

**Legislative Advisory Committee for Reimbursements for Services Under Programs Administered by the  
Department of Developmental Services**

April 6, 2010  
Legislative Office Building, Room 1B  
2:30 P.M.

Attendees: Pat Bourne, Co-Chair; Elizabeth Ritter, State Representative; Kathryn du Pree, Deputy Commissioner of DDS for Commissioner Peter O'Meara; Joseph Drexler, DDS; Peter Mason, DDS; Mary McKay, DDS; Ann Foley, OPM; Jerry Brennan, Kuhn Employment Opportunities; Terry Macy, SARAH-Tuxis; Janice Chamberlain, Camp Horizons Program

Summary of Meeting

Handouts: Agenda, Sub-Committee Meeting Summary Report form

1. Review of 3/2/10 Summary of Meeting – Accepted
2. Status Report of Attendance Based Rate System
  - Payments went out as scheduled on April 1<sup>st</sup> for all providers who submitted their attendance. For those providers who didn't submit their attendance by the 10<sup>th</sup> of the month deadline, there will be a supplemental one-time payment.
  - A one-time adjustment was given to providers to help compensate for the short month of February as well as the three snowstorms and two holidays. This will help with agency's cash flow for February while reducing the spike in March payment.
  - February attendance was at 80% even as a short month. 2% of this is for people with zero attendance. The focus will now be on those 78 individuals with zero attendance for both January and February where it's unclear why they were out. Regional staff will be addressing these absences with providers. DDS staff will be educated on options when people can't attend, but only if it's appropriate for the person. While sensitive to attendance issues of the provider, this is also an opportunity to provide supports to families if they need them for an individual who may be out of the day program for a period of time.
  - Agency responsiveness has increased since last summer. There is still some confusion among providers in some areas including signing off on attendance and what the 90% attendance factor means. The rate is based on 225 days, which is 90% of the total number of days (250 days) a client can attend. Agencies will be reimbursed for everyone based on attendance up to 250 days.
  - DDS will be sending out at the end of the week a summary report so that they can key into any attendance issues.
  - Deputy Commissioner Kathryn du Pree indicated that case managers have been kept informed on the attendance issues and have been asked to share the information on the DDS Website with families. Due to economics, the Department has not been mailing out issues of Direct to Families but has posted it on the web. For those families who do not have computer access and to be sure all families are aware of changes in day attendance, the Department will do one mailing later this month of Direct to Families which will contain information on attendance. The DDS Council and the Network Coordinators have also been informed so that they can relay this information as well. The Direct to Families is expected to be sent out by the third week of April.
  - The impact on providers is hard to generalize, some providers are affected considerably and their attendance is running low, while others have had a good month and are running over 90%. The estimated range is 70-90%.

- Rep. Ritter would like to know in detail, of the agencies that submitted an application for hardship, where did they fall within the 70-90% range. It would be helpful to understand the different challenges that agencies are facing who are in the lower range.
- Four applications for hardship have been received so far. Applications should not be event specific but rather be based on the rest of the fiscal year. Providers will be allowed to update their application prior to the end of the fiscal year so that an agency will submit only one application for hardship. Decisions on the applications that have been received will be made by the end of April. Statewide group with representations from all the regions review hardship applications. Multiple hardship applications per provider would be difficult for DDS to manage due to limited staff resources and a lack of a system to allow an understanding of how different variables would affect the agency.
- Two things are happening automatically for providers: 1) In the area of Supported Employment, DDS has built in an automatic cap on the cut at 2% to compensate for the impact to providers of this service and 2) Anyone below 80% in attendance will automatically be given the difference to get them to 80%. Based on a 5 month cumulative total, between 10 and 15 providers potentially could fall below 80%.
- DDS was asked if a certain percentage of revenue reduction to be captured determines what will be used for hardship, adjustment to agencies under 80%, etc. The 80% adjustment was always in the DDS projections for implementation of attendance. As the new system now connects from beginning to end, it is anticipated that some savings will also be made through a clean up of the system (eliminating double payments, wrong payments, clients moving out of state and still on contract, etc.).
- DDS agreed to send providers information on how to interpret payments, who to contact with questions or issues, and an explanation on how the Annual Report will be completed this year.

### 3. Sub-Committee Reports:

Sub-Committee Co-Chairs are asked to present at each Advisory Committee meeting a written summary of their committee's activities to be included in meeting minutes. Minutes from each sub-committee meeting should be sent to Maureen Prewitt for future reference.

Medicaid – Mary McKay/Mickey Herbst: Summary attached

LON – Terry Macy/Joe Drexler: Summary attached

Attendance Based/Fee For Service – Pat Bourne/Peter Mason: Summary attached

Information Technology – Janice Chamberlain/Krista Pender: Summary attached

As all Sub-committees will benefit from information on other state's practices, sub-committees are to submit to Maureen Prewitt a list of questions that will then be forwarded on to other states. Kathryn du Pree suggested using the National Association of State Directors of Developmental Disabilities as a possible starting point to contact other states.

### 4. Other Items:

Co-Chair Bourne suggested that an interim report be submitted in the summer to be sure the Committee is moving in the right direction.

Next Meeting: Tuesday, May 4, 2010 at 2:30 P.M., Legislative Office Building, Room 1D.

Respectfully submitted,

*Maureen Prewitt*

Maureen Prewitt  
Advisory Committee Administrative Staff  
Department of Developmental Services