

I. YES WAIVER Responsibilities:

A. Contractor's responsibilities for providing YES Waiver services are as follows:

1. HHSC and DSHS determine an individual's financial eligibility to receive services under the Waiver based upon Medicaid eligibility requirements in the Texas Administrative Code. Parental income is not included in the determination of financial eligibility, thereby reducing the current incentive for parents to relinquish custody in order to obtain access to Medicaid coverage for mental health treatment.
2. Contractor shall comply with all policies outlined in the current version of the YES Waiver Policy and Procedure Manual posted at: <http://www.dshs.state.tx.us/mhsa/yes/>. To the extent this Contract Attachment imposes a higher standard, or additional requirements beyond those required by the Manual, the terms of this Contract Attachment will control. This includes but is not limited to:
 - a) Managing and maintaining an Inquiry List of individuals who are seeking Waiver services. This includes but is not limited to:
 - (1) Establishing and maintaining an Inquiry phone line with voice messaging capabilities;
 - (2) Answering or returning calls made to the Inquiry phone line within 1 business day;
 - (3) Registering interested individuals on the Inquiry List in the order in which their call is received; and
 - (4) Completing a face-to-face clinical eligibility assessment within 7 business days of the date the individual's name is added to the Inquiry List. Exceptions to the timeline are considered only at the request of the individual and/or legally authorized representative (LAR), and must be documented in the individual's case records.
 - b) Contractor shall not maintain a wait list for YES Waiver enrollment for children determined eligible for YES. Contractor shall not assess individuals from the YES Inquiry List unless the Contractor is below the maximum enrollment or authorized by DSHS to enroll a client determined to be at imminent risk of relinquishment, in accordance with 25 TAC Chapter 419, Subchapter A, §419.7 and the YES Waiver Policy and Procedure Manual, posted at <https://www.dshs.state.tx.us/mhsa/yes/>.
 - c) Facilitating Waiver enrollment of interested individuals by completing all activities necessary for Waiver enrollment. This includes but is not limited to:
 - (1) Completing an Initial Service Authorization Request /Individual Plan of Care (IPC) within 10 business days of DSHS authorizing the Clinical Eligibility Determination. Exceptions to the timeline are considered only at the request of the Waiver participant and/or legally authorized representative (LAR), and must be documented in the Waiver participant's case records.

Exhibit G, Youth Empowerment Services (YES) Waiver

- (2) Completing enrollment activities in accordance with the YES Waiver Policy and Procedure Manual posted at: <http://www.dshs.state.tx.us/mhsa/yes/>.
- d) Assisting individuals in obtaining and maintaining Medicaid eligibility;
- e) Facilitating the development of Waiver participant IPCs in accordance with the YES Waiver Policy and Procedure Manual posted at: <http://www.dshs.state.tx.us/mhsa/yes/>;
- f) Submitting completed IPCs to Clinical Management for Behavioral Health Services (CMBHS) for approval within 5 business days of completion and in accordance with the YES Waiver Policy and Procedure Manual posted at <http://www.dshs.state.tx.us/mhsa/yes/>;
- g) Providing Intensive Case Management using the Wraparound Planning Process, in accordance with 25 TAC Chapter 412, Subchapter I;
- h) Providing transition planning and service coordination beginning at least six months prior to a Waiver participant's 19th birthday;
- i) Monitoring service utilization for compliance with the DSHS-approved IPC for each Waiver participant;
- j) Providing engagement activities to facilitate Waiver participant participation in all Waiver services in the DSHS-approved IPC;
- k) Performing Quality Management (QM) activities. Contractor shall collect data, measure, assess, and work to improve dimensions of performance through focus on various aspects of care. Contractor shall include the following activities in the QM Plan:
 - (1) Providing timely access to services;
 - (2) Providing timely enrollment of Waiver participants;
 - (3) Developing plans of care and services based on underlying needs and outcome statements;
 - (4) Ensuring services are provided according to the Waiver participant's DSHS-approved IPC;
 - (5) Ensuring provider participation in child and family team meetings;
 - (6) Assuring development and revision of Waiver participant's IPC;
 - (7) Ensuring health and safety risk factors are identified and updated;
 - (8) Collecting and analyzing critical incident data;
 - (9) Ensuring individual service providers are credentialed and trained;
 - (10) Adhering to established policies and procedures; and
 - (11) Providing continuity of care.
- l) Maintaining open communication and coordination with each Waiver Provider;

