



DATE: February 25, 2019  
 TO: Public Health Committee  
 FROM: Ben Shaiken, Manager of Advocacy & Public Policy, The Alliance  
 RE: S.B. 393 An Act Concerning the Department of Developmental Services' Level of Need Assessment

Good morning Senator Abrams, Representative Steinberg, Senator Somers, Representative Petit and distinguished members of the Public Health Committee:

My name is Ben Shaiken, Manager of Advocacy & Public Policy at the Connecticut Community Nonprofit Alliance (The Alliance). The Alliance is the statewide advocacy organization representing nonprofits, with a membership of more than 300 community organizations and associations. Nonprofits deliver essential services to more than half a million people each year, including providing services to people with Intellectual/Developmental Disabilities (I/DD), and employ almost 14% of Connecticut’s workforce.

Thank you for the opportunity to testify on S.B. 393 An Act Concerning the Department of Developmental Services' Level of Need Assessment. In Connecticut, people with I/DD who are supported by the Department of Developmental Services (DDS) and community providers are assessed using the “Level of Need Assessment and Screening Tool,” referred to as the LON. Individuals are given an overall LON score between 0 and 8, with 8 being the highest level of need based on the assessment of a number of factors, including health and medical, personal care activities, daily living activities, behavior, safety, and more. The LON score is part of the information used to develop and annually update an Individual Plan (IP), which determines the appropriate levels of residential and day supports for the individual. The development of an IP is a collaborative process involving the DDS case manager, the individual, their family, private providers who are part of the individual’s support team, and others.

Community providers offer a range of residential and day supports to people with I/DD. **The rates providers are paid for the services they deliver are directly tied to an individual’s LON score.** Below is a table of the FY19 rate structure for Community Living Arrangements and Community Residential Supports (CLA/CRS), commonly known as group homes, to illustrate how LON scores impact the level of services and supports required, and therefore the amount of funding for residential placement.

CLA/CRS - Residential Initial Rates								
Beds	LON							
	1	2	3	4	5	6	7	8
1	\$26,519	\$35,348	\$70,623	\$94,165	\$123,621	\$189,330	\$204,437	\$218,286
2	\$26,519	\$35,348	\$70,623	\$94,165	\$123,621	\$129,916	\$143,345	\$160,212
3	\$26,519	\$35,348	\$70,623	\$94,165	\$107,594	\$121,895	\$139,148	\$157,694
4	\$26,519	\$35,348	\$70,623	\$79,227	\$92,905	\$107,206	\$134,742	\$155,176
5	\$26,519	\$35,348	\$59,898	\$71,673	\$84,722	\$103,429	\$132,853	\$152,658
6	\$26,519	\$30,716	\$54,023	\$67,056	\$81,575	\$99,652	\$129,077	\$146,364
7	\$22,491	\$28,198	\$49,106	\$60,252	\$70,244	\$87,063	\$115,228	\$140,068
8	\$21,232	\$26,939	\$44,790	\$57,104	\$66,467	\$82,027	\$108,933	\$132,514

Attached is the full FY19 Interim Rates illustrating how the LON score impacts nearly all reimbursement rates providers receive for the services they deliver.

The LON was developed as an objective assessment tool, but the fact that it is tied directly to rates leads to an inherent conflict between appropriate funding and an individual's assessed need. In an environment with limited funding and perpetual state budget cuts, decisions about new services offered to people not currently receiving them, and the rates paid for those services cannot be made without considering whether funding is available. While "availability of funding" is not a factor the LON tool evaluates when determining an individual's score, because the score is tied directly to rates, it inevitably leaks into the equation.

S.B. 393 would require DDS to update the LON assessment. The Alliance agrees that the LON can be an imprecise and imperfect way to assess people who have complicated and unique needs. Reducing the results of its questionnaire to a score of 0-8 and then tying that score to eligibility of services and provider funding creates challenges to the delivery of individualized services to each person based on their unique needs. For an assessment tool to be fully objective, it must be uncoupled from provider rates.

However, any process seeking to make changes to the LON system should be open, thoughtful, planned and inclusive of provider feedback. **The Alliance requests that any legislative proposal to change the LON system include language mandating that providers, family members and people with I/DD be a part of the decision-making process.** Too often across the country, states hire out-of-state consultants to redesign their rate structures and the recommendations they make have devastating effects on providers, the people who work for them and the people they support.

