

CMS Waiver Steering Committee Minutes -- FINAL

Date: December 11, 2007		Location: DDD: Fort Logan	
Present:		Carol Meredith	X
Kathy Athens, Denver Options	X	John Miles, DDD	
Claire Brockbank, Segue Consulting	X	Julius Monge	
Chris Collins, Alliance	X	John Nevins, Alliance/Imagine	X
Mike Crane, DHS/DDD		Paul Niemann, HCPF	
John Daurio		Al Orlofsky, DDD	
Fred DeCrescentis, DDD		Roxanne Pinneo, North Metro CCB	
Gerrie Frohne, Parent	X	Barb Prehmus, HCPF	X
Amy Haight, HCPF	X	Barb Ramsey, DDD	X
Ted Hernandez, Denver Options		Jeremy Schupach, Alliance	X
Sharon Hill, HCPF		Sarah Sills, Governor's Office	X
Sharon Jacksi, DDD		Linda Skaflen, ARC Adams County	X
Roger Jensen, Alliance/Starpoint	X	Matthew Solano, DDD	
Jo Kammerzell, DD		Kerry Stern, DDD	
Jay Kauffman, DD	X	Ann Swink, DDD	
Cami Learned, CCB Partners	X	John Taylor, Alliance/Imagine	X
Kristin McDermott, DDD		Jed Ziegenhagen, HCPF	

<p>I. Administrative: Next Meetings</p> <ul style="list-style-type: none"> • January 10, 9 – 12, DDD – Fort Logan lower level conference room • January 24, 9 – 12, HCPF 225 E. 16th St. 1st floor conference • February 7, 9 – 12, DDD – Fort Logan lower level conference room • February 28, 9 – 12, HCPF 225 E. 16th St. 1st floor conference • March 27, 9 – 12, HCPF 225 E. 16th St. 1st floor conference <p>II. Process and Next Steps with Respect to the Rate Model</p> <p>The Division will review all the comments and suggestions made by the TAG, the participants in the Public Meeting on 12/10, the Steering Committee and other members of the public. Any adjustments will be reflected in the final rates, as well</p>	

as the Assumptions Matrix. Both of these, as well as the Impact Analysis will be finalized and posted on the web by 12/31/2007. This information will also include a cross walk between SIS scores and the rate levels.

III. Suggestions and Comments with Respect to the Rate Model

The comments and discussion is very briefly summarized below. Due to the technical nature of some of the comments, the specifics have been provided in writing to the Division. Questions were raised both as a follow-up to the TAG discussion with Navigant and the Navigant presentation to the community at large. This section simply provides an overview of the areas in question.

a. Lead Behavioral Staff

- All are salaried but an hourly has been extrapolated for consistency within the model.
- The Division agrees that the behavioral rates need further examination and that it would appear that behavioral services cost more than is reflected in the current rate model.

b. Host Home/Group Home/PCA Rates

- John Nevins expressed concern that PCA rates are too low and that Host Home rates should not be based on staffing ratios due to the nature of service delivery in a Host Home. Because Host Home providers are independent contractors, they are not staffed in the same way as a Group Home or PCA. Not everyone present at the meeting shared this concern.
- John Nevins also felt that the staffing ratios used for the PCA model need to be revisited, especially at the lower tiers. They should be greater than 1:3 for tiers 1 and 2.

c. Facility Overhead

- John Nevins also stated that although there should be a difference between facility overhead between a facility-based Day Hab versus non-facility-based Day Hab, the difference is currently overstated. Jay asked for additional supporting documentation, but also agreed to share the assumptions and data that was used to develop the overhead factors.

d. Direct Support Factor

- John Nevins feels that direct support factor is still too low.
- Rob DeHerrera asked that a Direct Support or Productivity Factor also be considered for facility-based staff. He agreed to provide some supporting data.
- Jay reiterated that only NONBILLABLE services provided by DIRECT CARE staff are eligible.

e. SIS Behavioral

- John Taylor asked for clarification regarding the behavioral score. Jon Fortune (HSRI) confirmed that the 6.13 behavioral support score was derived using the sum of the total 3b scores.

f. Supported Employment

- Cami Learned asked that the Division clarify their language regarding Supported Employment *Training* versus *Certification* requirements.