- m) Cooperating with and assisting HHSC, DSHS and any state or federal agency charged with the duty of identifying, investigating, sanctioning or prosecuting suspected fraud and abuse, including the Office of Inspector General at HHSC;
 - n) Allowing DSHS and/or HHSC access to information or records related to Waiver participants, in accordance with applicable law, rule or regulation, at no cost to the requesting agency; and
 - o) Allowing representatives of DSHS, HHSC, and the Texas Department of Family and Protective Services, Office of the Attorney General Medicaid Fraud, and United States Department of Health and Human Services full and free access to Contractor's staff or subcontractors and all locations where the Contractor or subcontractors perform activities related to the Waiver.
3. Develop an adequate provider network for the provision of the YES Waiver service array, in accordance with the YES Waiver Policy and Procedure Manual. This shall be accomplished by:
- a) Contracting with qualified providers of the YES Waiver service array;
 - b) Providing access to all requested services on a DSHS- approved IPC within 10 business days of IPC approval, or later at the participant or LAR's request;
 - c) Providing participant choice among qualified providers of individual services; and
 - d) Providing access to qualified providers within 30 miles of the participant's residence.
 - e) Serving as the comprehensive YES Waiver provider of last resort for the local Service area only in the absence of alternate qualified comprehensive waiver providers that are contracted through the Department of State Health Services and have demonstrated sufficient capacity. As the provider of last resort, Contractor shall mitigate conflict of interest by maintaining a clear separation of provider and case management functions:
 - 1) The distinct individual staff member providing case management must be administratively separate from other provider functions and any related utilization review units and functions.
 - 2) A case manager shall not be the provider of any YES Waiver service that is on the IPC of a participant whose case they are managing.

II. YES Waiver Targets and Outcomes:

- A. Information pertaining to calculations and data sources is in Information Item C at <http://www.dshs.state.tx.us/mhcontracts/ContractDocuments.shtm>.
- 1. Contractor must enroll and serve in the YES Waiver an average minimum of: _____100_____ clients.
 - 2. Contractor must enroll and serve in the YES Waiver no more than maximum enrollment of: _____200_____ unique clients.

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- Contractor's minimum average enrollment will be calculated by total number of clients months divided by the total number of months in the reporting period, adding the number of unique individuals enrolled each month in a reporting period and dividing that number by the number of months in the reporting period.
3. An enrolled and served client is defined as a client with a DSHS-approved Initial IPC in place on the performance measure assessment date in accordance with the schedule and methodology.
 4. Contractor shall submit IPCs in accordance with the YES Waiver Policy and Procedure Manual, posted at <https://www.dshs.state.tx.us/mhsa/yes/>.
 5. Contractor shall not exceed the maximum enrollment requirement at any time during the contract year. Exceptions are as follows:
 - a. Except as authorized by DSHS to enroll a client determined to be at imminent risk of relinquishment, in accordance with 25 TAC Chapter 419, Subchapter A, §419.7 and the YES Waiver Policy and Procedure Manual, posted at <https://www.dshs.state.tx.us/mhsa/yes/>.
 - b. Except when an LMHA/LBHA transfers in a client enrolled in YES from another LMHA/LBHA.
 6. Contractor shall not maintain a wait list for YES Waiver enrollment for children determined eligible for YES.
 7. LMHA/LBHA shall not assess individuals from the YES Inquiry List for eligibility unless the LMHA/LBHA is below the maximum enrollment or authorized by DSHS to enroll a client determined to be at imminent risk of relinquishment, in accordance with 25 TAC Chapter 419, Subchapter A, §419.7 and the YES Waiver Policy and Procedure Manual, posted at <https://www.dshs.state.tx.us/mhsa/yes/>.
 8. All YES Waiver participants served will count toward overall Children's Services targets in accordance with Section II.B.1 of the PCN except where clients over the age of 18 are authorized into an Adult Level of Care. The decision to authorize clients over the age of 18 into an Adult Level of Care is made by the local mental health authority or local behavioral health authority. YES Waiver participants authorized into an Adult Level of Care will count toward the overall Adult Services targets in accordance with Section
 9. Inquiry List Management: Contractor shall maintain a YES Waiver Inquiry List in accordance with 25 TAC Chapter 419, Subchapter A, §419.7 and the YES Waiver Policy and Procedure Manual, posted at <https://www.dshs.state.tx.us/mhsa/yes/>.
 10. Contractor shall maintain documentation of the services outlined in Section I and shall provide DSHS with documentation of compliance with policies in the YES Waiver Policy and Procedure Manual within five business days of a request from DSHS.
 11. Transition Plan Development and Coordination:
Contractor shall assist the Waiver participant in the development of a transition plan and submit the plan to DSHS for review and approval at least six months before the Waiver participant's 19th birthday.
 12. Quality Management
 - a) Contractor shall maintain a YES Waiver Specific Quality Management plan which has been approved by DSHS, and includes activities to monitor

compliance with the YES Waiver Policy and Procedure Manual; and address any necessary corrective actions identified during Quality Management reviews. The YES Waiver Specific Quality Management Plan may be a part of the larger agency wide plan if it addresses YES specific activities.

- b) Contractor shall perform all activities outlined in the approved Quality Management Plan.
 - c) The Quality Management Plan must be submitted by March 31st of each fiscal year for DSHS approval or upon a request by DSHS YES Program staff.
13. Wraparound Facilitation
- a) Contractor shall utilize the Medicaid Intensive Case Management (ICM) service to coordinate individual enrollment and service provision and to develop individual plans of care.
 - b) ICM shall be delivered utilizing the National Wraparound Implementation Center (NWIC) model.
 - c) Direct- service providers of ICM shall meet training requirements outlined in Information Item A.
 - d) Each Intensive Case Manager shall not exceed a caseload of 10 Waiver participants at any time, unless Contractor, at the authorization of DSHS, exceeds the average maximum enrollment requirement to serve a participant who has been determined at imminent risk of relinquishment.