

CMS Waiver Steering Committee Minutes - FINAL

Date: January 11, 2007	Location: DHS Fort Logan		
Present:			
Kathy Athens, Denver Options	X	Jay Kauffman, DD	
Carol Meredith	X	Cami Learned, CCB Partners	X
Paul Niemann, HCPF	X	John Miles, DDD	X
LeeAnn Bellum, Denver Options		Kate MacLeod, Governor's Office	
Claire Brockbank, Segue Consulting	X	Kim Eisen, HCPF	X
		John Nevins, Alliance/Imagine	X
Chris Collins, Alliance	X	Al Orlofsky	X
Mike Crane, DHS/DDD		Michele Patarino, Segue Consulting	X
John Daurio		Roxanne Pinneo, CCB Partners	X
Fred DeCrescentis, DDD		Barb Prehmus, HCPF	
Marta Fyffe, HCPF	X	Barb Ramsey, HCPF	X
Ted Hernandez, Denver Options		Jeremy Schupach, Alliance	
Luke Huwar, Governor's Office		John Taylor, Alliance/Imagine	X
Roger Jensen, Alliance/Starpoint	X	Christine Thomas, DHS	X
Matthew Solano		Gary Smith, HSRI	
Max Chmura		Julius Monge	X

Please note action items are underlined and shaded yellow.

1. Administrative

a. Introductions

New members of the Steering Committee include Paul Niemann, the new Rate Analyst at HCPF, Carol Meredith of ARC Arapahoe and Douglas and Julius Monge, a service provider and President of Carmel Community Living Corporation.

b. Minutes from December 7 and December 18

No additional changes were requested for either set of minutes. Claire will send final versions for posting. Nathan has left DHS so their posting process has been disrupted. Thank you to the CCBs and HCPF for posting quickly to make sure minutes are available.

c. General Work Plan Update

The HSRI/Navigant work plan will be incorporated into the Steering Committee work plan to help manage workloads and time frames. We are having a meeting this afternoon to start this process. The comprehensive work plan will be discussed at the next meeting.

Line 99: The supplementals won't be heard until January 24, and the bill won't be written until March, so contracts cannot be amended for non-Medicaid services until mid-April, at the earliest. We will leave the February deadline for amendments and one-time payments for the SIS implementation.

2. DD Department Update

Fred DeCrescentis is expecting to come back to work part-time next week. Mike Crane is out due to a family crisis. Christine will continue to help out, and the Department hopes to hire an Assistant Director in February. In addition, Christine has received approval to keep Segue on through April, or possibly June. This is clearly a difficult time, but DHS is trying to prioritize staff time and focus on items that need to be done by July 1 2007.

3. Status Reports

a. Provider Emergency Management Hold Harmless Data

2nd Quarter Provider data is due to CCBs by February 9, and then to DD by February 23. The rates work group will meet on March 6, and then will report back to the Steering Committee.

b. Access to PAR Data

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Kim has met with staff working with the Fiscal Agent on the web portal, and sent directions on how to access PAR data. Only one agency had problems, and these have been addressed, so the process seems to be working. CCBs find the data useful. John Nevins commented that the report from Nathan that summarizes utilization is also very useful.

In response to Kathy's request, Kim also looked into whether CCBs could appoint more than two administrators in the BUS system. The number of administrators cannot be changed, but CCBs can increase the number of supervisors to accomplish the same things.

c. 3-Way Contract

Christine discovered that the 3-way contracts had never been distributed; they were still sitting in the DHS contracts office. She will make sure they get sent out next week.

d. Billing Issues

Julius Monge reported that direct billing providers are still experiencing problems, with one CCB in particular. The CCB is receptive to working through the issue, so no intervention from either department is needed at this point.

John Nevins reported that last month, nearly half of Imagine's SLS claims dropped off and didn't show up on the remittance. They had to manually crosswalk what was submitted with what was paid or pended. This issue has popped up occasionally in the past but not as extensively.

Barb asked John to give her some example claims to investigate. Claire asked Cami and Chris to alert the other CCBs to this issue so they can do a crosswalk as well, and report additional problems.

e. CMS Waiver Amendment

HCPF received a request for additional information from CMS at the end of December, including:

- Actual interim rates
- Methodology for determining utilization amounts
- Explanation of how labor costs are tracked

HCPF submitted their response on December 29, so CMS has another 90 days to consider the amendment. Barb found it

encouraging that their questions were so straightforward, and hopes there are no major issues with the submission.

If approval is not received until after the end of the state fiscal year, what happens to the state match? Christine said she would investigate options, particularly if there are more questions from CMS in March that make it appear that a further delay is imminent. Claire will flag this on the work plan.

Cami asked if successfully answering CMS' questions would help with the waiver rewrite. Barb Ramsey believes it will, as we'll use elements of what has already been approved for the new applications. However, there is still extensive work required for new elements.

f. TAG Report

Navigant, with help from the Department, has formed a Technical Advisory Group (TAG) that will have biweekly meetings to discuss policy issues around rate setting. Members include Kathy Athens, John Nevins, Julius Monge, Cami Learned, Ted Hernandez, James Price, Dan Cohrs, Rob DeHerrera, Jeremy Schupbach, Dennis Kirkman, Ken Ziel, Tim Cairns and Tom Liotta. State representatives include Christine Thomas, Barb Ramsey, Mike Crane, Kim Eisen, Paul Niemann, Jed Ziegenhagen, and Jay Kauffman. There is a lot to accomplish in a short amount of time, and it was clear from the introductory meeting that people are frustrated and fearful. However, it is critical for the group to get beyond that to move forward. Some face-to-face meeting time should help in February and March.

