

OPWDD/Provider Association Partnership

Monthly Meeting – October 22, 2012

Meeting Notes

OPWDD Attendees: Commissioner Courtney Burke; Jim Moran; Kate Bishop; Barbara Brundage; Kerry Delaney; Helene DeSanto; Leslie Fuld; Jill Gentile; John Gleason; Jenny Haneman; Joanne Howard; Kate Marlay; Michael Kirchmer; Bob Lopez; Maryellen Moeser; Megan O'Connor; Mark Pattison; Jill Pettinger; Tiffany Portzer; Caryn Scott; Catherine Varano; and topic-specific staff

Provider Association (PA) Attendees: Rhonda Frederick (People Inc.); Robert Goldsmith (COMPASS Agencies); Ann Hardiman (NYSACRA); Sue Hoyer (Resource Ctr. for Accessible Living, Inc.); John Kemmer (NYSARC); Gary Milford (LDA of NYS); Anne Ogden (NYS Catholic Conference); Arthur Palevski (ILA); 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

- Jim Moran opened the meeting with the announcement that State Operations and Regional Directors will participate in all PA Meetings and welcomed Henry Hamlin who is working part-time back to OPWDD.

Open Discussion

- *Individual and Community Supports (ICS)* – Kate Bishop gave a brief update on the status of the roll out of Individual and Community Supports. Kate indicated that a number of meetings have been held across the state with stakeholders regarding the reshaping of the ICS initiative in order to begin to move resources away from traditional services (IRA, day hab). Kate also indicated a community-of-practice group has been formed to aid in developing consistent and standard processes statewide. Jim noted that we have a group working on the “Front Door” process and should have a draft of the process and flowchart completed for the December PA meeting. OPWDD is looking at ICS funding as a multi-year strategy and it was stated that the resource component is critical to the success of the initiative, as is consistency of managing resources. The community-of-practice will help map out how individuals come into the system and the request was made that OPWDD wants to work with the PA group on how to roll out the message about the “Front Door.”

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It was noted that providers can still submit responses to the questions posed at the last PA meeting regarding enrollment:

1. What is your current experience with how individuals access our current system and your role(s) in this process?
2. As we consider new roles that will exist under the new People First Waiver, what are your thoughts on how we can position our processes to prepare for this transition?
3. Knowing what we know about Olmstead and the requirement for people to receive services in the most integrated setting, how do you feel we can prioritize our resources, including back fill opportunities, to assist people in moving to the more integrated, and community based offerings?

Responses to the three questions should be sent to:

shelly.okure@opwdd.ny.gov with a courtesy copy to maria.x.bediako@opwdd.ny

- *Status of Fire Safety Upgrade Funding* – Jill Gentile reported on the work with Division of Quality Improvement (DQI) to create processes and time frames in which to review homes and establish funding for safety upgrades. Additional meetings will be held with DQI to operationalize the allocation of dollars for upgrades and Megan O'Connor stated that the surveyors and OFPC have begun going out to sites. Mark Pattison stated that upgrades will be funded through the contract standby process and has met with OSC to try and raise the established rate. Helene DeSanto noted that this is a multi-year effort and there are many factors that go into determining the areas of greatest need. Jill Gentile is taking the lead on working on a communication plan for notification to providers about this process while DQI and OFPC continue their reviews. Communication should be in place by mid-November (update-likely early December)
- One PA member voiced concern about one of his providers being told by OFPC that they needed to make upgrades, but it was clarified that OFPC was pointing out what upgrades should have been made for the house to meet the required code. Additional funding is only available for non Life Safety Code (homes using 3 minute out strategy and Board and Care homes. General maintenance funding is already available for upgrades that should already be in place for a site. Clarification will be made at the next Provider-DQI meeting on 10/29. PA members were told to notify DQI with issues or concerns.
- *Provider Non-Consumer Staff Reporting* – One PA member inquired whether a crime committed **against** an off-duty staff needed to be reported to OPWDD if it has nothing

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to do with the job or the provider. Leslie Fuld stated that OPWDD is working on guidance that will clarify this in the near future, but stated that it is not necessary for this to be reported. Jim noted that if an issue affects individuals that OPWDD would want to know about it, if not, then it served no purpose. Interim clarification will be sent to the Incident Management staff around the state.

- *Scope of Practice Update* – Jill Pettinger stated that in September, DOB requested additional information on job titles and OPWDD used the consolidated fiscal report (CFR) information to see what job titles might be affected. Since then, OPWDD was asked to provide information on PA agencies, and a list of PA members was sent to the Senate. The legislature would like to hold hearings with the affected parties, but OPWDD doesn't know when or with whom.

There was a Senate-Higher Education meeting where it was indicated that an extension to the exemption might be considered, but may have a future meeting to further discuss this issue.