**The Alliance also requests that the term "within available appropriations" is not included in the legislation.** Since the current LON system is tied to rates, any changes to the system will impact the rate structure. Current rates are tied to the availability of funding rather than the true cost of delivering the service, and there is a waiting list of several thousand people with I/DD because of the lack of available funding. Because of how closely the LON is tied to funding, **it is difficult to change the LON in a way that will better serve the residents of Connecticut "within available appropriations," and mandating the change be cost-neutral may do more harm than good.**

Thank you for your consideration of this important issue.

Ben Shaiken  
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*Encl.*



**State of Connecticut  
Department of Developmental Services**



Ned Lamont  
Governor

Jordan A. Scheff  
Commissioner

Peter Mason  
Deputy Commissioner

**FY19 Interim Rates**

Effective 1/1/19

LON	
Minimum	1-2
Moderate	3-4
Comprehensive	5-7
Individual Program Budget	8

BSP Budget	
Minimum	N/A
Moderate	\$48,000
Comprehensive	\$55,000

Residential Request Assessment	
PRAT Request Only	E
Want Services Within 1 Year	Urgent
Want Services After 1 Year	Future Needs

\*Residential budget of \$225,000 or higher need to be referred to the Deputy Commissioner

\*A combination of Residential and Day budget totaling \$250,000 or higher need to be referred to the Deputy Commissioner

**DAY SERVICES**

GSE/DSO Rates			
LON Overall Day or Behavior (Whichever is higher)	Annual Full-Time (Does not include transportation)	Per Diem Rate	Hourly Rate
1	\$11,851	\$52.67	\$8.80
2	\$15,806	\$70.25	\$11.72
3	\$19,746	\$87.76	\$14.64
4	\$21,731	\$96.58	\$16.12
5	\$23,702	\$105.34	\$17.56
6	\$25,670	\$114.09	\$19.04
7	\$27,655	\$122.91	\$20.48
8	\$29,626	\$131.67	\$21.96

Pro-Rated LON Based Rates for GSE/DSO					
LON	1 Day (45/yr)	2 Days (90/yr)	3 Days (135/yr)	4 Days (180/yr)	5 Days (225/yr)
1	\$2,370	\$4,740	\$7,110	\$9,481	\$11,851
2	\$3,161	\$6,323	\$9,484	\$12,645	\$15,806
3	\$3,949	\$7,898	\$11,848	\$15,797	\$19,746
4	\$4,346	\$8,692	\$13,038	\$17,384	\$21,731
5	\$4,740	\$9,481	\$14,221	\$18,961	\$23,702
6	\$5,134	\$10,268	\$15,402	\$20,536	\$25,670
7	\$5,531	\$11,062	\$16,593	\$22,124	\$27,655
8	\$5,925	\$11,850	\$17,775	\$23,701	\$29,626

**DAY SERVICES CONTINUED**

**GSE/DSO 1:1 Rates - URR REQUIRED**

LON Overall Day or Behavior (Whichever is higher)	1:1 Annual Rate Full Time (Does not include transportation)	Enhanced Staffing Hourly Rate	Enhanced Staffing Per Diem Rate	Annual Cost of 1:1 staff on Van	Enhanced Staffing Trip Rate (Individual would receive the transportation trip rate plus the enhanced staffing trip rate)
1	\$48,114	\$26.84	\$213.84	\$7,446	\$16.23
2	\$48,114	\$23.92	\$213.84	\$7,446	\$16.23
3	\$48,114	\$21.00	\$213.84	\$7,446	\$16.23
4	\$48,114	\$19.52	\$213.84	\$7,446	\$16.23
5	\$48,114	\$18.08	\$213.84	\$7,446	\$16.23
6	\$48,114	\$16.60	\$213.84	\$7,446	\$16.23
7	\$48,114	\$15.16	\$213.84	\$7,446	\$16.23
8	\$48,114	\$13.68	\$213.84	\$7,446	\$16.23

\*AO & Grad transportation estimated cost is \$2,808

1:1 Titration Rates for Day	
LON	Annualized Rate for each hour of 1:1 supports
1	\$6,039
2	\$5,382
3	\$4,725
4	\$4,392
5	\$4,068
6	\$3,735
7	\$3,411
8	\$3,078

