



New Mexico Home- and Community-Based Services Waiver Provider Rate Study

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CENTER FOR HEALTH PROGRAM
DEVELOPMENT AND MANAGEMENT

New Mexico Home- and Community-Based Services Waiver Provider Rate Study

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New Mexico Home- and Community-Based Services Waiver Provider Rate Study

Background

The New Mexico Human Services Department (Department) has asked the Center for Health Program Development and Management to conduct a study of provider rates in home- and community-based services (HCBS) waivers that will be included in the *Mi Via* Waiver program. The purpose of this study is to provide the Department with information about variations (if any) in provider payment rates for home- and community-based services within the state and across states.

The within-state comparison seeks to identify the extent to which provider rates vary across HCBS waiver programs within New Mexico's four HCBS waivers: disabled (physically) and elderly, developmentally disabled, HIV/AIDS, and medically fragile. The across-state comparison seeks to identify the extent to which New Mexico's provider payment rates for HCBS waivers are comparable to rates paid by a sample of other states in geographic proximity to New Mexico. Payment rates are compared by the same type of services and waivers as New Mexico's. An analysis of payment rates across waivers within each of the comparison states is also provided.

Research Questions

- Are there differences in the provider rate structures established by New Mexico for the same or similar services across waivers? For example, are different rates paid to providers for personal care services for persons with physical disabilities vs. persons with developmental disabilities?
- Are there differences in the rates paid in New Mexico for comparable services in other states?
- Are there differences in the complexity of the payment rate system across the states?

Methodology

Selection of States

Because of their geographic proximity to New Mexico, these five states were selected for the study: Arkansas, Colorado, Oklahoma, Texas, and Utah. Although Arizona is in close proximity to New Mexico, it is unique in that it does not have any home- and community-based services waivers and was therefore not selected.

An online search (www.pascenter.org) identified and provided brief descriptions and contact information for HCBS waivers in the states. The five states selected for the study have the following HCBS waivers that are comparable to New Mexico's waivers (Table 1).

Table 1. Waivers and Populations Served in Five Comparison States

State	Waiver Population	Waiver
Arkansas	Developmentally Disabled	MR/DD –Alternative Community Service
		Children’s Services Respite
	Disabled & Elderly	Elder Choices
		Assisted Living Alternatives
Medically Fragile Children	Children’s Respite Services	
Colorado	Developmentally Disabled	Developmentally Disabled
		Supported Living Services
		Children’s Habilitation Residential Program
		Children’s Extensive Support
	Disabled & Elderly	Elderly, Blind, and Disabled
	Medically Fragile Children	Children
HIV/AIDS	Persons Living with AIDS	
Oklahoma	Developmentally Disabled	Community
		In-Home Supports for Adults
		In-Home Supports for Children
		Homeward Bound
Disabled & Elderly	Advantage	
Texas	Developmentally Disabled	Home and Community-Based Services
		Community Living Assistance & Support Services
		Mental Retardation Local Authority Program
		Consolidated (for Bexar County residents only)
	Disabled & Elderly	Community Based Alternatives
		STAR+PLUS
		Consolidated (for Bexar County residents only)
	Medically Fragile Children	Deaf, Blind and Multiple Disabilities
Medically Dependent Children Program		
Utah	Developmentally Disabled	MR/DD
	Disabled & Elderly	Individuals Aged 65 and Over
		Individuals with Physical Disabilities 18 & Over
Medically Fragile Children	Technologically Dependent/Medically Fragile	

Data Collection

New Mexico supplied the provider rates for their waiver programs (see Attachment 1). Each of the five comparison states was contacted via telephone and e-mail to obtain information about its waiver programs, specifically rate tables and any standards or definitions of services provided under each of the waivers. For comparison purposes, the rates used were those in effect as of

July 1, 2004. While some states provided the information via e-mail, others provided the information via fax. In some cases, the waiver information was available via the Internet.

Unit of Analysis

There are 31 waiver programs across the five comparison states that serve the four waiver populations that New Mexico proposes to include in *Mi Via*. For New Mexico and the comparison states, a spreadsheet was developed that contains a list of the services provided under each of the waivers, as well as the rates for each of those services (see Attachment 2).

Because the states often offered many different waiver services to the same waiver population, and because the states did not always use common names for these services, comparison of the service data was a challenge. To make the data more meaningful and comparable, the waiver services were categorized into ten major service groups:

- Case management
- Nursing
- Therapy services
- Homemaker/personal care
- Respite
- Environmental accessibility
- Community living services (residential care, assisted living, or foster care)
- Day services (habilitation, home health, or day care)
- Supported employment
- Other (such as vocational training, transportation, home maintenance and modification, medical supplies, nutritional services and home meals, and emergency response)

The unit of service also varied greatly both within the state waiver programs and across the states. Wherever possible, service rates and unit of service were normalized across the waivers (i.e., days were normalized to months, minutes to hours, etc.) for ease of comparison.

