\$7,644,851	\$7,357,086	\$287,765	4%
Wabasha	\$8,134,085	\$7,407,616	\$726,469	9%
Wadena	\$3,800,828	\$3,473,788	\$327,040	9%
Washington	\$54,626,841	\$50,446,676	\$4,180,165	8%

Lead agency	Allowable budget	Amount spent	Reserve amount	Reserve percent
Watonwan	\$3,824,634	\$3,405,178	\$419,456	11%
Wilkin	\$3,572,749	\$3,080,710	\$492,039	14%
Winona	\$15,639,263	\$15,397,297	\$241,966	2%
Wright	\$22,846,230	\$21,362,793	\$1,483,437	6%
Leech Lake Band of Ojibwe	\$145,628	\$0	\$145,628	100%
White Earth Nation	\$668,129	\$525,052	\$143,077	21%
DVHHS Alliance	\$8,778,463	\$7,887,400	\$891,063	10%
FMCHS Alliance	\$14,515,795	\$13,066,712	\$1,449,083	10%
McLeod, Meeker, Renville Alliance	\$23,806,320	\$22,493,624	\$1,312,696	6%
MnPrairie Alliance	\$19,500,740	\$18,329,816	\$1,170,924	6%
Northwest 8 Alliance	\$33,396,703	\$31,328,808	\$2,067,895	6%
Region 4 South Alliance	\$9,875,186	\$9,172,894	\$702,292	7%
Region 6 West Alliance	\$20,065,146	\$18,762,270	\$1,302,876	6%
SWMHHS Alliance	\$26,373,380	\$25,155,707	\$1,217,673	5%
Statewide	\$1,471,408,303	\$1,378,164,516	\$93,243,787	6%

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. When a lead agency exceeds its waiver budget, the new legislation allows for the development of a corrective action plan with DHS in lieu of immediate recoupment. These corrective action plans give lead agencies two years to rectify the overspending. The same legislation clarified that recoupment would only be required in cases that 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, lead agencies must use 97 percent of their budget if they also have 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

In fiscal year 2018, DHS did not require a corrective action plan for a lead agency that over-authorized its CCB waiver budgets. As shown in Table 2, two 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 corrective action plans because the transfers were inadequate.

DHS did not issue corrective action plans for lead agencies for authorizing less than 97 percent of a waiver budget because no agency maintained a CADI waiting list during fiscal year 2018.

B. DD Waiver corrective action plans

DHS did not require corrective action plans for overspending DD Waiver budgets in calendar year 2017, 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 require corrective action plans in calendar year 2017 for lead agencies who spent less than 97 percent 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 uses 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 due to 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 29 times in fiscal year 2018. Table 4 provides details of these funding transfers.

Table 4: CCB funding transfers by lead agency (FY 2018)

Lead agency	Change in budget	Amount
Anoka	Decrease	\$284,978
Blue Earth	Decrease	\$80,382
Brown	Decrease	\$91,355
Carver	Increase	\$122,690
Cass	Decrease	\$46,948
Chippewa	Decrease	\$160,778
Clay	Increase	\$175,891
Dakota	Decrease	\$185,162
Douglas	Decrease	\$197,794
Hennepin	Increase	\$2,722,222
Itasca	Increase	\$222,342
Kanabec	Increase	\$23,569
Kandiyohi	Decrease	\$148,809
Lake of the Woods	Increase	\$39,878
Lyon	Decrease	\$122,312

Lead agency	Change in budget	Amount
Mille Lacs	Decrease	\$96,604
Morrison	Increase	\$35,898
Olmsted	Decrease	\$135,001
Polk	Decrease	\$365,893
Ramsey	Decrease	\$758,092
Renville	Decrease	\$83,687
Rice	Decrease	\$83,138
St. Louis	Decrease	\$197,979
Stearns	Increase	\$392,415
Todd	Increase	\$120,307
Wadena	Increase	\$204,525
Washington	Decrease	\$190,467
Winona	Decrease	\$181,132
Wright	Decrease	\$202,508

