Unlocking the Value of Enabling Technology in Managed LTSS

Ensuring Member Safety and Empowerment

Challenges

- While CMS has provided some initial guidance to improve the protection of member data and privacy, more specific requirements around protections are warranted.

- Guardrails around the use of ET to ensure members' safety and adherence to their person-centered care plans are critical, especially when transitioning from in-person services to services delivered remotely or services enhanced or replaced by ET.

- Technologies must be flexible enough to align with informed consent, member rights, individual privacy, as well as each person's evolving needs and preferences in different settings and stages of life (in accordance with the federal HCBS settings criteria).

Federal Recommendations

- CMS, in collaboration with the HHS Office of the National Coordinator (ONC) and LTSS stakeholders, should issue stronger guidance and provide technical assistance regarding the management of members' personal data. Recently, CMS released revisions to the 1915(c) waiver that included new requirements for States to specify how they will enhance privacy protections and ensure informed consent for remote or electronic monitoring for a small subset of services. CMS should build upon these general requirements to create additional guidance on data security in LTSS.

- CMS should provide technical assistance to States on promising practices for streamlining Electronic Visit Verification (EVV) data, data extrapolated from remote technological supports, and critical incidence reporting to better evaluate the impact of ETs to demonstrate systemic quality improvement and individual outcomes related to safety and well-being.

State Recommendations

- States should work with LTSS stakeholders to establish a statewide streamlined process for ensuring member safety in remote monitoring environments, including appropriate staffing patterns for Direct Support Professionals (DSPs) supporting multiple individuals at one time.

- States should establish basic criteria around the use and monitoring of ET to ensure that beneficiaries are empowered with adequate information, support, and resources to successfully utilize technological supports.

Plan Recommendations

- Plans may wish to proactively engage with State regulatory authorities, providers, members, and caregivers to solicit feedback on additional processes and practices that could be implemented to ensure member safety and empowerment in the identification, exploration, and utilization of ETs.

Provider Recommendations

- Providers and vendors should proactively collect data to assess the impact of ET exploration and utilization on member safety and empowerment. Providers should also engage with plan market representatives regularly to provide feedback regarding current ET authorization and coverage processes and potential enhancements to improve member safety and empowerment.