

**KENTUCKY COMMISSION
ON
SERVICES AND SUPPORTS
FOR INDIVIDUALS WITH INTELLECTUAL
AND OTHER DEVELOPMENTAL DISABILITIES**

**March 6, 2014
Fair Oaks, 4th Floor
Frankfort, Kentucky**

MEMBERS PRESENT

Commissioner Mary Begley

Harold Kleinert
Chris George
James Chesser
Brenda Hosford
Tammie Hollar
Jeffrey Rice

Deputy Commissioner Lisa Lee for Commissioner
Kissner
Pat Seybold
Donald Putnam
Stella Beard for Patty Dempsey
Anne Montgomery
Jane Smith for David Beach

INVITED PRESENT

Johnny Collette, Department of Education

MEMBERS ABSENT

Senator Julie Denton
Melissa David
Deputy Secretary Eric Friedlander
Missy McKiernan
Senator Tom Buford
Robert Ryan

Representative Jimmie Lee
Peter Perry

Cathy Edwards
Steve Shannon

INTRODUCTION

Commissioner Begley opened the meeting with a brief introduction.

REVIEW OF MINUTES

Minutes from the 12-5-13 meeting were approved with changes.

**UPDATE: PARTICIPANT DIRECTED SERVICES (PDS) Tonia Wells, Senior Policy Advisor,
Department of Aging and Independent Living (DAIL)**

- The PDS case management provider manual is complete. The goal is to have it on the DAIL website by the end of next week. DDID has reviewed the manual and provided comments to DAIL.
- The PDS participant manual is being reviewed by ARC of KY and is due back to DAIL next Friday. DAIL will send to DDID for review.

- There was a lot of discussion about PDS employer costs for individuals and their family members. Average cost for training and screenings is \$372 per employee.
- Training requirement website:
<http://dbhdid.ky.gov/ddid/documents/scl/TrainingRequirements.pdf>
- The MAP 532 form “**PDS Request Form for Immediate Family Member, Guardian, or Legally Responsible Individual as Paid Service Provider,**” was reviewed. **This form must be completed by immediate family members, guardians, or legally responsible individuals if they wish to provide certain PDS services.**

UPDATE: MICHELLE P WAIVER (MPW) Lisa Lee, Deputy Commissioner, Department for Medicaid Services (DMS)

- The 10,000 limit for people being admitted into the MPW program has been reached.
- The MAP 621 “**APPLICATION FOR MPW WAIVER WAITING LIST**” form will be used to establish a waiting list and has been simplified. It is located at this link:
<http://chfs.ky.gov/nr/rdonlyres/42a8dfd4-0f00-4ac3-9e5e-c68190fe34be/0/mpwapplicationmap621web.pdf>
- DMS is requesting additional slots in the budget and waiver renewal.
- DMS and Behavioral Health are working on a children’s assessment to be used to determine eligibility.
- Chris George asked about a CMS audit that was looking at why so many children were in the MPW program.
- Harold Kleinert asked when the children’s assessment might be available.
- Stella Beard relayed that parents were concerned about possible inconsistencies related to allocations for children in MPW.
- Chris George reminded the committee that Representative Jimmie Lee had made a statement during a previous HB 144 meeting that the MPW program was not meant for children.
- Deputy Commissioner Lee responded to these comments that at this time, DMS is unable to determine if all eligibility assessments are accurate for everyone in MPW. She has not reviewed specific assessments herself and she reminded everyone that the children in the program were assessed using a tool designed for adults and that DMS wants to be sure they are serving the children in the best way.
- Commissioner Begley stated that the history of the program cannot be changed; everyone is moving forward cautiously and as correctly as possible.
- Harold Kleinert asked if there will be similar categories for MPW as the SCL waiting list: Emergency, Urgent, and Future.
- Deputy Commissioner Lee responded that DMS will be discussing the MPW program waiting list issues with Protection and Advocacy (P&A).

- Pat Seybold asked if people were still being assessed for MPW services. Deputy Commissioner Lee said yes.