B. DD funding transfers

DHS transferred DD Waiver funding between lead agencies 30 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 (CY 2017)

Lead agency	Change in budget	Amount
Anoka	Decrease	\$205,711
Beltrami	Increase	\$504,362
Carver	Increase	\$257,273
Carver	Increase	\$545,259
Cass	Increase	\$32,195
Cass	Increase	\$221,903
Clay	Increase	\$1,557,953
Crow Wing	Increase	\$33,550
Crow Wing	Increase	\$212,004
Hennepin	Decrease	\$411,423
Itasca	Increase	\$396,484
Itasca	Increase	\$487,040
Kanabec	Increase	\$300,000
Lake of the Woods	Increase	\$311,686
Mille Lacs	Increase	\$131,606

Lead agency	Change in budget	Amount
Morrison	Increase	\$251,725
Pine	Increase	\$92,185
Polk	Decrease	\$334,218
Ramsey	Decrease	\$1,319,898
Ramsey	Decrease	\$3,046,801
St. Louis	Decrease	\$205,711
Scott	Increase	\$137,027
Sherburne	Decrease	\$407,246
Stearns	Decrease	\$181,818
Steele	Increase	\$100,113
Todd	Increase	\$77,900
Washington	Decrease	\$783,957
Winona	Increase	\$39,632
Winona	Increase	\$98,482
White Earth Nation	Increase	\$180,624

VII. DD waiting list categories and reasonable pace

Minnesota’s Olmstead Plan establishes goals regarding 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 waiver program waitlist page](#). The majority of people who receive an assessment are not included in the tables below. This is because they either:

- Do not request DD Waiver services within the next 12 months
- Are 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 place

Table 6 provides information related to meeting Olmstead goals for the period of 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	REASONABLE PACE Funding approved within 45 days	Funding approved after 45 days	Still on the waiting list
Leaving an Institution	20	12	6	2
Immediate Need	121	89	26	6
Defined Needs	311	227	61	23
Totals	452	328	93	31

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, 2018.

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

Waitlist category	Average days waiting
Institutional Exit	85
Immediate Need	51
Defined Need	63
Overall average	61

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

Table 8 provides details on the ages, urgency of need categories and planned services of people on the DD waiting list (Note: A person may have more than one planned service. These people will appear multiple times in this table.)

Total figures will differ from Table 6, due to the date the data was 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	<5	0	0	0	0	<5	0
	Total	<5	0	0	0	0	<5	0
Adult day care	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	0	0	0	0	<5	0
	Total	<5	0	0	0	0	<5	0
Assistive technology	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	<5	<5	0	0	0	0	0
	Defined need	5	<5	<5	0	0	0	0
	Total	7	5	<5	0	0	<5	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	0	0	0	0	0	0	0
	Total	0	0	0	0	0	0	0
Case management	Institutional exit	<5	<5	0	0	0	<5	0
	Immediate need	6	<5	0	<5	0	<5	0
	Defined need	30	16	5	<5	<5	<5	0
	Total	38	21	5	<5	<5	6	0
Consumer-directed community supports (CDCS)	Institutional exit	0	0	0	0	0	0	0
	Immediate need	5	<5	<5	0	0	0	0
	Defined need	15	11	<5	<5	0	0	0
	Total	20	15	<5	<5	0	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

