



Interim Human Services Committee Representative Matt Ruby, Chairman

Developmental Disabilities, Tina Bay, Director
August 29, 2023

NORTH
Dakota
Be Legendary.

Health & Human Services

Section 54 Legislative Management Study – Intermediate Care Facility Rate Formula

During the 2023-24 interim, the legislative management shall consider studying the payment rates for intermediate care facilities, including options to increase the rates.

The study must consider the funded percentage of costs for services including day and small group care, individual employment, in-home supports, respite care, habilitative care, independent habitation, and residential habilitation.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly.

DD Services	2023 Leg Study Services in Bill
Intermediate Care Facility (ICF)	Yes
Day Supports	Yes
Small Group Employment	Yes - <i>Small Group Care (actual DD service name small group employment)</i>
Individual employment	Yes
In home supports	Yes
Independent habilitation	Yes
Residential habilitation	Yes
Prevocational Services	No
Homemaker	No
Extended Home Health Care	No
Adult Foster Care	No
Behavioral Consultation	No
Environmental Modifications	No
Equipment & Supplies	No
Family Care Option	No
Infant Development	No
Parenting Supports	No
Community Transition Services	No
	Respite Care (<i>not a stand alone DD service</i>)
	Habilitative care (<i>not a named DD service</i>)

Intermediate Care Facilities for Individuals with Intellectual Disability (ICF/ID)



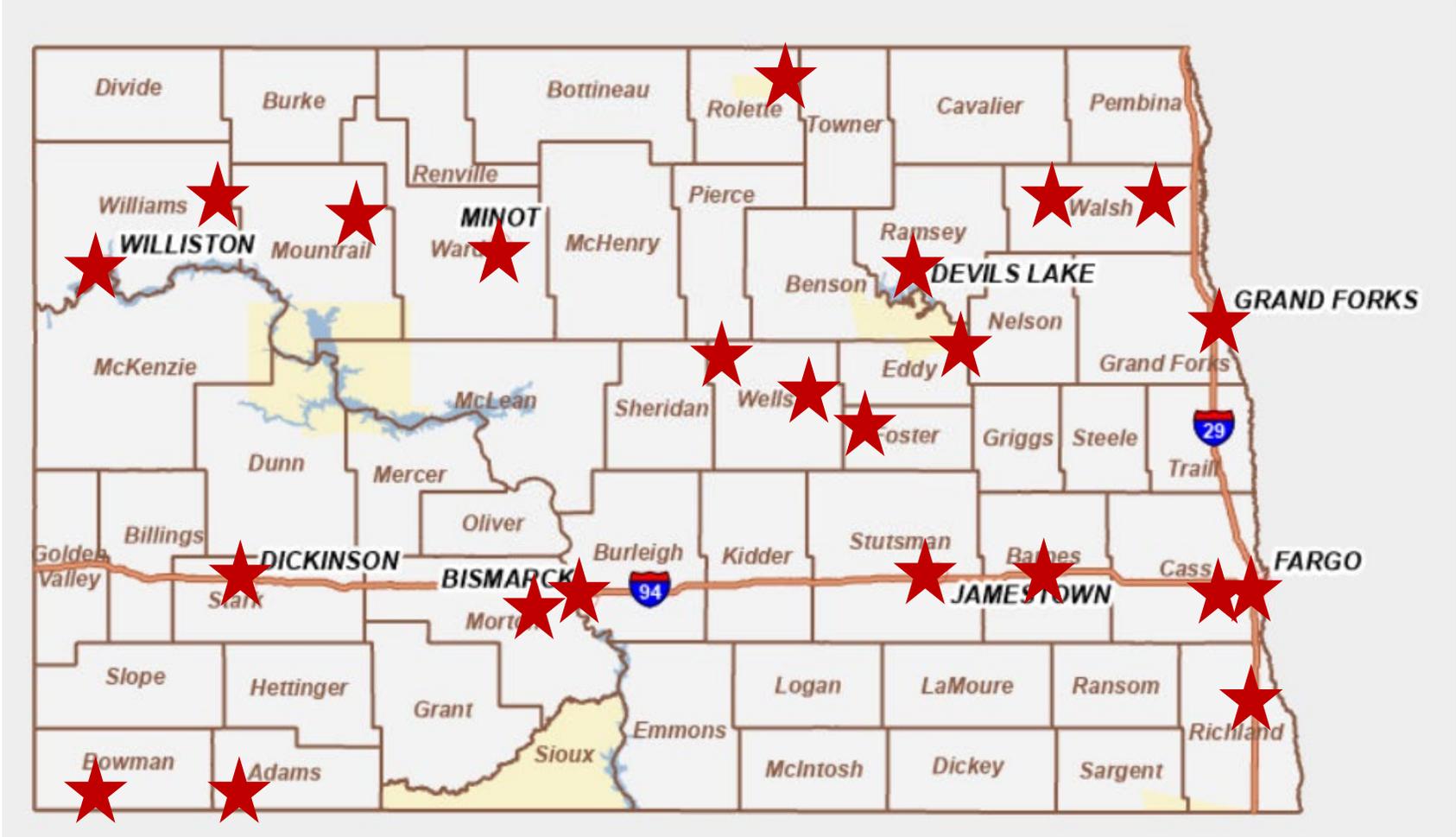
What is an ICF/ID?

