

**CMS Waiver Steering Committee Minutes - DRAFT**

<b>Date:</b> April 12, 2007		<b>Location:</b> HCPF – 225 E. 16 <sup>th</sup> St.	
<b>Present:</b>		Sarah Sills, Governor’s Office	X
Kathy Athens, Denver Options	X	John Miles, DDD	
Claire Brockbank, Segue Consulting	X	Julius Monge	X
Max Chmura, Navigant		John Nevins, Alliance/Imagine	X
Chris Collins, Alliance	X	Paul Niemann, HCPF	X
Mike Crane, DHS/DDD		Al Orlofsky, DDD	
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	X	Linda Skaflen, ARC Adams County	X
Roger Jensen, Alliance/Starpoint	X	Gary Smith, HSRI	
Jay Kauffman, DD		Matthew Solano, DDD	
Cami Learned, CCB Partners	X	John Taylor, Alliance/Imagine	X
Adrian Leiter, Governor’s Office		Christine Thomas, DHS	X
Carol Meredith		Jed Ziegenhagen, HCPF	

<p><b>I. Administrative</b></p> <p style="padding-left: 20px;"><b>a. Minutes</b></p> <p style="padding-left: 40px;">Minutes for March 15 were approved. Claire will send them out for distribution and posting.</p> <p><b>II. Updates</b></p> <p style="padding-left: 20px;"><b>a. MMIS System Capabilities</b></p> <p style="padding-left: 40px;">Navigant proposed two different tabular approaches for rate setting. The first table had 15 levels and distinguished services by setting. MMIS can accommodate this within the current system. The second table incorporated geographic modifiers, which MMIS cannot accommodate. This is not due specifically to MMIS system limitations but because the national CMS billing system, which Colorado is required to use, does not have billing modifiers for geography. To change this would require a national effort.</p>	

Members of the Steering Committee asked HCPF to explore whether there is any way in Colorado to recognize different geographic costs.

**b. Appendices A, B, C, H**

A and B are close – late May/early June

H – May

C – Definitions – see discussion below.

**c. 3-Way Contract, IAG**

Currently with HCPF going through internal review. The internal drop-dead date is May 15.

**III. SIS Status and Waiver Implications**

Fred reiterated the issues surrounding the SIS and how to deal with individuals whose assessment results in a low cognitive rating but who have high support needs nevertheless. Under guidance from AAIDD and their Training Manual, the State had been advising interviewers to maximize the scores of these individuals. However, once the issue was raised explicitly with AAIDD, they indicated that they do not support maximization.

A meeting is scheduled for Wednesday April 18 with DD, HSRI, and AAIDD. This meeting has 3 objectives:

1. Determine what needs to be done to validate the sample pool
2. Clarify maximization policies and procedures
3. Establish retraining processes, dates etc.

The events surrounding the SIS have five specific implications:

1. Rate work is being halted until the sample is established and verified
2. The SIS has been suspended temporarily – this includes interviews and input
3. AAIDD will have to contribute to the solution of this much as they contributed to the problem
4. The October implementation date will have to be amended
5. There will need to be ongoing monitoring of inter-rater reliability

Following discussion, a sixth implication was added.

6. Enormous stress has been placed on the system already and this will add more.

Issues raised by members of the Steering Committee include:

- Does the SIS really work for rate-setting purposes? Does it need to be more heavily augmented (as other states have done) if it is going to be used for rate-setting?
- Is this really an issue of outliers? Christine indicated that it is not. Tier 7 was set aside for outliers.
- Is CMS aware of this? What are HCPF's views? Is there a contingency plan if CMS does not support an extension? CMS is aware of the issue of inconsistent maximization but does not know the magnitude. HCPF is fully aware and supportive of the steps being taken. HCPF and DD will brief CMS in the very near future. The departments will deal with contingency issues on an as needed basis.
- Ongoing management reports that show the distribution of scores, variance by CCB etc. need to be developed and reviewed on a regular basis to help identify issues earlier.
- Potentially re-doing the SIS raises issues such as the impact of multiple testing within a fairly narrow window of time, the impact of practicing on end results (e.g. going to the web to anticipate questions etc.).

Christine asked if there are other issues associated with the SIS that the Department should be aware of. Issues that were raised included:

- Too theoretical. The need to “imagine a child with no disability” is a very difficult basis for an interview.
- It takes intensive management to ensure consistency across interviewers, even within one CCB
- Steering Committee recommended that Gail or Amy pull the FAQ questions that have come in but not been addressed and/or posted to assess other issues with the SIS.

Fred concluded the discussion by indicating that he will keep the Steering Committee and the community as a whole apprised and will send out a memo summarizing the meeting on the 18<sup>th</sup>. The discussion will continue on the 26<sup>th</sup>.

#### **IV. Cost Survey Data**

The preliminary report was provided to the TAG in mid-March (3/12). Navigant's goal was to use the document to affirm the rate assumptions for the rate build-up methodology. In essence, the Cost Survey helped validate other data sources and benchmarks. The Navigant document is very transparent and identifies all sources of data used. When finalized and approved by the State it will be released to the public.

