

OPWDD/Provider Association Partnership

Monthly Meeting – December 19, 2011

Meeting Notes

OPWDD Attendees: Commissioner Courtney Burke; Jim Moran; Barbara Brundage; Alan Eskenazi; Karla Smith; Henry Hamelin; Jenny Haneman; Joanne Howard; Caryn Scott; Jill Gentile; Jerry Huber and topic-specific staff

Provider Association Attendees: Waffa Abboud (Human First, Inc.); Jan Abelseth (COMPASS Agencies); Sue Constantino (CPA of NYS, Inc.); Pat Dowse (NYS Rehabilitation Association); Mark Foley (DDAWNY); Ann Hardiman (NYSACRA); Sue Hoger (Resource Center for Accessible Living, Inc.); John Kemmer (NYSARC); Ed Matthews (UCP of NYC); Gary Milford (LDA of NYS); Anne Ogden (NYS Catholic Conference); Peter Pierrri (Interagency Council of MR & DD Agencies); Seth Stein (Long Island Alliance); Barbara Wale (EDA NYSARC); Yvette Watts (NY Assoc. of Emerging & Multicultural Providers, Inc.)

Welcome/General Remarks

- Jim Moran spoke at length about OPWDD's recent reorganization and indicated that new organizational charts will be out this week showing the new alignments. Among the major changes is the appointment of Jerry Huber as the Deputy Commissioner of the newly-created Division of Person Centered Supports. This division will include the former Policy and Enterprise Solutions Unit, as well as Housing Initiatives, the Center for Employment Opportunities and the 1115 Waiver Unit. Kate Marlay will be Acting Deputy Director under Jerry. By July 2012, DDSO Business and Human Resources Offices will be centralized and fall under the Division of Enterprise Solutions (formerly DFAS), which will also house the Information Management Solutions unit. In Service Delivery & Integrated Solutions, John Gleason will be the Acting Upstate Associate Commissioner for Service Delivery; Jill Gentile continues to be Downstate Associate Commissioner for Service Delivery and Jill Pettinger will return to her role as Assistant Commissioner. Lastly, audit functions currently under the Division of Quality Improvement (formerly Division of Quality Management) will be moved to the Office of Internal Audit under Jim Nellegar. The hope is to streamline duplicative functions in central office and the field in order to attain better controls and simplify the workload. There will be an announcement on the OPWDD web site with a link to the new organization chart.

OPWDD/Provider Association Partnership Monthly Meeting – December 19, 2011

- He also announced the upcoming retirements of DDSO Directors John Mizerak and Richard Monck in February 2012. It was suggested that employment posting be attached to the meeting minutes, which may cast a wider net for candidates to fill the roughly 40% vacancies that exist in OPWDD key positions between the field and central office. It may be possible to reallocate resources if functions are redirected.
- The State budget is expected to be released by the Martin Luther King holiday.

Funding for High Need/Special Populations

- Jill Gentile reported on funding for high need populations, specifically people leaving the institutions and individuals aging out of out of state residential facilities. Rates have been developed regionally (upstate including Taconic DDSO and downstate including Hudson Valley & Long Island) for two categories of care: specialized level of care and highly complex level of care. The rate includes supports to help providers with the provision of service delivery to high need individuals coming out of institutions or aging out of out of state residential facilities. The highly complex level of care will typically target individuals who need one-on-one attention or special care to live in the community (those coming out of an Intensive Treatment Options (ITO) or those with high clinical needs living in remote areas).

The rates will not apply retroactively and these funds are for new sites not open yet. A budget will not be required; however the provider will need to develop an individualized budget plan. If the individual leaves, the dollars go with the individual and OPWDD will pay a differential between the existing rate and the rate for the individual coming out of the specialized or complex level of care. It is assumed that psychology, nursing, etc. will be included in the rate. Medical and medical services will continue to be covered through the Medicaid card. A memorandum will be issued clarifying what is and is not included in the rate; this will be shared with the PA group prior to release.

OPWDD/Provider Association Partnership

Monthly Meeting – December 19, 2011

Regulatory Reform

- A Regulations Workgroup, headed by Alan Eskenazi, will be set up to review OPWDD regulations. This workgroup should include Kate Bishop of the 1115 Waiver Unit and one representative from each PA member group. Suggestions for those representatives should be submitted to Alan at Alan.E.Eskenazi@opwdd.ny.gov .
- Alan noted that Alerts are now being reviewed more closely before they are sent out. There is a clarification relative to the recent fire ADM that will be completed and sent out shortly. The PA group was reminded that Alerts are reminders, not directives, and requested that the group provide feedback on things that OPWDD should be putting out to the field.

Administration

- *Executive Compensation* – Jim noted that while there has not been consensus, OPWDD still needs to do something in this area, not only for the good of the system, but also to satisfy the questions posed by CMS. OPWDD will do some analysis and come back to the group with results. . Approximately 25 agencies were sent a letter requesting information on how executive compensation is determined; Jim will share the letter with the PA group.
- Jim would like to have some PA members participate in a workgroup to study governance and expectations of Boards, so that more information is available by late spring of 2012 when the results of the Administrative Interchange workgroup is scheduled to be completed. Jim Nellegar will take the lead on the governance issue, and OPWDD will circulate the old governance and CQC documents, as well as the Code of Ethics document provided by Ed Matthews, to help determine the key areas of focus.
- *Repeal of Administrative Interchange* – Joanne Howard stated that paperwork has been filed to finalize the repeal of the administrative interchange language from the affected regulations. The repeal language will appear in the *State Register* at the end of December. Joanne also indicated that OPWDD will be working on a much more comprehensive review of the reimbursement of administration and she will be putting a workgroup together to study this issue.