Planned service	Urgency of need category	Total	0-12	13-17	18-22	23-39	40-64	65+
Crisis-respite	Institutional exit	0	0	0	0	0	0	0
	Immediate need	<5	0	0	0	<5	0	0
	Defined need	<5	<5	0	0	0	0	0
	Total	<5	<5	0	0	<5	0	0
Day training and habilitation (DTH)	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	<5	0	0	0	<5	0	0
	Defined need	5	0	0	<5	<5	<5	0
	Total	<5	0	0	<5	<5	<5	0
Homemaker	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	<5	0	0	0	<5	0
	Total	<5	<5	0	0	0	<5	0
Housing access	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	0	0	0	<5	0	0
	Total	<5	0	0	0	<5	0	0
In home family support	Institutional exit	<5	<5	0	0	0	0	0
	Immediate need	<5	<5	0	0	<5	0	0
	Defined need	14	8	<5	<5	<5	0	0
	Total	17	10	<5	<5	<5	0	0
Modification/equipment	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	6	<5	<5	0	0	0	0
	Total	7	<5	<5	0	0	<5	0
Personal support	Institutional exit	<5	<5	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	0	0	<5	<5	0	0
	Total	<5	<5	0	<5	<5	0	0
Respite (not ICF/DD)	Institutional exit	<5	<5	0	0	0	0	0
	Immediate need	<5	0	0	<5	<5	0	0
	Defined need	10	6	<5	<5	<5	0	0
	Total	13	7	<5	<5	<5	0	0
Supportive living services (SLS)	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	<5	0	0	<5	<5	0	0
	Defined need	6	0	0	<5	<5	<5	0
	Total	10	0	0	<5	<5	<5	0
Specialist services	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	<5	0	0	<5	0	0
	Total	<5	<5	0	0	<5	<5	0

Planned service	Urgency of need category	Total	0-12	13-17	18-22	23-39	40-64	65+
Supported employment	Institutional exit	0	0	0	0	0	0	0
	Immediate need	0	0	0	0	0	0	0
	Defined need	<5	0	0	<5	<5	0	0
	Total	<5	0	0	<5	<5	0	0
Transportation, chore, personal care assistance (PCA)	Institutional exit	<5	0	0	0	0	<5	0
	Immediate need	<5	0	0	0	<5	0	0
	Defined need	5	<5	<5	0	<5	<5	0
	Total	7	<5	<5	0	<5	<5	0
Total, planned services	Institutional exit	<5	<5	0	0	0	<5	0
	Immediate need	7	<5	0	<5	<5	<5	0
	Defined need	30	16	5	<5	<5	<5	0
	Total	39	21	5	<5	<5	<5	0
Total, no planned services	Institutional exit	<5	0	0	0	<5	0	0
	Immediate need	<5	0	<5	0	0	0	0
	Defined need	<5	<5	0	0	0	0	0
	Total	6	<5	<5	0	<5	0	0
Total, unduplicated	Institutional exit	<5	<5	0	0	<5	<5	0
	Immediate need	8	<5	<5	<5	<5	<5	0
	Defined need	34	20	5	<5	<5	<5	1
	Total	45	25	6	<5	<5	<5	0

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 may not start the waiver immediately after funding approval because service planning and locating providers may take additional time. This information is current as of June 30, 2018.

Table 9: People with DD Waiver funding but without service agreements as of June 30, 2018

Measure	Number of people
Number of people with funding approved by no services agreement	32
Average number of days since funding approval	110

E. New DD Waiver recipients

Table 10 displays information about people who began DD Waiver services between June 1 and June 30, 2018.

Table 10: New DD Waiver recipients

Measure	Number of people
Number of people who started DD Waiver from waiting list	114
Number of people who started DD Waiver not from waiting list	51
Number of people who left the waiting list but did not start the DD Waiver	9

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

Over the course of the four most recent Olmstead Quarterly Reports, an average of 93 percent of the total number of people assessed had funding approved. Furthermore, lead agencies approved funding for an average of 68 percent of people assessed within reasonable-pace standards. As shown in Table 6, lead agencies determined that 452 people met an urgency of need for one of the waiting list categories between April and June 2018. At the end of this period, 31 people were still waiting for approved funding. These figures demonstrate the ability of lead agencies to approve DD Waiver funding effectively 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 slightly more than 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. Report recommendations

DHS recommends maintaining current DD Waiver participant growth. This would allow lead agencies to:

- Continue to approve funding for people in all DD waiting list categories
- Maintain the historically low number of people on the waiting list
- Limit waiting times.

DHS continues to encourage lead agencies to reach statutory spending targets and DD Waiver waiting list Olmstead goals. Agencies that do not reach these targets in 2018 may receive corrective action plans in 2019. DHS believes the corrective-action process has been helpful for lead agencies in the past and recommends the process continue going forward.