

KDADS/CDDO Quarterly Meeting

March 9, 2016 -- 1:00 pm – 4:30 pm

New England Building -- Topeka

CDDO Attendance: Roll call of all CDDOs - all represented;

KDADS Staff: Susan Fout, Laura Leistra, George Vanhuser

Minutes/Notes: DSNWK/CDDO volunteered

- 1. KDADS Staffing/Workload Process:** Susan shared she had a call at noon with Brandt and things are going well. She shared that Brandt has really appreciated the DD folks with Greg out. She shared, for now, Laura is the current Acting IDD program manager and she introduced George who having a long history and knowledge working with policy related areas. She shared a focus of working together, very important and encouraged all to call if there are any questions. Susan shared Laura will be providing the HCBS contact list for all the other waivers. So if there are questions about IDD, contact Laura, and consult the list for the other names. Laura passed out the January 2016 HCBS Monthly Summary to those in the room. There were 3,450 people on the IDD Wait List.
- 2. Integrated Waiver Update and Wise Group Update:** Susan shared that KDHE is the lead agency on the Integrated Waiver and KDADS will share more as we learn more. With the staff/transition at KDADS, they are playing catch up and appreciate the flexibility of everyone. It was shared that the next Wise group is scheduled for 3/23/16 where they will be reviewing all the recommendations from the subgroups and working with KDHE, doing the cross-walks with the other groups. As it stands today, the targeted implementation is set for 1/1/17.
- 3. MEFI – Assessment:** KDADS shared they have the recommendation and are evaluating that at this time. Their next meeting is scheduled for March 16th, 10am until Noon. It was asked what options are under consideration? KDADS shared they are looking at all the tools from KU and the recommendations and shared there is a proprietary components of each tool and so this can limit the ability to change anything with the tool. Laura will share a list of those tools. It was asked if these will be tied to tier scores, or just for eligibility? It was shared that there are some that believe it should remain a tier system and some that do not. With IDD, they were hoping to tie this to Waiver Integration. It was mentioned that Beta testing is still needed. The tools looked at include the InterRAI, SIS, Icap, Vineland. KU focused on the InterRAI and the SIS. ICap not a viable option. It was asked if the workgroup's task are complete? Again, it was clarified that their next meeting is 3/16/16 and the work will continue. Targeted to have a report, but this is in draft form now. Original group scheduled to go through Oct 2016, however, there are subgroups that have not yet met. The content expert group has been working, and only when that work is completed can the other subgroups get moving. The policy group is likely the next group to move into action.

4. **Children's Assessment:** The question was asked if the Children's assessment (supplement) needs to continue to be completed? There has been a glitch in this system. KDADS will follow up with Brad regarding the converted score issues. The person has to have a converted score above 35 to be eligible in the system and a score of 21 or above on the Children's assessment. KDADS will be looking at this. There was discussion on the Waiting list as there is differing guidance on how to handle this. It was shared by CDDOs that we have had guidance from Greg, Debbie and Laura, however, sometimes there have been different expectations. Clarity is needed. It was shared that George, Laura and John Berry will be working on a WL policy for KDADS. The technical guidance with KAMIS was another area of need and KDADS encouraged CDDOs to review and share information as this would be helpful in the development of the policy.

KDADS is more than happy to take a look at the guidance on WL and expectations. Send these from the CDDOs to shared with Sherry A who will collect the questions and process with WL. This will then be sent to Laura with cc: to Susan and George. Additional discussion on Waiting list and questions regarding coding. Laura shared an update indicated that some folks are coded for IDD who are Tier 0. Clarifying for those who are eligible for funding, they have been coded for services, please move them forward. Laura will be working on this and processing them out yet today and will be working with the CDDOs and the Notice of Actions. There was reference to a Memo requesting helping to get the assessments done, with reference to a list. Other than the Waiting List, this is the only list KDADS has. KDADS is targeting next week. It was shared that there are people missing from the WL. We found folks listed because they were coded incorrectly. Laura emphasized that if they are coded...they are in and eligible for services. If there are folks who have self terminated, CDDOs should check these and share this information back with the KDADS. If Tier 0...KDADS will be looking at those. If were Tier 0 at an earlier time and not now, share that information as well. Laura requested that the information be submitted using the Utility Upload as it may get lost in email.

