

NORTHCARE NETWORK

POLICY TITLE: Serious Emotional Disturbance (SED) Waiver	CATEGORY: Utilization Management	
EFFECTIVE DATE: 4/12/23	BOARD APPROVAL DATE: 4/12/23	
REVIEW DATE: 02/20/24	REVISION(S) TO POLICY STATEMENT: <input type="checkbox"/> Yes <input type="checkbox"/> No	OTHER REVISION(S): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
RESPONSIBLE PARTY: QI-UM Specialist/Waiver Coordinator	CEO APPROVAL DATE: 3/5/24 Megan Rooney, CEO	

APPLIES TO

NorthCare Network Personnel
Member CMHSPs
Any contracted service providers serving SED Enrollees

POLICY

It is the Policy of NorthCare Network that all Network Providers follow the required guidelines for the SED waiver.

PURPOSE

This policy is to facilitate compliance with the guidelines for the SED Waiver set forth by Michigan Department of Health and Human Services (MDHHS), Centers for Medicare and Medicaid Services (CMS) and through following the Medicaid Provider Manual (MPM). The intent of the SED Waiver program is to provide Home and Community Based Waiver Services, as approved by CMS for children with Serious Emotional Disturbances Benefit Plan, along with state plan services in accordance with the Medicaid Provider Manual.

DEFINITIONS

1. ***Adverse Benefit Determination (ABD)***: A decision that adversely impacts the Medicaid Enrollee's claim for services due to all reasons outlined in 42 CFR 438.400.

REFERENCES

- MDHHS/PIHP Contract
- Michigan Medicaid Provider Manual
- Section (C) of the Social Security Act.
- 42 CFR 438.400

HISTORY

NEW POLICY: 4/12/23
REVISION DATE: 2/20/24
REVIEW DATE: 2/20/24
CEO APPROVAL DATE: 3/5/24
BOARD APPROVAL DATE: 4/12/23

PROCEDURES

1. SEDW Waiver Certification Categories
 - a. Traditional Waiver – children living with their legal parents/guardians, including private/international adoptions.
 - b. DHHS Project – children with open foster care cases through MDHHS and/or children adopted out of the Michigan child welfare system

2. SED Waiver Eligibility:
 - a. The child must reside with a birth/adoptive family or have a plan to return to the birth or adoptive family; OR reside with a legal guardian; OR reside in a foster home with a permanency plan; OR be the age 18 -19 and live independently with supports and should be under the age of 18 when enrolled on the waiver.
 - b. Must meet MDHHS current criteria for psychiatric hospital for children or are at risk of hospitalization without waiver services. *See the MPM Inpatient Admission Criteria: Children through Age 21. Must be all three criteria: Diagnosis, severity of illness, intensity of services.*
 - c. Meet Medicaid eligibility criteria and become a Medicaid Beneficiary. Medicaid is the only funding source for the SEDW.
 - i. The SEDW is a pathway the Medicaid and parents are allowed to waive their assets and income in order to make a child eligible for Medicaid as a *family of one*.
 - d. Demonstrate serious functional limitations that impair the ability to function in the community, based on the score on functional assessment. (CAFAS, PECFAS, DECA). *See MPM for required score based on age and assessment used.*
 - e. The child must be under the age of 18 when approved for the waiver.
 - f. Other SEDW eligibility considerations:
 - i. Must have a primary SED qualifying diagnosis.
 - ii. Must receive at least one SEDW service, other than wraparound, per month in order to maintain eligibility.
 - iii. Eligibility is good for one year and renewed annually
 - iv. SEDW is intended for one year, with the possibility of a second year.

3. Initial Application Process:
 - a. The CMHSP must assess eligibility and determine the level of care for SEDW enrollment and submit application via the Waiver Support Application (WSA) for all children that are eligible.
 - b. For any child that is assessed for SEDW enrollment and deemed ineligible the CMHSP must send a written adverse benefit determination (ABD) to the family, informing them of their appeal rights. These must be provided even if the child is not currently a Medicaid beneficiary. (Copy of denials sent for SEDW enrollment must be sent to MDHHS SEDW Lead contacts)
 - i. Denials sent via the ABD must be specific and include the reason for the denial based on the criteria outlined in this policy and the MPM.
 - c. For DHHS project waivers the CMHSP will have an understanding with local county MDHHS offices outlining roles and responsibilities regarding the MDHHS SED Project cases.
 - i. There should be an identified referral process for children who are potentially eligible for the SEDW, with the assistance of local MDHHS workers, CMHSP SEDW Leads and Wraparound Supervisors. The PIHP Waiver Coordinator is available for assistance, when needed and/or necessary.

