

KDADS-CDDO Meeting Minutes

Meeting Title: KDADS HCBS-CDDO Quarterly Business Meeting
Meeting Date: 9/1/22

Meeting called by	Amy Penrod, Commissioner
Type of meeting	Quarterly
Facilitator	Paula Morgan, KDADS IDD Program Manager
Note taker	Paula Morgan
Attendees	State Staff, all CDDOs represented, IDD provider affiliates. Tim Kaufman was introduced by Sherry Arbuckle as the SCDDO Interim Executive Director.

Topics:

Presenters:

Agenda Item: Minutes, Paula Morgan reports – The CDDOs reviewed minutes, which review was completed by 4/1/22, and then uploaded to the KDADS website on: 8/30/22.

Agenda Item: KDADS Updates, Amy Penrod, Commissioner

Topic: Waiver Amendment Public Comment Period Waiver amendments public comments closed yesterday. KDADS will be reviewing comments received for response to CMS.

Topic: August Budget Meeting: A lot of good feedback of stakeholder priorities was provided. Among the most relevant topics received were: provider rates, as well as TCM rates, as a state plan service. Waiver capacity was another topic. We are in the thick of budget work, and will be going to Governor’s budget hearing mid September.

Topic: Upcoming Meetings:

Bethel Committee is scheduled for September 27 and 28. It will be live streamed on the KS Legislative website. If interested in providing testimony, reach out to the KLRD--Kansas Legislative Research Department.

IDD Interim Committee interest: Rep Will Carpenter is working this committee. 3-day meeting work dates will be set, but no dates set yet for this committee work. The dates can also be tracked through the postings on the KS Legislature website: http://kslegislature.org/li/b2021_22/committees/ctte_spc_2022_special_committee_on_intellectual_1/ .This work will help address the long waitlist. The work will take place this fall. We will pass along any new/additional information. The information will be passed along via Listserv. There will probably be a lot of discussion about potentially adding to or creating a second waiver.

Agenda Item: Managing the IDD system, Sherry Arbuckle, SCDDO
 Sherry presents concern about IDD system and grounding CDDOs/partners in principles in the DDRA. One of our key roles is to manage the system, the system designed to help IDD system, no matter what funding stream is. Sherry states that we need a clear vision that is inclusive of all the population. There is transitions in the community and at the state...new people and seasoned people (with the history/background) are coming and going. We are all partners in this and need to be at the table (working together). There is a need for a clear vision based on our core principles.

Discussion. Outcome: Amy Penrod indicates: Operations meeting on calendar to springboard our focus of next meeting. We will place this on the agenda as major item.

Agenda Item: State Aid payments, Nicole Hall, Butler Co. CDDO.

Nicole presents this as an old topic, indicating old pay rates.

Amy Penrod response: in reference to CDDO admin rates, we are close to new amendment signatures. You have all experienced length of time to get through concurrence. We will hand-hold through process. Your payment rates will change via Administrative Amendment effective: July1. The differences between two will be dispersed.

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Agenda Item: EPSDT KDHE Training for Access, Mieke Hoeffner, DPOK. She thanks Laura Leistra and Paula Morgan for helping her CDDO through items. She asks for an update around that training.

Amy Penrod: We have had a lot of CMS feedback directly indicating that EPSDT should always be first.

This is a topic that the Medicaid director has embraced and digging into further (what other states are doing). There are on-going discussions working to smooth out that process. We'll encourage EPSDT as vetting (in the crisis process) as potential 'available funding' and look to Paula and Laura regarding that approach. This relates to 0 to 21 and Medicaid eligible folks in crisis.

Sherry: asks what Paula is doing to help.

Paula: describes her assistance in working directly with the MCOs for Medicaid-aged clients 0-21 to access EPSDT, especially for crisis-exception requests.

Agenda Item: ARPA funds, Jerry Michaud, DSNWK: He thanks KDADS for getting item moving.

Amy Penrod: It was Mandy Flower's team that worked the ARPA funding. The MCOs have distributed all of the funds to the providers. We have seen that the providers are getting bonuses to workers. There is still a little time to do dispersement before closure of program. One MCO, Aetna, was a little late getting out dispersements, due to an amendment needed to ensure coverage of all providers, but they did get caught back up.

Agenda Item: TCM update, FMAP and budget, Jerry Michaud, DSNWK. He indicates a desire to have an update about the rates.

Amy Penrod refers to Mandy Flower as managing the project. We are actively trying to fill the FMAP position, one who will be responsible for TCM-related projects.

Amy shared the need to keep working on this model that this structure and funding is sustainable. The state is using the FMAP dollars to look hard at this and strengthen TCM in Kansas. There were many comments made about the insufficiency of the TCM funding. Providers are at a loss of hiring staff at the current rates. This issue was noted in the KDADS budget hearings and likely upcoming in the next session, however, no fiscal relief would be possible (pending action in the legislature) until 7/1/2023.

We have heard and understand that we need to be looking at TCM service, making sure that we have a model that continues to work for the participants in KS, that is sustainable, rates, administrative work compensation topic. We want to use FMAP to build sustainable system for KS. We haven't had a lot of discussion, other than rates. We want an opportunity to bring stakeholders together. Now that we are closing out focus on FMAP dispersement, we can focus on other projects.

