

Residential and Day Services Provider Forum

July 6, 2016

9:00

Agenda

Welcome and Updates	Alice
Billing changes	Jen
Waiver updates (ADA, Nursing)	Jen
Provider search profiles	Dawn
Red flag/Green flag	Dawn
Certification communication delays	Eric
Gold Standard	Jamie/Cindy
Integration Updates	Eric
Other announcements	All

Next Meeting: September 7 at 9:00 AM
Queensgate Office



Ohio Association of County Boards of DD
Comment on Adult Day Service Package as proposed on 6/3/16

The Ohio Association of County Boards of Developmental Disabilities (OACB) supports the State of Ohio's efforts to empower and promote independence for people with developmental disabilities who want to work and live in their communities. However, there are components of the proposed rules that OACB believes will have an adverse effect on our support system's ability to adequately support people on their path to increased independence. The areas highlighted here, while primarily administrative in nature, are likely to stall current progress being made, inhibit future progress, and ultimately have the opposite effect of which they are intended.

In response to rule **5123:2-9-19** (General Requirements for Adult Day Support, Career Planning, Group Employment Support, Individual Employment Support, Non-Medical Transportation, and Vocational Habilitation), OACB believes that:

- Increasing budget ceilings as proposed would result in a vastly increased financial liability for county boards of developmental disabilities.
- A potential increase of \$15,000,000* in local funding would be required to cover these costs.
- Such an increase would threaten the viability of county boards to adequately plan for and provide services to people during this time of transition and ultimately harm an individual's ability to receive the services and supports needed.
- Such an increase would also limit the state of Ohio's ability to adequately transition to a more inclusive and integrated service model.
- If budget ceilings are increased, then The State of Ohio should fund all **new** services being proposed, including Career Planning (5123-2-9-13) and the 3 service add-ons (Behavioral, Medical, Community). County Boards are unable to fund new services in the middle of a levy cycle, without the adequate time to appropriately plan for the additional funding.
- As suggested in prior feedback, an increase to account for a 260-day service year, as opposed to the current 240 days would be acceptable, as opposed to the ceilings as proposed here.

**Please see attached document for a more detailed accounting of the potential fiscal liability of this proposal.*

In response to rule **5123:2-9-14** and **5123:2-9-17** (Vocational Habilitation and Adult Day Supports), OACB believes that:

- The elimination of HCBS providers' ability to bill services under a daily rate would dramatically reduce the efficiency and cost-effectiveness of the services they provide.
- The proposal that all service units be billed in 15-minute units is administratively burdensome and antithetic to the state's larger vision of streamlining administrative processes in order to focus more time and energy on actual service provision to people in need of support.
- Such a provision would result in the need for additional administrative staff, increased monitoring and accounting of time and billing units, and an ultimate increased cost for HCBS providers, who are already financially vulnerable.
- The focus of these proposed rule changes should be on providing quality services for people that support them in achieving their goals and outcomes. This proposal instead forces increased administrative burden for providers, distracting from the provision of actual service.

In response to rule **5123:2-9-14** and **5123:2-9-17** (Vocational Habilitation and Adult Day Supports), OACB believes that:

- The current ability for a provider to bill both Adult Day Supports and Vocational Habilitation in combination throughout a day can result in a level of choice and flexibility for someone to move between work and recreational activities in a way that suits their preferences and desired schedule.
- The elimination of HCBS providers' ability to bill service under a combination code would be administratively burdensome and ultimately result in less choice and flexibility for a person receiving services.
- Without the ability to bill service under a combination code, a provider would need to further regiment the times and hours that someone could receive either service in order to be able to track and bill these services separately and appropriately.
- This proposal shifts the focus from the person and the supports they receive to the administrative aspect of operating a provider agency.

County boards of DD are committed to working collaboratively with the State of Ohio and other stakeholders to resolve the issues identified above. It is our goal that the objectives of the state's proposals be achieved without negatively impacting the lives of people with developmental disabilities and those who support them.

Thank you for your consideration of our concerns. Please contact us at your convenience to discuss solutions to these issues.