Cami asked if Navigant is developing data not just identifying “what is”, but “what should be”. In other words, is there an ability to understand what it would take to alleviate some of the turn-over and staffing shortage issues rather than further institutionalizing data that has contributed to and perpetuates some of these problems.

#### **V. Definitions Document**

Christine handed out the DRAFT Definitions document dated 2/2/2007. She stressed that this is still very much of a draft and that she does not want this distributed while it is still so much in flux. A final document will be released but releasing interim versions leads to issues of version control and the potential for constant backtracking.

1. Residential Habilitation: The current waiver submission will clarify the types (Host, Group, PCA).
  - o Services in the family home has three components which must be completed
    - o Policy decision to allow an individual to remain in the home and receive Comp services – this has been signed off on.
    - o Determining payment parameters and levels – this is in-process and will be submitted as a waiver in the summer of 08 (approximately). Payment will not require any changes to the definition of Residential Habilitation because new service types will be added instead (e.g. Chores). The new service types will be in addition to the current 10 and will cover the kinds of services needed in the home.
    - o Incorporating self-directed care
2. Day Habilitation: CMS has suggested combining Adult Day Care with Day Habilitation and is sending an acceptable definition.
3. Supported Employment: Jay and Al are giving the proposed definition a final review. As proposed it will create a consistent definition between Comp and SLS.
4. Transportation: HCPF is not comfortable with daily transportation rates. Other states use mileage, which can be very cumbersome administratively. DD is looking at trip rates (1-way each). Currently DD lacks consistent data to justify significant changes. Phase 1 changes will look similar to the current system, which will allow DD to gather data to justify a new approach. Regardless, this will require changing the definitions currently used.
5. Skilled Nursing: This will be rolled into the Residential rate. Assumptions are being made regarding how many hours are needed for each tier and then being built in. DD is currently working to identify gaps not covered by Residential (e.g. Day Hab) so that it can decide whether to leave SN as a stand-alone for Day Hab. A further issue is integration with the State Plan's Home Health coverage. The Steering Committee strongly recommended using nurses to build the definition.
6. Behavioral Services: This will be restructured for the July 08 waiver submission. The definition won't necessarily change but the rate structuring will. In the meantime, rates may be adjusted to help improve access.
7. Specialized Medical Equipment: Waiting on CMS feedback on HSRI's recommendation to break the current definition down into more detailed, specific components.
8. Dental: Will stay the same. The definitions are reflective of what goes above and beyond the State Plan.
9. Vision: Same as dental.
10. Adult Day Care: See Day Habilitation.

John Taylor urged the state to take a forward looking approach to make sure that technological innovations can be covered under the definitions. For example, telemedicine is reimbursable but tele-case management is not.

Christine indicated definitions should be finished by mid-May. The Steering Committee asked for an opportunity to revisit them once the draft has been finalized.

#### **VI. BUS Addendum**

There will be a meeting of the BUS User's Group on April 23<sup>rd</sup>. Comments on the draft Addendum should be made in advance of that. Claire will email the draft document to the Steering Committee.

#### **VII. Other**

Meeting Schedule: There was considerable discussion about the merits of meeting once versus twice a month. Although many members felt the need for bi-monthly meetings, nobody wants a meeting that is not substantive. The Department is concerned that they don't have enough time between meetings to do their substantive work. During the slight lull while the SIS is being reworked, it was agreed that meetings would be monthly. As a need arises, this will be reconsidered.

- April 26 – Fort Logan
- May 24 – Fort Logan
- June 28 – To be determined

Meeting Material Available for Public: In previous meetings, material was made available to the public. With the new Administration's emphasis on transparency, members of the audience were concerned about the lack of copies at today's meeting. The lack of distribution copies at today's meeting was due to an unanticipated number of attendees and was an oversight. Efforts will be made to have sufficient copies of those documents that are appropriate for distribution. Draft documents will be collected before the meeting adjourns.

Case Manager Workload: A parent commented that her son's 5<sup>th</sup> case manager in two years has just resigned due to overload. This is an endemic problem and is creating issues throughout the system.

Operational Issues and Departmental Changes: A service provider indicated that although they are trying to provide the best possible service, there are new requirements, definitions etc. almost monthly from the Department. It is difficult to keep up with them and the providers feel very vulnerable to audit issues. Roxanne Pinneo concurred and indicated that "inconsistency out of the division is a killer." John Taylor stated that there are operational issues and have been raised for years. That said, he asked if it was possible to minimize the rule changes during the course of a year and issue as many as possible on an annual basis.

	<p>After much discussion it became apparent that notifications from the Department fall into three categories:</p> <ol style="list-style-type: none"><li>1. New rules</li><li>2. Clarifications of existing rules</li><li>3. Notifications that are inconsistent with previous notifications</li></ol> <p>New rules are unavoidable and often out of the control of the Division. Clarifications have been necessary this year in light of the many changes put in place. Several people commented that the meeting on April 11 provided valuable clarifications regarding what was needed for PARs. Inconsistencies are not okay and Fred asked for specific examples. Although none were forthcoming Fred reiterated his willingness to review any inconsistency brought forth.</p>

**Hand-outs:**

Agenda