- ICF/ID is an optional Medicaid benefit that provides comprehensive and individualized health care and rehabilitation services to individuals to promote their independence.
- ICF/ID is the highest level of service provided and is an institutional setting.

Who is eligible?

- Individuals that meet the ICF/ID level of care and are in need of, and receiving, active treatment. This refers to a consistent implementation of a program of specialized training, treatment and health services.

Intermediate Care Facilities for Individuals with Intellectual Disability (ICF/ID)



457

of people were authorized for ICF/ID services (4/1/23 – 6/30/23)

6.5%

Individuals receiving ICF services represent about 6.5% of the total people that were authorized for DD program management

15

of DD providers licensed to offer ICF/ID services in 22 communities

DD 23-25 Grants Budget

2023/25 DD Grants Budget

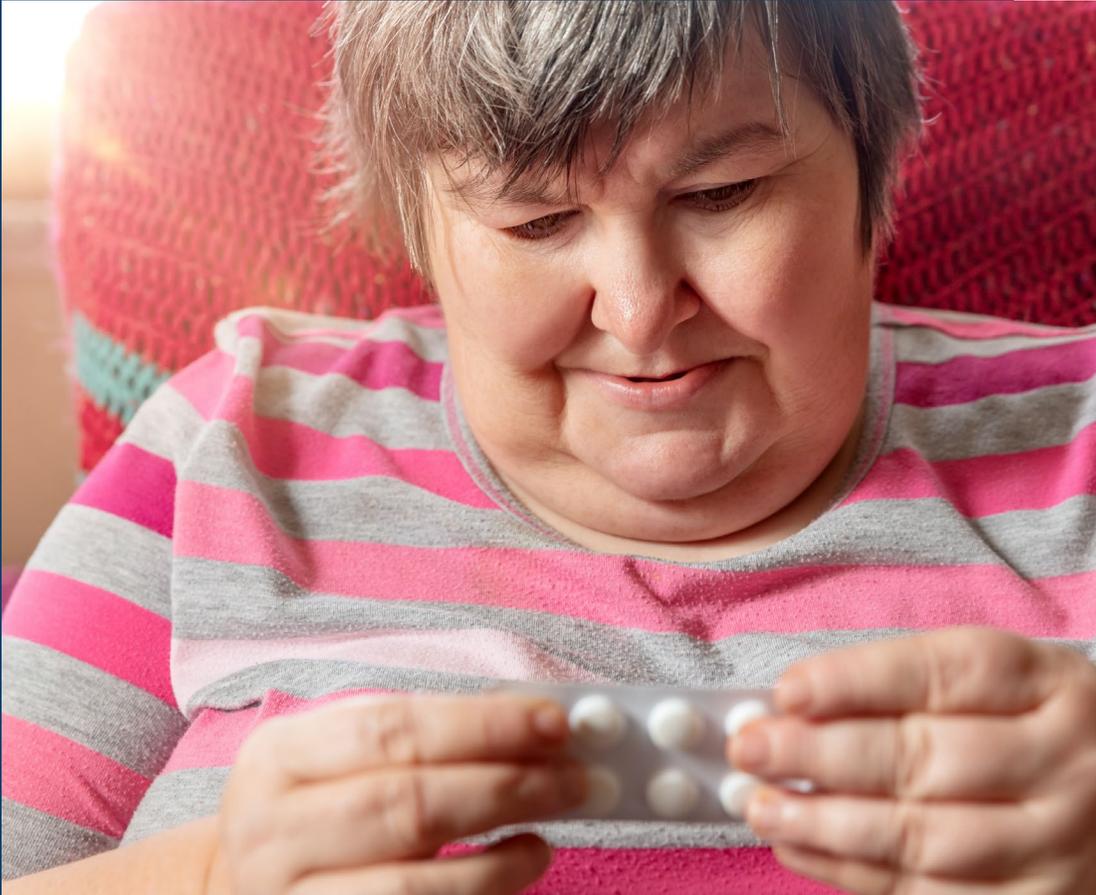


■ ICF ■ Remaining Services

DD Grants Budget \$742,793,592

- ICF/ID \$224,289,381
- HCBS Waiver Services \$518,504,211
 - Residential habilitation
 - Day programs
 - Infant development
 - Family support – In Home Support
 - Individual employment
 - Family care option
 - Self-directed supports
 - Extended home health care
 - Independent habilitation

Intermediate Care Facilities – Rate Information



- All-inclusive daily rate
- Costs included:
 - Room
 - Board
 - Day programming (day habilitation, employment)
 - Staff time to provide supervision and habilitative care
 - NOTE – rate does NOT include direct health-related costs (i.e. dental, pharmacy)
- At the completion of the state fiscal year, ICF/ID providers are required to complete a statement of cost to determine the Upper Payment Limitation as required by Social Security Act section 1902(a)(30)(A).

