



To: Fiscal Intermediary Providers
Self-Direction Brokers
Care Coordination Organizations
OPWDD Regional Office Directors
OPWDD Regional Office Staff

From: Abiba Kindo, Deputy Commissioner, Regional Offices
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Subject: 2022 Self-Direction Budget Template and Housing Subsidy Guidance

A. Background:

The 2022 Self-Direction Budget Template was issued with a memorandum titled, "Updates to the OPWDD Housing Subsidy Program and Self-Direction Personal Resource Accounts Effective October 28, 2022." That memorandum described updates to the Budget Template, including enhanced funding dedicated to the Housing Subsidies, funding to restructure administrative reimbursement for Housing Subsidies, and a cost-of-living adjustment (COLA) of 5.4% that will be applied to the Personal Resource Account (PRA). These updates were discussed at an information session on October 28, 2022. The information session was recorded and is available here: <https://www.youtube.com/watch?v=UBorgukHD2E>

This memorandum supplements the October 28 training with additional information specific to implementing the change in Housing Subsidy payment standards and administrative reimbursement for people who self-direct their OPWDD services.

B. When can the change in Housing Subsidy payment standards and administrative reimbursement begin?

The change in Housing Subsidy payment standards and reimbursement for Housing Subsidy administration can begin no sooner than for the month of November 2022 and only if supported by an approved Self-Direction Budget on the 2022 Budget Template.

If a Cost Neutral Budget Amendment (CNBA) is approved with the new Budget Template and includes the new Housing Subsidy payment standards and administrative reimbursement, it may be approved prior to November 2022 if in compliance with existing rules. However, payment of the enhanced Housing Subsidy amounts and administrative reimbursement for the Housing Subsidy will not be made for months prior to November 2022.

C. How does the 2022 Housing Subsidy Payment Standards and Admin Fee Adjustment amount on the new Budget Template impact Cost Neutral Budget Amendments (CNBAs)?

The Housing Subsidy Payment Standards and Admin Fee Adjustment amount, as reflected on row 113 of the Budget Summary tab on the 2022 Budget Template, does not affect the service amounts on pages 1-2 of the CNBA form or the total budgeted amounts reported on page 3 of the CNBA form. The increases and decreases reported on the CNBA form must be consistent with service amounts paid and are not reduced by the adjustment amount.

- The CNBA process can only be used when the overall increase to the total budgeted amount is \$1,000 or less (cumulative for the budget year) and money may not be moved between Medicaid and NY State Funded services. Total Housing Subsidy Amounts must be reported on CNBAs. The Housing Subsidy Payment Standards and Admin Fee Adjustment amount does not factor into the service amounts for CNBAs. A CNBA can only be used to amend for the new enhanced Housing Subsidy amounts and administrative reimbursement for Housing Subsidy in accordance with the established CNBA rules. An Full Budget Amendment (FBA) needs to be used where the amendment is not eligible for CNBA.
- For example, John resides in Albany County and was previously approved for a Housing Subsidy of \$531/month with an annual amount of \$6,372. With the new enhanced Housing Subsidy amounts and administrative reimbursement on the 2022 Budget Template, John is now eligible for a Housing Subsidy of \$811/month and administration reimbursement of \$125/month, for a total annual amount of \$11,232. John's Housing Subsidy Payment Standards and Admin Fee Adjustment amount, as reflected on row 113 of the Budget Summary tab on the 2022 Budget Template is \$4,860. John is seeking a Budget Amendment to adjust his Housing Subsidy with no changes to his other services. The adjustment increases his Housing Subsidy monthly payments, and the \$4,860 will not count against John's PRA. John's total annual Housing Subsidy amount of \$11,232 must be reported on a CNBA. Since John would be adding more than \$1,000 (\$4,860) to his total budgeted amount this would not qualify for a CNBA. This would need to be a FBA.
- For another example, Susan resides in Montgomery County and was previously approved for a Housing Subsidy of \$608/month with an annual amount of \$7,296. With the new enhanced Housing Subsidy amounts and administrative reimbursement on the 2022 Budget Template, Susan is now eligible for a Housing Subsidy of \$636/month and administration reimbursement of \$125/month, for a total annual amount of \$9,132. Susan's Housing Subsidy Payment Standards and Admin Fee Adjustment amount, as reflected on row 113 of the Budget Summary tab on the 2022 Budget Template is \$1,836. The adjustment increases her Housing Subsidy monthly payments, and the \$1,836 will not count against Susan's PRA. Susan is seeking a Budget Amendment to adjust her Housing Subsidy and wants to reduce the OTPS in her Budget to process as a CNBA. Susan's total annual Housing Subsidy amount of \$9,132 must be reported on a CNBA. The annual increase from her previous Housing Subsidy amount is \$1,836 (\$9,132-\$7,296). Susan would be adding more than \$1,000 (\$1,836) to her total budgeted amount, but she

decides to reduce the OTPS in her Budget by \$836 and has had no other CNBAs in her Budget year. The \$836 reduction in OTPS means that the overall increase to total budgeted amount on the CNBA form is \$1,000. Since Susan is not adding more than \$1,000 to her total budgeted amount, her amendment would qualify for a CNBA.