States have used home- and community-based waivers to provide services to a variety of at-risk populations, including older adults, children and/or adults with developmental and/or physical disabilities, and persons with HIV/AIDS. Of the five comparison states, Texas has nine (the most) home- and community-based waivers; Colorado has seven; Arkansas has six; Oklahoma has five; and Utah has four. New Mexico has only one waiver for each of the four populations that will participate in the *Mi Via* program: disabled and elderly, developmentally disabled, HIV/AIDS, and medically fragile. While all of the states have implemented waivers for persons with developmental disabilities, individuals with disabilities and the elderly, and persons who are medically fragile, only Colorado and New Mexico have implemented a waiver for persons with HIV/AIDS.

The waiver services offered in the states vary greatly in both the number and types of services offered. States may offer a variety of waiver services to only a few targeted individuals with a particular condition, or they may offer only a few services to a large number of people. The wide

variety of services that may be available under waivers includes home modification, such as installing a wheelchair ramp; transportation; chore services; respite care; nursing services; personal care services; and caregiver training for family members.

Comparison of Provider Rates Across Waivers Within New Mexico

Variability in Payment Rates for Same/Similar Services

A review of New Mexico’s rate tables for its four waivers (Attachment 1) shows different payment rates for the same or similar services. What appears to be slight rate variability across waivers for the same service at the 15-minute increment can translate into large cost disparities when the actual number of units provided is considered. For example, private duty nursing LNP services are reimbursed at a rate ranging from \$5.69 per 15 minutes of service under the HIV/AIDS Waiver to \$6.75 per 15 minutes of service under the Medically Fragile Waiver. In the example below (Table 2), we have included the hourly rate (which enhances the differences in rates) and assumed that this service is being provided at a rate of 500 service hours and that waiver participant acuity levels are constant across the waivers.

Table 2. Example of Effects of Variability in Rates Across Waivers within New Mexico

Waiver	Unit	Rate	Hourly Rate	Service Hours	Cost	Difference Between Rate and Lowest Rate
Disabled/Elderly	15 min	\$ 5.91	\$23.64	500	\$11,820.00	\$440.00
Developmental Disabilities	15 min	\$ 6.16	\$24.64	500	\$12,320.00	\$940.00
HIV/AIDS	15 min	\$ 5.69	\$22.76	500	\$11,380.00	-----
Medically Fragile	15 min	\$ 6.75	\$27.00	500	\$13,500.00	\$2,120.00

From this example, we can identify one of the first concerns about the effect of various rates for the same or similar services across the waivers that will be included in the *Mi Via* program, namely that some individuals will have less money (based on historical costs) available for their individual budgets based not on differences in needs or acuity levels, but on the effects of differing provider rates paid on their behalf for the same services that others received in other waivers, only at a higher provider rate. Thus, in the example above, a *Mi Via* Waiver participant coming from the HIV/AIDS Waiver will have \$2,120 less available for his/her individual budget than a similarly situated participant coming into *Mi Via* from the Medically Fragile Waiver. This difference is based simply on the fact that the provider of his/her HIV/AIDS Waiver services was paid less than the provider in the Medically Fragile Waiver.

With the exception of respite services and environmental accessibility services, New Mexico pays varying rates across waivers for the same or similar services. Where comparable services were identified across waivers, the state generally paid rates based upon the waiver rather than

the service. Why there is variability in the provider rates across waivers was not the subject of the study, but the analysis suggests there is an opportunity to examine differences in both the rates and the complexity of the rate structures underlying them.

The following information summarizes, by service categories, those areas where different rates are paid for the same or similar services. The comparisons are based on the service name, service definition, and payment rate.

- **Case Management:** New Mexico offers two services—case management assessment and case management ongoing —across the four waivers. The difference between the highest and lowest rate for the case management assessment is \$4.93 per hour (a 10 percent difference), with rates of \$48.26 for the HIV/AIDS Waiver and \$53.19 for the Medically Fragile Waiver. Two of the waiver rates are paid on a monthly basis and the other two on an hourly basis for the provision of on-going case management services. The monthly payment for this service under the Medically Fragile Waiver at \$394.00 per month is nearly \$140 more (a difference of over 55 percent) than the monthly rate for the Developmentally Disabled Waiver which is \$254.00 per month. The hourly rates for the Disabled/Elderly Waiver and the HIV/AIDS Waiver are more comparable, varying by only \$1.48.

Nursing: Private duty LPN or RN services are offered across all four waivers, with higher rates being paid for RN than LPN services. The highest rate for LPN services is paid for this service under the Medically Fragile Waiver (\$27.00 per hour) while the lowest rate is paid under the HIV/AIDS Waiver (\$22.76). This is a 19 percent difference in the rates paid for the same service. While the difference is not as large, there is a 6 percent difference in the rates being paid for RN services. The rates for this service under the HIV/AIDS Waiver is \$40.96 per hour as compared to \$43.36 per hour for the Medically Fragile Waiver.

