

CMS Waiver Steering Committee Minutes -- FINAL

Date: January 10, 2008		Location: DDD: Fort Logan	
Present:			
Kathy Athens, Denver Options	X	John Miles, DDD	
Claire Brockbank, Segue Consulting	X	Julius Monge	X
Chris Collins, Alliance	X	John Nevins, Alliance/Imagine	X
Mike Crane, DHS/DDD		Paul Niemann, HCPF	
John Daurio		Al Orlofsky, DDD	X
Gerrie Frohne, Parent		Roxanne Pinneo, North Metro CCB	X
Amy Haight, HCPF	X	Barb Prehmus, HCPF	X
Ted Hernandez, Denver Options	X	Barb Ramsey, DDD	X
Sharon Hill, HCPF	X	Jeremy Schupach, Alliance	
Sharon Jacksi, DDD	X	Sarah Sills, Governor's Office	X
Roger Jensen, Alliance/Starpoint	X	Linda Skaflen, ARC Adams County	X
Jo Kammerzell, DD		Matthew Solano, DDD	
Jay Kauffman, DD	X	Kerry Stern, DDD	
Cami Learned, CCB Partners	X	Ann Swink, DDD	X
Kristin McDermott, DDD		John Taylor, Alliance/Imagine	X
Carol Meredith	X	Jed Ziegenhagen, HCPF	

<p>I. Administrative</p> <ul style="list-style-type: none"> • Sharon Jacksi made brief opening remarks indicating her support for the agenda and work of the Steering Committee. • Work Plan – Claire indicated that the Work Plan for Comp now reflects primarily internal working deadlines and requirements. As such, it is no longer necessary to review it regularly with the Committee as a whole. <p>II. Future of the CMS Waiver Steering Committee</p> <ul style="list-style-type: none"> • Purpose: The original need for the WSC stemmed from the urgency of coming into compliance with CMS, as well as the need to create a mechanism to promote more effective collaboration between DDD and HCPF, as well as the CCBs. The group started meeting in April 2006. It was eventually expanded to include representatives of parents and advocates. • Current Status: The two departments now work very effectively together and the framework for the COMP (capped only for 	

clarity) waiver has been determined. The two departments now need to focus on getting all the final details and paperwork complete for a March 31st submission to CMS. The two outstanding issues are finalizing rates and completing appendices (see meeting notes below for further detail).

- Future: Much of what has been learned, as well as many of the decisions made with respect to COMP will carry over to the SLS waiver. However, there are some issues that are unique to SLS that would benefit from the input and perspective of the WSC. Because the issues associated with intra-departmental cooperation have been resolved, the outstanding SLS issues should be clearly defined, with a finite timeframe for resolution. At that point, the WSC can be dissolved.
- Problem Solving and Communication: The WSC has served as an effective forum for problem solving and communication on issues related to but not solely attributable to waiver compliance issues. Sharon Jacksi has committed to working with issue-specific working groups and ad hoc committees with more specialized outside expertise. The ongoing Policy Advisory Board and other forums will also provide opportunities for general problem solving and communication.
- Resolution: The WSC will meet on February 28 for a briefing on the Rates. It will then go into hiatus until May 1 when it will reconvene to focus on SLS issues. The Division will send out a preliminary list of issues associated with SLS that have not been resolved by COMP for the WSC to review. Members of the WSC should review the list and identify any important missing items. Using this list, as well as issues that will likely surface between now and then, the May 1 meeting will focus on developing a defined scope of work for the WSC, as well as a timeframe for completion of its work.
- Facilitator: Sharon Jacksi indicated that the contract with Claire Brockbank of Segue Consulting is coming to an end and that the Division does not have the resources to continue it. Barb Ramsey will take over as facilitator and project manager. CCBs and advocates expressed concern about putting Barb in the position of weighing the needs of her job against the needs of the WSC. They attributed much of the success of the WSC to the presence of a neutral facilitator. Sharon Jacksi concurred but indicated the resources were simply not available. After much discussion, it was agreed that if funds could be found from grants or other external sources, Claire would be kept on as facilitator. She will submit a proposal estimating the resources necessary to continue her work with the WSC through approximately six SLS-focused meetings.

III. Appendices

Appendix C, F, G, and H will be posted on the website within the next 24 hours with a link to click on for submitting comments and/or questions. The deadline for submitting comments will be January 25th. HCPF will be reviewing the appendices concurrently. With the exception of Appendix I, the rate setting appendix, the remaining appendices are either not germane to this waiver or are technical documents.

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. This spreadsheet will be distributed to the WSC and available on

the website. Barb believes that many of the comments will relate to issues that are not in the waiver. The spreadsheet will articulate how the Division will address these non-waiver issues.

John Taylor expressed a desire to see the comments in advance of the spreadsheet. Several concurred that seeing comments can serve as a catalyst for identifying other issues. DDD agreed to identify a mechanism for posting comments as they are received. Members of the WSC can review those comments and submit clarifications or additional comments as appropriate – but still within the 1/25 deadline. If it takes longer than anticipated to either post the appendices online or develop a mechanism for posting comments received DDD will consider extending the deadline to February 1.

IV. Rate Process (Appendix I)

The two agencies have accepted the rates methodology developed by HSRI and Navigant, but need to be able to more completely understand and defend the individual factors and micro-assumptions built into the methodology. In particular the factors driving the model’s identification of a funding gap of \$67 million need to be understood. Judy Brown has developed a detailed work plan and members of DDD and HCPF will be meeting intensively over the next four weeks to finalize rates.

