

What are the waiver changes due to HEA 91?

In March 2011, the 2011 Wyoming Legislature passed House Enrolled Act 91 (HEA 91) changing Medicaid rules to allow payment to parents and stepparents, who become certified waiver providers and a Limited Liability Company (LLC) or Corporation through the Medicaid HCBS waivers. The waivers were amended to allow parents and stepparents to provide certain services on the waivers, such as personal care, within specified guidelines.

Why do all relatives who provide services have to disclose their relationship?

The Division had to address all relatives who provide services to a related participant as part of the federal requirements from CMS (Centers for Medicaid and Medicare Services). Team members and the Division need to know about relatives providing services when monitoring service delivery in order to ensure there are systems in place to guard against conflicts of interest, inadvertent limits on participant choice, and potential fraud.

How does a relative who is providing services disclose?

Each relative, who provides services to a related waiver participant or intends to provide services, is required to disclose the relationship and acknowledge and address the safeguards set forth by the Division in the **Relative Disclosure and Safeguard Acknowledgment Form, which is attached to this email**. This requirement includes relatives employed by a provider agency, and relatives or guardians of waiver participants who own, operate, or are an officer of a certified provider agency. **Each relative providing waiver services shall complete this disclosure form by September 30, 2011**. The form is available on our website at <http://health.wyo.gov/ddd/relativeproviderinfo.html>.

Who does a relative include?

“Relative” includes a participant’s biological or adoptive parent(s), stepparent(s), immediate and extended family members, such as a sibling, aunt, uncle, grandparent, child age 18 and over of a waiver participant, first cousin, or step-family member. These relatives must disclose if they are providers, hired as an employee of a provider, or hired through self-direction.

Where can I find more information on these changes?

For more information, useful tools, and Frequently Asked Questions regarding the implementation of HEA 91 and the waiver amendments visit the Division’s HEA 91 Relative Provider webpage at <http://health.wyo.gov/ddd/relativeproviderinfo.html>.

Who should I contact with questions?

If you have a question on the legislation or the waiver amendments, please contact Jamie Staunton at the Division at Jamie.staunton@wyo.gov or 307-777-5660. If you questions regarding provider certification, contact your local Provider Support Specialist. For questions regarding a specific participant, contact your Participant Support Specialist. The Division’s central number to contact any staff is 307-777-7115 or 1-800-510-0280. As always, visit our website for forms, tools, guidance and past memorandums at <http://www.health.wyo.gov/ddd/index.html>.

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