- **Therapy Services:** Occupational, physical, and speech therapy are offered in three of the four waivers: Developmentally Disabled, Disabled/Elderly, and Medically Fragile. The latter two waivers have a single rate for the three therapy categories, whereas the Developmentally Disabled Waiver assigns two to three different rates for each of the services. The rates for the Developmentally Disabled Waiver are based on the location of the service (i.e., center-based or at the client location) and the service provider. The difference between the highest and lowest rates for both occupational therapy and physical therapy is over 144 percent and 137 percent respectively when comparing services provided by an assistant and services provided by a skilled worker at the client's location.
- **Homemaker/Personal Care:** Three of the four waivers offer a service to provide assistance in the completion of activities of daily living (i.e., homemaker, personal care). The rates vary slightly with the HIV/AIDS Waiver rate being the lowest (\$13.00 per hour) and the Developmentally Disabled Waiver being the highest at \$14.09 per hour (a difference of 8 percent).
- **Respite:** This is one of the few instances where there was a single rate for a service provided for a service category under the Developmentally Disabled Waiver. While there

are no services provided under the HIV/AIDS Waiver, there are three to four respite services listed for the Disabled/Elderly and Medically Fragile Waivers. In both cases, the rates are established based on the service location and the provider type. Both the Disabled/Elderly and the Medically Fragile Waivers provide LPN and RN respite services; however, the Medically Fragile Waiver rates for LPN services are 14 percent higher than the same service in the Disabled/Elderly Waiver. Conversely, the rate for the Medically Fragile Waiver RN services is 3 percent less than the rate for the Disabled/Elderly Waiver.

- **Environmental Accessibility:** This is one area where the rates for the same or a similar service are equal. While the service name is slightly different (environmental accessibility adaptation vs. environmental modifications), both the Developmentally Disabled Waiver and the Disabled/Elderly Waiver provide this service at a rate of \$9.85 per unit.
- **Community Living:** There is very little to compare as neither the Medically Fragile nor the HIV/AIDS Waiver provides community living services. The Disabled/Elderly Waiver and the Developmentally Disabled Waiver both offer an assisted living service; however, the Developmentally Disabled Waiver pays over \$175.00 more per month than the Elderly/Disabled Waiver. Over the course of one year, the rate difference for this service exceeds \$2,100 for one waiver participant.

Complexity of Services/Rates

New Mexico's Developmentally Disabled Waiver includes more different types of services than are available to the other three waiver populations, understandably based on the needs of the population. However, within four of the service categories in the Developmentally Disabled Waiver (therapy services, supported living, habilitation, and supported employment), there are multiple payment rates whereas only one rate is usually available for the same service when it is provided to the other populations. In some cases, the same rate is listed for two separate but very similar categories. The state's rate tables include two separate rows under behavior therapy, occupational therapy, physical therapy, speech/language pathology, and supported employment for the service in the first row and the service with exception in the second row. In all cases, the same rate is listed in both rows. In addition, there are 12 separate categories and rates for supported living, varying by level of need, asleep or awake staff, and outliers.

New Mexico as Compared to Other States

Because of differing service categories, units of services, and so on, there were several areas where a comparative analysis to New Mexico could not be performed or was greatly limited. The following is a comparison of the services provided in New Mexico for each of the waivers for which there is a seemingly comparable service in the five other states. These comparisons are based on interpretations of state rate tables and available service definitions and standards.

Variability in Payment Rates for Same/Similar Services

Disabled and Elderly



No pattern of differences was noted for Disabled and Elderly Waiver services between New Mexico and the comparison states. In some categories (private duty nursing, adult day health, emergency response), New Mexico had higher rates, while for others (case management and assisted living), New Mexico had lower rates. For therapies, New Mexico was generally in the middle.

- **Case Management:** Three of the five comparison states provide case management or case management assessment services. Ongoing case management services provided by New Mexico are reimbursed at a rate of \$49.74 per hour as compared to Oklahoma with rates from \$54.00 - \$75.20 (a difference of 9 percent to 51 percent), Utah at \$72.44 (a difference of 46 percent), and Texas at \$36.68 per hour (a difference of 26 percent).
- **Nursing:** In addition to New Mexico, Texas and Oklahoma provide nursing services. Rates that may be comparable to New Mexico's private duty nurse are Texas' registered nurse and Oklahoma's skilled nurse. New Mexico's reimbursement rate at \$42.36 per hour exceeds that of Texas at \$33.44 (a difference of 26 percent), but is lower than Oklahoma's rate of \$47.20 (a difference of 11 percent).
- **Therapies:** New Mexico, Texas, and Oklahoma provide occupational, physical, and speech therapy services. With the exception of speech therapy, New Mexico has the lowest reimbursement rates for these services. While New Mexico and Texas have differing rates for therapy services, Oklahoma has a single rate for these services.
- **Respite Care:** While all of the states provide various respite care services, the most comparable to New Mexico's service is in-home respite care. Payment for this service ranges from \$12.12 per hour in Colorado to \$24.96 per hour in Utah. New Mexico falls slightly above Colorado at \$15.76 per hour (a difference of 30 percent) and well below Utah (a difference of 58 percent). Texas pays a daily rate (\$228.39) instead of an hourly rate for this service.
- **Homemaker Services:** With the exception of Texas, all of the states include homemaker/personal care services in their waivers. The payment rate for this service in New Mexico is \$13.79 per hour. The same service is provided in Colorado for \$12.80 per hour (a difference of 8 percent) and in Utah for \$23.88 per hour (a difference of 73 percent). Texas offers chore services at a variable hourly rate to participants in the Deaf, Blind, and Multiple Disabilities Waiver.
- **Home Modifications:** While all states provide some form of home modification services, the rates are not comparable due to differences in the payment structure (i.e., unit, lifetime maximum, per service).
- **Assisted Living:** Arkansas, Texas, and New Mexico provide assisted living services. Texas pays the largest amounts at \$3,839 per month for 24-hour assisted living services and \$3,310.80 for less than 24 hour assisted living service. New Mexico and Arkansas have similar rates at \$1,492.20 and \$1,221.00 respectively.
- **Adult Day Health:** Two states, Oklahoma and Arkansas, provide comparable services. Rates for these services range from \$6.72 per hour in Arkansas to \$7.88 per hour in New Mexico which is a difference of 17 percent.