UPDATE: SCL-2 (Alice Blackwell, Assistant Director, Division of Developmental and Intellectual Disabilities (DDID))

- Commissioner Begley reported that the Department for Medicaid Services filed an emergency regulation - 907 KAR 12:020E (Reimbursement for New Supports for Community Living Waiver Services.) The emergency regulation delays the reimbursement reduction for day training services from becoming effective until July 1, 2014. Since January 1, 2014, and nearly 665 people were eligible to transition from SCL1 to SCL2. About 20% of those people have requested an exemption from conflict free case management.
- Most requests are based on a relationship with their current case manager. There were 7 requests based on distance from a case management provider. There have been fewer than 10 total requests denied for all categories as of the end of February. DDID has not been notified of any requests for appeal of those denials.
- DDID staff Mary Mann and Haley Hammond continue to provide on-site technical assistance. Thirteen (13) case management agencies received on-site assistance from these DDID staff during January and February. There have also been over 100 phone calls and over 150 emails. QA Field Staff provide technical assistance to provider agencies on a daily basis as well.
- The FAQ's will soon be posted to the DDID website. Question should be submitted through the following link: <http://dbhdid.ky.gov/ddid/scl-qa-submit.aspx> Questions will be answered and the document will be updated in "red" on the DDID website: <http://dbhdid.ky.gov/ddid/scl-faq.aspx> as questions are received and answered.
- The SCL Staff Qualification Crosswalk and a variety of other useful information may now be found at: <http://dbhdid.ky.gov/ddid/scl-training.aspx>
- Ten (10) SCL case management provider agencies participated in a workgroup with DDID staff to revise the KY Focus Tool. This tool is used by SCL case managers to monitor the health, safety, welfare, and satisfaction with SCL services and to create the monthly summary note. The revision is being drafted for piloting by these agencies during the spring with statewide training and implementation during summer 2014.
- DDID and DMS staff will be meeting with CareWise Health staff beginning Friday, March 7, to review a sample of plans of care and to discuss prior authorization questions and issues. These meetings will continue on a monthly basis.
- Information on Exceptional Supports (ES): Throughout January and February, DDID received 14 ES requests to process. Of those 14, 10 have been completed, 5 are still in process (1 request is a resubmission). All but 2 of the completed requests were finished within 14 business days. For the remaining 2, more time has been needed due to additional requests for information from DDID. 8 completed requests were denied, 1 was partially approved, and 1 was withdrawn by the provider. Technical assistance has

been provided by Raymond Johnson and other DDID staff to help the person centered teams understand the denials and/or additional requests for information. We have no notice of appeal on the denials at this time. Raymond Johnson is providing detailed TA for a specific provider about the ES process/requests, and will offer this to others as identified or requested.

COMMITTEE REPORTS

Participant Direction:

- Currently reviewing the Participant Directed Services manual written by DAIL.

Community Integration

Steven Shannon was not present. Pat Seybold reported that they have not met in several months and currently nothing to report.

Health and Wellness:

Harold Kleinert reported interviews are taking place for full time Health & Wellness Coordinator and will be hired in the next couple of weeks. The committee is creating a PowerPoint for individuals in SCL.

OTHER BUSINESS

- Commissioner Begley requested that a spokesperson from the Autism Council report each HB144 meeting to update the Commission
- Amy Cooper Puckett, Health Program Administrator, DBHDID, noted that the State of the States report on Autism is available on the CMS website. Information can be found here: **Autism Spectrum Disorders (ASD): State of the States of Services and Supports for People with ASD** HHSM-500-2006-00009I/HHSM-500-T0002 January 24, 2014 **Prepared for:** Sonya E. Bowen Contracting Officer's Representative Centers for Medicare & Medicaid Services (CMS) Phone: (410) 786-5609 Sonya.Bowen@cms.hhs.gov **Prepared by:** L&M Policy Research, LLC 1743 Connecticut Avenue, NW Suite 200 Washington, DC 20009 Phone: (202) 230-9029 MTanamor@LMpolicyresearch.com <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Downloads/ASD-State-of-the-States-Report.pdf>

PUBLIC COMMENTS/QUESTIONS

- Why is CareWise Health only doing 3 month PA's for Supported Employment services?
- When will the HRC/BIC committee dates and times be posted on the DDID website?

Shannon McCracken, President KAPP, would like to have provider representation on any Autism waiver workgroup that may be established in the future.

MEETING AJOURNED

Future HB 144 Commission Meeting Dates:

June 5

September 4

December 4