

## **KDADS/CDDO/STAKEHOLDER'S MEETING**

October 1, 2015

KDADS staff and CDDO staff met on October 1, 2015 at the New England Building in Topeka, KS and also by conference call. Greg Wintle, Program Manager with KDAD, opened the meeting with roll call and introductions. All CDDO's had a representative present for the call. Greg reported that Ashley Kurtz, lead staff for the Waiver Integration, Kris Brand, lead staff for SWQO, Brandt Haehn, new Commissioner of Community Services, Kimberly Pierson, now HCBS Director.

### **KDADS Organizational Structure Update**

The first topic on the agenda was: KDADS Organizational Structure Update. Greg Wintle asked Brandt Haehn to provide the update on this. He reported that there is a revised organizational chart with changes, new positions, roles-responsibilities etc. in process that should be available soon. This will be posted on the web site when it is final. Haehn explained some of the changes. In their commission at KDAD's there will be HCBS, Contracting, oversight of KNI and Parsons, and other changes that have not been finalized yet. He stated that they are trying to get organized before posting the new organizational chart.

He was asked if there are any open positions that won't be filled. He replied that they have been able to combine some other waiver positions, but they can't do this in the I/DD waiver. They are re-organizing areas. The SED waiver will move to behavioral health. When this happens it will move departments and the salary amount, but not a person to fill the position. They recently filled the PACE position. He will be doing a session at the InterHab conference so he can provide more info then.

Haehn also stated that there are 7 waivers serving thousands of people and only 7 staff to manage them. He stressed that they want to provide good customer services which requires deciding what are the most important issues to tackle first. They have established that getting people into services is first before policy or organizational charts.

### **Waiting List Update**

The Waiting List technical problems are a big issue. Brandt said Greg has worked hard to clear up problems. Sedgwick and Johnson county staff have helped him. He has identified a couple of glitches in the system and with correction this has helped to show people who were missing from the list as "waiting". He said there was a link that was missing at the top of a page that would say "waiting list". Because it was missing, people were showing as "pending". They were on the list but not showing in KAMIS. Some CDDO's have been changed now.

He said CDDO's should be sure and check the "waiting list" box when entering assessments because that is causing the majority of problems that he is currently cleaning up. If someone is a new assessment, be sure to mark the waiting list box and then a few weeks later go back in and check if the person shows up on the list. If they don't, let Greg know.

Greg has 16 lists to correct, 11 are done. There is a problem with people who left the waiver, apparently a form was sent to DCF by the CDDO but never inputted. Greg will have to correct these one at a time. He will work with each CDDO until all problems are cleaned up. His plan is to solve a problem once for each CDDO area, then go back to the top of the list and do it again. He had requested that CDDO's e-mail him with corrections to their waiting list but hasn't received them from all CDDO's. Those who haven't sent a list of names that are missing need to send one now or send an e-mail saying "we're good" if your list is accurate.

Greg said they are finding that a lot of people who aren't showing up are people who had only 1 initial assessment prior to 2010. He is running a pending Waiting List twice a week. Within a

week CDDO staff should see if their person is on the list.

A question was asked about the WL detail link "contact KDAD's". Greg explained that this means the person is on a waiver and waiting on another list, like the TA or SED waiver list. They are going to stay on the current list, but that's why CDDO staff are seeing this.

Sherry Arbuckle asked what if someone declines the newest waiting list funds? Greg said they can go back on the list 30 days after they decline, but Greg has to manually do this. They are behind in taking people off the WL who have declined or accepted. Tier 0 people who become eligible also have to be manually entered. The date people were assessed is the date people should appear on the WL. It is OK to send Greg an encrypted e-mail instead of a 3160 to add someone to the WL.

Greg is now focused on getting people into service, not on these other issues. He now has 150 people to take off the WL. The WL is volatile at this time. Sherry Arbuckle asked for a KAMIS WL at some point so that it is easier for CDDO's to check their list. Dee Staudt asked "What is the time table for corrections?" Greg said there are 5 to 25 people per CDDO to correct in the system. Greg said right now 90% of his time is devoted to waiting list or crisis. He wants to make sure the system stays without glitches. Brandt's goal is to improve the system. What will it take to keep the system clean, without glitches? That is the last step, to make recommendations so that glitches will not occur.

Greg reported he has 38 people out of 150 to 175 names from June that he hasn't heard from so a second offer of service for waiting list funding letter will be sent. **Stephanie \_\_\_\_\_** with SACK asked if they would consider seeking help from SACK to use "plain language" in the letters as consumers/guardians don't understand the letters. Greg asked "Is this when we offer funding?" SACK says it is, and for both PD and the I/DD letters.