- **Emergency Response Systems:** In addition to New Mexico, Arkansas and Utah provide emergency response system services. Rates for the installation of the systems vary from \$29.90 (Arkansas) to \$133.96 (New Mexico) per installation.

Developmental Disabilities

Because of a great deal of variability in provider rates for waiver services provided to persons with developmental disabilities in New Mexico and the comparison states, generalizations about how New Mexico compares to the other states are not possible. However, one difference important to mention lies in therapies. Oklahoma has one rate for all therapy services. Not only does New Mexico have different rates for different therapy services, but it also has different rates within the therapy services based on locus of the service, resulting in a wide range of provider rates for what amounts to the same general category of services. It is possible to consider that these multiple rates may prompt “acuity creep” to maximize rates, with little incentive to manage to lower rate cells. Thus, this type of variability may also contribute to disparities with *Mi Via* participants’ individual budgets.

- **Case Management:** Both Arkansas and Texas provide ongoing case management services. Texas offers this service for two of its four Developmental Disabilities Waivers. The monthly payment for one waiver is \$1,127.18 per month, while the other rate of \$175.11 per month is more comparable to the monthly rates of Arkansas (\$107.00) and New Mexico (\$254.13). The \$1,127.18 rate is paid for services provided under the Home and Community Based Services Waiver and is significantly higher than the others. We were unable to ascertain why this large difference exists.
- **Nursing:** Texas, Colorado, and Oklahoma offer nursing services to participants. Oklahoma and Colorado offer skilled nursing care at similar payment rates: \$23.00 and \$28.00 respectively. Texas offers LVN services at a payment rate of \$25.06 per hour as compared to New Mexico which pays \$24.64 per hour. For RN services Texas pays a rate of \$33.44 per hour as compared to New Mexico’s rate of \$43.36 per hour (a difference of 29 percent). Texas also provides nursing services under the Home- and Community-Based Services Waiver at a payment rate of \$57.27 per hour. We assume the rates for the two New Mexico and Texas waivers reflect less than skilled services provided by the LPN/LVNs.
- **Therapies** (occupational, physical, speech): Oklahoma, Texas, and Colorado offer therapy services to waiver participants. Oklahoma pays the same rate (\$55.00 per hour) for all therapy services, while New Mexico’s payment rates vary based on the location of the service performed. As a result, rates vary greatly from the high \$30’s per hour for assistant services, to over \$93.00 per hour for therapy provided at the client location. Texas rates vary according to the waiver program, with rates ranging from \$60.55 per hour to \$69.77 per hour.
- **Respite:** Oklahoma, Texas, and Utah all provide a variety of respite services. Oklahoma’s daily rates are based on the level of service and the location of the service provided. New Mexico provides respite services at a rate of \$13.80 per hour, which is similar to the rate of \$13.04 paid by Utah.



- **Environmental Adaptations:** All of the states offer some form of home adaptation/modification services, but the rates are not comparable due to differences in the payment structure.
- **Supported Employment:** All of the states offer this service to waiver participants. Oklahoma offers a variety of services with rates ranging from \$5.00 per hour for job stabilization/extended services, to \$14.00 per hour for enhanced job coaching services. Texas provides this service under three separate Developmentally Disabled Waivers with rates ranging from \$21.15 per hour to \$21.39 per hour. New Mexico's rates range from \$8.80 per hour to \$27.60 per hour depending on the level of disability and the intensity of the service being provided.

HIV/AIDS

Of the states selected for comparison, only Colorado has an HIV/AIDS Waiver. Both New Mexico and Colorado offer a limited number of services under this waiver. Services offered in New Mexico include case management, nursing, and home health aides, whereas Colorado services include health maintenance, personal care and homemaker services, alternative care facilities, adult day services, and transportation. Rates for the only comparable service area, personal care, are stable across these two states at \$12.80 and \$13.00 per hour (a difference of 2 percent).

