

# OPWDD/Provider Association Partnership

## Monthly Meeting – September 24, 2012

### Meeting Notes

OPWDD Attendees: Commissioner Courtney Burke; Jim Moran; Kate Bishop; Tom Creagh; Kerry Delaney; Helene DeSanto; Karen Galarneau; John Gleason; Jenny Haneman; Joanne Howard; Donna Limiti; Bob Lopez; Kate Marlay; Ceylane Meyers-Ruff; Maryellen Moeser; John Monteiro; Megan O'Connor-Hebert; Mark Pattison; Caryn Scott; Bob Vasko; and topic-specific staff

Provider Association (PA) Attendees: Wafa Abboud (Human First, Inc.); Jan Abelseth (AHRC Nassau); Sue Constantino (CPA of NYS, Inc.); Pat Dowse (NYS Rehabilitation Association); Rhonda Frederick (People Inc.); Ann Hardiman (NYSACRA); Sue Hoger (Resource Ctr. for Accessible Living, Inc.); John Kemmer (NYSARC); Jim Kosokowski (NYSACRA); Ed Matthews (UCP of NYC); Gary Milford (LDA of NYS); Anne Ogden (NYS Catholic Conference); Peter Pierri (Interagency Council of MR & DD Agencies); Seth Stein (Alliance of L.I. Agencies for Persons with DD); Barbara Wale (ARC of Monroe County); Yvette Watts (NY Assoc. of Emerging & Multicultural Providers, Inc.); Jeff Wise (NYS Rehabilitation Association)

### Welcome/General Remarks

- The Commissioner reported that the CMS application for the new 1915 (b) and the amendment to the 1915 (c) waiver is under internal review. OPWDD, DOH and DOB are still working with CMS on the overall financial framework.
- The Commissioner spoke of the Culture Change initiative and indicated there has been initial training for the OPWDD Leadership Team regarding PROMOTE and its rollout. OPWDD is still planning a 1/1/13 implementation date for PROMOTE training for staff in State-provided services. NFP rollout will begin early next year and be phased in over the next two years.
- The Commissioner and several members of the OPWDD team met with the Talent Consortium on core competencies and the rollout for direct support professionals. Next up for the Consortium is the development of core competencies and packaging training tools for supervisors.
- OPWDD has been talking with the Division of Financial Services about capital reserves that would be needed for an OPWDD Managed Care System. We will keep providers informed as the discussions progress.

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- The topic of repatriation of individuals in out-of-State schools was raised. OPWDD is in discussions with federal and state officials; the major issue is how to avoid out-of-State placement in the first place.
- With regard to governance regulations, Jim stated that we are still researching several of the areas and assessing comments received from various constituents. Draft regulations are several months away, but once completed, a copy of the draft will be shared with the provider association members before filing with the Department of State.

#### Open Discussion

- *Individual and Community Supports (ICS)* – Kate Bishop and Shelly Okure gave an update on the ICS initiative and what to expect as we go forward. ICS is expected to shift the way supports and services are accessed. Key focus areas include informed choice, combined use of paid and natural supports, and statewide consistency of the person-centered and self-directed models. The initiative is expected to offer a full array of housing and employment/meaningful activity options and ensure portability of resources.

Phase 1 will include individuals new to the system and current individuals who are seeking additional supports in non-certified settings. Phase 2 will include individuals currently utilizing self-directed options and bring those resources into an ICS budget and plan (with no reduction in services). Phase 3 will look to reinvest existing services into ICS. Jim noted that OPWDD needs to look at resources and needs statewide. Housing must be kept accessible as people age. OPWDD is also looking to address the definition of volunteers vs. natural supports.

OPWDD needs to put things into place for the move to managed care and it was recommended that providers and OPWDD need to share a communication strategy where both can talk about realistic funding. An expectation needs to be matched with resources. There also needs to be a move away from use of the term “individualized services” toward “person-centered supports” since for many it implies one on one service which is not the true meaning.

Pat Dowse informed the group that under Title IV of the Workforce Investment Act, there will be a new requirement for every State to offer transition services to students at least two years before graduation. NYS Access-VR will be issuing an RFP for agencies to provide these services in January 2013.

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Jerry, Huber, Helene DeSanto, Maria Bediako and Jill Gentile have been working on the specifics of front door (intake) activities and OPWDD will come back to the PA Group with ideas when it is further along.

There are several different housing models with developers, OPWDD providers and DHR under discussion regarding integrated housing.

- *People First Workgroups Update* – Kate Marlay gave an update on the People First workgroups and gave an overview on draft recommendations.