Target date for complete Waiting list clean up is May 1, 2016. If request for BASIS, KDADS appreciates the CDDO's support in getting those completed. If they are coded and they want services, we need to work to get these done timely.

5. **Children Foster Care – Transition:** The policy was effective on 3/1/16. Susan sent an email (03/07/2016) that stated if there is Agency Directed supports, to use them. If not, share the capacity issues. If there are issues in the CDDOs area, please communicate with KDADS. Heard that there had been an extension to 3/31/16. This appears to be an exception offered by one MCO to extend this, but that is not the policy. This will be the state's function regarding exceptions.

Another issue in foster care is that they have found instances where there are more than two children in one setting. DCF is licensing agency for foster care. In the Foster Care system, they can have more than two, however, in IDD system, there can only be two or less children with IDD in the same home. The practice seem to be that Foster Care makes the decision and then asks for the exception after the fact. KDADS realizes there is a problem. Procedures are under development between the two agencies (KDADS and DCF) so this doesn't continue to happen.

At this time, MCOs can allow the Self-direction to occur (for foster kids) if there is no agency directed services available. If there are situations that are unresolved, please contact KDADS. There should be no one losing services if there is no agency directed services in their area. The MCO may identify another provider in another location that may be willing to affiliate with the CDDO.

Are the discussions with MCO including discussions about the rates -- Current rate is \$12.24 and it is not sufficient. It was felt there would be more providers of agency directed SHC services if the rate was higher.

6. **CMS Final Rule:** Kansas is working on the plan and on-site visits are needing to be completed. Codi Thurness and Janelle Lyons are involved as QMS staff and they have a list of providers and will determine what providers meet compliance. KDADS cross-walked this with the regulations and determined that those that meet the requirements by regulations. They'll do a sample pull of all depending on the number of provider sites. A report is needed by July 31, 2016. Codi and Janelle are reviewing the tool and they will share a copy out. There was a tool developed by the workgroup and presented to KDADS and leadership, they would be using this. There may be some additional questions. After review, this will be posted on the website. They did this cross walk with all the programs (IDD, and all the others), they would be able to call out those that are missed by regulations. Ties back to the last topic, can KDADS work with CDDOs to help understand the issues and we and KDADS collaborate together would be good.
7. **Financial Eligibility Update:** Had a discussion on the transition from DCF to KDHE and are currently getting mixed feelings on how this is going. How to trouble shoot the issues - getting determinations completed in a timely manner, eligibility impacted in some way and getting Medicaid eligibility restored, etc. Sometime this is difficult, mainly with Medicaid eligibility. CDDOs should follow the KDADS procedures. A Spreadsheet/Communication came out from KDADS on this point. KDADS asked if there is a change on referrals. Most referrals do not come from DCF. The issues are mainly with initial applications and re-determinations. There was a request to have this information again. KDADS said they will get this resent to all the CDDOs.

There is a release / consent form on the KDHE website for the case manager to sign in order for KDHE to talk to them. CDDOs could use this consent when there is no TCM. KDADS will include this information to the CDDOs. This relates to the clearing house, two weeks for a call back, only to find the TCM was not on the list so they couldn't talk about it. This is a HIPAA requirement from KDHE.

The screens in KAMIS - is that coding done by the clearing house? Yes. If there are problems with this, CDDOs should contact Russell Neitler. If not Russell, contact Laura Leistra. Print a screen print and share.