Medically Fragile

Four of the five comparison states have implemented a waiver for medically fragile children. Again, the range of services designed to assist this population varies greatly. Two states offer only one service under this waiver (in-home respite, on-going case management). New Mexico appears to have the most expansive program, offering many services that are not offered by other states. Areas of rate and service comparability are:

- **Nursing:** New Mexico offers private duty LPN and RN services, while Texas offers RN, LVN, and as a separate service, RN and LVN agency services. New Mexico's pays \$27.00 per hour for LVN services as compared to Texas's rate of \$19.78 (a difference of 37 percent). New Mexico's pays \$40.96 per hour for RN services while Texas pays only \$23.74 per hour which is a difference of over 72 percent.
- **Respite:** New Mexico offers five respite-related services at an hourly payment range from \$15.76 per hour for a respite home health aide to \$40.96 for respite RN services. Utah offers similar services with rates ranging from \$16.00 for respite home health aide to \$32.00 for respite RN services. Additionally, New Mexico offers institutional respite services at a daily rate of \$304.36. Arkansas offers one respite service—in-home respite—at a rate of up to \$10.00 per hour. Utah offers similar services with rates ranging from \$16.00 per hour to \$32.00 depending on the provider.
- **On-going case management:** Both Colorado (\$32.08 per hour) and New Mexico (\$394.00 per month) provide on-going case management services. However, a direct rate comparison cannot be made.



Complexity of Services/Rates

New Mexico's rate structure is more complex than the rate structures of the comparison states. Factors contributing to the level of complexity include disparity among rates for the same or similar services across waivers and differentiation of rates based on factors such as acuity level, service provision location, and geographical location. As mentioned above, there are multiple service listings and corresponding payment rates for the same or similar service within the waivers as well as across the four waivers.

Comparison of Provider Rates Across Waivers Within Each State

Payment rate tables for each of the comparison states were evaluated to identify differences in the state's rate structure for the same or similar services based on the target population being served, and/or in the number of services provided across each state's waivers. Generally, we found less variability in rates across waivers within each of the comparison states than in New Mexico.

Variability in Payment Rates for Same/Similar Services

Arkansas: In-home respite and environmental modifications are the only services offered in one or more of Arkansas' waivers. In-home respite rates are offered in three waivers and the rates are the same for two of the waivers. Environmental modifications are offered in two waivers with the rates being the same for both waivers.

Colorado: Since 1982 and until recently, Colorado has been paying a "lump-sum" grant for all services for each participant as opposed to paying by service in three of the state's waivers for persons with developmental disabilities. Rates for services reported here were estimates provided by the person contacted for information about the three waivers. Recently, at the request of the Centers for Medicare and Medicaid Services, Colorado changed its payment system.

A comparison of the other waivers shows that for the same or similar services offered under the Disabled/Elderly and the HIV/AIDS Waivers, the rates are the same. For example, both waivers pay \$12.80 per hour for personal care, \$42.92 per hour for adult habilitation, and \$1,102.50 per month for alternative care facility services

Oklahoma: Occupational, physical, and speech and language services are offered under more than one waiver program (Developmental Disabilities, Disabled/Elderly). As is true in Arkansas, rates for these services are the same across both of the waivers.

Texas: Texas has a greater number of services that transcend more than one of its many waiver programs. The rates for the common services across the waivers are generally the same, or there is only slight variability in the rates. This is especially true when comparing the Community Living Assistance and Support Services Waivers and the Disabled/Elderly Waiver.



Utah: Fewer than ten services are provided under more than one of Utah’s four waivers. The same rate is applied to a small number of those services across the waivers. For example, the rates for the purchase, service fee, and installation of the personal emergency response systems are the same under the Developmental Disabilities and Disabled/Elderly Waivers. For those services that are paid different rates, there is no discernable pattern.

Complexity of Services/Rates

Factors contributing to the level of complexity across states include the number of waivers serving the same target population, disparity among rates for the same or similar services across waivers, and differentiation of rates based on factors such as acuity level, service provision location, and geographical location.

Our analysis suggests that New Mexico has the most complex rate system of all the states we reviewed. Colorado and Arkansas have the least complex waiver program. With few exceptions, both Colorado and Arkansas have only one rate for a given service. Oklahoma and Utah, however, have different rates for what appear to be the same service. While Texas has few areas where there is more than one rate for a service within a waiver, its program can be viewed as complicated due to the large number of waivers being implemented. Texas has the largest number of waivers among the comparison states, with four of its waivers being targeted to one population. The sheer number of waivers lends itself to a complex program; however, the complexity is lessened slightly by the use of the same rate across different waivers for the same or similar services, as well as the fact that two of the waivers (Consolidated Waiver) are implemented in only one county.

Discussion

Generally, our analysis shows that:

- There is variability among provider rates in New Mexico for the same services across waivers.
- There is also variability in the complexity of the rate structures in New Mexico across waivers.
- Generally, the comparison states had less internal variability and complexity.
- There was no particular pattern identified concerning New Mexico generally paying higher or lower rates. Rather, the data suggest that New Mexico paid more in some areas, less in others, and the same in some services.

