

DD Transition Plan Task Force Meeting Summary

A meeting of the DD Transition Plan Task Force was held 10:00 am, February 6, 2018 at the Alabama Department of Rehabilitation Services.

Members Present:

Jill Russell, ADMH Advocacy	Carla Stallworth, Other Providers
Susan Ellis, People First of Alabama	Jim Dill, Alabama Council on MH Centers
Katy Johnson, People First of Alabama	Jamie Herren, Alabama Council on MH Centers
Arvy Dupuy, ID 310 Boards	Terry Pezent, The Arc of Alabama
Jo Poates, ID 310 Boards	Anne Riddle, The Arc of Alabama
Karen Stokes, ACE/Arc	James Tucker, ADAP
Susan Klingel, ACE/Arc	DeAnna Ferguson, Other Providers
Beatrice McLean, ADMH/DD	Jeff Williams, ADMH/DD
Kathy Sawyer, ADMH/DD Consultant	

Members Absent:

None	
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Guests:

Lynn Beshear, ADMH	
Ozenia Paterson, Alabama Medicaid	
Samantha Mcleod, Alabama Medicaid	
Laquita Robinson, Alabama Medicaid	
Courtney Tarver, ADMH/DD	
Rebecca Wright, AL Medicaid Consultant	

Recorder:

Velma McElrath	
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Welcome and Introductions:

Kathy Sawyer called the meeting to order and introduced herself as a consultant with the Alabama Department of Mental Health, Division of Developmental Disabilities. Commissioner Lynn Beshear was introduced to the group and shared her vision and expectations for the work of the task force. In addition, the members of the task force and guests from Medicaid gave introductions.

Task Force Purpose/Charge/Membership:

Ms. Sawyer gave an overview of her role, which is to work with the DD Division to develop and oversee the implementation of a work plan that will comply with the Home and Community Based Settings (HCBS) Final Rule. She explained that the State Medicaid Agency was the lead agency in the development of the Statewide Transition Plan but that the DD Division, as the operating agency, will have a work plan that coincides with the Statewide plan. Ms. Sawyer stressed that the task force's work would

ensure; open communication, transparency, and building partnerships among all stakeholders, with the ultimate goal of moving towards true community integration and inclusion for people served.

Overview of HCBS Final Settings Rule, Statewide Transition Plan and Requirements:

LaQuita Robinson, Alabama Medicaid Agency, provided a PowerPoint presentation on the HCBS Final Settings Rule, which went into effect in March 2014. (Copy Attached) Ms. Robinson gave a detailed overview of the different components of the HCBS Final Settings Rule, which included; definition, requirements, current status and an overview of tasks remaining to receive final CMS approval of the State Transition Plan. It was reported that the initial plan had been approved and that the final transition plan must be submitted and approved by March 2019, with full implementation/compliance by March 2022 for all DD programs. It was also reported that interim transition plans that accompanied new waivers and waiver amendments, along with the current State Transition Plan, could be accessed on the Medicaid website www.medicaid.alabama.gov (click LTC//Waivers and click Home and Community-Based Waivers). Medicaid representatives indicated the Final Crosswalk Plan that was submitted with the ID Waiver will be provided to task force members

A lengthy discussion ensued about the various CMS requirements; specifically, requirements that were unclear and needed further clarification. Among those requirements discussed were:

- Settings presumed not to be home and community based
- Presumed institutional settings, Prong III
- Settings that isolate; multiple settings co-located and operationally related
- "Heightened scrutiny process"

Medicaid representatives encouraged the task force members to actively solicit public comments from among their membership to ensure broad engagement.

DDD Compliance Work to Date:

Associate Commissioner Tarver gave an overview of the major steps the DD Division has taken to date to implement the HCBS Settings Rule. He provided the group with a copy of his presented overview.

Overview of DDD Draft Work Plans:

Ms. Sawyer provided a PowerPoint presentation of the DD Division's Draft HCBS Work Plans, entitled "Pathway to Change", which has been developed to date based on preliminary work with DD Division staff. (Copy Attached) The plan is intended to provide measurable goals and actions to promote accountability and likewise, includes actions steps, responsible lead staff, due dates and projected costs, if any. The

components of the draft plan to date include: 1) Case Management-De-Conflict Plan, 2) Regional Services Expansion Plan, 3) Person Centered Planning (PCP) and Personal Outcome Measures (POM) Training Plan, 4) Vocational/Employment Services Plan, 5) Day Habilitation and Service Plans and 6) Residential Services Plan. Ms. Sawyer indicated that more plans will be added as needed, specifically, an education plan since it is critical that all constituents are educated about the plan i.e. consumers and families, legislators, etc. This plan will be based on current rates, and the timeline is October 1, 2018.

After considerable discussion, the following preliminary agreements were reached pending additional information and clarification in some areas:

1. Case Management De-Confliction Plan: Exceptions, as approved by CMS, should be considered for conflicted providers where there are no other options available. That case management performance standards be developed that promote direct engagement with consumers and families. Ms. Sawyer indicated a goal to have this plan completed by October 1, 2018.
2. Regional Services Expansion Plan: Plan be delayed until person centered planning has fully been implemented. Further, that gaps in services and service needs be determined using individual data derived from person centered plans.
3. Person Centered Planning (PCP) and Personal Outcome Measures (POM) Training: Training for consumers and families be included to ensure full understanding of their rights and how to use the planning process.
4. Vocational and Employment Services: Sheltered workshops are allowed to provide pre-vocational services but time limited only, not as permanent service. Clarification around the time limit is needed.
5. Day and Residential Service Plans were not fully discussed due to meeting ending. There was discussion around the current six bed cap for residential settings. Ms. Sawyer indicated that it was her understanding that the six-bed cap was established by previous Commissioner's administrative directive (Sawyer) and that it is now incorporated in the waiver. Further, that the plan would be for all residential settings to be compliant by 2022. However, it was noted that this was one of those grey areas where clarification was needed.

Task Force members were encouraged to share information and discussions with their membership and submit their comments, recommendations, etc. to Ms. Sawyer (kathy.sawyer@mh.alabama.gov). It was agreed that current rates should be used for planning purposes. However, it was stressed that implementation of the plans should be delayed until additional information and clarification is obtained for those unclear requirements as discussed. Ms. Sawyer reported that technical assistance and consultation had already been sought from CMS to address these requirements.

In addition, Ms. Sawyer reported that the Commissioner was establishing a technical assistance team to address waiver billing issues and asked for provider volunteers; Susan Klingel and Deanna Ferguson volunteered. Finally, Ms. Sawyer indicated that she would send members a list of services and their descriptions that were included in the waiver amendment.

Next meeting: Tuesday, March 20, 2018 at 10:00 am.

Attachments

- HCBS Final Settings Rule PowerPoint Presentation
- Steps Take in Prep for Implementing the HCBS Settings Rule
- Draft HCBS Work Plans PowerPoint Presentation
- Conflict Free Case Management and Adult Day Services
- Intellectual Disability Waiver Amendment 2018: Summary of Changes