### **KDAD Policy Update**

Regarding updates to policies, there were a group of policies that CDDO's were given the opportunity to respond on. Greg has the comments and will make recommendations to Brandt Haehn. After a decision is made, they will be posted. The second set of policies was not I/DD specific but KDAD specific. KDAD is reviewing the comments internally.

### **Crisis Policy**

When Brandt first started in his new position, there was a high number of crisis to review. He received many calls and e-mails about the length of time before approval. He said their issues were internal issues. Previously, crisis requests were reviewed together by Greg and two staff. Now they are doing it a different way. When a crisis comes in, it is reviewed by Greg first and if Greg says "yes, it's a crisis", then the decision is made. If Greg says "no, it's not a crisis", then it goes to a second staff for review. If they say "no, it is not a crisis", then it is done. If they say "yes, it is a crisis", then it goes for review by a third staff person whose review will break the tie.

KDAD is requesting that to speed up the crisis approval process, CDDO's should only submit situations that are obviously a crisis meeting the set criteria. Utilizing the PUNS by CDDO staff will help in determining whether a situation is a true crisis. Greg reported they have implemented a very efficient KAMIS upload utility. Except for a few CDDO firewall issues that have slowed the upload process, it is more efficient than encrypted e-mails. Other than a few unique cases where people are coming out of the State Hospital or jail, they are processing crisis requests in 10 days. He stated that KDADS can't rush these unique situations as they need time to make sure good planning is in place for when the person is discharged. They are asking providers what staffing is in place, who are they living with, etc. to make sure there are no safety issues. They are working on 4 of these type cases and sending NOA's out today. Tim Woods stated JCDS is having trouble with the upload utility tool. They are working

with the Help desk. Sherry Arbuckle reported that crisis regarding jail situations is getting approved, but there is the problem that the person can't apply for Medicaid until they are out of jail. Providers have to take folks knowing that they can't get paid. Greg said this is a KDHE problem and they will discuss it. Greg also said they can't send 3160's until discharge at the State hospital. Greg pointed out that when crisis is denied, the Notice of Action states an administrative reconsideration can be requested. There needs to be new or additional information for them to re-look at it, not just that "you don't like their denial". People can also file for a Fair Hearing and need to follow the guidelines for this. They encourage folks to do administrative reconsideration. A question was asked regarding where do we find the approved PUNS tool used to determine crisis? Greg stated he sent it once but will send it again. Also where is the Shared Living policy at? Greg says it's in the mix with other policies.

### **Shared Living**

Sherry asked Brandt if there is a moratorium on shared living placements again? Brandt stated he is trying to gather all the pieces. He needs to know where we are at and what is going on before the State can offer direction on a manual. It was stated that there was a shared living work group that had worked on a manual and were ready to release it and were told they couldn't release it. Cliff Sperry said when the time comes, there were still corrections needed to this manual. Brandt said they need clarification as to when a home can be added. The question was asked, "Can current providers add a home if the State comes out to approve it?" Brandt said he first needs to know what shared living is out there? He explained the State needs to look at what's going on before approving new homes. Someone stated that there is shared living provided in Cowley Co. and so people know this and want it and ask a provider to provide shared living, but then the provider isn't allowed to. Brandt stated he knows this and has to ask "Do we stop it?" He wants to look at it more deeply. Dee Staudt restated "so if a provider is currently a "shared living provider", they can add a new home if State approves it?" Brant says that is their working understanding, but there is nothing on paper. Kris Brand, new Quality Oversight staff, stated she gave her staff permission to do walk through's that were already scheduled, but if not scheduled, they can't until Brandt and Kris have time to review a request. QO staff will be meeting soon to discuss what Shared Living is out there. Dee stated there is a significant problem with where authority lies regarding Shared Living. Brant stated they are trying to be as consistent as they can, but need time. Kris said "Providers are moving folks without approval. That can't happen." She further explained that providers can't move folks, even in crisis, without approval. She said this problem blew up overnight. Brant restated they need to know "What do we have available?", "What are the issues?" and "What can we do about it?" KDAD must make the right decisions for folks getting services, and for pending services. Brandt stated that all involved know the shared living service exists, but both sides need to be on the same page. A CCDS staff stated for clarification, "if you are a current provider, you can continue doing it? What if a new provider wants to start doing it? Can they fill out the paperwork to do it?" Brandt restated that's what they're investigating. CCDS asked what if a provider is put on hold and are losing customers to others who already have that service. Brandt said there is a lack of documentation and they need to take a good look and decide how to move forward. He was asked "What is timeline"? He said they are meeting on Tuesday and will put out any updated guidance.