The variability in provider rates and in the complexity of payment structures both may contribute to disparities in the development of individual budgets in *Mi Via*. The fact that there was variability and complexity across waivers did not affect the individual participant in a free-standing, fee-for-service waiver. The variability and complexity affected the providers. Number of services and units of service are the concern of participants and their families – not what the provider receives in payments.

However, *Mi Via* has an entirely different premise: individuals are going to be given an individual budget based, at least in the early years, on historical costs. Reasonably, one would expect that the differences in those budgets should reflect the historic pattern of number of services and units of services the person used. However, if those numbers of services and units are distorted by differences in provider rates and the complexities within those rates, those distortions become disparities in individual budgets. Individuals will no longer be in free-standing individual waivers, but will be a part of a single new waiver program: *Mi Via* (albeit technically under two identical waivers, but one individual budget methodology applicable to all). Thus, we assume similarly situated participants coming from different waivers will have different budgets reflecting in part the distortions caused by differences in provider rates and the complexities of the rate structures. While this result may not be avoidable, it raises equity and fairness questions.

Perhaps the state could consider studying further the potential impact of these disparities on individual budgets in preparation for the implementation of *Mi Via*.

ATTACHMENT 1
 Provider Rate Study

12/1/2005

Provider Rates in New Mexico as of July 1, 2004

New Mexico Waivers	Developmentally Disabled		Disabled/Elderly		Medically Fragile		HIV/AIDS	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Psychosocial Therapy					15 min	\$10.10 (\$40.40)		
**Behavior Therapy, Center Based	15 min	\$11.82 (\$47.28)						
**Behavior Therapy, Client Location	15 min	\$19.95 (\$79.80)						
**Behavior Therapy, Group	15 min	\$8.37 (\$33.48)						
Homemaker/Personal Care								
Personal Care	Hour	\$14.09						
Homemaker/Homemaker Supp.			Hour	\$13.79				
Bowel and Bladder Service			Hour	\$15.27				
Home Health Aide					Hour	\$15.76		
Homemaker/Personal Care							Hour	\$13.00
Respite								
Respite	15 min	\$3.45 (\$13.80)						
Homemaker Respite, In Home			15 min	\$3.27 (\$13.08)				
Respite, LPN			15 min	\$5.91 (\$23.64)	15 min	\$6.75 (\$27.00)		
Respite, RN			15 min	\$10.59 (\$42.36)	15 min	\$10.24 (\$40.96)		
Institutional Respite					Day	\$304.36		
Respite, Home Health Aide					15 min	\$3.94 (\$15.76)		
Environmental Accessibility								
Environmental Modifications			Unit	\$9.85				
Environmental Access. Adaptation	Unit	\$9.85						

ATTACHMENT 1
Provider Rate Study

12/1/2005

Provider Rates in New Mexico as of July 1, 2004

New Mexico Waivers	Developmentally Disabled		Disabled/Elderly		Medically Fragile		HIV/AIDS	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Environmental Adapt. Consultant	Unit	\$9.85						
Community Living Services								
Assisted Living	Month	\$1,667.60	Day Month	\$49.74 \$1,492.20				
Assisted Living Intensive	Month	\$2,421.13						
Home Based Support Service	Month	\$3,411.06						
Supported Living 1 Asleep	Day Month	\$214.73 \$6441.90						
Supported Living 1 Asleep Outlier	Day Month	\$165.48 \$4,964.4						
Supported Living 1 Awake	Day Month	\$294.52 \$8,835.60						
Supported Living 1 Awake Outlier	Day Month	\$87.66 \$2,629.80						
Supported Living 2 Asleep	Day Month	\$139.87 \$4,196.10						
Supported Living 2 Asleep Outlier	Day Month	\$238.37 \$7,151.10						
Supported Living 2 Awake	Day Month	\$186.16 \$5,584.80						
Supported Living 2 Awake Outlier	Day Month	\$195.03 \$5,850.90						
Supported Living 3 Asleep	Day Month	\$108.35 \$3,250.50						
Supported Living 3 Asleep Outlier	Day Month	\$270.88 \$8,126.40						
Supported Living 3 Awake	Day Month	\$138.88 \$4,166.40						
Supported Living 3 Awake Outlier	Day Month	\$240.34 \$7,210.20						
Supervised Living 1	Day Month	\$79.78 \$2,393.40						
Supervised Living 2	Day Month	\$54.18 \$1,625.40						
Supervised Living 3	Day Month	\$42.36 \$1,270.80						

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Provider Rates in New Mexico as of July 1, 2004

