

CMS Waiver Steering Committee Minutes

Date: March 15, 2007		Location: HCPF – 225 E. 16 th St.	
Present:			
Kathy Athens, Denver Options	X	John Miles, DDD	
Claire Brockbank, Segue Consulting	X	Julius Monge	X
Max Chmura, Navigant		John Nevins, Alliance/Imagine	
Chris Collins, Alliance	X	Paul Niemann, HCPF	X
Mike Crane, DHS/DDD	X	Al Orlofsky	X
John Daurio		Michele Patarino, Segue Consulting	
Fred DeCrescentis, DDD	X	Roxanne Pinneo, CCB Partners	X
Kim Eisen, HCPF	X	Barb Prehmus, HCPF	
Gerrie Frohne, Parent	X	Barb Ramsey, HCPF	
Ted Hernandez, Denver Options	X	Jeremy Schupach, Alliance	
Luke Huwar, Governor’s Office		Linda Skaflen, ARC Adams County	X
Roger Jensen, Alliance/Starpoint	X	Gary Smith, HSRI	
Jay Kauffman, DD	X	Matthew Solano, DDD	
Cami Learned, CCB Partners	X	John Taylor, Alliance/Imagine	X
Kate MacLeod, Governor’s Office		Christine Thomas, DHS	
Carol Meredith		Jed Ziegenhagen, HCPF	

<p>I. Administrative</p> <p style="padding-left: 20px;">a. Minutes</p> <p style="padding-left: 40px;">Minor edits suggested for March 1 minutes. Claire will input and then March 1st will be distributed as final.</p> <p>II. Updates</p> <p style="padding-left: 20px;">a. Billing Denials</p> <ul style="list-style-type: none"> ○ 177 denials need to be rebilled. A sample was successfully run so instructions will be sent out for rebilling. ○ January rates – some were correct and some were not. The Department is working on a patch. ○ Dropped claims – still trying to figure out the underlying issue. ○ Department is working with Case Managers on the PARs, which is helping them make the links to billing. ○ In general, things seem to be moving better on all sides.

Cami asked if the billing issues were raising cash flow problems. Jay indicated that this was not a problem. Kathy Athens indicated that some of the agencies are getting nervous because the sums are large.

b. Statutory Changes

Decision not to pursue statutory changes this year has been signed off on. Changes are expected in 2008.

c. Appendix A and B

On track – will be distributed by early next week at the latest.

d. MMIS System Capabilities

HCPF is reviewing the Navigant recommendations and should have a response early next week.

III. Cost Survey Data

Preliminary data is in. DD is reviewing it and will distribute a report later this week to the TAG and the Steering Committee. Roger indicated that there is a general lack of understanding by at least some members of the TAG and the Steering Committee as to what's happening with what data and how the various data sources will be used. Mike volunteered to follow up with Navigant to put together an inventory of the different data and how it will be used. Mike believes that the Monday TAG meeting is dedicated to looking at all the data and seeing/understanding what we have. Cami asked if Navigant is building a model that is not driven by existing rates but that may be modified by the rates. Her concern is that the public will not know if what the model says is appropriate. Linda expressed concern regarding the need to know what is in the model. Jay confirmed that these concerns had been heard at the previous meeting (3/1). The use of the different data sources will be put on the agenda for 3/29.

IV. SIS

Fred identified three general issues of concern with the SIS:

1. The volume of emails being promulgated by the department
2. Inconsistency in content of those emails, has led to confusion regarding how the SIS should be applied. Multiple different directives from AAIDD concerning High Functioning but High Need individuals (e.g. pedophiles).
3. Has the community been given sufficient time to do it right and make the sample reliable and accurate? Does the train need to be slowed down?

Al explained the particular issue that is bringing these concerns to a head:

Judgment is required to maximize frequency scores in the situation noted above. Gail has worked with AAIDD to

gain a higher level of specificity and consistency regarding how to handle these situations. In general, two “yeses” requires the interviewer to maximize the frequency – as is stated in the AAIDD manual. However, one “yes” requires some subjectivity based on the nature of the yes (e.g. stealing versus sex offender). Because the clarifications from AAIDD came out over the course of many weeks/months, there is concern that these situations have not been handled consistently. Of particular concern is how the sample was handled because it is serving as the foundation of much of HSRI’s and Navigant’s work.

Al and his team have revisited the sample. Of the 500 in the sample, 100 were possibly at risk. It would appear that a small subset of the 100 is actually at risk. Preliminary data indicates that individuals with two yeses were handled consistently and appropriately. Those with one yes appear to have generally been handled correctly, although the full extent of this is not yet known. Al’s senses that it is the smaller boards that have not been applying the clarifications consistently.

Next Steps

- Corrected results are scheduled to be input online by Friday March 16th.
- HSRI will look at these and compare to the original by Wednesday March 21st.
- A revised timeline will be developed based on Gary’s assessment.
- This will be revisited at our meeting on the 29th. If the issues are significant enough, Gary will participate by teleconference.

Implications

If the impact is significant enough it will delay work – 2-4 weeks is a worse case scenario
Likely impact is greatest on the Residential rather than the Day rates

In addition to taking the steps above, Cami suggested moving to weekly emails to reduce “alert fatigue”. Chris asked if AAIDD has had to deal with this in other states. Al does not know. The question of interviewer turnover was also raised, but Al did not know the level of turnover. Finally, Roxanne raised the issue of interviewer/CCB burnout, especially with the SLS still to come.