Agenda Item: Waitlist Status, Jerry Michaud, DSNWK

Jerry indicates that he wants an update on the IDD waitlist.

Amy Penrod indicates that the waitlist study project is in RFP process, and therefore can't give any additional information yet. There will be plenty of opportunities soon. The waitlist is a driving project of the IDD Modernization Legislative committee. They want to focus on IDD waiver, and what we can do about waitlist.

Paula Morgan: provides the following update on the July 2022 waitlist offer round:

8/31/22 stats:				
9 removals: 8 non-response, 1-didn't want to pursue the waiver				
41: acceptance (1 was assessed, then decided against pursuing waiver)				
35: assessed.				
16: pending 3160s at KDHE				
3: KDHE 3160 approvals				
10: waiting for assessments				
11: waiting on my 3160		4:waiting on CDDO PPOC		

Current offer round: Offers were made to (part of 8/13/12) people waiting since 8/13/12.

WL Clean-up: 8/8/22 WL clean-up lists with instructions went out to CDDOs 8/10/22, and are due back by 10/12/22, COB.

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Note: If you have accidentally hit 'waiting for services' as 'no,' do NOT submit a kamis PR to fix it. Please upload a CDDO notification form/aka PPOC to the IDD Upload utility requesting waitlist add in the form's comment section.

Update: In reference to sending quarterly State Aid and CDDO Administration reports: send to me, Kaitlyn, and Bart Baxter. Email addresses to be sent out in meeting minutes, in the reminder bottom section.

PPOCs and information entry in KAMIS: Never use 'placeholder' numbers. Use only verifiable data.

Agenda Item: Final Settings Rule, Jerry Michaud, DSNWK

LaTonia Wright, KDADS, provides update: quick overview. Final Rule federal requirements are another layer of protection for participants receiving home and community based setting services. I have dropped the website page into chat: communityconnectionsks.org

March 2023 is the deadline for being in compliance with CMS. We have and will continue to hold monthly Stakeholder calls. Community Connections site is solely used for Final Rule. It will be closed out by the end of the year. Make sure that you are on KDADS' Listserv and Community Connections listserv. The compliance portal opened this year on July 1, 2022. This is the HCBS compliance portal for either existing providers with new settings or new providers that need to be assessed. Providers with new settings or a new provider have to use HCBS Compliance portal. Any questions, reach out to me at latonia1.wright@ks.gov

The team is working hard on remediation. Deadline was today, September 1st. I will pull list of those providers that are non-compliant. If the providers are in both portals, they will need to talk to me. Send all provider questions to me. At 12 noon we will see if more time is needed, and will pull list around that time. I have sent out updates to CDDOs last week. We do unfortunately have providers with heightened scrutiny only (with CMS review) on the list. We held two transition sessions in August. Non-compliance settings can bill until March 17, 2023. Notifications are part of the CMS required transition phase (starting 9/1/22). Last highlight: our State compliance: IDD field was 94% overall compliance with settings. Aging is 47% (adult day – home plus); 81% -- Child placement agencies; Overall 90%.

Agenda Item: Workgroup Updates, Jerry Michaud, DSNWK

Operations (Mark Hinde): We have a work plan that we picked back up from beginning of 2020. The Functional assessment workgroup under us has been meeting.

Functional assessment (Steve Sandoval): We are working through the manual and interpretation and training, and the operation of that process.

Eligibility (Tara Cunningham): We are waiting on policy. We identified a need for additional training from Sean Swindler, Linda Heitzman-Powell. (Paula): Eligibility Policies review are in process with Seth Kilber, then information from that review will be presented to the workgroup.

Complex Needs: (Paula Morgan) An in-person meeting is scheduled for 9/13/22. Our goal, with our 3 topic workplan, is to have recommendations to present to internal Behavioral Health workgroup headed up by Scott Brunner.

Walk-on Agenda Item: MFEI Algorithm and Tier rate, Sherry Arbuckle, SCDDO

Sherry wants to know if we need to have a discussion on what a rate system would look like, and what options to look at, so that the MFEI doesn't get stalled out as an assessment tool. Sherry A raised the question because of the problem with the algorithm working with our system (as it cannot be tied to rates). It was suggested that we can spend some times on what does a strategic view look like going forward. The issue is how to handle the rates given the MFEI is not inclusive of the rates. How could this be handled? This is a conversation that needs to be had, laying out the steps for this moving forward and could be a hard/difficult conversation to work through. With a big picture view, looking at the DDRA and our job to support people with disabilities (access, getting supports, etc..) the MFEI was moving toward establishing a tool focused on what the person needs, with a plan around the person. Some tools today are deficit based...but perhaps we should vest more time in this. Again, the big topic challenge will be determining how to approach the rate setting piece.

A discussion occurred with possible issues and solutions provided, such as looking at how other states approached the issue. Amy Penrod indicates that she will place this item on the list to review.

Reminder: Quarterly reports due the 20th of the month following the end of quarter. Send State Aid and Admin reports to: Bart.Baxter2@ks.gov (fiscal), Kaitlyn.Urban@ks.gov (PIC), copy Paula.Morgan@ks.gov on the sends. Upload the complaint, crisis and annual reports to the IDD upload. Make sure that it is the IDD upload, and not the General upload.

Next Meeting: February 16, 2023, 9:30am-noon

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Conclusions	

Action Items	Person Responsible	Deadline
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