2:1 Titration Rates for Day	
LON	Annualized Rate for each hour of 2:1 supports
1	\$10,091
2	\$9,525
3	\$8,962
4	\$8,678
5	\$8,397
6	\$8,115
7	\$7,832
8	\$7,551

URR Required for a 7 hour Day	
1:1 in Group Day Setting	\$52,119
2:1 Group Day Setting	\$82,481
Individual Day	\$49,980
Rate does not include transportation but DOES include 1:1 or 2:1 staff on the vehicle	

ISE	
Rate:	\$49.84 per hour
LON	Annualized Rate for each hour of
1	Maximum of 3 hours per week
2	Maximum of 4 hours per week
3-8	Maximum of 5 hours per week

Group Day Direct Care RN Enhancement Rate (Must be URR Approved)			
Group LON Rate	Nurse to participant ratio	1:1 Hourly Rate	Enhanced Nursing Oversight Rate
Individual would receive their group day rate plus the RN rate	1 to 1	\$75.16	\$0.00
	1 to 2	N/A	\$37.56
	1 to 3	N/A	\$25.04
	1 to 4	N/A	\$18.80
	1 to 5	N/A	\$15.04
	6 to 9	N/A	\$10.72
	10 or more	N/A	\$7.52

Group Day Direct Care LPN Enhancement Rate (Must be URR Approved)			
Group LON Rate	Nurse to participant ratio	1:1 Hourly Rate	Enhanced Nursing Oversight Rate
Individual would receive their group day rate plus the RN rate	1 to 1	\$59.88	\$0.00
	1 to 2	N/A	\$29.96
	1 to 3	N/A	\$19.96
	1 to 4	N/A	\$14.96
	1 to 5	N/A	\$11.96
	6 to 9	N/A	\$8.56
	10 or more	N/A	\$5.00

Residential and Day rates for transporting individuals to their day program	
<= to 7 miles	\$1,926
7.1 to 12 miles	\$3,857
12.1 to 16 miles	\$5,783
16.1 to 20 miles	\$7,713
20 miles and up	\$7,713

DSO Medical Rate at 80% Utilization (Must have a LON_HealthMedical_SubDomain score of at least 6 to qualify and URR approved)		
LON	Per Diem	Hourly
1	\$69.44	\$9.92
2	\$92.40	\$13.20
3	\$115.64	\$16.52
4	\$127.12	\$18.16
5	\$138.60	\$19.80
6	\$150.08	\$21.44
7	\$161.84	\$23.12
8	\$173.32	\$24.76

**TRANSPORTATION**

<b>Accessible Trip rate for an additional person on the van (not a one to one)</b>						
Residential and Day rates for transporting individuals to their day program	Transportation Annual Cost	Total authorized trips per year (2 per day)	Cost per trip	Enhanced Staffing Per Trip	Total trip rate with enhanced staffing	Total annual transportation cost with enhanced staffing
<= 3.5 miles	\$1,926	450	\$4.28	\$5.98	\$10.26	\$4,617
3.6 to 6 miles	\$3,857	450	\$8.57	\$7.98	\$16.55	\$7,448
6.1 to 8.5 miles	\$5,783	450	\$12.85	\$11.18	\$24.03	\$10,814
8.6 to 11 miles	\$7,713	450	\$17.14	\$15.95	\$33.09	\$14,891
11.1 to 13.5 miles	\$9,639	450	\$21.42	\$19.15	\$40.57	\$18,257
13.6 to 16 miles	\$11,570	450	\$25.71	\$23.94	\$49.65	\$22,343
16.1 to 20 miles	\$13,496	450	\$29.99	\$28.73	\$58.72	\$26,424
20 miles and up	\$13,496	450	\$29.99	\$28.73	\$58.72	\$26,424

