

## Conflict Free Case Management Frequently Asked Questions

1.

**Question:**

**Is it permissible for “grandfathering in” of the selection of Case Management and Service provision? If a family is satisfied with services (whereas their Case Management provider who also provides services, whether it’s Family Person Centered Support, Behavior Support Professional, Home Based Person Centered Support, etc.) could these situations be grandfathered in, thus keeping services as they are now?**

**Response:**

**This question was posed to the Centers for Medicare & Medicaid Services (CMS) by the CMS Liaison and the following response was received via CMS:**

**West Virginia cannot grandfather for multiple reasons. A person could keep their case management provider as their case manager, but they cannot receive direct services from their case management provider unless the state has identified this provider as the only willing and qualified provider for case management services in their geographic area. Or the individual could choose the opposite. They could continue to receive their direct services from their current provider but will need to select a new case management provider.**

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2.

**Question:**

**Who can families and/or agencies reach out to voice their questions or concerns related to conflict free case management?**

**Response:**

**An email to [Elizabeth.L.Bragg@wv.gov](mailto:Elizabeth.L.Bragg@wv.gov) addressing question or concern initially. Liz will follow up with Patricia Nisbet as CMS Liason if further clarification is necessary to ensure clarify of information.**

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3.

Question :

If a person has Case Management services through a facility with a crisis site, will they be able to refer to their crisis site if needed? Doing so would result in the same provider providing both services.

Response:

In this scenario, the crisis situation would be addressed within exceptions as the provider pool would be limited for residential crisis sites and the service is temporary.

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4.

Question: Please provide an explanation of “cultural exemption”.

Response:

**Cultural exemptions:** An exemption from certain conflict of interest requirements may be granted when a specific cultural community can only be served by one provider or if there are limited providers in a region. <http://www.wvculture.org/arts/ethnic/index.html>

**Rural exemptions:** An exemption of a certain geographic areas within the state may be granted when the only willing and qualified entity to provide case management services is also the only willing and qualified entity to provide home- and community-based services in that geographic area.

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