- d. If it is determined that the child is eligible for SEDW, family should be referred to wraparound. Wraparound is responsible for the SEDW application.
 - i. Wraparound is mandatory for each child enrolled on SEDW and they are responsible for orienting the family to SEDW.
 - ii. The SEDW waiver certification and family choice assurance form (FCA) should be completed for each case.
 - 1. The waiver certification is generated in the WSA and needs to be completed by the CMHSP SED lead staff.
 - 2. The FCA form is generated in the WSA and needs to be signed by the parent/legal guardian and the wraparound facilitator.
 - a. Who can sign FCA Form:
 - i. Traditional waiver – parent/legal guardian
 - ii. Temporary Court Ward – parent/legal guardian must sign. Foster parents can not provide consent. Child welfare workers may sign only if they secure a court order signed by the Judge giving the child welfare worker authority to sign specifically for SEDW consent.
 - iii. Permanent State Wards (MCI) – Mary Chaliman signs for MCI, her signature will auto generate on the FCA from WSA. The judge would sign for permanent court wards.
4. SED Enrollment Process and Approval
 - a. The case is submitted via the WSA for SED enrollment via the CMHSP SED Lead staff who has WSA access. The case is first sent to the PIHP for review and then onto MDHHS for review and final approval for enrollment.
 - b. SEDW enrollment date is determined by the referral date in the WSA.
 - i. Applications with a referral date between 1st and 15th of the month are approved with a retro enrollment date of the 1st of the month.
 - ii. Application with a referral date between the 16th and end of the month will have an enrollment date of the 1st of the following month.
 - c. Once SED Approval is received from MDHHS, Wraparound should monitor and follow up with the family to ensure that the Medicaid application (or annual redetermination) is completed in a timely manner. Medicaid is the sole funding source for SEDW.
 - i. Medicaid approval date is determined by the date the Medicaid application is submitted (US postal stamp date or fax date) and not by the SEDW enrollment date.
 - ii. The Medicaid redetermination date will not always line up with the SEDW Enrollment date due to: if retroactive Medicaid is required at the time of initial enrollment, the Medicaid redetermination will be due before the SEDW recert and/or if the child had active Medicaid prior to SEDW enrollment.
 - d. For DHHS project SED cases that are approved, a copy of the approval email should be sent to the local county MDHHS office. That email serves as proof for SEDW approval for the local DHHS office SEDW DOC approval process.
 - e. Once all documents and assessments have been completed and SEDW eligibility is determined by the CMHSP and while the Medicaid application is being processed, all medically necessary services must be provided.

5. SED Changes and Case Transfers
 - a. Any changes in demographics or court wardship should be reported and submitted to MDHHS via updating the WSA.
 - b. Transfers within our Region
 - i. CMHSP SED lead will initiate the transfer with the CMHSP SED lead at the new CMH (within the region). Use of the SED change form is required, by completing the transfer section.
 - ii. PIHP will complete the transfer in the WSA.
 - c. Transfers between PIHP Region
 - i. PIHP/CMHSP is responsible for contracting the new PIHP/CMHSP and facilitating transfer date and completing change form.
 - ii. The transfer date must be the first of the month, and it is up to the PIHP to agree upon the date.
 - iii. Submit to MDHHS in WSA and they will complete the transfer in the WSA.

6. Inactive Status
 - a. Anytime an SED enrolled child is out of the community (i.e., hospitalization, detention center, residential, runaway) Wraparound must notify CMHSP SED lead to submit inactive status in the WSA per the inactivity policy (must be out of the community for a full calendar month).
 - b. A child can remain enrolled in SEDW for up to 90 days (at max) with an inactive status.