- *Rate Rationalization Project* – Mark Pattison stated there is a plan to bring the workgroup back to talk about transition. A question was asked regarding the methodology and at what point a rate would change based on the needs of the individuals in a setting. OPWDD and providers will need to wait to see what the consultant presents at the end of February before any final determination is made.

Mandated Language Plan

- Nicole Weinstein and staff presented a power point on OPWDD's Language Access Plan which is a direct outgrowth of Executive Order # 26. Examples of documentation translations, language cards and the creation of outreach teams were presented. Nicole noted that some documents have been translated into the most common languages spoken throughout the state, but the Executive Order states that the plan has to encompass any requested language. Nicole also identified some internal and external translation resources and clarified that this Executive order currently only affects state agencies, not voluntary providers.

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Capital Finance Survey Results

- Len Carusone stated that the first batch of surveys was sent in September with an expected 45 day turnaround. There were over 5,000 addresses, but only 1,100 responses. The next step will be to determine which providers have not submitted any information and contact those who submitted incomplete or duplicate information. Some providers did not provide information on site appraisal and mortgage value, but Len stated that this information is available on line from the corresponding county or via the “Zillow” internet site. Results will be shared with the PA group once all information has been compiled. A list will be generated of their members that did not respond to the survey for PA members to contact. The list and the results will be shared at the next PA meeting.

Updates

- *People First Waiver* – Jim reported that the draft 1915 (b) waiver documents are nearing completion. People First workgroup recommendations will be available soon and will be shared with the PA group. On the financial side conversations with CMS continue. The Request for Application (RFA) is being updated and will be out in a couple of weeks.

Helene DeSanto noted that there will be at least one assessor in each region to work with the InterRAI assessment tool (now called the Coordinated Assessment System-CAS), and that OPWDD will be reaching out to providers to practice using the tool. Jill Pettinger noted that there will be ongoing evaluation of the assessment tool while it is being tested, but no changes to CAS will be made during the testing phase.

- *Justice Center* – Mark reported that the Governor’s Office has hired a consulting firm to help with the framework and advise the governor on different aspects. Meetings on all the components are ongoing with the Governor’s staff and DOB.

Jim also noted that effective late November, all state Information Technology (IT) staff including OPWDD’s Information Management Solution (IMS) staff will be reporting to a centralized state agency. Bob Vasko will head the “cluster” that contains OPWDD along with, OASAS, CQC, Office of the Aging, and possibly one or two other agencies.

- *Budget* – The process is just starting to get going and OPWDD submitted a preliminary budget request to DOB in accordance with the DOB Budget call letter. Jim feels that things will move more quickly after Election Day.

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- *Innovation Workshop* – the next workshop is December 4th and there will be 3 presenters. An announcement will be going out. Additional presenters are in the queue for a workshop that will be held in late January or February of 2013.

Communications

- Tiffany Portzer gave a brief update on what is happening in the Communications Office. Tiffany has spent the last two months getting up to speed with all that is going on in the agency. Among the areas she has focused on is trying to get the media to cover positive stories. She is also currently working on a video for the CAS, and a two year communications plan for “PROMOTE” training as part of the agency’s initiative to promote positive relationships and safe environments. She encouraged the group to submit any comments and suggestions to her at Tiffany.L.Portzer@opwdd.ny.gov.

DISCO Composition/Partnerships

- There was a brief discussion surrounding DISCO startup most notable the requirement for start-up capital and reserve need for new managed care entities. Presented was the idea of allowing DISCO eligible applicants to partner with for-profit health care plans, but the controlling entity must be either controlled or wholly owned by a not-for-profit organization that has a history of providing or coordinating services for individuals with DD.

Commissioner Remarks

- The commissioner wanted to make sure people got the dates on the upcoming Discussion workshop on the Federal FIDA (Fully Integrated Dually Advantage) initiative. The next workshop will be in Western NY on Nov 20 followed by one in NYC at the Empire State building on December 13.
- The commissioner talked about the potential changes to the membership of the Provider Association as OPWDD moves toward managed care noting that we need to think about how the group will evolve down the road. Many providers are forming collaborative associations in order to prepare for upcoming changes, and there is concern about duplicative efforts and groups not being represented. OPWDD will review any request by a group on its own merits.

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General Comments

- Various PA members publicly thanked OPWDD staff specifically Jill Pettinger for the effort put into to the proposed Person-Centered Behavioral Intervention regulation. It was noted that the proposed rule goes a long way in reducing staff burden to comply with unnecessary duplicative sign-offs. Others wanted to thank the commissioner for being open to reducing unnecessary regulatory mandates and for moving a positive training platform for direct support staff further along.

Wrap Up

- The next meeting of the Provider Association will be Monday, November 26, 2012.