

DD Stakeholder Transition Plan Task Force Meeting Summary

A meeting of the DD Stakeholder Transition Plan Task Force was held at 10:00 am on August 20, 2019 at the Region IV Office in Montgomery, AL.

Members Present:

DeAnna Ferguson, Other Providers	Jamie Herren, Alabama Council on MH Centers
Ken Oliver, Glenwood/Alabama Council	Terry Pezent, ADMH/DD
Samantha McLeod, Alabama Medicaid	Anne Riddle, The Arc of Alabama
Jo Poates, ID 310 Boards	James Tucker, ADAP
Chris Stewart, Arc of Central Alabama	Susan Klingel, ACE/Arc
Carla Stallworth, Other Providers	Arvy Dupuy, ID 310 Boards
Kathy Sawyer, ADMH/DD Consultant	Carrie Bearden, BHAA
Vivian Warren, ADMH	Zina May, ADMH Advocacy
Jerry Pike, Eagles' Wings	Susan Ellis, People First of Alabama

Members Absent:

Donna Foster, Future Living Community Services	Kevin LaPorte, Region III Community Services
Katy Johnson, People First of Alabama	Connie Batiste, ADMH
Gena Richardson, Arc of Alabama	

Guests:

Andy Slate, ADMH/DD	
Teresa McCall, ADMH	
Byron White, ADMH/DD	

Recorder:

Velma McElrath	
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Welcome and Introductions:

Kathy Sawyer, Consultant with the Alabama Department of Mental Health, Division of Development Disabilities, called the meeting to order and welcomed task force members and guests.

Review of Minutes of Last Meeting and Agenda Overview:

Ms. Sawyer asked if there were any changes or corrections to the minutes from the previous meeting; there were none. Minutes were approved as emailed. The agenda was also approved as distributed.

Task Force Chair Report:

Ms. Sawyer provided the following updates to the task force members:

- There is work is still on-going with the DD Division and Medicaid State Agency regarding the Statewide Transition Plan.
- Dr. Lisa Mills has been working on the new 1115 waivers and has presented these proposals at the five regional forums.
- There are still monthly meetings scheduled with the various HCBS work group chairs.
- There have been various consultations with CMS on seeking their guidance on certain issues. One issue CMS has given guidance on is new heightened scrutiny guidelines for new construction. **(If you have not seen this, a copy can be emailed to you.)**
- Ms. Sawyer has been working with the Associate Commissioner and the DD Division on some operational issues and the Admin. Code changes. There were several who submitted public comments in response to the Adin Code proposed changes. Debbie Popwell will post the update on ADMH's website by the end of the month. **(A notification will be sent out to the Task Force when the publication is posted.)**

The Task Force inquired about a meeting that was attended by their nurses requiring a policy to be developed based on not having enough TB skin test serums. Samantha McLeod informed the task force that this information has been passed on to Dr. Moon, Medicaid, for a determination. However, he forwarded this issue to the Department of Public Health for additional information and for their guidance. Ms. McLeod indicated that if there is a shortage, you will not be penalized if you are not able to get the test done.

Ms. Sawyer stated her understanding that there is a request for the Medicaid Agency to eliminate the requirement since it is no longer a CDC requirement. Ms. McLeod indicated they were hoping to have a response by November 30th regarding this issue.

Associate Commissioner's Update:

Ms. Pezent provided the following updates:

- There will be a 3rd call with CMS related to the 1115 waiver in the afternoon on August 20th.

- Kevin LaPorte is now the 1115 Interim Director. Additionally, the Provider Network and Quality positions will be announced next week.
- The division is moving forward in the planning process, a staffing plan will be expected using the current internal resources beginning in April.
- The ID renewal waiver is on track and CMS is expecting responses to the questions that were sent to the department by Friday (August 23rd). Per Samantha McLeod, public comments will not be posted until the waiver is approved. Once approved, the comments should go out on both websites; however, only a summary of all the public comments is required to be included in the waiver document.
- There has been some work on the LAH Waiver; however, there will be a little bit of delay on the rates. If CMS has no concerns to the responses to the questions, then whatever is in the ID Waiver can be copied into the LAH Waiver. However, Samantha McLeod suggested to wait until CMS sends an approved set of questions, language, etc. before copying to the LAH Waiver so the process will be faster for CMS to review.
- Most of the Operational Guidelines that have been developed have now been submitted to Legal for review. There are a few more operational guidelines to work on; the anticipated release date is October 1st.

There was considerable discussion among the Task Force members regarding the underutilization of the ID Waiver and the LAH Waiver and the availability of slots (one waiting list). Ms. Sawyer referred this topic to the Associate Commissioner for discussion at the DD Coordinating Sub-Committee meeting.

Work Group Reports:

Ms. Sawyer asked each of the work group chairs to give an overview of their work since the last meeting.