<b>Accessible Trip rate for one to one on the van (sitting next to the person on the van)</b>						
Residential and Day rates for transporting individuals to their day program	Transportation Annual Cost	Total authorized trips per year (2 per day)	Cost per trip	1:1 Staffing Per Trip	Total trip rate with 1:1 staffing	Total annual transportation cost with 1:1 staffing
<= 3.5 miles	\$1,926	450	\$4.28	\$16.23	\$20.51	\$9,230
3.6 to 6 miles	\$3,857	450	\$8.57	\$16.23	\$24.80	\$11,160
6.1 to 8.5 miles	\$5,783	450	\$12.85	\$16.23	\$29.08	\$13,086
8.6 to 11 miles	\$7,713	450	\$17.14	\$16.23	\$33.37	\$15,017
11.1 to 13.5 miles	\$9,639	450	\$21.42	\$16.23	\$37.65	\$16,943
13.6 to 16 miles	\$11,570	450	\$25.71	\$16.23	\$41.94	\$18,873
16.1 to 20 miles	\$13,496	450	\$29.99	\$16.23	\$46.22	\$20,799
20 miles and up	\$13,496	450	\$29.99	\$16.23	\$46.22	\$20,799

<b>Non- Accessible Trip rate for an additional person on the van (not a one to one)</b>						
Residential and Day rates for transporting individuals to their day program	Transportation Annual Cost	Total authorized trips per year (2 per day)	Cost per trip	Enhanced Staffing Per Trip	Total trip rate with enhanced staffing	Total annual transportation cost with enhanced staffing
<= 7 miles	\$1,926	450	\$4.28	\$5.98	\$10.26	\$4,617
7.1 to 12 miles	\$3,857	450	\$8.57	\$11.97	\$20.54	\$9,243
12.1 to 16 miles	\$5,783	450	\$12.85	\$16.76	\$29.61	\$13,325
16.1 to 20 miles	\$7,713	450	\$17.14	\$21.55	\$38.69	\$17,411
20 miles and up	\$7,713	450	\$17.14	\$21.55	\$38.69	\$17,411

**TRANSPORTATION CONTINUED**

<b>Non- Accessible Trip rate for one to one on the van (sitting next to the person on the van)</b>						
Residential and Day rates for transporting individuals to their day program	Transportation Annual Cost	Total authorized trips per year (2 per day)	Cost per trip	1:1 Staffing Per Trip	Total trip rate with 1:1 staffing	Total annual transportation cost with 1:1 staffing
<= 7 miles	\$1,926	450	\$4.28	\$16.23	\$20.51	\$9,230
7.1 to 12 miles	\$3,857	450	\$8.57	\$16.23	\$24.80	\$11,160
12.1 to 16 miles	\$5,783	450	\$12.85	\$16.23	\$29.08	\$13,086
16.1 to 20 miles	\$7,713	450	\$17.14	\$16.23	\$33.37	\$15,017
20 miles and up	\$7,713	450	\$17.14	\$16.23	\$33.37	\$15,017

**RESIDENTIAL SERVICES**

<b>I.H.S Hours for Own Home</b>	
<b>Hourly Rate</b>	<b>\$31.52</b>
<b>LON</b>	<b>Hours per Week</b>
1	14
2	17
3	20
4	23
5	28
6	36
7	42
8	48
<b>Safety Net</b>	<b>\$4,599</b>

<b>I.H.S Behavior Hours</b>	
<b>Hourly Rate \$121.20</b>	
<b>LON</b>	<b>Hours/week</b>
1-2	0
3-4	2
5-6	4
7	8
8	12

<b>I.H.S Cluster Hours for Own Home</b>	
<b>LON</b>	<b>Hours per Week</b>
1	N/A
2	N/A
3	17
4	20
5	25
6	33
7	39
8	45

<b>Health Care Coordination</b>	
Health Care Coordination ( <b>\$71.71 per hour</b> ) <b>+LON Score</b> --health/medical score <b>4 or higher</b> -- score of <b>6 or higher</b> for combination of: health/medical <b>and</b> either the behavior (home) or psychiatric (home) domains, whichever is higher. Authorized hrs of service per year	<b>Authorized Hours of Service Per Year</b>
Score of 4-6	24 Hours
Score of 7-9	36 Hours
Score of 10-14	48 Hours