### **Integrated Waiver Update**

Greg Wintle next introduced Ashley Kurtz who is the lead person on Waiver Integration (WI). She explained that work groups met for the first time September 30<sup>th</sup> with 100+ people in attendance. The whole group met in AM and in the afternoon broke into 5 different focus groups which were: Access, Eligibility, and Navigation, Service Provision and Limitations, Licensing and Provider Qualifications, Policy, Regulation and Review, Education, Training and Information. Each group elected

chairs and co-chairs. The same four questions were discussed in each group. These were: 1. What is currently going well across waivers?, 2. What needs improvement?, 3. What would you like to see changed/improved as a result of waiver integration?, 4. What are your concerns about waiver integration and how can these be addressed as we move forward? Following the small group discussion, each group had 5 minutes to report their findings. Ashley said the group will meet again October 13, then Oct. 21, and the last meeting will be October 27. Focus Groups have the option to meet more often to pursue their area. They are hoping to get done in October. Ashley also explained that if a person applied to be on a focus group and wasn't chosen, that person's info was provided to chairs, if you gave permission, and the chairs can ask you to participate in their focus group sessions. Sherry Arbuckle asked if committee members can get feedback from co-workers. Ashley responded "yes" but they want names so that credit can be given. Ashley said draft minutes will be out soon. She was asked when the draft amendment will be published, she answered that there is no definite date but it should be soon. Dee Staudt stated that the focus groups will have to do a lot of work in month of Oct. and some of it needs to be done outside of focus groups. Ashley stated the next topic will be "quality". The proposed timeline to implement the waiver integration is July 1, 2016. Ashley said all work group info will be provided on-line. In November, the State plans to do public sessions on the topic. Concern was expressed that all issues needed to be worked out before implementation. Ashley stated that there is a representative from each of the 7 current waivers on each work group.

Tim Woods asked when the draft Waiver Integration will be published for review? Will it include a timeline? Ashley answered that KDHE is doing draft and Becky Ross has said it will be out in next few days. July 1 is still the proposed implementation date, Becky has said if the State is not ready July 1, 2016, they won't go. KDHE is hoping to send their proposal to CMS Jan. 1. Becky Ross had explained at the work group meeting that the difference in applying for an 1115 Demonstration waiver is there is no application template to work with like there is with the 1915 c. The 1115 application is very open and so this makes the process slower and more complicated. Ashley stated all work group information will be posted on KDAD's website for review. They are trying to get as much feedback before the November phone call with CMS.

### **Statewide Quality Oversight**

The new State staff in this position is Kristin (Kris) Brand. Her phone number is 785-296-4737 and her e-mail [kristin.brand@kdads.ks.gov](mailto:kristin.brand@kdads.ks.gov). Kris said she has relocated from Indianapolis. Her background is in Medicaid Waivers. Her experience includes managing a group home, service coordinator, eligibility determination, supported living program manager for FE waiver, and the last 5 years she was an administrative law judge. She said she will need from CDDO staff any assistance and education we can give. She feels she is quick to respond to e-mails and has already dived in to the Shared Living topic. She is also learning about new license application procedures and renewal applications. They are still looking for a coordinator so she will be the contact till then. Carri McMahon asked if Quarterly Data reports were still needed as CDDO's are currently not reporting this data. Greg stated they needed to look at what we were tracking and see if it is valid data then ask the QO group for guidance on what would be good data. He stated they will probably not have separate QO meetings but will discuss QO topics in the CDDO meetings for now. Dee Staudt asked Kris when they will replace QO staff in Sedgwick Co? Kris responded that she has been in touch with HR and also Q wants openings filled. They have 3 potential people, but they can't post the opening yet as there is confusion as to whether these positions are still KDAD's. Their hands are tied till HR releases the opening. It is a top priority for her to fill these.