The following reports were given:

- **De-Confliction: Case Management:** Kathy Sawyer (will chair until Karen Coffey returns from medical leave) provided the following updates:
 - Meeting with the work group will take place immediately after the Task Force meeting on today (August 20th).
 - There have been three communications/ surveys of the case management agencies across the state gathering information about their operations and their various strategies of plans to de-conflict.

- There are some 28 case management agencies based on an audit completed by Ms. Sawyer, which determined:
 - There are 9 case management agencies serving 14 counties that are truly de-conflicted.
 - There are 2 case management agencies identified to be de-conflicted because of their provision of medical supplies equipment.
 - There are 4 case management agencies operating in 7 counties that were identified to be conflicted due to sub-contracts they maintain for direct services.
 - Also, there are 19 case management agencies that are operating in 43 counties as sole providers, meaning they are providing both case management and direct services. An RFP was issued for those counties/regions where there were sole providers in an attempt to identify other qualified providers of case management services. However, there was some confusion and a number of questions presented to the Commissioner's office, from various providers, stating they felt their status was misrepresented and thought they were deconflicted. It was decided to suspend the RFP until Ms. Sawyer could complete an audit of the de-confliction case management processes. The review of the process has been completed by Ms. Sawyer, which has identified various categories of case management agencies in terms of their confliction. A preliminary report of findings and recommendations has been drafted, which will be presented to the De-Confliction Workgroup and then submitted to the DMH officials, as well as, to the Task Force.

- Ms. Sawyer stated she feels comfortable with the deconfliction around the medical equipment as the Department has two contracts for medical supplies that are currently in use. There were agencies that were given a series of options to either give up case management, direct services or enter in a memorandum of understanding. Again, the major issue is the sole providers. Ms. Sawyer indicated they would need to go back to all case management agencies to verify their current status. After verification of de-confliction, the Associate Commissioner will send out official communication informing of whether the agency has met de-confliction requirements. A decision will also be made whether to issue another RFP for those counties/agencies that are still conflicted or to bring forth other recommendations to department.

- A policy has been developed to implement firewalls, which the work group will review again. (CMS has authorized the use of Firewalls)

Ms. Sawyer stated that the completion date for this project will not be October 1st as previously projected; but should be completed by December 2019.

➤ **Support Coordination Services:** Terry Pezent provided the following updates:

- Work group met on August 2nd to review evaluation process of plans and the surveys from support coordinators, individual with disabilities and family members regarding feedback on the pilot. Geron Gadd created a tool to facilitate the evaluations which will be completed in tiers. They also met last week and assigned various responsibilities of the evaluation process to the members of the work group. The target date for completion is around the third week of September.
- The case managers will be responsible for developing the Person-Centered Plan.
- The Task Force suggested a clear job description be submitted for case managers in the future in order for everyone to understand their role. Ms. Sawyer explained to the workgroup that in the earlier version of the De-confliction plan there was an action item to establish case management standards and staffing ratios. However, Karen Coffey suggested this should be assigned to the new Director of Service Coordination once the position is filled.

➤ **Residential and Non-Residential:** Amy Warren provided the following updates:

- Received feedback from the stakeholder workgroup stating the tool is too lengthy and redundant.
- Received feedback that the non-residential assessment tool is confusing when one setting includes multiple services. For example, day and pre-voc. should have a separate validation for each one. Amy agreed to get clarification on this from Lisa Mills and hopefully to have some guidance on the issue next week. Associate Commissioner Pezent made the decision to have 1 assessment per setting; however, Samantha Mcleod stated it would be best to defer to Laquita Robinson for guidance since she has worked with the settings rule from the beginning and has regular contact with CMS regarding this issue.
- As of the end of July 36% (490 out of 1,350) of setting validations have been completed; also, 116 transition plans have been returned to providers.

➤ **Education and Advocacy:** Byron White provided the following updates:

- The workgroup is still working with Copperwing to develop marketing materials such as brochures, posters, fact sheets, flyers, and also a potential educational video. The work group had another review of the materials and requested some changes and final edits for Copperwing to make. Hopefully, September 30th should be the target date for completion of the materials and to start sending out in October. An additional fact sheet has been added as an educational sheet for policy makers. A webpage will also be developed, with lots of materials posted, which can be printed from the webpage.
- It was reported the video was good but did not feature individuals with intellectual disabilities, but rather, individuals with developmental disabilities which the workgroup thought would misrepresent the targeted population. Mr. White indicated, in next fiscal year, they would possibly seek additional DD grant funds to develop a video featuring individuals with intellectual disabilities.
- Ms. Sawyer charged the Education and Advocacy workgroup to connect with P&A, Internal Advocacy, People First, and George Neal in expanding their work to find ways to educate families and individuals who are seeking services. She asked James Tucker, ADAP, to lead this initiative.

The Task Force members requested an updated email list for DD providers (preferably in an Excel Spreadsheet).

➤ **Next Meeting Date:**

Tuesday, November 19, 2019

10:00 am -12:00 pm

Region VI Office, Conference Room 1, Suite 419