V. Figure Setting

Approximately \$5M has been rolled forward for next year to use for Hold Harmless transition. The Division will not be able to make an additional request for HH money because it does not meet the criteria, but was pleased to gain access to these dollars. Mike will provide an overview of the funding ramifications for distribution.

VI. Plan of Correction

Kathy raised the concern that prior to 7/1/06 Plans of Correction were sent to the CCBs for signature and then sent to the Division. A signature is no longer required because of the changes in billing. However, even if the CCB is not doing the billing, the CCB has monitoring responsibility. The lack of a signature requirement has resulted in the CCBs not being sent the Plan of Correction consistently. Fred and Jay indicated that it is mandatory that the CCB be provided a copy of the Plan of Correction. They will follow up on this issue outside the context of the Steering Committee.

VII. Definitions Document

- Adult Day – The meal component has been taken out.
- OT/PT – Gerrie asked about this. Jay indicated that it is not under the waiver because it is part of the State Plan.
- Skilled Nursing – Still in process

There was a general discussion of the issues around Skilled Nursing, particularly with respect to access to Home Health in the rural areas. Access raises issues of health and safety. The concern was for a need to have a work-around the issues between coverage under the Medicaid State Plan and the Waiver. Jay and Kim indicated that these are generally not permitted, although they understand the issues regarding access. Claire requested that this discussion be put on hold until we are all working off the same page by having a written definition in front of us. Jay indicated that this would be feasible by the meeting on April 5th.

There is still a great deal of confusion regarding the definitions and what documents can be shared. In general it was agreed that the overview document which frames the existing definition, HSRI's recommendations, and the Division's conclusions – including those that the Division indicated still need to be resolved – should be posted on the various websites (Division, HCPF, CCB Associations). The Division will gather these Definitions documents and forward to Claire and the CCBs for posting. In addition, Christine will put together an updated one that is cleaner with respect to the various asterisks etc. that reflects current status in terms of decisions etc.

VIII. Other

Governor's Office Participation – Gerrie asked why the Governor's Office is no longer attending the meetings.

Claire: They are being kept informed by way of the minutes and have an opportunity to modify the agenda. Office is currently very short handed; existing staff members have very full plates.

Steering Committee Expansion – Gerrie asked why D D Council, Legal Center and Self Advocates were not included. This

continues to be raised at every meeting because Gerrie feels there has been no satisfactory explanation. Kim Eisen stated that if we added members, the committee would be too big. Claire et. al.: They can attend any meeting, participate in the public comment period and review all minutes. In addition Fred meets with Policy Advisory and Self Advocates regularly and these are also forums for input. **Please note:** In response to a request made by Gerrie for clarification from Fred, we have included an addendum at the end of these minutes providing his language regarding expansion of the Steering Committee.

Public Forums – The Work Plan indicates that these will be an opportunity to solicit feedback on the waiver application but they have been described verbally as being more of a communication and update vehicle. Fred confirmed that the Forums will be a communications vehicle but that if a significant issue is raised that has been overlooked by the Division and HCPF it will not be ignored.

Problem/Issue Resolution – The discussion on the Public Forums led to a general discussion regarding whether people should wait until the Public Forums to bring issues forward. There was an overwhelming response that people should absolutely not wait. Issues specific to an individual case should be brought to the attention of the Division and HCPF. These are not appropriate for the Steering Committee. Broader issues should be brought to the Division and HCPF as well to provide them an opportunity to respond, resolve, clarify or take whatever other appropriate action. If the person raising the issue feels it is not getting addressed AND IT CONCERNS THE WAIVER, he/she should bring it to Claire’s attention and it will be considered for the agenda.

Hand-outs:

Agenda

Follow Up Action Items

1. Cost Survey Data: DD is reviewing it and will distribute a report later this week to the TAG and the Steering Committee.
2. Mike volunteered to follow up with Navigant to put together an inventory of the different data and how it will be used.
3. Mike will provide an overview of the funding ramifications for distribution
4. The Division will gather these Definitions documents and forward to Claire and the CCBs for posting.
5. Christine will put together an updated Definitions document that is cleaner with respect to the various asterisks etc. that reflects current status in terms of decisions etc.
6. Kim will provide Claire an update on the IAG and 3-Way Contract

Addendum from Fred DeCrescentis

My concern for directly involving self-advocate as a committee member is that it would be tantamount to tokenism. The policy issues being addressed within the CMS Waiver Steering Committee and the TAG group are very complex and would be difficult for anyone to get "caught up" or understand the various and complex topics being reviewed (i.e. rate setting methodology, acuity tool selection, determining wavier structure, rate tiers, etc.) sufficiently that would allow them to participate in a meaningful manner. I certainly agree that self-advocates should be kept apprized and their opinions sought about policy issues that impact them directly. As a result, I meet every other month with the Colorado's Self-Advocate Advisory Council and brief them about specific policy issues from the CMS Waiver Steering Committee, including other state issues, that should involve them for their review and consideration. However, this is done in a forum that is conducive for them to feel free to ask meaningful questions and raise concerns important to them (i.e. families living within the same household as their son/daughter receiving Comprehensive Services; Payment to family members and Self-Determination). At our meeting next month, a brief overview of the SIS instrument will be introduced. That said, I have no hesitancy to raise this request during the April Advisory Council meeting to gain their insight about this issue.