

CMS Waiver Steering Committee Minutes

Date: April 26, 2007		Location: HCPF – 225 E. 16 th St.	
Present:		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	X	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	X
Gerrie Frohne, Parent	X	Barb Ramsey, DDD	X
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	X	Matthew Solano, DDD	X
Cami Learned, CCB Partners	X	John Taylor, Alliance/Imagine	X
Adrian Leiter, HCPF	X	Christine Thomas, DHS	X
Carol Meredith	X	Jed Ziegenhagen, HCPF	

<p>I. Administrative</p> <p>a. Minutes</p> <p>Minutes for April 12 will be held open until Monday April 30. If comments warrant it, a revised draft will be circulated. Otherwise, they will be posted as final after making suggested modifications.</p> <p>In light of monthly meetings and concerns regarding how to communicate and solicit feedback regarding CMSWSC issues, meeting minutes will be drafted and circulated by Monday following a Steering Committee meeting. Feedback should be received within 48 hours and then modified minutes will be distributed and posted immediately. If changes warrant, a revised draft will be circulated. Goal is to have minutes posted within a week of the meeting.</p> <p>II. CMSWSC External Input and Participation Parameters</p> <p>There was a good deal of discussion regarding what documents from the meeting can be distributed externally, how to</p>

solicit feedback and input from the community, and how to make the meetings more productive and collaborative. Meeting material distributed prematurely and without context creates tremendous anxiety and misunderstanding amongst members of the DD community and creates significant and unnecessary workload for staff. Of late, members of the Steering Committee feel there is more of a “gotcha” mentality that has made people more distrustful of each other and hesitant to bring issues forward. There was general agreement that members cannot wear one hat because it is their expertise and bigger picture perspective that has brought them to the table. In addition, a few specific recommendations were made and agreed upon:

1. ***Do Not Distribute*** will be prominently displayed on all documents that cannot be circulated.
2. Minutes will be drafted, reviewed, modified and distributed more quickly – particularly with meetings now occurring only monthly. The goal will be to have final meeting minutes distributed and posted within one week of the meeting.
3. The Division’s new website, and its “New Information” section will be home to all of Fred’s communications and regularly updated with information for stakeholders. Documents that members of the Steering Committee are free to distribute will be posted on the site.

III. Updates

a. Residential Service Definition – Christine Thomas

Christine clarified that the decision communicated at the last meeting that adding services in the family home cannot be accomplished by modifying the Residential Services definition was not meant to indicate that the Division would not be pursuing adding services in the family home under the HCBS-DD Comprehensive Waiver. It means that instead of modifying the Residential Services definition to accomplish this goal, new definitions for services provided in the home will be crafted. As indicated previously, the addition of services in the family home will not be part of the initial waiver submission, but rather the one subsequent to that. Timing on the second waiver used to be summer '08 but with the impact that the SIS will have on the timing of the current waiver, it is no longer clear when the second waiver will be submitted. This should be resolved in the near future. Gerrie asked why the definition could not simply be modified to at least enable people to live, but not receive any services, in the family home. Fred will address the specifics of this in a separate communication to the DD community; however, the general response is that this waiver application being worked on currently must focus on modifications necessary to come into compliance with the CMS waiver requirements. Barbara Prehmus clarified that CMS has three actions it can take if Colorado does not come into compliance:

1. Waiver is up for renewal in 2009 and they can consider not renewing.
2. CMS has the authority to question expenditures and if they don’t meet waiver criteria, CMS can require the state to pay back the federal portion. This represents significant dollars and has been exercised in other states.
3. CMS can freeze the waiver until compliance is met (not allow any more people to be added for service even if the cap has not been exceeded).

The State has been out of compliance for some time and it is not reasonable to think that CMS will tolerate this indefinitely. The absolute priority of the CMSWSC is to help bring the state into compliance with its waiver.

b. Billing – Jay Kauffman

Jay indicated that the changes in process for modifying and approving the PARs, as well as the training sessions for providers and meetings with CCB Finance Directors have all contributed to progress within the Division on resolving outstanding billing issues. He asked that CCBs and providers submitting billing issues please be as specific as possible and give direct examples.

In addition, Amy Haight clarified that the Division only deals with PAR-related issues. If a billing situation arises with respect to eligibility, case management etc. it should be dealt with at the county-level first.

Members of the Committee asked for clarification regarding who has access to the ACS web portal. **Kim Eisen indicated that this should only be the billing agent but she will clarify this with ACS.**

John Taylor and John Nevins raised concerns about the financial risk at the OHCDS level for dental services provided by providers who direct bill. Jay indicated that this issue has been addressed and that so far there do not appear to be specific instances of concern. The State only has two options for paying for dental services. 1.) The State can pay an OHCDS who in turn would pay the dentist or 2.) The State can pay the dentist directly. The State may not pay a residential service provider for dental services because that organization is not qualified to deliver dental services. Ted Hernandez indicated that he would walk through the operational issues around decentralized services/billing with Jay.