New Mexico Waivers	Developmentally Disabled		Disabled/Elderly		Medically Fragile		HIV/AIDS	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Day Services								
Habilitation Day Care, Adult	15 min	\$1.31 (\$5.24)						
Habilitation Day Care, Child	15 min	\$1.28 (\$5.12)						
Adult Habilitation 1, Outlier	15 min	\$2.27 (\$9.08)						
Adult Habilitation 2, Outlier	15 min	\$3.28 (\$13.12)						
Adult Habilitation 3, Outlier	15 min	\$3.77 (\$15.08)						
Adult Habilitation Level 1	15 min	\$3.53 (\$14.12)						
Adult Habilitation Level 2	15 min	\$2.51 (\$10.04)						
Adult Habilitation Level 3	15 min	\$2.02 (\$8.08)						
Adult Day Health			15 min	\$1.97 (\$7.88)				
Supported Employment								
**Supported Employment Level 1 Group	15 min	\$3.53 (\$14.12)						
**Supported Employment Level 2 Group	15 min	\$2.51 (\$10.04)						
**Supported Employment Level 3 Group	15 min	\$2.02 (\$8.08)						
**Supported Employment Individual	Day	\$24.26						
**Supported Employment Intensive	15 min	\$6.90 (\$27.60)						
Miscellaneous								
Non-Medical Transportation, Pass/Ticket	Unit	\$0.99						
Non-Medical Transportation, Per Mile	Mile	\$0.33						
Nutritional Counseling	Visit	\$41.37						

ATTACHMENT 1
 Provider Rate Study

12/1/2005

Provider Rates in New Mexico as of July 1, 2004

New Mexico Waivers	Developmentally Disabled		Disabled/Elderly		Medically Fragile		HIV/AIDS	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Community Access Family Counseling	15 min	\$15.40 (\$61.60)						
Community Access Fam/Ch/Info/Train.	15 min	\$15.40 (\$61.60)						
Community Access Peer Mentor.	15 min	\$15.40 (\$61.60)						
Community Access Stipends	Unit	\$0.99						
Community Access Support Coach	15 min	\$15.40 (\$61.60)						
Community Membership	15 min	\$3.69 (\$14.76)						
Emergency Response			Month	\$35.46				
Emergency Response High Need			Month	\$39.40				
Emergency Response, Install/Disc.			Maximum	\$133.96				

*Numbers in parenthesis represent the hourly rate conversion.

*Numbers in parenthesis represent the hourly rate conversion.

** For these services rates are listed in two rows for the service and the service with 'Exception' however rates for both are the same.

ATTACHMENT 2
New Mexico Provider Rate Study
Provider Rates in Utah as of July 1, 2004

Utah Waivers	Developmental Disabilities		Disabled/Elderly				Medically Fragile		HIV/AIDS	
	MR/DD		Individuals Aged 65 & over		Individuals with Physical Disabilities 18 & Over		Technology Dependent/Medically		None	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Case Management										
Waiver case management services, base			15 min	\$18.11 (*\$72.44)						
Waiver case management services, rural enhancement			15 min	\$31.69 (\$126.76)						
Nursing										
None										
Therapy Services										
Activity Therapy							15 min	\$17.45- (\$69.80)		
Family Training and Counseling for Child Development							15 min	\$17.45- (\$69.80)		
Counseling, individual session	15 min	\$17.29 (\$69.16)								
Counseling, group session	15 min	\$5.88 (\$23.52)								
Medical Nutrition Therapy; Subsequent, Individual							15 min	\$18.14 (\$72.56)		
Therapeutic Procedure for Respiratory Functioning							15 min	\$13.50 (\$54.00)		
Homemaker/Personal Care										
Chore Services	15 min	\$3.74 (\$14.96)	15 min	\$5.40 (\$21.60)						
Chore Services - self directed	15 min	\$3.13 (\$12.52)								
Chore Services, rural enhancement			15 min	\$9.45 (\$37.80)						
Companion Services	15 min	\$3.50 (\$14.00)	15 min	\$3.50 (\$14.00)						
Companion Services	Day	\$72.22								
Companion Services, rural enhancement			15 min	\$6.13 (\$24.52)						
Homemaker services	15 min	\$3.74 (\$14.96)	Hour	\$23.88						
Homemaker services, self-directed	15 min	\$3.13 (\$12.52)								
Homemaker services, rural enhancement			Hour	\$41.79						
Respite										
Respite care, unskilled	15 min	\$3.26 (\$13.04)								
Respite care, unskilled	Day	\$82.77								
Respite care, overnight camp	Week	\$365.76								
Respite care services, base			Hour	\$22.52						
Respite care services, rural enhancement			Hour	\$39.41						

ATTACHMENT 2
New Mexico Provider Rate Study
Provider Rates in Utah as of July 1, 2004

