

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

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

Attendees: Pat Bourne, Co-Chair; Peter O'Meara, Commissioner of DDS; Joseph Drexler, DDS; Peter Mason, DDS; Mary McKay, DDS; Jerry Brennan, Kuhn Employment Opportunities; Terry Macy, SARAH-Tuxis; Janice Chamberlain, Camp Horizons Program

Summary of Meeting

Handouts: Agenda, Summary of 4/6/10 Meeting, Per-Diem Attendance Report, Questions for Other States

Senator Harris and Representative Ritter regret they are unable to attend today's Committee Meeting as the Legislature is in session today.

1. Review of 4/6/10 Summary of Meeting – Accepted
2. April Meeting Updates:
 - The issue of Direct to Families containing information on day attendance was mailed by DDS.
 - To date, 6 hardship requests have been received. DDS has been encouraging providers to submit applications. A soft deadline of May 15th was given to try to eliminate all of them coming too close to the end of the fiscal year. Providers have been told to not rush into submitting hardship applications and to wait and see how the upcoming months played out. Some agencies may be waiting until May.
 - Automatic hardship payments for SEI have been going out. In March four providers received a small supplement for going under 80%, however, it appeared that those same agencies went over 80% for March.
 - There does not appear to be any trends to the Impact on providers who have submitted hardship applications.
 - Co-Chair Bourne asked that a fuller understanding of any trends be addressed at the June meeting.
 - DDS is finalizing the issue of Executive Briefs that will include information on how to interpret payments, who in DDS is the contact person for questions, and how the annual report will be completed. It is anticipated that the Annual Report training can be held in September.

3. Sub-Committee Reports:

Co-Chairs of the Sub-Committees gave their reports. Co-Chairs are reminded to send their meeting minutes to Maureen Prewitt.

4. Other Items:

SEI Work Group: Providers indicated that there was a larger impact than originally planned. An immediate fix to the program was made by DDS and the Commissioner approved the recommendation that an agency's loss would be no more than 2%. Looking at information from what other states do, what is involved in SEI, and taking data to continue to pay providers to bill for their normal continuous supports. DDS allows providers to bill for direct support during the job development process. The data will be used to develop a system that creates a reasonable revenue flow for providers as well as for successful job development. Commissioner O'Meara agreed to Co-Chair Bourne's request that DDS have a recommendation from the SEI Work Group by the end of the calendar year to incorporate with the Advisory Committee's report.

Questions for Other States: All Sub-Committee Co-Chairs should send their questions to Maureen Prewitt by May 20, 2010.

Future Meetings: The next meeting will be held on Tuesday, June 1, 2010 at 2:30 P.M., Legislative Office Building, Room TBD. Co-Chair Bourne suggested that the full Advisory Committee not meet in July and August. The Sub-committees should continue to meet during July and August. Co-Chair Bourne will meet with the Sub-Committee Co-Chairs during these months to develop an interim report. The full Advisory Committee will resume in September to review the interim report.

June Agenda Items:

- Hardship Applications
- Sub-committee reports

Residential - Shift from master contracts to attendance-based, fee-for-service reimbursement:

- Joe Drexler indicated that it's been brought to his attention that the language of the Bill isn't limited to day services. The concern is that a fair amount of work has gone into day services and groundwork has been laid that can be built from, however, there is no groundwork for residential.
- Co-Chair Bourne will speak with Senator Harris about this discussion and whether by statute, because there is no clarification, if we can address it and either lay the groundwork for future work to be able to address the things currently in place and make a recommendation to expand it.
- Judy Dowd, Budget Analyst at OPM felt strongly that the intent was to address both residential and day. Residential must be covered as it is the biggest piece of what DDS does and to not include residential would be short sighted.
- The information we are requesting is not specific to day but asking about fee for service and reimbursement structure and it will come to the point of rate setting.
- Some groundwork was laid last spring in the area of non-24-hour supports, and a proposal that was drafted was well received. This area would be in a place more similar to where we are with day and we have a foundation to start from. For CLAs, we could lay out some principals but not actually take it to the point where we have taken day services within the time frame we have. The information on non-24 hour supports is not currently in a report format, however, it can be pulled together for the next meeting.
- Many factors are involved in what we need to consider in the area of 24 hour supports. Trying to take the LON levels and tie them to rates that make sense. Providers have more availability to adjust their operation based on our payments in a day program or non 24 hour support environments. Whereas in residential environments the facilities and codes are structured and they don't have option to make changes. Factors with residential have to be built into the structure so not to create any unrealistic issues for providers where they don't have any tools to solve them. Transition issues that we struggled with in the day area would be even greater in residential. Marrying the dynamics of home size with LON and making it work. No groundwork has been laid for residential as the focus has been on day services.
- The work of the past Waiver Workgroup was recently reviewed, however, it was determined that it would not be helpful as it was very basic and without a lot of detail.
- The IT Hardware/Software Committee has been looking at both residential and day and has been looking at prices for both services. However, there are some issues with the design of a current system for tracking multiple services.
- Co-Chair Bourne asked that as Sub-Committees meet they should be looking at residential as well as day.
- DDS will pull together the information from the less than 24 hour supports that can be discussed at the next meeting.
- Each Sub-Committee should identify either the questions or framework that we need to start looking at to be able to incorporate the 24 hour supports.

Respectfully submitted,

Maureen Prewitt

Maureen Prewitt
Advisory Committee Administrative Staff
Department of Developmental Services