This group meets the 3<sup>rd</sup> Monday of the month. For the last several months they have been reviewing an assessment instrument each meeting. They have done the SIS, ICAP, NARI??. A small work group does the review ahead of the meeting and comes to the meeting and reports strengths and weakness of the instrument. KU takes the feedback, answers questions, and gathers more info for the next meeting. The next phase of this work group is going out and meeting with assessors, consumers, and caregivers around the State. They were in Hays and met with assessors then with consumers. They will be meeting with JCDS Oct. 30, Wichita Oct. 23, and Salina Oct. 27<sup>th</sup>. Following this KU will move into the phase of writing the report by the end of calendar year. KU will provide their findings, make suggestions of next steps. KDADS will take that information and will then need to make some decisions. KU will begin doing some training in the spring. A question was asked, "Will the global waiver impact the findings?" Greg said "no". Sherry Arbuckle asked if the entry points into the system for the waiver will stay the same? The answer was "yes". The CDDO will still do assessments. Only the tool will change, or the current tool with changes may be chosen. Eventually they will look at piloting the chosen tool. *A comment was made regarding contract language but neither Susan nor I caught it.*

### **Approved HCBS Waiver Update**

CMS approved the 1915c waiver document back to June 30, 2014. It was explained that the current waiver had to be approved before the integrated waiver could be applied for. Cindy Wickman asked the question "What changes will be implemented now as a result of recent approval of the IDD waiver such as the military exception and when will those changes go into effect?" Greg said he will **provide this info in the minutes** to be sent out. He will send the exact waiver language so CDDO's can move forward with any military families with a person on the waiting list. Elizabeth asked if it will show up on KMAP screen? Greg said KMAP shows military insurance on the eligibility website. Greg said if we have specific questions regarding re-approval of 1915c, send him an e-mail.

### **Conflict of Interest**

Kathy Brennon asked "Is case management considered a direct service?" If so, would it apply to the natural guardian (parents of child) vs. the court appointed guardian? Greg said he needed clarification on this item. Kathy pointed out Conflict of Interest language on pg. 18 of the contract, 1 and 2. Kathy said it states that you have to go to court and get this resolved, or get a new guardian, or appoint a new representative. Greg found the language which states "A CDDO owned operated affiliate cannot .....". Kathy asked what if their funding is mil levy or State Aid, how does this language affect them with this type of funding? Greg said he will take this question back to legal staff since Greg Wright wrote the language for the contract. He will then **(follow up through minutes or send e-mail)**.

### **Supported Employment**

There was discussion of the contract exceptions for supported employment after a VR case is closed. Phil Bentzinger explained that he thought the contract exception might be underutilized. He stated the MCO's say CDDO's don't understand the options. He said CDDO's are dealing with folks on the WL who decide that instead of waiting for HCBS IDD, they will get a job through VR, but once VR funds are exhausted, they still need ongoing support. There is confusion about the MCO's role in accessing funds for on-going support. The MCO's tell them to first exhaust all other options and families feel this is a goose chase. They also tell them to wait till the global waiver is implemented or the new SSI pilot, etc. The problem is not getting resolved with people on the waiting list but also with people getting SE who have been told to look at working healthy which would take them out of waiver. Greg asked if other CDDO's had similar experiences? Jill felt it was an appropriate topic to discuss since it was an exception in the contract. She restated that CDDO's are confused by

how to access the exception. A stakeholder session with Sec. Donnelly regarding on going supports was held. SE exceptions came up, and a lot of people didn't know what was available or how to access it.

Tim Wood expressed that KanCare had a focus on employment and we still haven't solved the problems. Will there be any more focus on employment outcomes in the integrated waiver. Greg said "yes", but they are waiting on details. Greg says they meet regularly with MCO's, and will ask them about this. Phil Bentzinger stated we need a seamless service with long term supports to keep people in jobs and allow others to get jobs.

### **Complaint Reporting Template**

The question asked was what is the status of the updates to the complaint reporting template? Greg stated he is working on a draft, but it is not ready to be seen yet. He asked for a few willing folks to review it through a conference call. He is not going to have it ready for the first quarter of the fiscal year, but will have it for the second quarter. Kathy Brennan suggested that the form needed the drop down box updated. Carri McMahon asked if she needs to record each time she offers dispute resolution even if it's not used? Is it number of times dispute resolution is used? Or the number of times it is offered? He will get back to her with an answer. The first report is due 20 days after the end of the quarter or on Oct. 20<sup>th</sup>. It was decided that CDDO's should hold off until a final draft of the new reporting format was published.