Applications for those with HCBS coding, some are sitting on two months at the

clearinghouse because a consumer has not submitted the Medicaid application. If folks have funding (crisis or WL) please follow up to ensure they are submitting the application in a timely manner. Until this is in policy, KDADS has been lenient regarding the time it takes to submit the application. There was much discussion on the process.

Updated Parental Fee Program: This still is in existence. KDADS is working on a change in process so this can be tracked. KDADS will be developing a brochure as the prior version is old. Communication will come out to the CDDOs on this. Some parents were paying the fee and some were not. KDADS is looking at this to streamline this process (came about within the last month). The notifications have been spotty, some paid and the checks were not cashed, there are issues that are being worked through. There would be no intention to go back and collect back payments. The messaging to parents is that there is a parental fee program and more will come out when this is finalized. If CDDOs have thoughts and ideas on this process, please send these to Laura L and cc: Susan

8. **DOL – Self Direction / Guardianship:** The Enhanced Care Policy was just finalized. There was a question regarding Individuals living in the home. We don't know how many folks this is occurring with and KDADS is needing to figure out this issue and knows it is an issue. Helpers Inc had spoken to MCOs and they are not aware that an exception was needed and did not know where to put this on the ISP. Need clear direction on this. The effective date on this is 1/1/16 and some have been paid since 1/1/16. If the MCO wrote the authorization, it does not need to be this on the plan. KDADS will clarify this with the MCOs. There needs to be an exception on file, so this issue will need to be worked through. The effective date on the policy is a problem. George V shared KDADS could make a policy addendum to back to the 1/1/16 date and clarifies this so we are within compliance.

The Overnight respite rate is too low for DOL and minimum wage. The new rate is now \$78.30, the same as ECS, effective 3/1/16. Compliance is targeted for 1/1/16 but the approval is until 3/1/16. Overnight Respite is minimum of 8 hours and maximum of 12 hours. ECS is a minimum of 6 hours with a max of 9. hours. Language needs to match for both services. Susan and Laura will look at this.

The minimum age was 16, then moved to 18 and now back to 16. Current waiver states that the individual has to be 16 or have a High School diploma/GED. The sibling reference is gone.

Policies: A question was asked about how quickly policy changes can be made to the KMAP manual. The last update on KMAP manual was 2012. IDD manual is not current. The final policy on the website is the most current. KDADS stated that with all the changes, they are working on policies and that the policy should match the waiver.

Conflict of Interest policy - Unless there is an authorized representative for a, a DPOA, the DPOA cannot be paid. Expectation that guardians as paid caregiver must also have a document from the courts. (An excerpt from the policy reads: "Legal guardians and

activated durable powers of attorneys for adults receiving home and community based services must designate a representative to direct the services of an individual the guardian or DPOA represents and provides paid supports to, when a Conflict of Interest exists."). There is a court process to verify no Conflict of Interest and has been known to cost \$1K to \$2K. A guardian can potentially be a paid provider. An authorized representative cannot be paid. The collection of the court statement is the responsibility of the FMS provider and the MCOs. KDADS will be following up on this MCO issue using the Conflict of Interest form.

9. **Shared Living:** KDADS shared an update and there is legislation out there regarding regulations to address this. At this time, KDADS is not approving Shared Living. SB 422 is that piece of legislation. The desire is to move this forward with Shared Living. If a provider passed away, then the individual can shift to another arrangement to continue services. If there is a crisis, please let KDADS know. New Shared Living homes can only be approved in a crisis situation. KDADS will share the criteria on this. Send these requests to Susan (they were going to Brandt) and Susan will work with Janelle.

10. **KDADS Computer Systems:** Recently KAMIS has shifted to a new platform and information is shifting over. The first transition, the employee timesheets, then AIR reporting and over the weekend, the other web applications switched over. The response time has greatly improved. The new server is in the Landon building.

Regarding the notice of action (MR forms), Susan talked to the legal department and they will be making language changes and figure out where the letter should come from. The process for sending out MR forms will stay the same for now.

