



APD Waiting List Process Now More Useful for Planning and Budgeting; Multi-year Plan Still Needed

at a glance

Consistent with our prior recommendations, the Agency for Persons with Disabilities now obtains more current information on the location and status of individuals on its waiting list. The agency also is assessing the needs of waiting list and waiver clients and working to prioritize individuals waiting for waiver services based on need.

The agency has not developed a multi-year plan to eliminate the waiting list. However, it is implementing a new budgeting system that should help with developing a plan.

Scope

In accordance with state law, this progress report informs the Legislature of actions taken by the Agency for Persons with Disabilities in response to a 2006 OPPAGA report that examined the agency's waiting list for waiver services.^{1, 2}

Background

The Agency for Persons with Disabilities (APD) supports people with developmental disabilities to help ensure their safety, self-

sufficiency, and well-being. Agency clients include individuals who have or are at risk of having mental retardation, autism, cerebral palsy, spina bifida, or Prader-Willi syndrome.³

For Fiscal Year 2009-10, the Legislature appropriated the agency \$1.085 billion. The majority of this appropriation, \$849.7 million (78%), was for Medicaid waiver services. Of the waiver appropriation, \$581 million (68%) was from state trust funds and \$269 million (32%) was from General Revenue.

Many agency clients receive services in community settings, including the client's home, a family home, or a group home, through a four-tiered Medicaid waiver system.⁴ The Legislature established specific eligibility criteria and dollar caps for each of the four tiers ranging from \$14,422 to \$150,000 per client per year.⁵ The four-tiered waiver system allows the state to receive federal Medicaid matching payments for services provided to persons with developmental disabilities who live in the community. However, because there are not enough waiver slots to serve everyone who is

³ Prader-Willi Syndrome is a rare disorder that causes poor muscle tone, low levels of sex hormones, and a constant feeling of hunger.

⁴ The 2007 Legislature directed APD to redesign the Developmental Disabilities Home and Community-Based Services waiver and establish a four-tier waiver system.

⁵ The 2007 Legislature established dollar caps for Tiers 2, 3, and 4 and the 2010 Legislature established a dollar cap for Tier 1.

¹ Section 11.51(6), *F.S.*

² *APD Waiting List Should Be Improved for Agency's Planning and Budgeting Purposes*, OPPAGA Report No. 06-54, July 2006.

eligible, the agency maintains a waiting list of individuals who have requested services.⁶

As of March 1, 2010, the agency reported having 18,862 individuals on its waiting list for waiver services (see Exhibit 1). Most (75%) have been waiting for waiver services for five years or less. As shown in the exhibit, the majority of these clients have a primary disability of mental retardation (67.2%). Other primary disabilities include autism (16.61%) and cerebral palsy (13.92%).

**Exhibit 1
The Majority of Individuals on the Waiting List Have a Primary Diagnosis of Mental Retardation**

Primary Disability	Number	Percentage
Mental Retardation	12,676	67.20%
Autism	3,133	16.61%
Cerebral Palsy	2,626	13.92%
Spina Bifida	369	1.96%
Prader Willi Syndrome	52	0.28%
High Risk ¹	6	0.03%
Total	18,862	100.0%

¹ Individuals are placed in this category if they are at high risk of eventual diagnosis of a developmental disability.

Source: Agency for Persons with Disabilities.

At the request of the Legislature, OPPAGA reviewed the waiting list in 2006 and concluded that APD’s waiting list information was out of date and that the agency should determine the expected need of clients waiting for waiver services to estimate an individual’s future service needs and associated costs. APD also lacked a multi-year plan for addressing the waiting list.

Current Status _____

The Agency for Persons with Disabilities has implemented our prior recommendations to obtain more current information on the location and status of individuals on the

⁶ Individuals determined to be in crisis or who are dependent foster care children receive priority for enrollment in a waiver program. To be eligible for crisis enrollment, an individual must meet certain criteria, such as being a danger to themselves or others, being homeless, or having a caregiver unable to further care for them.

waiting list and maintain better information on the expected need for waiver services. However, APD continues to lack a planning mechanism to address the state’s waiting list for waiver services. The agency is implementing an individual budgeting system, which should aid in developing such a plan.

APD modified its application for services and correspondence to obtain more current information about wait listed individuals. Consistent with our recommendation, in 2007 the agency added a section to its application for services that requires the applicant to provide information on an alternate contact person. The agency also requires the applicant or a legal representative to sign a statement acknowledging personal responsibility for maintaining current contact information.

APD further addressed this issue by adding language to the correspondence it sends to individuals. For example, when the agency sends letters to notify individuals about their eligibility status and support coordinator assignment, it requests that clients report any changes to their contact information.⁷ The agency also sends other correspondence and outreach materials, such as annual letters, that request current contact information.