Issues from the TAG will be discussed internally by DD, or come to the CMSWSC for input as appropriate. Navigant is working on framing policy issues now so decisions can be considered appropriately.

John Nevins was concerned that Navigant has already said that geographical rates may not work because of system limitations. Barb and Christine did not believe that to be the case. Roger suggested that the TAG determine right away how many rates and modifiers MMIS can handle. John Taylor suggested that it would be backwards to allow the system to dictate the rate structure.

Claire suggested an MMIS briefing at the next Steering Committee Meeting, to allow members to understand the constraints and limitations of the system. Barb added that the Steering Committee should understand claims processing and billing from the Medicaid side. Claire will coordinate with Barb.

Christine and Barb noted that the important decisions facing the TAG include definition of services and the associated

costs—though not specifically related to codes.

g. Training

The Steering Committee addressed training coordination between the departments in the fall. Since then, there have not been any training sessions except for SIS, and none are currently scheduled.

4. SLS Changes

John Miles commented briefly on the HSRI two-phase approach, and said that a new SLS waiver would be submitted on July 1. Barb Ramsey responded:

- The Comp Waiver has compliance issues, but SLS does not have the same deadline from CMS.
- It would make sense to put the two waivers in at the same time, but the departments may not have the capacity.

The SLS waiver is included in HSRI's contract, and they have made recommendations relative to SLS. However, the timing needs to be made much more explicit in the work plan. Items like SIS administration need to be taken into account. Other comp changes that also apply to SLS should be identified and categorized.

Christine pointed out the vulnerability of the SLS program on the budget side, since there are not currently controls in place on the SLS program. Gary's recommendations will address this.

The two Departments have not been explicit in their assumptions around SLS up to this point, so there are clearly differences in understanding. Because of workload and policy implications for the Departments, as well as the CCBs and providers, timing of the SLS waiver must be resolved quickly. The work plan meeting today as well as follow up between the Departments will help to clarify by next meeting. Clearly everyone's priority is to get both Comp and SLS done as soon as possible.

Claire will add this item to the next Steering Committee agenda.

5. SIS Update

Al reminded the Steering Committee that SIS was selected not only to establish rates, but also to provide a good tool to develop support needs for people, and help plan for their services.

The SIS sample was completed by the end of December as scheduled. Assessments have been entered on line, including the add-on questions. Data has been downloaded to DD, but they will be a few days late submitting it to HSRI. Al commended the CCBs and RCs for stepping up and accomplishing this huge task.

The remaining 3,000 assessments need to be accomplished by May 31. DD will be tracking progress. A second and third group of interviewers are being trained this week and next week.

6. SIS Complaint Process

Al presented a draft guideline for complaints related to the way in which the SIS has been used with a person receiving DD services. He explained that DD staff tried not to reinvent the wheel in coming up with the guideline, and used existing procedures in DD rules and regulations as a starting point.

After discussion, suggestions for improving the draft process included:

1. Clarify that the guideline is specific to cases where the results were compromised (turned out differently because of the way the SIS was administered). A missed response to a question or the fact that a parent observed instead of serving as respondent won't necessarily change the outcome.
2. Give background that the suggested guideline relies on current complaint/grievance policies, procedures, standards, processes, etc. both for DD and the CCBs.
3. Provide some "scripts" or FAQs for typical complaints (for example: "my child's situation is very similar to another client but their scores were completely different"). It was recommended that CCBs send their complaints, and that Al touch base with the Legal Center to capture the universe of issues that may require a script or response.
4. Add the opportunity for CCBs to request state intervention under "DDD Process" so it is clear that either the client/family or the CCB may request intervention.
5. Clarify when to involve the Division.
6. Consider using the term "independent evaluation" or "second opinion" as these are terms people are used to in school settings or health care settings. Indicate whether those are or are not appropriate reasons for repeating a SIS.
7. Acknowledge that the CCBs have every reason to repeat SIS assessments if there is a concern about accuracy of information. Everyone's goal is accuracy.
8. Determine if the DD mediation process is an appropriate avenue to include in this guideline.
9. Emphasize the importance of communication before the SIS is administered so clients, parents, guardians, etc. know exactly what to expect, and how it will be used.

10. Clearly state that if a SIS is administered again, it is a one-time repeat.
11. Address the situation that will inevitably arise where someone simply feels that regardless of how the SIS was administered, the rating is not correct -- e.g. my daughter is just like her daughter only our SIS scores were very different.
12. Provide HIPAA guidance in terms of how much information a CCB can share in identifying why results in 11 above might be different.

AI will make changes to reflect the Steering Committee discussion as appropriate, and then distribute the draft to the Steering Committee and ask them to circulate to the DD community for additional suggestions.

7. SIS Reporting

Given the late hour, this discussion was postponed until the next meeting.

8. Public Comment

- Did AI consider SIS FAQs in drafting the complaint policy?
- Are there any notes that can go out from the TAG group so people can stay informed?

Administrative

Upcoming meetings include: January 25, February 8 and 15, and March 8. An additional meeting may be needed between February 15 and March 8.

As a reminder, only final minutes should be distributed beyond the Steering Committee. The Work Plan is not to be shared. Other things that should be distributed publicly will contain explicit permission/directions to this effect.

Hand-outs:

1. Supports Intensity Scale (SIS) Reporting
2. Draft Supports Intensity Scale Complaint Guideline
3. Work Plan