Please Note: To make sure that billing questions can be resolved as efficiently as possible during the Steering Committee meetings, any billing issues that a member wants to discuss should be brought to Jay’s attention (as well as Claire since she does the agenda) by Tuesday morning in advance of the meeting. This allows Jay to do any follow up required and/or have the appropriate staff person at the meeting.

c. BUS Addendum – Amy Haight

Amy provided an update on the April 23rd BUS Users Group meeting. In essence the group approved the Addendum that was circulated in advance of the meeting (including to Steering Committee members following the 4/12 meeting). The main clarification/modification that came out of the meeting is that the use of the term Addendum is confusing because it implies that it is the final step of the process. In fact, completing the document is an important step in completing the Service Plan. The document will be renamed. Although everyone was hoping that the document could be implemented online upon approval, this is not possible. As such, it will initially be used in Word format. However, the Users Group believes that this is beneficial in that it gives everyone a chance to test the document and process before programming

locks it in.

There will be training (in-person and video conference) on May 23rd.

Kathy Athens asked if the Addendum (or whatever it gets renamed) would entail more work. Amy clarified that it should not, but that if a CCB decides it still wants to hold on to some of its previous documentation requirements that will be its own decision with its own workload implications.

d. 3-Way Contract, IAG – Kim Eisen

3-Way Contract will be ready for CCB signature next Wednesday (5/2) and the IAG is on schedule for internal signature.

IV. SIS Status and Waiver Implications

a. General SIS Update – Fred DeCrescentis

Fred reiterated the issues surrounding the SIS and the content of his April 20, 2007 memorandum (see attached). Issues raised by members of the Steering Committee include:

1. CMS: CMS has not yet approved the modified timeframe. Barbara Prehmus is working on setting up a meeting with CMS, the Division, and HCPF (May 7 tentatively). Both the Division and HCPF felt it was important to have some experience with rescoring and a better sense of how realistic the modified timeframe is before meeting with CMS.
2. Fiscal Implications: No clear sense yet of the fiscal implications. Navigant and HSRI contract will be rolled forward but the scope of work remains the same. The biggest driver of fiscal impact will be the degree of SIS reassessment required and this won't be known until the rescoring site visits are underway.
3. Reasonableness of the Timeframe: Should the state consider asking for more time. Christine indicated that although there might be value in moving implementation from January 2008 to April, making major changes in the last quarter brings on its own set of complexities. The Division felt it was not worth it and feels it is important to leave the interim status behind as quickly as possible. July 2008 was also raised, but this push causes a chain reaction of delays with SLS modifications and there is concern that CMS's patience for these changes, which are also required, will wear thin.

b. DD Survey – Christine Thomas

A survey will be distributed to the CCBs on Friday April 27 to gather information regarding the SIS. There is concern that there are too many interviewers (140) to ensure consistency and expertise. As long as the SIS is being examined, the Division would like to get a better sense of CCB's plans with respect to administering the SIS, expertise and time requirements, etc. Christine walked through the Draft survey with the Committee and received several comments. Additional comments need to be given to Christine by early in the day on April 27. **Christine will send a copy of the final survey to members of the Steering Committee.**

c. Statistical Validity of Sample – Judy Brown

Judy discussed the validity of the SIS sample being used to assist in the rate setting process. The best mechanism to reduce bias is a random sample. To minimize workload and rescheduling issues, the Division determined that extracting their sample from amongst those with an upcoming IP (November and December 2006) would be a good starting point. They tested how representative this subset was, based on age, gender, ethnicity, CCB, services, tiers, hard to service indicators etc. Where the subset differed from the overall COMP population, they augmented the sample. The sample as pulled is representative of the COMP population. It will be used for the initial HSRI run. The second run, in July, will be conducted on all SIS assessments completed to date – approximately 1,500. The final impact analysis will be run at the latest point possible and will most likely include 85-90% of the COMP population.

John Taylor asked if the sample within CCBs was representative. Judy indicated that the numbers are too small to disaggregate the sample.

Christine explained that according to HSRI and AAIDD, Colorado’s initial sample did not have a bell curve distribution seen nationally not due to lack of statistical validity but more likely due to the maximization issues discussed previously.

V. University of Southern Maine Contract – Matthew Solano

CMS has raised concerns about conflict of interest issues in Colorado because of the unique role of the CCBs in both administration and case management. The University of Southern Maine (USM) is one of CMS’ technical advisors on the issue of safeguard and protections against conflicts of interest. Colorado has signed a contract with USM to assess Colorado’s structure, compare it to other states, and conduct 5-6 key informant interviews with Colorado policy makers, providers, advocacy agencies and others. The goal will be to identify which safeguards are effective, areas of deficit, and recommendations for improvement. The Steering Committee asked if the USM could consider having an open forum for advocacy groups to provide input. Matthew will communicate this to the USM team. The USM report should be complete this summer. The Scope of Work is attached to these minutes and will be posted on the New Information section of the Division’s website.

VI. Public Comment

Because the room had to be vacated for another meeting, public comment was cut short. The primary comment made focused on email issues some people are having with the Division.

Hand-outs: Agenda, Draft Survey

Attachments to Minutes: 4/20/07 DeCrescentis memo, USM Scope of Work