Cami expressed concern about indicating that the \$67 M is needed to provide the “same services”. She stressed that the model identifies how it should be done, not just how it is actually done. Amanda Bickel countered that the model is to:

- 1) Identify how to spread funding for waiver services appropriately
- 2) Create an “ideal” model along the lines of Cami’s statement.

Amanda believes that the first use of the model is more important because the State is highly unlikely to see more funding for waiver services and if funding were received it would probably be directed at alleviating the wait list. As such it is essential to have a better understanding of the \$67 M and how to most appropriately offset its impact. Members of the WSC asked if the current structure provided flexibility so that if more resources were available the waiver would still stand. Jay indicated that if a significant change occurs in dollars or people served, an amendment to the waiver would need to be submitted.

V. Other Issues Raised During Discussion of Role of WSC

Rules Process – Cami asked about the rule setting and posting process, particularly the need to reconcile DDD and HCPF rules. Jay clarified that in the case of a conflict, HCPF rules prevail. However DDD and HCPF are confident of their ability to mesh the rules. Barb Prehmus clarified that the rules can go through the Medical Services Board on an emergency basis. The July 11 meeting provides an opportunity for review. Rules cannot be finalized until CMS approves the waiver.

However, in the meantime rules will be drafted based on the waiver submission.

VI. SIS Update

As of January 4, 17 CCBs reported completing 46% of the SLS SIS sample. With the remaining CCBs, Al Orlofsky is confident that more than 50% of the sample has been completed. The goal is 100% by the end of February. Of note, North Metro has completed all of its sample SIS evaluations.

The feedback to date is that the SIS takes longer with the SLS population. Some of the reasons for this include, the additional questions, fewer paid providers and more lay people responding, and respondents that don't gain experience by doing multiple SIS evaluations. Also, scheduling is proving more difficult.

The Division is monitoring the accuracy and reliability of the SIS results. Using SIS Online, outliers and responses that look odd will be examined on an ongoing basis. This is in addition to the ongoing inter-rater reliability assessments.

John Taylor asked how best to respond to family questions regarding how the SIS will be used. Al responded that people will fall into levels based on their SIS outcomes. The additional questions may impact the level, although responding to the additional questions is voluntary. Several members felt that people must be willing to identify what will drive an individual's needs, even if the causes are personal. It was discussed and agreed that the population needs to be educated about why the questions are being asked and that these responses are critical to determining needs. A key difference between the COMP and SLS population is that the respondents to the SIS for SLS are used to presenting their dependents in the most favorable light possible. This might cause them to understate their needs. Al indicated that the interviewers are aware of this and have been trained to probe deeper if this appears to be an issue.

In response to questions about how the amounts of services are determined Amy Haight reminded the group that the ULTC 100.2 determines the scope, frequency and duration of services. All waivers require the ULTC 100.2. This is used in conjunction with the SIS and the addendum to develop the service plan.

The Division used much of the material developed by PADCO to help explain all of this to families. This material was sent to CCBs to distribute to individual's in SLS services, parents/relatives and SLS service agencies back in October, just prior to SLS SIS interviews commencing.. The material is attached to these meeting notes.

Roger indicated that the additional time required to conduct the SLS SIS is higher than the COMP, which was also higher

than anticipated. Sharon Jacksi asked how the SIS was funded. For COMP a preliminary estimate was calculated and a supplemental appropriation provided. The SLS sample was funded through an emergency appropriation and the current supplemental request includes funding for the rest of the SLS SIS assessments. The group noted that the supplemental is based on the lower rate and not the experience being gained doing the sample or the actual (as opposed to the estimate) cost of completing the SIS for all of COMP.

VII. Updates and Other

- Lay Document: Barb Ramsey stressed the importance of the lay document as a primary tool for educating families and other interested lay people, such as legislators, about the COMP waiver, the changes undertaken to bring the waiver into compliance, and the reasons for making those changes. The document will be brief (~5 pages) with instructions on how to access more detailed data and information for those interested. It will be complete in time to accompany the March 31 waiver application submission. Diane McNamara volunteered to provide an outside read/edit of the document. No one from the CCB or advocacy community responded to Sharon Jacksi's query as to whether someone on the WSC would step forward to develop the first draft. However, many were willing to review a draft.
- Chris Collins Questions: Chris provided a copy of a set of questions posed by her members regarding the waiver and its changes. The document is attached to these meeting notes. Chris thought the issues raised might help with the lay document and/or the appendices.
- University of Southern Maine study: DDD and HCPF are meeting the afternoon of January 10 to review the document. The State will attach comments to the study as submitted by USM and release within the next 15 – 30 days. The CCB Executive Directors will meet with the Division in advance of the study's release. Sharon Jacksi reiterated that the State would not require changes in the report submitted by USM, but will attach its own comments to the report. This is standard procedure.

VIII. Future Meetings (Recap)

- February 28, 9 – 12, HCPF 225 E. 16th St. 1st floor conference
- May 1, 9 – 12, location tbd

IX. Public Comment

Diane McNamara: Most people are familiar with the ULTC 100.2 as an eligibility tool. Families find it easier to get copies of it from some CCBs than others. Some copies appear to have missing information. Amy clarified that although the BUS

and the Plan of Care require a complete ULTC 100.2, family sign-off is not required until the Service Plan.

Art Hogling, DDRC: The COMP SIS cost DDRC \$35,000 more than was reimbursed by the state and his estimates are that only about 40% of the necessary funding is available for the SLS SIS. Mr. Hogling commended Mike Crane for his careful work gathering detailed data about these costs but is concerned that the ball has been dropped on pushing for compensation based on the true costs. He urged the Division to use the updated cost information in its requests for funding for the SIS SLS.

Hand-Outs and Attachments

- Agenda
- SLS material for families (developed with PADCO)
- Questions submitted by Chris Collins