Moreover, the 2009 Legislature revised statutes to reinforce the message that clients and their guardians, not APD, are responsible for providing accurate contact information.⁸ The Legislature also directed the agency to remove individuals from the waiting list who cannot be located, fail to meet eligibility requirements for waiver services, or relocate to another state.

APD now maintains better information on individuals’ expected need for waiver services. The agency has implemented our recommendation to maintain better

⁷ As specified in s. 393.063(36), *F.S.*, a support coordinator is a person the agency has designated to assist individuals and families in identifying their capacities, needs, and resources, as well as finding, gaining access and coordinating the delivery of necessary supports and services.

⁸ Section 393.065(6), *F.S.*

information by assessing individuals on the waiting list using the Questionnaire for Situational Information (QSI) to collect information on the clients' physical, functional, and behavioral status.⁹ The questionnaire also collects information on clients' living situation, caregiver supports, and demographics. This assessment provides APD better information on expected need for waiver services.

As of March 2010, APD had completed QSI assessments on all current waiver clients and 91% (17,174) of individuals on the waiting list; the agency plans to complete assessments of the remaining individuals by December 2010. The agency currently assesses all new eligible applicants using the questionnaire and plans to reassess all clients every 36 months unless it needs to gather this information sooner.

The Legislature required APD to assign priority categories to individuals on the waiting list. To help prioritize the waiting list, the 2009 Legislature required the agency to place all applicants for waiver services into one of seven categories by July 1, 2010 (see Exhibit 2).^{10, 11} Currently, due to limited waiver slots, the agency provides waiver services only to individuals in Categories 1 (individuals in crisis) and 2 (dependent children in foster care).

⁹ For more information on the Questionnaire for Situational Information, see *APD Should Take Steps to Ensure New Needs Assessment and Individual Budget Process is Timely and Effective*, OPPAGA [Report No. 08-15](#), March 2008.

¹⁰ Section 393.065(5), *F.S.*

¹¹ The 2009 Legislature also required the agency to place applicants within Categories 3, 4, 5, 6, and 7 based on the date the department determined them eligible for services.

Exhibit 2
All Clients on the Waiting List Are Categorized;
Only Categories 1 and 2 Now Receive Services

Category	Client Description
Category 1	In crisis
Category 2	Dependent children in foster care
Category 3	Needed caregivers will be unable to provide care within the next 12 months, or applicant is at high risk of incarceration or receiving Voluntary Protective Services ¹
Category 4	Caregivers are age 70 or older and no alternate caregiver is available
Category 5	Expected to graduate within the next 12 months from a secondary school and needs support to obtain or maintain employment or to pursue an accredited postsecondary education program
Category 6	Age 21 or older and does not meet eligibility criteria for categories 1-5
Category 7	Under age 21 and does not meet eligibility criteria for categories 1-5

¹ Voluntary Protective Services means that the family has consented to accept services and supervision from the Department of Children and Families aimed at stabilizing the family.

Source: Section 393.065(5), *F.S.*

APD is currently working to fully implement the categorization legislation by developing an administrative rule with input from stakeholders. The rule establishes procedures and defines the types of documentation needed for placement into each priority category.¹² Agency administrators plan to hold the final rule promulgation hearing in early June and anticipate that the rule will be final by June 30, 2010.

While the rule is being finalized, APD is beginning the process of placing individuals in waiting list categories. The agency plans to use information from client applications, the assessment instrument, and other sources to determine the appropriate priority category. The agency also has developed a survey to obtain information such as caregiver condition, which is not available from these sources or the agency's data system. Area office staff will administer the survey to gather information needed to place individuals into waiting list categories. For example, staff will ask if there is any reason a primary caregiver will not be able

¹² Rule 65G-11.001, *Florida Administrative Code*.

to continue providing care for the next 12 months and if so, ask for supporting documentation.

APD has not developed a multi-year plan to eliminate the waiting list. While our prior report noted that some states use information on applicants' need for services to develop multi-year plans for eliminating waiting lists, and recommended that APD do so, the agency has not yet developed a plan to use this information for eliminating the waiting list. Agency administrators reported that they support the idea but would need more individual cost information to develop a plan.

Recent legislation requiring APD to establish an annual individual budgeting system for eligible waiver clients should provide this information.¹³ However, APD administrators report that the new system will need to be operational for two years before they can collect sufficient information to develop a plan to address the waiting list. We continue to recommend that the agency develop a multi-year plan.

¹³ Section 393.0661(6), *F.S.*

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OPPAGA website: www.oppaga.state.fl.us

Project supervised by Claire Mazur (850/487-9211)
Project conducted by Ricky Harrison (850/488-7703)
Becky Vickers, Staff Director Health and Human Services
Gary R. VanLandingham, Ph.D., OPPAGA Director