The Access, Enrollment & Advocacy group focused on enrollment rights within DISCOs by making recommendations on individual rights within managed care, the grievance and appeals process and the importance of an independent advocacy role outside the DISCO and the state. The Care Coordination group focused on quality measures of care coordination and the need for a team approach to care coordination. This group recommended that the qualifications for the lead care coordinator reflect the increased responsibility for the team leader within a managed care environment. The Fiscal Platform group focused on principles of payment reform and plans to look at IRAs, ICFs and Day Hab fees. Working with a consultant, the Fiscal Platform group will review a sample of provider's general ledgers and then schedule a meeting with PA members to discuss the analysis of component percentages. By March 2013, the Fiscal Platform group hopes to have a draft of standard fees, and then use this to transition to a standardized formula in order to establish rates.

Next steps include finalizing workgroup recommendations for Pilot DISCOs; further develop the Request for Applications (RFA) for Pilot DISCOs; prepare the 1915b and c applications; develop and implement processes and finalize agreements with CMS. A special session of the fiscal workgroup on Managed Care with the OPWDD consultant will be held on October 10, and will include the PA Group.

### **Rollout:**

- *Core Competencies* – John Monteiro introduced two outside guests – Barbara Pettengill and Rosemary Lorello, with the Center for Disability Services. Jeremiah Coleman gave a brief report on the deliverables for the Core Competency workgroup. Among the deliverables is creating an on-line reference material site, establishing a set of core competencies and assessment tools for State and voluntary Provider agencies.

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The DSP workgroup is currently field testing the core competencies and assessment tools with nine NFP agencies. Among lessons learned is to identify everyone to be involved up front and educate people on the utilization of the competencies and evaluation tools.

Karen Galarneau discussed the rollout plan for the competencies. Over the next few months, the DSP workgroup will continue to implement the initiative at their agencies and the steering committee agencies will also begin implementation at their respective organizations. A regional roll out plan will be developed involving the OPWDD DDRO Directors and regional provider representatives as well as the State Operations Office Directors. A web page will be created sometime in January 2013 and will include supporting tools and an e-mail account to which questions may be submitted. Competencies field testing will be continued through the spring and eventually move to ongoing assessment. Workgroup members will continue to support the initiation by serving as “ambassadors” to their regions.

John Monteiro indicated that approximately 65% of the competency skills are at least partially covered by the PROMOTE training and that OPWDD is looking to eliminate duplicative training. OPWDD training staff is reviewing training requirements outlined in regulations and will report back to this group.

- *Code of Ethics* – The Commissioner noted that the Code of Ethics will be part of the training on the State side and OPWDD is studying how to roll this out to the NFP’s.
- *Cameras in ICFs/MR* – CMS policy on video cameras in the ICFs/MR was issued July 2012, and it was noted that the policy does not address cameras in the bedroom. Cheryl Mugno from Counsel’s Office stated that OPWDD requested clarification from CMS on this issue and CMS stated that bedrooms would be treated the same as any other common area in the residence, that is, it would be subject to an individual’s consent.

Right now, OPWDD is considering whether the CMS policy for ICFs/MR should be extended to non-ICF residences. Cheryl stated that OPWDD would like feedback within the next two weeks from PA members on the potential for having a camera policy for non-ICF residences and if so should it mirror the CMS policy. Comments can be sent to [Cheryl.Mugno@opwdd.ny.gov](mailto:Cheryl.Mugno@opwdd.ny.gov).

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### Regulatory Reform

- Megan O'Connor reported that OPWDD is still compiling responses from the staff and family/individual surveys with over 1600 responses received so far. She reported that once survey analysis has been completed, the results will be shared.

There are four different workgroups associated with regulatory reform and they will have October and November to prepare draft recommendations for presentation in December. The four workgroups are: Workforce and staffing; Habilitation; Medication Administration/ Health Care; and Financial.

### Updates

- *PCSS* – Tricia Downes reported that the regulation and ADM are ready to roll out effective 10/1/2012 and gave a brief synopsis of the changes. The most recent ADM was distributed for comment to PA members and there was no comment. The ADM will be forwarded to senior management for review and sign-off within the next few days.
- *Secure Message Center (SMC)* – Bob Vasko reported on the retirement of the Secure Message Center and reported on the selection of ZIX as the new secure messaging system. Some OPWDD units are currently using the new secure messaging system and rollout will be gradual within the coming months. “The ZIX system uses several different methods of securely delivering email to addresses outside OPWDD’s network, depending on the capabilities of the recipients email system.” More information can be found by going to the OPWDD website and typing “ZIX” in the search box.
- *Managed Mandatory Care* – a memo went out on September 17 from Jerry Huber to the State and Regional Offices regarding exemption to enrollment in managed care it was requested that a similar memo be sent to providers.

### Wrap Up

- The next meeting of the Provider Association will be Monday, October 22, 2012.