



## CALIFORNIA DEPARTMENT OF AGING (CDA)

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### FAX Cover Sheet

**TO:** All ADHC Providers  
**FROM:** Adult Day Health Care (ADHC) Branch  
**DATE:** February 17, 2012  
**SUBJECT:** ADHC Program Continuation / Community-Based Adult Services (CBAS) Program Implementation Delay

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The purpose of this fax is to provide information regarding the continuation of the ADHC Medi-Cal benefit through March 31, 2012, and the CBAS Program implementation delay until April 1, 2012.

#### **Attachments**

This fax includes the following attachments:

1. Press Release issued by the Department of Health Care Services (DHCS) today
2. Beneficiary Notice to be sent by DHCS next week.

#### **ADHC/CBAS Provider Clarification**

The Community-Based Adult Services (CBAS) program is now scheduled to begin April 1, 2012. Please be aware:

- You may continue to provide ADHC services through March 31, 2012, to your ADHC eligible participants, including those that have been determined by DHCS to be ineligible for CBAS.
- DHCS will continue conducting CBAS eligibility assessments and notifying ADHC providers and beneficiaries of results through March 2012.
- You do not need to discharge CBAS ineligible participants prior to March 31, 2012.
- July 1, 2012, continues to be the scheduled date for CBAS transition to managed care.

#### **Questions**

If you have questions, or need additional information, please contact the ADHC Branch at (916) 419-7545 or visit the following websites:

- DHCS CBAS/ADHC Transition website at <http://DHCS.ca.gov/ADHCtransition>
- CDA ADHC website at [www.aging.ca.gov/programs/adhc](http://www.aging.ca.gov/programs/adhc)



# News Release

**NUMBER:** 12-03  
**FOR IMMEDIATE RELEASE**  
February 17, 2012

**CONTACT:** Norman Williams  
(916) 440-7660  
[www.dhcs.ca.gov](http://www.dhcs.ca.gov)

## **STATE TO CONTINUE ADHC PROGRAM THROUGH MARCH** *Federal Government Asks for Additional Time to Process Proposal that Will Launch the Community-Based Adult Services Program*

SACRAMENTO – The California Department of Health Care Services (DHCS) today announced that the elimination of the optional Adult Day Health Care (ADHC) benefit will be delayed until March 31. The one-month delay is in response to a request by the federal Centers for Medicare & Medicaid Services (CMS) for more time to process California’s amendment to the existing 1115 “Bridge to Reform” waiver to implement the new Community-Based Adult Services (CBAS) program.

Because of the delay, the CBAS program is now scheduled to launch on April 1. During the one-month extension of the ADHC benefit, Medi-Cal will continue to fund the ADHC centers.

“Throughout this ongoing transition, DHCS has made the care of ADHC participants its highest priority,” said DHCS Director Toby Douglas. “We will continue to work diligently as we move forward toward CBAS implementation.”

Since December 2011, nurse evaluators have assessed thousands of recipients to determine if they are medically eligible for the new CBAS program. CBAS will provide necessary medical and social services to those with the greatest need. It has not yet been determined how many ADHC participants are eligible, as the assessments are ongoing.

During this one-month extension, ADHC centers will continue to serve all eligible ADHC recipients, even those who have been determined to be ineligible for CBAS. Medi-Cal will also continue providing reimbursement to the centers for services provided.

Under a settlement agreement of an ADHC lawsuit last year, the ADHC program was initially to be phased out and replaced on March 1 with the CBAS program. The terms of the settlement included CMS’s review and approval of the waiver amendment. Therefore the settlement terms are not otherwise affected by the delay.

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TOBY DOUGLAS  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

[Date Mailed]

**If you are in Medi-Cal and receive (or recently received) Adult Day Health Care (ADHC), this Notice may affect you**

**\*\*\* IMPORTANT INFORMATION ABOUT THE ADHC AND CBAS PROGRAMS \*\*\***

We are sending you this follow-up Notice to let you know about an important change of dates in these programs.

The Department of Health Care Services (DHCS) is extending the ADHC Medi-Cal benefit by one additional month. Therefore, Adult Day Health Care (ADHC), as a Medi-Cal benefit, will now end on March 31, 2012, and Community Based Adult Services (CBAS), which is a new program, will now begin on April 1, 2012.

**1. Why is the Department extending the date for ADHC by one month and starting the CBAS program one month later?**

As part of the settlement in the *Darling v. Douglas* lawsuit, DHCS cannot end ADHC and start CBAS until the federal government agency that helps pay for these programs, known as the Centers for Medicare and Medicaid Services (CMS), also approves of this change.

CMS has informed DHCS that it needs additional time to review all the necessary papers to approve the change.

You can read the settlement agreement online at <http://www.dhcs.ca.gov/services/medi-cal/Pages/ADHC/ADHC.aspx>.

**2. I received a Notice of Eligibility for CBAS. How does this extension of ADHC affect me?**

All that this date extension means is that the center you go to will provide ADHC through March 31, 2012, and then in April 2012, you will start getting CBAS services. Even though the name is different, the services you get at the center will not change. You will also be able to get CBAS services the same number of days you get ADHC. Most ADHC centers have been approved to be CBAS providers, but if your center has not been approved, or has decided not to provide CBAS services, you will need to find a new center in order to start CBAS in April. Please call the California Department of Aging at (916) 419-7545, if you need help finding a new center.

**3. I received a Notice of Ineligibility for CBAS. Can I still go to ADHC?**

Yes. The date change means that you can continue to attend ADHC until March 31, 2012. But you still have a determination that you are ineligible for CBAS. You can appeal that determination by asking for a hearing. The Notice you received explains how to file for a hearing. But, if that decision is not changed before April 1, 2012, then you cannot attend CBAS unless you get a hearing decision or DHCS says that you are eligible for CBAS.

If you received a Notice that you are not eligible for CBAS, you can receive Enhanced Case Management services. You will receive a separate notice about how to receive those services.

**4. I have already asked for a fair hearing because I disagree with the Notice of Ineligibility for CBAS that I received. How is that affected by this date change?**

Your request for a fair hearing is not affected by this date change. Please go ahead with that fair hearing. But, as explained in answer to question 3 in this Notice, even though you have requested a fair hearing, you can still attend ADHC until March 31, 2012.

**5. Does the ADHC I currently attend know about of the new date?**

Yes. DHCS sent a notice to your ADHC center telling them that ADHC has been extended through March.

**6. If I still have questions about this date change, is there a phone number I can call?**

Yes. If you have any questions or concerns about this notice, you can call Disability Rights California at (800) 776-5746, TTY (800) 719-5798, or you can write to:

Disability Rights California  
1330 Broadway, Suite 500 Oakland, CA 94612  
Darling@disabilityrightsca.org

**As a reminder: This Notice does not affect your eligibility or receipt of other Medi-Cal or Medicare services.**