

OPWDD/Provider Association Partnership

Monthly Meeting – November 22, 2010

Meeting Notes

OMRDD Attendees: Jim Moran; Jay Kiyonaga; Jill Gentile; Jim Whitehead; Sheila McBain; Ceylane Meyers; John Monteiro; Suzanne Sennett; Jenny Haneman; Joanne Howard; Maryellen Moeser; Kerry Delaney; Caryn Scott; and topic-specific staff

Provider Association Attendees: Jan Abelseth (COMPASS Agencies); Sue Constantino (CP Association of NYS); Mark Foley (DDAWNY); Pat Dowse (NYS Rehabilitation Association); Ann Hardiman (NYSACRA); John Kemmer (NYSARC); Gary Milford (Learning Disabilities Assoc.); Peter Pierri (Inter Agency Council); Gary Siegel (Catholic Charities); Seth Stein (Long Island Alliance); Barbara Wale (EDA NYSARC); Yvette Watts (NY Assoc. of Emerging & Multicultural Providers, Inc.); Jeff Wise (NYS Rehabilitation Association)

Welcome/General Remarks

- *Budget* – DOB has been working on the budget for 2011-12 and will soon begin talks with the transition team. OPWDD has been engaged with DOB on the Budget and recognizes that the upcoming year will be very challenging. The Governor has called for the Legislature to return for a special session on 11/29/10 to address the budget gap.
- *Future of Service System* – Most, but not all PA member groups have requested briefings/discussions on the future of OPWDD. OPWDD will send out to the associations who have hosted briefings for their members the most recent PowerPoint and additional presentations will be held at an association's request.
- *Day Habilitation/Residential Habilitation 51% Memo* – OPWDD will circulate to the associations for comment a draft memo to that will be sent out to MSC's, residential and day providers regarding this topic. In addition, OPWDD will be working with its Leadership Team to ensure effective communication.

- OPWDD will begin looking at residential and day services and will seek stakeholder input on such issues as transportation, start of program day, use of buildings for day and residential services, PCSS and remote monitoring devices. Provider Workgroups and stakeholder focus groups will be formed in the coming weeks.

Incident Report and Management Application (IRMA)

- Tom Richards, Jessica Smith and Richard Monck reported that while 100 agencies currently have access to IRMA, only 70 (approximately 500 total users) are actively using the system. It is OPWDD's intent that all providers will eventually be required to use the system, and providers are encouraged to contact their local DDSO for access and training. OPWDD continues to work on electronic interfaces for those agencies that currently use electronic applications.
- A workgroup will be formed to look at streamlining Part 624 Regulations.

Medical Orders for Life Sustaining Treatment (MOLST)

- Eileen Zibell reported that the MOLST Form is now a DOH form and includes a checklist for OPWDD individuals. OPWDD will be communicating that we have no issues with the MOLST form and will issue a protocol on how to use the checklist.

Future Training of the Workforce

- John Monteiro reported on the status of talent development in OPWDD. A steering committee and workgroup will be convened to make recommendations on how to make the system more efficient and effective. A major issue is core training for direct support professionals and OPWDD is looking to partner with agencies to determine core competencies and appropriate training modules. OPWDD will also be looking to partner on training with agencies in other areas such as MSC.

Provider AHRH Survey Results

- Jenny Haneman and Anne Swartwout reported on the results of the AHRH Survey. The provider response totaled 54 % of the individuals currently receiving AHRH, and it was proposed that OPWDD will conduct future surveys, and include a breakdown of overtime, whether part-time employees are employed by the same or a different agency and a comparison of actual wages paid. OPWDD will e-mail a copy of the presentation PowerPoint to all providers who responded to the survey and to the provider associations.

MSC/ISP ADMs

- Jenny Haneman reported on a number of MSC audit protocol changes that were agreed to with the OMIG on the clarifying ADM that was released on July 16. A revision to the clarifying ADM will be forthcoming. OPWDD is still working with the OMIG to finalize the ADM for MSC that will be effective on 10/1/10. The ADM's on the ISP and Community Habilitation are also being finalized.
- Maryellen Moeser reported that a technical amendment is being done to our HCBS waiver agreement in order to correct some minor inconsistencies between the current waiver agreement and the MSC redesign. OPWDD has been in discussion with CMS on this matter and consider this a simple revision. The amendment will be submitted to CMS sometime in December.

Updates

- *Property Streamlining* – A draft will be provided at the next PA meeting.
- *Federal-DHHS/OIG Audit* – The DHHS-OIG will soon be meeting with DOH, OMIG and OPWDD on Phase 1 (NYC) HCBS Waiver Audit preliminary findings. It is expected that Phase 2 (Upstate) of the Waiver Audit will be a larger sample and may begin very soon. The separate Assistive Technology Audit's initial sample has been expanded by HHS/OIG to include all OPWDD individuals living in homes where the

e-mods have been done. Enrollment and cost packets for all the individuals in the sample are being compiled by the districts and transmitted to OPWDD for review by central office staff.

- *DQM Certification Survey Pilot* – Piloting will start December 10 and will be for four weeks, except in incident management. The draft protocol will be sent to the Provider Associations at the time of the initial pilot. The second phase will be for six months and will start in January 2011. Other areas being reviewed include length of operating certificates and streamlining the application process for agencies to become COMPASS agencies.
- *Personal Funds Group* –Gary O’Loughlin reported that the personal funds workgroup is looking to share best practices on how individual’s personal funds are managed and monitored in the community and identify applications used to track personal funds. The deadline for nominations to the workgroup is 11/30/10 and the workgroup will convene shortly thereafter.
- *DOT/Transportation Grants*-Gary O’Loughlin reported that transportation grants totaling \$8.2 million have been received for 113 agencies for 183 vehicles. The money will be for 80% of the cost of the vehicles and official notification to providers is forthcoming.

Health Reimbursement Arrangements (HRA) Impact from Federal Health Care Reform Act

- John Kemmer stated that certain standalone (HRA) plans are governed by the section of the Health Care Reform Act which restricts plans from imposing annual limits on coverage. These new requirements are effective for HRA plans on their first annual renewal on or after September 2010. Standalone plans will either need to obtain an approved waiver from the federal HHS Administration allowing continuation of the current annual limits on coverage, or may need to be discontinued, converted to a Flexible Spending Arrangement (FSA) or some other solution. Agencies that fail to receive the HHS-approved waiver or amend their plan by the plan renewal deadline could be at risk of potentially having to cover up to \$750,000 in health care costs for an individual employee or member of their family and this amount will increase in subsequent years. All those providers with standalone HRA plans (those which are not connected to their health insurance plan)

should immediately seek guidance from their Third Party Administrator. OPWDD will put out a communication on this issue.

- The next meeting of the Provider Association will be Monday, 12/20/2010.