Utah Waivers	Developmental Disabilities		Disabled/Elderly				Medically Fragile		HIV/AIDS	
	MR/DD		Individuals Aged 65 & over		Individuals with Physical Disabilities 18 & Over		Technology Dependent/Medically		None	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Respite care, home health aide, base			Hour	\$24.96						
Respite care services, home health aide, rural enhancement			Hour	\$43.68						
Respite care services, LTC Facility			Day	\$105.00						
Respite care, Community Based, RN							15 min	\$8.00 (\$32.00)		
Respite care, Community Based, LPN							15 min	\$6.24 (\$24.96)		
Home Health Aide							15 min	\$4.00 (\$16.00)		
Environmental Accessibility										
Environmental accessibility adaptations, home	Service	\$10,000.00 max	Service	\$1,000.00						
Environmental accessibility adaptations, vehicle	Service	\$10,000.00 max								
Community Living Services										
Community Living Supports, supported living	15 min	\$5.11 (\$20.44)								
Community Living Supports, supported living - self directed	15 min	\$4.28 (\$17.12)								
Community Living Supports, supported living - adult with parent	15 min	\$4.62 (\$18.48)								
Community Living Supports, congregate	Day	\$343.26								
Community Living Supports, intensive	Day	\$546.20								
Community Living Supports, extended living - child age group	15 min	\$3.52 (\$14.08)								
Community Living Supports, extended living - adult age group	15 min	\$3.52 (\$14.08)								
Community Living Supports, host home	Day	\$343.26								
Community Living Supports, professional parent	Day	\$343.26								
Self-directed supports	15 min	\$7.62								
Support coordination	Month	\$213.40								
Enhanced State Plan supportive maintenance home health aide services, base			Hour	\$33.23						
Enhanced State Plan supportive maintenance home health aide services, rural enhancement			Hour	\$58.15						
Personal attendant service, agency, base			Hour	\$14.00	15 min	\$3.05 (\$12.20)				
Personal attendant service, agency, rural enhancement			Hour	\$24.50						
Personal attendant service, independent contractor			15 min	\$2.85 (\$11.40)						
Personal attendant program training, base			15 min	\$15.00 (\$60.00)						

ATTACHMENT 2
New Mexico Provider Rate Study
Provider Rates in Utah as of July 1, 2004

Utah Waivers	Developmental Disabilities		Disabled/Elderly				Medically Fragile		HIV/AIDS	
	MR/DD		Individuals Aged 65 & over		Individuals with Physical Disabilities 18 & Over		Technology Dependent/Medically		None	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Personal attendant program training, rural enhancement			15 min	\$26.25 (\$105.00)						
Consumer preparation, personal attendant care					15 min	\$5.08 (\$20.32)				
Day Services										
Habilitation day - direct only	15 min	\$3.29 (\$10.16)								
Habilitation day - administration and direct only	15 min	\$7.64 (\$30.56)								
Habilitation day , individualized	Day	\$136.37								
Habilitation day , individualized - intensive level	Day	\$304.80								
Supported Employment										
Supported employment - direct only	15 min	\$3.29 (\$10.16)								
Supported employment - administration and direct	15 min	\$7.64 (\$30.56)								
Supported employment - enclave	Day	\$33.49								
Supported employment - co-worker support	15 min	\$1.04 (\$4.16)								
Miscellaneous										
Family Assistance & Supports, agency based	15 min	\$4.88 (\$19.52)								
Family Assistance & Supports, agency based - consultant	15 min	\$8.15 (\$32.60)								
Family Assistance & Supports, agency based - self-directed	15 min	\$2.87 (\$11.48)								
Latch key supports, child	15 min	\$7.96 (\$31.84)								
Latch key supports, adult	15 min	\$7.96 (\$31.84)								
Personal emergency response systems, purchase	Each	\$225.91	Each	\$225.91	Each	\$225.91				
Personal emergency response systems, service fee	Month	\$38.85	Month	\$38.85	Month	\$38.85				
Personal emergency response systems, installation and testing	Each	\$50.00	Each	\$50.00	Each	\$50.00				
Personal emergency response systems, rural enhancement			Each	\$87.50						
Specialized medical equipment, service fee	Month	\$300.00								
Specialized medical equipment, purchase	Each	\$10,000.00								
Specialized medical equipment, diet management	Session	\$53.25								
Specialized medical equipment/supplies/assistive technology			Each	\$322.50						
Specialized supports, massage, chiropractic, acupuncture, communication	Session	\$53.25								
Non-Medical Transportation	Day	\$8.93	One way trip	\$11.00						

ATTACHMENT 2
 New Mexico Provider Rate Study
 Provider Rates in Utah as of July 1, 2004

Utah Waivers	Developmental Disabilities		Disabled/Elderly				Medically Fragile		HIV/AIDS	
	MR/DD		Individuals Aged 65 & over		Individuals with Physical Disabilities 18 & Over		Technology Dependent/Medically		None	
	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate	Unit	Rate
Non-Medical Transportation, rural enhancement			One way trip	\$19.25						
Non-Medical Transportation	Mile	\$0.36								
Non-Medical Transportation, multi-pass	Month	\$68.00								
Non-Medical Transportation, van			One way trip	\$21.00						
Non-Medical Transportation, van, rural enhancement			One way trip	\$36.75						
Home delivered supplemental meals, base			Meal	\$7.20						
Home delivered supplemental meals, rural enhancement			Meal	\$12.60						
Medication reminder			Month	\$86.00						
Local area support coordination liaison					15 min	5.08 (\$20.32)				

*Numbers in parenthesis represent the hourly rate conversion.