

**GANJI 2016 CONFERENCE
OPENING ADDRESS**

“A Right to Person-Centered Planning: Ensuring that Medicaid Recipients with Diminished Capacities Lead the Planning Process to the Extent Possible”

Presenter: Gwen Orlowski, Esq.

Format: Keynote talk

Length: 1 hr.

Ms. Orlowski’s presentation will focus on the person-centered service planning for persons with diminished capacity under the 2014 federal person-centered planning rules. These rules are operative in New Jersey’s Medicaid waivers and programs (including the Comprehensive Medicaid Waiver, MLTSS and the Community Care Waiver) and require that the individual receiving Medicaid services lead the person-centered planning process where possible, and that legal representatives have a participatory role, as need and as defined by the individual, *unless State law confers decision-making authority to the legal representative*. The presentation will provide an overview of the 2014 federal rules and will discuss CMS’s emphasis on supportive decision-making strategies as well as substituted judgment in its responses to Comments to the rule.

Objectives:

1. Provide an overview of the 2014 federal Medicaid home and community-based settings rule for person-centered planning and individuals with diminished capacity.
2. Discuss CMS’s recommendations for the inclusion of principals of supportive decision-making as well as substituted judgment into state regulations governing implementation of the federal rules.
3. Discuss real-life strategies for integrating supportive decision-making principals in person-centered service planning for Medicaid recipients of home and community-based services.