OPWDD/Provider Association Partnership

Monthly Meeting – December 19, 2011

Workers' Compensation Update

- PA members stated that there was a conference call, but there was little to report.

Jim Moran indicated that he has not heard many ideas from providers regarding partnering, sharing resources, affiliations, etc. The PA group indicated that many providers are waiting to see where the 1115 waiver is going before they consider sharing resources. Jim wants providers to think about this now, because the 1115 waiver is only one piece of the reorganization of our service system. The PA Group requested OPWDD come up with plans/models on incentivizing and resource sharing, but in the meantime will send Jim those concepts and ideas currently in use by providers. Also, Barbara Wale will share with the group an article she read on merging and/or sharing services.

Talent Consortium & Core Competencies

- John Monteiro delivered a PowerPoint presentation that demonstrated the mission and goals developed by the Talent Consortium for direct support professionals and indicated that the next project will be to form a team to develop supervisor competencies. John also reported that OPWDD's on-line Training Catalog is now open for providers to list their own training courses.
- Jill Pettinger reported that based on feedback received during the summer, final touches are being put on the Promote Curriculum, and that master trainer and instructor trainer preparation will likely begin at the end of January across the state (regionally). This will be by invitation only and will likely target those agencies that are willing to train other agencies. Jill stated that it could take upwards of a year and a half for the entire rollout of the curriculum, but OPWDD will send out a general communication to providers about the training.

1915c HCBS Waiver Technical Amendments

- Maryellen Moeser gave an update on the 1915c HCBS Waiver technical amendments. At CMS's request, OPWDD and DOH are engaging with the National Quality Enterprise (NQE) to conduct an environmental scan of OPWDD's/DOH's adherence to Medicaid HCBS Waiver assurances in the areas of Health and Safety, Qualified Provider, Care Planning, and Administrative Oversight by the Single State Medicaid Agency. This is an environmental scan of OPWDD's quality oversight of the HCBS waiver and is not expected to involve

OPWDD/Provider Association Partnership Monthly Meeting – December 19, 2011

visits or discussions with the provider community. Staff from NQE will be on site at 44 Holland on Wednesday 12/21 to discuss how OPWDD assures Health and Safety of waiver participants which will likely focus on incident management and investigations, mortality reviews, case management, and other areas. NQE staff will return on January 4-6 for environmental scans to discuss how OPWDD assures that we have Qualified Providers providing waiver services and how we ensure appropriate Care Planning for waiver participants in accordance with all requirements. On January 6th NQE staff will conduct the environmental scan of DOH's administrative oversight to look at how DOH oversees OPWDD's operation of the waiver in accordance with their responsibilities as the Single State Medicaid Agency. Once these scans are completed, OPWDD/DOH will owe CMS a workplan due January 20th which will encompass how OPWDD will continue the quality oversight and assurances into the 1115 Waiver as well as completion of a technical amendment for the 1915 C waiver.

1115 Waiver Update

- *Update* – Kate Marlay indicated that the current focus is on key areas such as clinical supports for high need individuals in the community and policy work that looks at the concept of “no wrong door” to present to CMS. The Request for Information (RFI) will be up on the web site for two more weeks and a provider conference will be held in about 2 months.
- *Other Potential Pilots*
- *Individualized Services Workgroup* – Jerry Huber reported on the Individualized Services Workgroup which has met twice in the last 6 weeks. This group is considering initiatives on which OPWDD can move forward prior to the implementation of the 1115 Waiver; an important concept includes ways in which individuals can by default move to more individualized services. Four to five subgroups will be developed to look at various topics, as well as defining the state's role. The PA members requested that the subgroups include representatives of a broad range of disabilities.
- *Case Study Project for Agencies with Compass level quality standards* – Kate Bishop reported on the COMPASS Initiative, which is working to implement concepts that are articulated in the 1115 waiver planning documents. Specifically, the studies will focus on testing assessment tool(s) for care

OPWDD/Provider Association Partnership Monthly Meeting – December 19, 2011

planning, developing documentation practices, identifying opportunities for innovation and developing quality metrics related to personal outcomes.

An RFI is underway and has a question which will allow agencies to request a review of quality that may result in further participation. The RFI will close on the 27th. One meeting has been held so far and a two-day meeting will be held in January with the hope of moving forward on the case studies in April.

- *Employment and Meaningful Activities* – Ceylane Meyers-Ruff reported that a conference call was held to discuss ways to rethink day services and support all of the activities that an individual is engaged in over the course of a day. The group is thinking broader than employment and it was stressed that the outcome should have the flexibility to fund activities for individuals who do not want to work. The group is focused on the possibility of a pilot that would give providers the funding flexibility to do two things: provide employment services to individuals currently in day hab and pre-voc; and provide employment services to students graduating from high school. The group will work out details of the possible pilot. As a follow up to Jerry Huber's update, Ceylane expressed the desire to link the provider association workgroup with the Individualized Services Workgroup.

Update/Wrap Up

- The Gap Analysis & Fire Safety Survey was tabled until the next meeting.
- The next meeting of the Provider Association will be Monday, January 23, 2011.