

DWRS exception requests

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Legal authority	Federally approved BI, CAC, CADI and DD waiver plans, Minn. Stat §256B.4914	
Background	<p>The Disability Waiver Rate System (DWRS) determines individualized payment rates for Brain Injury (BI), Community Access for Disability Inclusion (CADI), Community Alternative Care (CAC) and Developmental Disabilities (DD) waiver services. The DWRS divides disability waiver services into three categories:</p> <ul style="list-style-type: none"> • Framework. • Market rate. • Pre-determined rate. <p>People with exceptional needs that cannot be met by a DWRS framework rate may request an exception.</p> <p>Framework rates for residential, day and unit-based services are determined through the web-based Rate Management System (RMS). Lead agency staff enters information about the services a person receives into the RMS, and the RMS uses the information to calculate a payment rate. Then, the lead agency enters the payment rate on the MMIS service agreement.</p>	
Exceptions	<p>Exceptions are available to meet extraordinary costs a provider incurs when the framework rate does not meet the person's extraordinary needs.</p> <p>Lead agencies must submit exception request applications to DHS. People who receive services and licensed service providers may request that their lead agency submit an exception request.</p>	
Request criteria	<p>The lead agency should request an exception when:</p> <ul style="list-style-type: none"> • A person has service needs that cannot be met through additional units of service. • A rate results in a person being discharged from the program. <p>The request must include:</p> <ul style="list-style-type: none"> • Summary of the person's extraordinary need. • Extraordinary program/service response to meet need that is not acknowledged by the framework. • Cost documentation of extraordinary program/service response incurred by provider for residential, day or unit-based services (refer to Lead agency provider tool – Residential, DHS-5820C [PDF] or Lead agency provider tool – Day or unit, DHS-5820D, [PDF]). • Individual service plan (ISP) or coordinated services and supports plan (CSSP) if these documents are not in MnCHOICES. • Screenshot of the lead agency's accurate inputs into the MnCHOICES Support Plan with correct service span dates and service name. • Other supporting documentation. <p>How to submit a request</p> <p>The lead agency must use DWRS Exception Request Application, DHS-5820 to submit rate exception requests to DHS. Refer to Instructions to complete the DWRS exception request, DHS-5820A (PDF) for help using the application.</p>	
Authorized exception rate	<p>Exceptions are:</p> <ul style="list-style-type: none"> • Calculated from and apply to the rate framework. • Managed within lead agency allocations. 	
Process and timelines	<p>The lead agency has 30 days to process an exception request application once they receive all necessary information from the provider. Once the lead agency submits the exception request application and all required documentation, DHS has 30 days to process an exception request. DHS will deny requests that do not have adequate</p>	

supporting documentation.

Lead agency responsibilities

The lead agency must use [DWRS Exception Request Application, DHS-5820](#) for all exception requests. The lead agency must enter accurate inputs into the MnCHOICES Support Plan with correct service span dates and service name, and send a screenshot as attachment with the exception request application.

On DHS-5820, the lead agency should identify whether it approves or denies the exception request. If the lead agency denies the exception request, the lead agency does not need to attach supporting documentation.

Expedited process

When all parties agree an exception request is urgent, an expedited process is available. DHS and lead agencies will prioritize expedited exception requests and make every effort to process requests within three business days each.

To start an expedited process, the lead agency should select the “yes” button on DHS-5820 and identify the reason for the expedited process in the drop-down field on the form. Some reasons to expedite requests include, but are not limited to:

- Crisis.
- Police intervention.
- Recent hospitalization.
- Other (if selected, explain in the narrative box provided).

Note: Typically, provider or lead agency delay is not a reason to request an expedited exception.

Approved exceptions

Approved exceptions are effective the date of the person’s change in need or the date of the exception request to the lead agency (whichever date is later).

DHS will approve exceptions the lead agency has approved, unless:

- The request does not describe the person’s extraordinary need.
- The request does not describe the exceptional service provision to meet the person’s identified need.
- The request does not include quantified cost-drivers.
- The request includes a submission error, including, but not limited to incorrect Person Master Index (PMI) number, name or anything that affects data-gathering and service authorization.
- The exceptional service provision identified is not a covered benefit, is a benefit covered by another payer or is non-compliant with Medical Assistance (MA) regulation.

Approved exceptions expire after one year. If the lead agency does not renew a person’s exception, the person’s service rate will be the framework rate.

Renewal process and exceptions

Lead agencies should renew exceptions if a person’s exception expires and the person continues to:

- Require an exceptional rate.
- Meet exception criteria.

To renew an expired exception, the lead agency must submit [DWRS Exception Request Application, DHS-5820](#).

The lead agency does not need to submit additional information unless there is a change in the person’s needs or requested rate needed to meet the extraordinary needs. If the person’s needs or requested rate changes, the lead agency must submit new cost-driver and/or other relevant information.

Denied exceptions

When DHS or the lead agency denies an exception request, the lead agency must

	<p>give the person and the license holder notice in writing within 30 days. The notification must include the reasons for denial.</p> <p>Appeals process for people new to receiving services When DHS or the lead agency denies an exception request for a person new to receiving services and the person appeals the denial, the lead agency may authorize the framework rate only during the appeals process. If the denial is overturned, the lead agency must authorize the exception rate effective the date of the person’s change in need or the date of the exception request to the lead agency, whichever date is later.</p> <p>Appeals process for people currently receiving services When DHS or the lead agency denies an exception request for a person currently receiving services with a needs change and the person appeals the denial, the current authorized rate will continue through the appeals process. If the denial is overturned, the lead agency must authorize the exception rate effective the date of the person’s change in need or the date of the exception request to the lead agency, whichever date is later.</p> <p>Additional information DHS may consider new information presented in a revised exception request application.</p>
Process review	<p>DHS will perform random audits of exception request applications that lead agencies deny.</p> <p>Once the lead agency submits DHS-5820 and supporting documentation, DHS staff will complete the exceptions internal review process. An additional DHS staff with expertise in disability services policy will review all exceptions denials.</p> <p>The DWRS Advisory Committee will receive a quarterly report with exceptions request reasons, approvals, denials and appeals.</p>
Additional resources	<p>CBSM – RMS CBSM – DWRS DHS – DWRS overview DHS – DWRS frequently asked questions DWRS Exception Request Application, DHS-5820 Instructions to complete the DWRS exception request, DHS-5820A (PDF) RMS User Manual</p>