<b>CLA/CRS - Residential Initial Rates</b>								
<b>Beds</b>	<b>LON</b>							
	1	2	3	4	5	6	7	8
1	\$26,519	\$35,348	\$70,623	\$94,165	\$123,621	\$189,330	\$204,437	\$218,286
2	\$26,519	\$35,348	\$70,623	\$94,165	\$123,621	\$129,916	\$143,345	\$160,212
3	\$26,519	\$35,348	\$70,623	\$94,165	\$107,594	\$121,895	\$139,148	\$157,694
4	\$26,519	\$35,348	\$70,623	\$79,227	\$92,905	\$107,206	\$134,742	\$155,176
5	\$26,519	\$35,348	\$59,898	\$71,673	\$84,722	\$103,429	\$132,853	\$152,658
6	\$26,519	\$30,716	\$54,023	\$67,056	\$81,575	\$99,652	\$129,077	\$146,364
7	\$22,491	\$28,198	\$49,106	\$60,252	\$70,244	\$87,063	\$115,228	\$140,068
8	\$21,232	\$26,939	\$44,790	\$57,104	\$66,467	\$82,027	\$108,933	\$132,514

CLA/CRS - ONE TO ONE							
L O N  S C O R E	24 Hour One to One			16 Hour Awake One to One			Average Hourly Rates (Minimum of 7 hours of one to one per day)
	Raw One to One (138 hours per week * \$ 24.40 hourly rate *52 weeks)	Average Contribution from Person's LON funding towards the One to one staff	Additional Funding above the individual's LON for the one to one staff and to contribute to the regular staffing in the house	Raw One to One (82 hours per week * \$ 24.40 hourly rate *52 weeks)	Average Contribution from Person's LON funding towards the One to one staff	Additional Funding above the individual's LON for the one to one staff and to contribute to the regular staffing in the house	
4	\$171,288	\$26,647	\$144,641	\$104,042	\$15,988	\$88,053	\$20.69
5	\$171,288	\$31,723	\$139,565	\$104,042	\$19,033	\$85,008	\$19.98
6	\$171,288	\$35,530	\$135,758	\$104,042	\$21,318	\$82,723	\$19.45
7	\$171,288	\$44,412	\$126,876	\$104,042	\$26,647	\$77,395	\$18.22
8	\$171,288	\$53,294	\$117,994	\$104,042	\$31,977	\$72,065	\$16.98

CCH Annualized Amounts								
*Rates to be reviewed at a later date	LON							
	1	2	3	4	5	6	7	8
Service Rate	\$1,422.77	\$1,422.77	\$4,543.42	\$4,543.42	\$8,615.62	\$8,615.62	\$8,615.62	\$8,615.62
Support Payment	\$2,690.88	\$4,490.88	\$3,501.96	\$7,002.00	\$10,973.04	\$10,973.04	\$17,973.00	\$17,973.00
Total DDS	\$4,114.00	\$5,914.00	\$8,045.00	\$11,545.00	\$19,589.00	\$19,589.00	\$26,589.00	\$26,589.00
CTV Rate	\$6,921	\$7,856	\$8,794	\$10,663	\$11,812	\$11,812	\$14,274	\$14,274
Total with CTV Rate	\$11,035	\$13,770	\$16,839	\$22,208	\$31,401	\$31,401	\$40,863	\$40,863

RESPITE					
Service	Waiver	Procedure Code	Units/Smallest unit increment	Provider Rate	
Respite Agency, In home, Individual	EDS	5151 d	Per Diem	\$317.16	Per Day
	IFS/COMP	S 5151			
Respite Agency, In home, Individual	EDS	1404 z	Hour / 15 minutes	\$26.43	Per Hour
	IFS/COMP	S 5150			
Respite Agency, out of home, Individual	EDS	1402 z	Per Diem	\$345.91	Per Day
	IFS/COMP	S 5151			
Respite Agency, out of home, Individual	EDS	1406 z	Hour / 15 minutes	\$27.63	Per Hour
	IFS/COMP	S 5150			
Respite Agency, Group Rate 1	IFS/COMP/EDS	S 5151	Per Diem	\$134.47	Per Day
Respite Agency, Group Rate 1	EDS	5152 z	Hour / 15 minutes	\$10.01	Per Hour
	IFS/COMP	S 5150			
Respite Agency, Group Rate 2	EDS	5151 a	Per Diem	\$170.81	Per Day
	IFS/COMP	S 5151			
Respite Agency, Group Rate 2	EDS	5153 z	Hour / 15 minutes	\$13.02	Per Hour
	IFS/COMP	S 5150			
Respite Agency, Group Rate 3	EDS	5151 b	Per Diem	\$231.28	Per Day
	IFS/COMP	S 5151			
Respite Agency, Group Rate 3	EDS	5154 z	Hour / 15 minutes	\$18.07	Per Hour
	IFS/COMP	S 5150			
Respite Agency, In Home , 2 person	IFS/Comp/EDS	S 5151	Per Diem	\$198.23	Per Day
<b>Respite Agency, In Home , 2 person</b>	IFS/COMP	<b>S 5150</b>	Hour / 15 minutes	\$16.55	Per Hour
Respite Agency, Out of Home , 2 person	IFS/Comp/EDS	S 5151	Per Diem	\$226.98	Per Day
<b>Respite Agency, Out of Home , 2 person</b>	IFS/COMP	<b>S 5150</b>	Hour / 15 minutes	\$17.73	Per Hour