IV. Budget Neutrality

- Consider applying the budget neutrality factor on a weighted basis by service line, rather than a flat across-the-board adjustment. If this is based on where the dollars have been, it might help to mitigate the dramatic shifts within rates by service category.
- Navigant will do the budget neutrality modeling, but the Division will be responsible for the policy analysis and modifications based on policy implications (e.g. weighting by service line).
- The current budget neutrality process is based on consumption of services in 2007, with some adjustments to roll forward to 2009.
- At an individual and provider level, the impact analysis will use 2007 utilization and dollars, not rolled forward to 2009. This is because of the possible shift in resource consumption at the individual level that cannot be modeled.

V. Impacts on Services and People

Several members of the WSC asked that we dedicate time in January to consider the impact of the proposed rate changes on people and service distribution. Navigant indicated that its analysis of the fiscal impact at the consumer level will provide some insight that can be shared. In addition, the WSC stressed the importance of developing a tracking mechanism to identify unintended consequences of these changes.

VI. Public Communication and Input

There was considerable discussion regarding how information would be shared with the public as well as how additional input would be sought.

a. Rate Model and Rates

Members of the Steering Committee and the public present urged that all publication of and communication regarding the model stress that this is a model, built upon assumptions that incorporate a wide range of actual practices. The assumptions represent averages not policy regarding what practices should be (i.e. staffing ratios and base wages). The Division staff agreed and indicated that a disclaimer should be included that states that services are to be provided based on the level of need of the individual as determined by the IDT not based on the model.

b. Waiver Amendment Content

Because of the very tight timeframe between now and submission of the waiver to CMS (February 2007), Barb is proposing that the Division release the draft Appendices to the public for comment at the same time they are sent to HCPF for review. Although the simultaneous review cycle will create the need for some further reconciliation it provides an opportunity for all

parties to have input without further jeopardizing the schedule. This would be in lieu of a public meeting after the entire amendment has been assembled and is preferable because it provides an opportunity for input before the amendment is finalized. Because of the tight timing, members of the WSC agreed that release should not be further delayed by waiting upon WSC review first. Subject to approval from HCPF and the Division, the appendices will be distributed by email with instructions regarding how to provide comments. The comment period will be held until January 7, 2008. Instructions will ask that CCBs, advocacy organizations, ARCs and others make copies available and reach out to relevant constituencies for input. The goal is to make the documents accessible to those without email, as well as self-advocates.

Jay suggested that each appendix released include a “What’s New” section at the front providing guidance on what has been changed and why. Instructive material will also clarify that the changes in the appendices reflect what is necessary to bring the state into compliance and is not a rewrite of the waiver itself.

Barb Ramsey indicated that a spreadsheet will be developed that tracks the comments and suggestions, an attribution (if not reflected by multiple parties), and the Division’s response. The January 10 WSC meeting will discuss this process, how it worked, and future input processes.

Appendices will be released as follows:

- i. Appendix A (Administration and Operation) – administrative application, not relevant for release
- ii. Appendix B (Participant Access and Eligibility) – release
- iii. Appendix C (Provider Qualifications) – release
- iv. Appendix D (Participant-Centered Planning and Service Delivery) – not relevant to current amendment
- v. Appendix E (Participant Direction of Services) – not relevant to current amendment
- vi. Appendix F (Participant Appeals) - sent to HCPF in June, being reviewed by Attorney General, can be reviewed by public but not modified post AG-release
- vii. Appendix G (Participant Safeguards) – release
- viii. Appendix H – Quality Management Strategy (sent to HCPF in June) – release
- ix. Appendix I (Rate Setting) – release
- x. Appendix J (Cost Neutrality) – technical document

VII. Lessons Learned and Ongoing Role of Waiver Steering Committee

The Steering Committee asked that the January 10 meeting focus on:

- Purpose of the WSC
- How to apply lessons learned thus far to future work (e.g. SLS)

	<ul style="list-style-type: none">• Outcomes desired• When to disband the WSC and how to provide input after disbanding• How to have more meaningful working groups and more defined links with the WSC (e.g. TAG)
	<p>VIII. Public Comment</p> <ol style="list-style-type: none">1. Due to the smaller size of the meeting, public participants were invited to the table and comments are incorporated above.