11. **ClearingHouse:** Do we expect the wait times to improve? The wait times are 25 minutes to 3 hours. These are expected to go down. Please capture the issues on the spreadsheet from KDHE. Providers are the bulk of their calls. The access to consumers is another issue. KDADS is aware of the concern and is working through these. SDSI reported that they are not getting notices of client obligations since going to the clearing house. This issue will be shared to KDHE leadership. There may be a need to go on to their website and sign up.

12. **Myers / Stauffer Rate Study:** KDADS does not have any information they can share at this time and did not know when the information will be released. Is there a timeline noted in the M/S study? KDADS will double check this. It is currently with fiscal department. The deadline for providers to submit their information was September 2015.

13. **EF Funding:** MCO and legal reviewed the policy on Monday and will review it at the KanCare policy team meeting next week. Brandt incorporated the feedback. It may be next week before we would hear on this. There has been no movement for anyone sitting on that list for 3 years. The MCOs have said that they are waiting on the policy.

14. **Crisis Funding:** Laura has been forwarding crisis requests to MCOs for suggestions/recommendations. This process is taking longer. KDADS encouraged CDDO to loop in the MCOs into the crisis process. A crisis policy is in the works as well as the Waiting list policy. Not expecting to change the process, but verifying that this is streamlined. SED people have taken a great deal of time, and KDADS is working to figure out the barriers. Attendant care is available under the SED waiver. KDADS is reaching out to CMHC and the MCO so that kids can get their needs met with current services. Should only access IDD if they cannot get PCS services any other way. CDDO should reach out to the MCO to see what they might do. If MCO says they cannot help, then put it into the crisis request.

Re-writing on crisis policy, CDDOs are willing to help - to meet on KDADS schedule. This rewrite will involve PD and IDD, etc. What is designed for now, could be effected by Waiver Integration.

15. **CDDO List serve:** The updated list was vetted and will be share.

16. **Conflict of Interest in KDADS / CDDO contract:** *(this topic was not addressed).*

17. **Exceptions / Expectations:** *(this topic was not addressed).*

18. **Alvarez & Marsal (A/M) Study 1/12/16:** There are no plans within KDADS to move forward with any consolidation of the CDDOs.

19. **KDADS / CDDO Contract Negotiation Dates:** Extension discussion is on the plate and KDADS is considering using the same contract for next year. This is under consideration and we should know more next week.

20. **Capacity Building:** KDADS will look at this again and evaluate.

21. **Complaint Tracking:** Form change was under way and this will be checked by KDADS.

When someone leaves services, CDDOs are not sending the 3161s. At the last training, there was mention of a policy (KDHE) being worked on and an electronic tool (which is now on hold). KDHE is moving forward, but this doesn't effect us. Going forward, when someone terminates services, KDADS will take care of the 3161 and CDDOs only do Notification form.

22. **KDADS Policies - Status Update:** The Background Check Policy is being reviewed by legal. A question came up about the HOC process (presented at an earlier training). They are needing to hire a new person. KDADS does not know the status at this time.

Authorization for Day Supports during Inclement Weather: Laura forwarded the requests to the MCOs as approved by KDADS. If a CDDO submitted a request, they have all been

approved. She will send a blanket email to approve previously submitted requests. From this day forward, Laura will respond to the CDDOs when approved as well as send notice to the MCOs.

23. **KDADS Reports:** How many are in services? Number of WL served? How many crisis? Number of persons on the Waiting List? These are out on the website and go out in the middle of the following month. The link will be shared by KDADS where this can be found.
24. **Minutes - Posting (October 1, 2015 and Minutes - December 17, 2015):** These will be posted on the provider side of the website.
24. **Future Business Meetings:** Next meeting will be May 5th, 2016 and it will be scheduled for the morning (9:30am - Noon). Laura will send an email to confirm date and time. Laura will locate the room.