



STATE OF TENNESSEE  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
DIVISION OF HEALTH CARE FINANCE AND ADMINISTRATION  
**BUREAU OF TENNCARE**  
310 Great Circle Road  
NASHVILLE, TENNESSEE 37243

**Date:** June 25, 2014  
**To:** TennCare Home and Community-Based Service (HCBS) Providers  
**From:** Patti Killingsworth, Chief of Long Term Services and Supports  
**Re:** **Training Opportunity** –The Impact of new Federal Regulations on Home and Community Based Service (HCBS) Providers

**The purpose of this memo is to advise you of an important training opportunity regarding two new federal regulations that will impact home and community-based services (HCBS) providers.** This includes HCBS providers in the CHOICES program, as well as providers in any of the State's Section 1915(c) HCBS waivers for individuals with intellectual disabilities (i.e., the Arlington, Statewide and Self-Determination waivers). Representatives from the Department of Intellectual and Developmental Disabilities, and each of TennCare's contracted Managed Care Organizations (Amerigroup, BlueCare and United Healthcare) will be in attendance to assist with questions.

First, the U.S. Department of Labor (DoL) has issued new regulations regarding the application of the Fair Labor Standards Act (FLSA) to direct care workers. This includes minimum wage and overtime pay requirements for home health workers, personal assistants and other workers who provide care in another person's home.

Second, the Centers for Medicare and Medicaid Services (CMS) has issued new regulations which define and describe the requirements for home and community-based settings. The rules are intended to ensure that individuals receiving Medicaid-reimbursed HCBS have opportunities for community integration and full access to the benefits of community living. Settings which do not comport with these requirements will not be eligible for federal Medicaid funding. States are required to evaluate the settings in which HCBS are currently provided to determine their compliance with the new rule, and to develop transition plans where needed to achieve compliance in order to continue receiving federal Medicaid reimbursement. HCBS providers will have an important role in the assessment and transition planning process. Additional information about these rules can be found at:

- DOL website: <http://www.dol.gov/whd/homecare/>
- CMS HCBS Setting summary link: <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>

In order to assist HCBS providers in the planning and preparation for the implementation of these rules, the Bureau of TennCare is offering an informational training session for HCBS providers. Each training session will cover:

- The Department of Labor Fair Labor Standards Act and its application to HCBS workers including:
  - Minimum wage requirements
  - Overtime requirements
  - Travel time
  
- The Centers for Medicare and Medicaid HCBS Settings and Person-Centered Planning Rules including:
  - HCBS Setting characteristics
  - Person centered planning requirements, documentation and modification
  - Provider Self-Assessment
  - Transition timeline

**Space is limited. Registration will be granted on a first come first serve basis. Registration is *required* in order to reserve your seat. We will need your agency name and the first and last name of all persons planning to attend. Please register at: <http://www.tn.gov/tenncare/ltssrsvp.shtml> (registration has expired and the preceding link is inactive)**

The dates, time and locations of each training session can be found on the following page.

Cc: Debbie Payne, Commissioner, Department of Intellectual and Developmental Disabilities

Michelle Morse Jernigan, Deputy, Bureau of TennCare LTSS Quality & Administration

Tina Brill, Vice President, Amerigroup

Stephani Ryan, Executive Director, BlueCare

Melinda Henderson, Executive Director, United Healthcare

## **HCBS Provider Training Dates, Time and Locations**

**July 8<sup>th</sup> – Cookeville – 9am-11am**

**Nashville State Community College – Cody Hall**

1000 Neal Street

Cookeville, TN 38243

<http://www.nsc.edu/about/our-locations-and-maps/cookeville/>

**July 9<sup>th</sup> – Nashville – 10am-12pm**

**St. Thomas Midtown Hospital – Owen Education Center – Auditorium**

2000 Church Street

Nashville, TN 37236

[https://www.sths.com/midtown/Documents/Map\\_Midtown\\_CampusHandout\\_Update2013.pdf](https://www.sths.com/midtown/Documents/Map_Midtown_CampusHandout_Update2013.pdf)

**July 15<sup>th</sup> – Johnson City – 9am-11am**

**East TN State University – Stanton Gerber Hall – Large Auditorium**

Building 178, Maple Avenue

Mountain Home, TN 37684

<http://www.etsu.edu/etsuhome/maps.aspx>

Select “VA Campus”, select Bldg “178”

**July 16<sup>th</sup> – Knoxville - 9-11am**

**Hardin Valley Academy - Auditorium**

11345 Hardin Valley Road

Knoxville, TN 37932

<http://hardinvalleyac.knoxschools.org/modules/cms/pages.phtml?pageid=44630&sessionid=f2e02773dbf6f582c40acad1902ee1d2&sessionid=f2e02773dbf6f582c40acad1902ee1d2>

**July 17<sup>th</sup> – Chattanooga – 10am-12pm**

**Erlanger Hospital – Probasco Auditorium**

975 East Third Street

Chattanooga, TN 37403

<http://www.erlanger.org/BaronessandChildrens>

**July 23<sup>rd</sup> – Memphis – 9am-11am**

**Baptist Health Systems - Medical Plaza 2 - 1<sup>st</sup> Floor-Ed Garrett Auditorium**

6027 Walnut Grove Road

Memphis, TN 38120

<http://www.baptistonline.org/app/files/public/1035/pdf-memphis-map-final.pdf>

**July 24<sup>th</sup> – Jackson – 9am-11am**

**Humboldt Medical Center – Large Meeting Room**

3525 Chere Carol Road

Humboldt, TN 38243

<http://www.wth.org/locations/humboldt-medical-center>