Intermediate Care Facilities – Rate Components

The ICF/ID rate includes the following components:

- Direct care staff wage
- Employment related expenditures
- Relief staff
- Program support expenditures
- Room & board
- General & administrative
- Vacancy Factor

Property Add-On

- Available for facilities newly acquired or built after January 1, 2010.
- Calculation will remove 1.9% from the rate and the actual allowable expense for depreciation and interest will be calculated into the rate.

Medically involved or intensive Add-On

- Provides additional funding in the program support component to meet the medical support needs of qualifying individuals.

Non-school days Add-On

- Available for individuals that are between the ages of 16-21
- Accounts for the additional support providers are responsible for during school holidays and summer hours.

Establishing ICF/ID Rate - Multi-Step Process

Assessment

- Standardized assessment completed by 3rd party vendor (SIS/ICAP)

Authorized Hours

- Assessment score converted to avg support service hours/month
- Convert hours/month to hours/day

Calculated Rate

- Multiply hours per day by the established rate (i.e., rate matrix) = daily rate for person supported



DD Rate Matrix

State of North Dakota
Rate Matrix
Fully Loaded Hour Value: "The Brick"

Effective
July 1, 2023

2%
Vacancy

Column Reference :	o	D	E	F	G	H	I	J	K	L	M	N	o		
Component Driven		Wage	ERE	DX E	D + F	Relief	G x H	G + I	P S	D x K	J + L	General & Admin	With V Factor	F %	At Funded %
Service				ERE \$	Sub	Staff	Relief \$	Sub		PS \$	Sub				
Residential Services															
ICF-ID	d	\$19.63	35.1%	\$6.89	\$26.52	14.0%	\$3.71	\$30.23	87.2%	\$17.12	\$47.35	\$52.34	\$53.41	89.7%	\$47.91
ICF-ID Medically Involved	d	\$19.63	35.1%	\$6.89	\$26.52	14.0%	\$3.70	\$30.22	166.0%	\$32.59	\$62.81	\$69.43	\$70.85	89.7%	\$63.55
ICF-ID Medically Intensive	d	\$19.63	35.1%	\$6.89	\$26.52	14.0%	\$3.70	\$30.22	244.0%	\$47.90	\$78.12	\$86.35	\$88.11	89.7%	\$79.04
Residential Habilitation	d	\$19.71	35.1%	\$6.92	\$26.63	14.0%	\$3.73	\$30.36	39.6%	\$7.81	\$38.17	\$42.19	\$43.05	91.6%	\$39.43
*Res Medical Acuity - Level 1	d	\$19.71	35.1%	\$6.92	\$26.63	14.0%	\$3.73	\$30.36	42.7%	\$8.42	\$38.78	\$42.87	\$43.74	91.6%	\$40.07
*Res Medical Acuity - Level 2	d	\$19.71	35.1%	\$6.92	\$26.63	14.0%	\$3.73	\$30.36	64.7%	\$12.75	\$43.11	\$47.65	\$48.62	91.6%	\$44.54
*Res Medical Acuity - Level 3	d	\$19.71	35.1%	\$6.92	\$26.63	14.0%	\$3.73	\$30.36	92.1%	\$18.15	\$48.51	\$53.62	\$54.71	91.6%	\$50.12
Independent Habilitation	h	\$19.74	35.1%	\$6.93	\$26.67	14.0%	\$3.73	\$30.40	36.1%	\$7.13	\$37.53	\$41.49	\$41.49	100.0%	\$41.49
Vocational/Day Services															
Day Habilitation	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	56.7%	\$11.16	\$41.48	\$45.86	\$45.86	100.0%	\$45.86
Prevocational Services	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	56.7%	\$11.16	\$41.48	\$45.86	\$45.86	100.0%	\$45.86
Small Group Employment Supports	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	56.7%	\$11.16	\$41.48	\$45.86	\$45.86	100.0%	\$45.86
*Day/Voc Medical Acuity - Level 1	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	63.6%	\$12.52	\$42.84	\$47.36	\$47.36	100.0%	\$47.36
*Day/Voc Medical Acuity - Level 2	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	69.4%	\$13.66	\$43.98	\$48.62	\$48.62	100.0%	\$48.62
*Day/Voc Medical Acuity - Level 3	h	\$19.69	35.1%	\$6.91	\$26.60	14.0%	\$3.72	\$30.32	77.8%	\$15.32	\$45.64	\$50.45	\$50.45	100.0%	\$50.45
Individual Employment Supports	h	\$25.85	35.1%	\$9.07	\$34.92	14.0%	\$4.89	\$39.81	23.1%	\$5.97	\$45.78	\$50.67	\$50.67	100.0%	\$50.67

* Medical Acuity Tiers may be applied to individuals with a SIS Medical Score of 15 or higher and is available to a qualifying provider in Residential Habilitation, Day Habilitation, Prevocational Services, and Small Group Employment Supports only.

6/21/2023 - All rates have been adjusted to include a 2% legislatively approved inflationary adjustment and the equivalent of a one dollar per hour increase to direct care staff and indirect program support staff of licensed developmental disability providers.
Developmental disability providers shall provide a report to the department of health and human services as determined by the department.



Contact information

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<https://www.hhs.nd.gov/dd>