



Performance Based Contracting (PBC) Waiver Submissions and Supporting Documents ODP Announcement 24-071

AUDIENCE:

All Interested Stakeholders

PURPOSE:

The purpose of this announcement is to inform stakeholders of the submission of the PBC 1915(b)4 Waiver and 1915(c) Waiver amendment submissions to the Centers for Medicare and Medicaid Services (CMS).

DISCUSSION:

The Office of Developmental Programs (ODP) has submitted waiver amendments to CMS for the 1915(c) Consolidated and Community Living Waiver programs and a 1915(b)(4) Selective Contracting waiver for Residential Services¹, that once approved, will allow ODP to implement PBC. In addition, ODP submitted an amendment to the 1915(c) Person/Family Directed Support (P/FDS) waiver for non-PBC related changes, which were also reflected in the amended Consolidated and Community Living Waivers.

¹ 1915(b)(4) waivers are not “stand-alone” programs; rather, they govern how a state administers Medicaid services. ODP is seeking to use the 1915(b)(4) authority for the administration of residential services in the Community Living and Consolidated waivers.

ODP has included with this Announcement multiple documents and resources that are essential for understanding and implementing PBC.

Significant Changes

All significant changes resulting from public comments can be found in the PBC Implementation Guide, in Appendix A titled, “Significant Changes to Performance-Based Contracting Proposal as a Result of Public Comment April 20-June 4, 2024.”

Document Publication

The following documents are available and released with this ODP Announcement:

- ***PBC Residential Services Implementation Guide*** – Describes PBC including rationale and background, details about performance standards and tier determination, data and documentation submission, timelines, Pay for Performance, and significant changes as a result of public comments. The following documents are included with the Guide:
 - ***PBC Residential Services Attestation Form*** - Residential providers are required to complete this form and upload it as part of the data and documentation submission for tier determination. The attestation, in addition to documentation submitted by the residential provider, will help inform the ODP assignment of a PBC tier for the provider.
 - ***Residential Performance Standards*** – A copy of the performance standards published in Bulletin 00-24-01, which are a key component of PBC. Each standard contains measurable requirements that residential providers must meet.

- ***PBC Residential Services Provider Data Submission Tool and Instructions*** – This PDF version of the Data Submission Tool is intended to support provider completion of the web-based Data Submission Tool that will be published in QuestionPro. ODP will send notification with instructions to residential providers when the PBC Residential Data Submission Tool is available for completion via the Quality Assessment Improvement (QA&I) resource account.
- ***PBC Residential Services Tier Scoring Tool*** – The tool that will be used to determine tier assignment.
- ***PBC Residential Services Provider Self-Assessment Toolkit and Workbook*** – two resources designed for residential providers to self-evaluate in preparation for the PBC process. This tool will not be requested by ODP as part of the PBC process.
- ***Waivers***
 - *Submitted amendments for Consolidated and Community Living 1915(c) and 1915(b)(4) Selective Contracting Waiver for Residential Services located at the following link: [Proposed Waiver Amendments | Department of Human Services | Commonwealth of Pennsylvania](#).*

Webinar Registration

As a reminder, ODP will be conducting a webinar for residential providers on Monday, July 29, 2024 from 9 AM-10 AM to review publications, changes made as a result of public comment, and instructions for tier determination and data submission.

To register, please click on the following link: [Registration \(gotowebinar.com\)](https://gotowebinar.com)

Online Document Access

ODP has posted all PBC documents on a MyODP PBC Resource Page located at the following link: [Performance-Based Contracting – MyODP](#).

Reminders

- *Residential Provider Agreement:* A reminder to all residential providers that the Residential Provider Agreement must be signed and returned to ODP by **July 31, 2024**.
- *Submission of Data and Documentation for Tier Determination:* Residential providers with a signed and submitted Agreement for Provision of Residential Services may choose when to submit data and documentation to determine the PBC tier. Providers may submit information:
 - Between August 1-31, 2024 or
 - Between February 15 – March 15, 2025

All residential providers must submit data and documentation regardless of the tier for which they will meet criteria. Residential providers do not need to inform ODP of the date they will submit data and documentation for tier assignment. All residential providers that do not submit data and documentation in August 2024 and do not receive a tier assignment in November 2024, will be required to submit data and documentation in February/March 2025.

QUESTIONS:

Please direct any questions about this information to ra-pwodppbc@pa.gov.

ATTACHMENTS:

- Attachment #1 - PBC Residential Services Implementation Guide
- Attachment #2 - PBC Residential Services Provider Self-Assessment Toolkit which includes:
 - 2A: Residential Provider Performance-Based Contracting Preparedness Self-Assessment
 - 2B: Provider Preparedness Workbook July 2024 Updates
- Attachment #3 - Residential Performance-Based Contracting Attestation (fillable form)