D. How does the 2022 Housing Subsidy Payment Standards and Admin Fee Adjustment amount on the new Budget Template impact monthly expenditure reports?

Administrative Memorandum #2019-07 specifies that Fiscal Intermediaries are responsible for tracking disbursements and balances of participant funds for those services that are included in the self-directed budget. Monthly expenditure reports are essential to assisting people who self-direct, and their Circles of Support, to track services within PRA. The Housing Subsidy Payment Standards and Admin Fee Adjustment need to be reported to the person self-directing in addition to the actual reimbursement paid for Housing Subsidy and Housing Subsidy administration. The adjustment is reflected as a negative amount, prorated monthly based on the person's approved 2022 Self-Direction Budget for any month the adjustment is in an approved Self-Direction Budget.

- For example, Sarah resides in Clinton County and is approved to receive a \$686 monthly rental subsidy and \$125 in monthly Housing Subsidy administration. The 2022 Housing Subsidy Payment Standards and Admin Fee Adjustment amount is \$2,232 annually. Sarah's monthly expenditure reports would reflect \$686 for Housing Subsidy for every month it is paid and \$125 in Housing Subsidy administration *when the standards are met*, and the administration is reimbursed. In addition, balance information would reflect a negative \$186 ($\$2,232/12$) for every month to account for the adjustment amount.
- Using the same example, Sarah amended her budget during her budget year to reflect that she moved into two-bedroom apartment with a roommate. Her Housing Subsidy changed from \$686 to \$382, and her 2022 Housing Subsidy Payment Standards and Admin Fee Adjustment amount changed from \$2,232 annually to \$3,108 annually. Once the Budget is approved, her monthly expenditure reports would change to reflect \$382 for Housing Subsidy every month it is paid and \$125 in Housing Subsidy administration *when the standards are met*, and the administration is reimbursed. In addition, balance information would then reflect a negative \$259 ($\$3,108/12$) for every month to account for the adjustment amount.

E. How is the administrative reimbursement for Housing Subsidies paid and who collects it?

Administrative reimbursement for Housing Subsidies will be submitted with Claim for Payment or Standard Voucher and Fiscal Intermediary Billing Form for Self Determination forms along with other 100% State paid self-directed services. The administrative reimbursement falls under the Housing category. Both the administrative reimbursement for Housing Subsidy and enhanced Housing Subsidy amounts are part of

Fiscal Intermediary contracts. As described during the Fiscal Intermediary Refresher Module 1 training, which is currently available on the Statewide Learning Management System, prospective contract revisions include amounts to accommodate the administrative reimbursement for Housing Subsidy and enhanced Housing Subsidy amounts.

The administrative reimbursement is paid to Fiscal Intermediary agencies when administrative activities and documentation are completed in accordance with ADM #2022-03. Where Support Brokers may complete related tasks, payment is billed as part of the Support Broker service and held to the standards in ADM #2019-06. Fiscal Intermediary agencies may collect administrative reimbursement for housing subsidies when Support Brokers bill for related tasks and the Fiscal Intermediary ensures the tasks are complete and documented.

F. Is the new Self-Direction Budget template required for Housing Recertification packets submitted by 11/15/2022?

Self-Direction Budget Templates submitted as part of the Housing Recertification process do not have to be on the 2022 Budget Template if there are no changes being made to the budget. If the Budget is submitted on or after October 28, 2022 and includes any changes that would impact the Housing Subsidy over \$50.00, then they must be submitted on the 2022 Budget Template. Please be advised that the Fiscal Intermediary cannot collect the new Administration Fee for Housing until the 2022 Template is approved.

Additional Resources:

<https://opwdd.ny.gov/regulations-guidance/adm-2022-03-opwdd-housing-subsidy-program>

Questions

Please reach out to the Self-Direction liaison at the relevant Regional Field Office with individual-specific questions. Questions regarding changes to the Self-Direction Budget Template should be sent to self.direction.redesign@opwdd.ny.gov. General questions regarding the Housing Subsidy program can be sent to housing.initiatives@opwdd.ny.gov.