**CCH Respite Rates - \*Rates to be Reviewed at a later date**

LON	LON Amount	Room and Board	Total Monthly	Annualized	Daily Rate
1	\$342.80	\$1,097.74	\$1,440.54	\$17,286	\$47.00
2	\$492.80	\$1,097.74	\$1,590.54	\$19,086	\$52.00
3	\$670.45	\$1,097.74	\$1,768.19	\$21,218	\$58.00
4	\$962.12	\$1,097.74	\$2,059.86	\$24,718	\$68.00
5 and 6	\$1,632.39	\$1,097.74	\$2,730.13	\$32,762	\$90.00
7 and 8	\$2,215.72	\$1,097.74	\$3,313.46	\$39,762	\$109.00

**OVERNIGHT CAMP RATES**

Residential LON of 1 or 2	\$134.47	Per Day	Includes transportation
Residential LON of 3,4, or 5	\$170.81	Per Day	Includes transportation
Residential LON of 6 or 7	\$231.28	Per Day	Includes transportation

**OVERNIGHT CAMP - WEEKLY RATES**

Residential LON	Weekly Rate	2 Week Rate	Comment
1 or 2	\$941.31		Attends at least 160 consecutive hours
1 or 2		\$1,882.63	Attends at least 308 consecutive hours
3, 4, or 5	\$1,195.70		Attends at least 160 consecutive hours
3, 4, or 5		\$2,391.40	Attends at least 308 consecutive hours
6 or 7	\$1,618.98		Attends at least 160 consecutive hours
6 or 7		\$3,237.97	Attends at least 308 consecutive hours
8	Negotiated		Attends at least 160 consecutive hours
8		Negotiated	Attends at least 308 consecutive hours

Rates includes Transportation

Use LON 5 if there is no completed LON

Camp providers will be paid for individuals that leave camp early during the week a prorated daily amount. The amount of days to be paid will be calculated based on the total number of hours attended by the individual during the week divided by the standard 24 hours per day. Partial days greater than 12 hours will be paid the daily rate. Partial days less than 12 hours will not be reimbursed.

**BSP WEEKEND RESPITE CAMP RATES - Available through 6/30/19**

Residential LON of 1 or 2	\$605.81	Fri-Sun	Includes transportation
Residential LON of 3,4, or 5	\$678.49	Fri-Sun	Includes transportation
Residential LON of 6 or 7	\$799.43	Fri-Sun	Includes transportation

**EMPLOYMENT INITIATIVES**

Career Plan (10 hours Maximum)			Working Interview (40 Hours Maximum)		
SEI Staffing	\$49.84	Per Hour	SEI Staffing	\$49.84	Per Hour
DSO/GSE (Group Day) Staffing	\$44.10	Per Hour	DSO/GSE (Group Day) Staffing	\$44.10	Per Hour
IDV Staffing	\$33.32	Per Hour	IDV Staffing	\$33.32	Per Hour
Completed Career Plan	\$742.35				
Intensive Job Placement/Training			Benchmark (only for those with annual ISE authorization)		
SEI Staffing	\$49.84	Per Hour	Job Start	\$2,000 Maximum	
DSO/GSE (Group Day) Staffing	\$44.10	Per Hour	3 Month	\$2,000 Maximum	
IDV Staffing	\$33.32	Per Hour	6 Month	\$2,000 Maximum	
Individual Wages (40 Hours Maximum)	\$11.03	Per Hour			