### **HCBS Bulletin**

A question asked was "What is the status on the monthly HCBS bulletins as CDDO's are no longer receiving them?" Greg said the Bulletins were not meant to be a permanent document, just used to get through the implementation of KanCare. He asked if the bulletins are beneficial? He said State staff are strapped for time but willing to get this started again if folks need it. The consensus was they are a helpful form of communication. Kathy Brennan stated that it says in contract that the bulletin will come out monthly. Greg did not remember that it was in contract and asked for the contract reference. Jerry stated it is Section 11, pg. 19, a.4. Greg pointed out that the time of year affects the need for a bulletin as the State utilizes contract negotiations to clear up issues and confusion. It was suggested that an option would be a "topic only" bulletin. Dee Staudt stated bulletins are helpful, but don't do it just to do it, if it is repetitive info. She didn't feel it needed to be done on a regular time period. Carri McMahon pointed out the web site is hard to use as we can't always find info we need, which made the bulletin helpful. CDDO representatives stated they need training, perhaps a webinar, on using the State website. Greg stated he will give Laura Leistra this feedback.

### **Clarifying Roles in the PCSP – Roles of MCO, TCM, etc.**

Sherry Arbuckle reported that Care Coordinators and upper level MCO's are saying they are being trained to complete PCSP's, taking over from the TCM's. Q has stated on phone calls, when asked about this, that the Care Coordinators wouldn't take over the process but that the process would include integrated PCSP's. This is causing confusion within the system. Greg stated that the calls are more than I/DD specific so the statement might have to do with other populations. He clarified that the PCSP is becoming an "all waiver" concept. The PCSP has been unique to I/DD, but it is spreading to other waivers. Dee Staudt pointed out that this topic came up in waiver integration meetings, so it is bigger than I/DD. Cindy Wichman said Q is doing a presentation on this at the InterHab convention. Greg suggested "let's wait for now and then revisit if necessary". He will discuss it at the KDADS meeting with the MCO's. It was suggested that the State talk with MCO's and tell them to make sure their messaging is matching up with KDADS message.

### **Health Occupation Credentialing**

The question asked was what is the current status and expectations regarding the new background check requirements? How frequently will background checks need to be completed on existing staff? Cindy Wichman asked if there was anything CDDO's need to be doing to prepare for this? Lois Reid asked if an agency has to use the state process if they have a process that meets the same requirements? Greg will check on this also but made the point that he thought the State process was cheaper. Alice Lackey also asked for clarification on whether everyone has to have background checks every year? Greg will check with KDAD staff for timelines and answers to these questions. He will **put the information either in the minutes or send a direct e-mail to directors.**

### **Extraordinary Funds Update**

The question asked was "What is the new process under the MCO?" Greg stated that the EF policy has been pulled due to concerns by leadership. Greg had no update at this time on when it will be put back out. Nicole \_\_\_\_\_ asked "What is the status of folks on the waiting list for EF? Greg will check and get back. These lists were provided to MCO's back in January.

### **DSM IV-5 - Update on implementation**

Greg reported that he had talked with several CDDO's in the last few weeks, and it was unanimous that we should continue to use the DSM IV for BASIS since the only purpose is for info from psych evals. He said that KDAD's determined that changing to the DSM V coding in KAMIS will cost thousands of dollars. It is not worth the cost when using it for one purpose which is as an information tool.

Others questions were asked. Sherry Arbuckle asked "How long are we going to allow using Axis II diagnosis with DSM IV codes?" Changes may impact the eligibility policy. Greg asked members to please send him any questions so they can have a discussion. It was stressed that they need to look for reasonableness regarding requesting new comprehensive psych evals and the cost to families. He stated we haven't touched the eligibility policy since 2001 or 04. It is time for an update.

Due to the change to the DSM V, Dee Staudt pointed out that as of Oct. 1, people with primary Axis IV diagnosis of Asperger's will be ineligible for SED waiver. Will they be encouraged to apply for the I/DD or Autism waiver? Greg said "if that's the only diagnosis." Is there a need for training on these changes? Greg has a potential person to do some training, perhaps a webinar. Sherry asked if we need to resurrect eligibility task force?

Sherry Arbuckle asked if CDDO's were supposed to be doing page 10, VI. B. 1. under Eligibility Determination of the contract yet? She said they are waiting on policy. She said they are doing options counseling, but not uploading because they don't have policy. Greg stated he hasn't looked at this for awhile. He will go back and re-read it.

### **Annual Meeting Schedule**

The last topic was to set up meeting dates for the coming year. Greg suggested the following dates: November 17th, February 4th, and May 5<sup>th</sup>. He said he wasn't sure if Nov 17th will work with other State staff. He will follow up with Kimmi and Brandt and will have **verification in the minutes.** He will post the minutes on the web site or e-mail them. Greg will post the minutes of the last few meetings again as they were lost with the reworking of the KDADS web site. The meeting was adjourned.

