• Background
• Overview of banded rate exception process
• Web resource updates
• Technical assistance available
• Questions
• The rate banding period is currently scheduled to conclude on a rolling basis in 2020.

• CMS is currently considering whether to extend the banding period for an additional year.

• MN Statute 256B.4914, subdivision 14 requires DHS to develop and implement a process to determine eligibility for rate exceptions for persons with banded service rates.
  • This process must occur before banding concludes.
  • This process is referred to as a “pre-exception” process.
• Statute requires this “pre-exception” process to occur at a person’s service agreement renewal.

• Pre-exceptions submitted during 2019 will not automatically be authorized in 2020. Rate exceptions must be submitted in 2020 for renewal prior to a person’s service agreement renewal.

• Changes to rate frameworks between 2019 & 2020 may affect a request.
• This pre-exception process follows many existing rate exception policies.

• Rate exceptions must be based on a person’s extraordinary need.
  • The need for exceptions should be apparent in the person’s support plan – consider using the General Notes section in the About Plan tab.
  • The lead agency and DHS must agree that the need is extraordinary.

• Exception rates should reflect the real service costs borne by the provider.
• There are three specific parts of the pre-exception process:

• **Identifying Extraordinary Need:** Early identification of anticipated pre-exception requests between provider and lead agency.

• **Request Pre-Exception:** 2019 submission for rate exception following the banding period.

• **Request Exception:** 2020 request for rate exception to be authorized upon service agreement renewal.
• Early in 2019, providers may send a list to lead agencies of people who have extraordinary needs, which they anticipate requesting an exception.

• Intent: to facilitate communication about people with extraordinary needs prior to submission of a pre-exception request.

• Use of the tool is highly recommended, but is not required; DHS will make it available if providers would like to use it.

• The tool has been published on the DWRS FAQ page.
Pre-exception Communication Tool

Providers and lead agencies can use this tool to plan the processing of rate exceptions for people with disabilities with banded-service rates. Beginning January 2019, providers may complete this sheet with a list of clients with extraordinary needs who have banded service rates for whom they anticipate requesting an exception. Once complete, the provider may submit this list to the applicable lead agency. Doing so will allow lead agencies to anticipate 2019 rate exception workload and expedite processing of pre-exception requests as they are received.

Please note:
1. Submitting this tool to a lead agency is not considered a request for pre-exception. This tool is solely intended for planning purposes.
2. When submitting the completed tool, use a secure form of communication as it will include private/protected information about people who receive services.

<table>
<thead>
<tr>
<th>Provider name:</th>
<th>NPI number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider contact information:</td>
<td></td>
</tr>
<tr>
<td>Lead agency name:</td>
<td>Lead agency contact information:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PMI number</th>
<th>Recipient first name</th>
<th>Recipient last name</th>
<th>Service name</th>
<th>Service agreement renewal month</th>
<th>Description of extraordinary need</th>
<th>Lead agency response</th>
</tr>
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</table>
Identifying Extraordinary Need

• Lead agencies will decide whether they agree with the provider’s determination of extraordinary need and communicate the decision for each person submitted by the provider.
  
  • If the lead agency agrees, no further action is needed until the pre-exception is requested.
  
  • If the lead agency does not agree, further discussion with the provider should occur.

• The lead agency will support requests where the assessment and/or support plan indicate the individual has an extraordinary need for which the provider will likely incur extraordinary (reciprocal) costs.
• DHS asked lead agency rate mentors to designate a contact to receive this tool from providers.
  • If a contact was not identified, the rate mentor’s contact information was used.

• A list of contacts, by lead agency, is also available on the DWRS FAQ page.

• This tool is for lead agency and provider planning. It’s information should not be submitted to DHS.
• Pre-exception request should be submitted to lead agency, then DHS, upon 2019 service agreement renewal.

• The pre-exception must include the same information required in standard exception requests.
  • Using the 5820 rate exception form
  • Select the “pre-exception” option on the 5820 form

• Lead agencies should prioritize processing unbanded exception requests over pre-exception requests.
• DHS will process, make a determination, and track pre-exception requests received from the lead agency.

• DHS will communicate the determination back to the lead agency; the lead agency will communicate the determination to the provider.

• If a request does not contain sufficient documentation, DHS will automatically deny the request and communicate the denial to the lead agency.
Pre-Exception Request

• Pre-exception requests allow providers to anticipate 2020 rate exceptions and allow lead agencies to anticipate budgetary impacts.

• Providers may contact dsd.rates@state.mn.us if they experience issues with lead agency pre-exception processing.

• Approval of a 2019 pre-exception will not result in an automatic authorization of the exception rate in 2020. However providers, lead agencies, and DHS may process 2020 requests quicker with this additional information.
2020 Exception Request

• Prior to 2020 service agreement renewal:
  • A rate exception renewal may be submitted to the lead agency and DHS if a person’s need and associated cost drivers have not changed since the 2019 pre-exception request.
  • A new rate exception must be submitted to the lead agency and DHS if a person’s need and associated cost drivers have changed since the 2019 pre-exception request.
  • A new rate exception may be submitted to the lead agency and DHS, even if a 2019 pre-exception was not requested.

• 2020 rate exceptions will follow the standard exception process.

• Banding will no longer be a consideration in rate exception requests.
• Throughout 2019, DHS will track approved pre-exception requests.

• Once the banding period concludes, DHS will provide the list of approved pre-exceptions to lead agencies.

• Lead agencies may use the list to plan 2020 work and estimate budgetary affects.
• To prepare for this process, DHS updated the suite of rate exception edocs.

• 5820: Exception Request Application

• 5820A: Exception Request Application Instructions

• 5820B: Pre-exception Communication Tool
• **DWRS Public Webpage** – “DWRS Exceptions” tab includes:
  - Information on post-banding rate exceptions
  - Updated lead agency/provider residential exception tool
  - Updated lead agency/provider day/unit-based exception tool

• **DWRS Exception Requests CBSM page includes**:  
  - Information about the pre-exception process
  - Links to other helpful resources
Online Resources

- **DWRS Frequently Asked Questions Webpage** was updated to include:
  - Questions about the pre-exception process, similar to today
  - A link to the 5820B Pre-exception communication tool
  - A list, by lead agency, of contacts to whom providers may submit the 5820B
• This webinar will be available to view through TrainLink.

• Budget review and technical assistance available for lead agencies with allocation concerns by contacting dsd.fiscal@state.mn.us.

• Providers that experience challenges with the pre-exception process may contact dsd.rates@state.mn.us.
Questions?