June 22, 2016

Overview of upcoming waiver service changes. Rules with an * on rule number are not final and are subject to change. **Please read the final rule(s) for details.**

Rule #	Topic	Comments/Impact	Effective Date
5123:2-9-02	Suitability of services and service settings	<ul style="list-style-type: none">• Requires a lease or residency agreement in a provider owned or controlled setting• Applies when agency has any connection to the entity that owns the setting• Ensures separation of provider and landlord• Sample residency agreement being drafted by OPRA• Emphasizes importance of community based settings and people having opportunities to be in the community in the least restrictive manner• Emphasizes that waiver services cannot be provided in segregated settings	6/1/16
5123:2-9-39	Waiver Nursing	<ul style="list-style-type: none">• Adds nursing to I/O waiver• DODD pays match• DODD must authorize – requests can take up to 30 days• Must use all other resources first (private insurance, state plan)• Only available for specific nursing tasks (must use HPC with med cert/delegation if the task can be provided under HPC) – must complete nursing task assessment and submit to DODD	7/1/16
N/A*	Medical and Behavior Rate Add-On	<ul style="list-style-type: none">• Will apply to ADA services when authorized in CPT• Automatically applied once approved• Behavior = \$0.62/unit• Medical = \$0.12/unit	10/1/16

Rule #	Topic	Comments/Impact	Effective Date
5123:2-9-13*	Career Planning	<ul style="list-style-type: none"> • New waiver service in the ADA package • Designed to support the person in career planning, achieving integrated employment and the supports needed to achieve it. • Still requires person to exhaust OOD services first, although not explicitly stated • Services include: <ul style="list-style-type: none"> ○ Situational observation/assessment ○ Career exploration ○ Benefits education and analysis ○ Career discovery ○ Employment/self-employment plan ○ Job development ○ Self-employment launch ○ Worksite accessibility ○ Assistive technology assessment • 1:1 ratio • New payment method to include pay based on outcome and required verification prior to billing – unclear how this will be implemented 	10/1/16
5123:2-9-14*	Vocational Habilitation	<ul style="list-style-type: none"> • New definition • Must be over defined period of time & must have specific outcomes • AAI will still be used • Provider will not have to meet ratio to bill, but must have staffing to meet the health and safety needs of those served • No group to exceed 16 • Can still authorize as combo but provider CANNOT bill combo – must bill distinct service for each 15 minute unit 	10/1/16
5123:2-9-17*	Adult Day Support	<ul style="list-style-type: none"> • New definition • Emphasizes integration into the community • AAI same as above • No group to exceed 16 • Can still authorize as combo but provider CANNOT bill combo – must bill distinct service for each 15 minute unit 	10/1/16

Rule #	Topic	Comments/Impact	Effective Date
5123:2-9-16*	Group Employment Supports	<ul style="list-style-type: none"> • REPLACES SE Enclave • <u>All PAWS in place will need to be replaced and My Plans revised – the SE Enclave must end on 9/30/16, Group Employment Supports to be authorized effective 10/1/16</u> • New definition • Can include mobile work crews previously defined as enclave • AAI same as above 	10/1/16
5123:2-9-15*	Individual Employment Support	<ul style="list-style-type: none"> • REPLACES SE Community • <u>All PAWS in place will need to be replaced and My Plans revised – the SE Community must end on 9/30/16, Individual Employment Supports to be authorized effective 10/1/16</u> • New definition • Includes job coaching, benefits and work incentive management, personal care and assistance (personal care cannot be the entirety of the assistance) • 1:1 ratio 	10/1/16
In ADA rules*	Community Integration Add-On	<ul style="list-style-type: none"> • Will be applied when taking individuals out in groups of 4 or less • Add on is \$0.52 • To incentivize providers to provide services to smaller groups and to take them into the community rather than in facility based services. • Part of CMS regulation 	10/1/16
5123:2-9-20*	Money Management	<ul style="list-style-type: none"> • New service • To be used when the only tasks provided to the person is money management activities • Cannot provide money mgmt. and HPC, AFC or AFL to same person • Limit of 10 hours per month • Can include payee duties • Provider must pass test or meet higher qualification standard (master's degree in business/public admin. or CPA certification) • Same rate as HPC 	10/1/16
TBA- New*	Independent Providers – limit on hours	<ul style="list-style-type: none"> • Limits IPs to 40 hours • Only exception is for emergencies • Will be published long before effective date to allow county boards time to resolve existing situations • Requires IPs to disclose to county board all hours they are working under all payer sources (other waivers, state plan) and all counties 	7/1/17