

Les Wagner, President
Boone County Family Resources
1209 East Walnut
Columbia, MO 65201
*(573)874-1995 * (573)443-2864 (fax)*
lesmcwagner@bcfr.org



Missouri Association of County
Developmental Disabilities Services
www.macdds.org

Ann Graff, President Elect
Pettis & Saline Counties, agraff@chs-mo.org

Jan Jones, Secretary
Greene County, jan@abilitiesfirst.net

Lynn Smith, Treasurer
Buchanan County, lgw323@yahoo.com

Deb Miller, Member-at-Large
Howard County, dmiller@endlessoptions.org

Jake Jacobs, Past President
Jackson County, jjacobs@eitas.org

MINUTES
Wednesday, February 22, 2012
Capitol Plaza Hotel, Lincoln Room - Jefferson City, MO

1:00 – 1:15 PM Call to Order: Les Wagner, President

Introductions/General Announcements/Celebrations of Success

Ann reported that they were selected by DNR for one of their recycling grants. Jennie stated that her agency will be celebrating their 20th anniversary this summer and she will be providing more information as it arises. Ron announced that they are celebrating their 25th anniversary. DeKalb County has started doing Case Management. Mary stated her public transportation is 10.

1:15 -- 2:00 PM Business Meeting – Les Wagner, President

1. Minutes from January 2012 meeting
Andrea Purdome moved to accept minutes as corrected. Dan Cole Seconded. Motion passed unanimously.
2. Finance/Treasurer Report – December 2011 Financials (L. Smith). Lynn stated 7 RPOs have applied to renew their memberships. Ann Graff moved approval and Alecia Archer seconded. The motion passed unanimously. Lynn said there have been questions regarding the new dues structure. The Executive Committee voted to approve a two-payment system this year. The first payment is due by March 15 and the second payment due August 1. Les asked if any members had concern about that. No concerns were reported. Janice asked if there was a process for setting aside the bylaws. Jake moved to suspend the bylaws just this year to accommodate a two payment dues structure during this first implementation. Alecia seconded, the motion passed unanimously. Charlie made a motion to approve. Alecia seconded. Motion passed unanimously.
3. **Agency Liaison Reports:**
MARF (B. Barnes), MARF.
Voc Rehab (M. Cook & R. Largent), No report.
Supported Employment (W. Hays), No report.
MO Planning Council (B. Blackwell), Brent
Sheltered Workshops (A. Graff), Ann stated.
Congress on Disability (M. Whitlock), Marcus stated the Congress.

Mental Health Commission (D. Miller) John Scherer attended for Deb. There was significant discussion around DD. There were 3 pieces of legislation which were discussed. One was to implement a plan to transition all people in hab centers to the community by 2019. Keith recommended an independent review be completed. Bernie stated that the bill does not address community capacity, which is particularly important for people with significant behavioral and health problems. There was discussion about a bill which addressed the issue of employees being put on the family safety care registry and never being allowed to work in the field again, even if they are an excellent employee who was involved in a single bad incident. The commission discussed a celebration to be held in Joplin to recognize caregivers who performed heroically during the tornado. Roger announced that Ray McCarty has met with Representative Grisamore and Representative Stream regarding state use legislation and it is expected to be introduced soon.

4. **Committee Reports:**

Executive (L. Wagner). The committee met this morning. Les distributed a master schedule for the activities of the organization and asked that members review and add anything they see that may have been missed. Les stated that a letter was received from the Jefferson County Board stating that it would require the Executive Committee provide a specific set of information directly to that Board. The Executive Committee agreed unanimously that it wants the Executive Director to be accountable and that information will be provided to the membership and the membership would be responsible to report the information to their respective Boards. The committee also addressed the need for audio-visual equipment. Previously Doris has been able to borrow needed equipment from another organization, but that will not be available in the future. As per the discussion of the membership the Executive Committee will research and make recommendations to the membership.

Public Awareness (D. Miller); Mary reported that the information for DD awareness month is on the website for the use of members.

Education & Training (J. Casey); Committee is meeting tomorrow morning . The April training is being planned and they are looking at two tracks. Legal issues, CARF, and non-profit management training are the core subjects. The training is the second day of MACDDS in April.

Governmental Affairs (P. Capo/M. Sullivan-Thomas); Legislative call was held on Thursday. It looks like the partnership for hope expansion has been eliminated from the budget.

Regulations/Standards/Policy (J. Tilman); Janice reported that there will be a couple of new documents added to the manual.

Finance (L. Smith); No further report.

Quality Assurance/Enhancement (R. Kruse); Paul Andrews will be coming.

College of Direct Support (R. Garlich); Roger said he had heard from one source that they could not get people enrolled even though they had paid dues. Roger will look into it.

Respite Coalition (J. Casey); Jim stated they are working on bylaws and reworking what they first approved. The annual meeting Wed April 11 at the Governor's office building.

5. **Workgroup Reports:**

TCM (K. Butler); No report.

SIS (A. Purdome) Andrea said this group has not been meeting and a new group has been formed. After brief discussion the membership agreed that Brenda Rocaberto will now be reporting on the rate restructure group in lieu of this.

Ann stated that she has been working on a group regarding records retention requirements from the state. Current regulations do not appropriately address electronic records. The group has not finalized its recommendations, but hopes to do so in one more meeting. The six recommendations currently agreed upon will be posted on the MACDDS website.

Our Mission:

MACDDS is dedicated to the promotion of county initiatives in developmental disability services

2:00 – 2:15 PM

Break

2:15 – 3:00 PM

Ann Graff & Debby Sanders, Center for Human Services, Disaster Planning and Business Recovery– A CARF Exemplary Practice

Ann shared with the membership the details of their disaster preparedness plan which was found to be exemplary by CARF. They recommend the business recovery team include someone from financial, maintenance, environmental, and information technology. They need to assess finances, moves, environment, damage assessment, salvage and security, information technology, and communication. Develop a flow chart for damage assessment. Create a written plan and communicate the plan. Create staff buy in. One person must be responsible for the plan. CHS has the CFO responsible. Provide training for staff. Assure that team leaders understand their role. Give the plan priority and conduct live testing. The plan has to identify and use decision leaders. Must include people who can make decisions. Make sure each team member has a copy of the plan off-site. Ann purchased a template from www.crisistool.com then customized it for their organization.

3:00– 4:00 PM

Sarah Topp, Gamble and Schlemeier, Legislative Update

The full budget committee was discussing the cut to the partnership for hope when Bill and Sarah left to come here. The 25% cut is across the Board. The Strategy was to take all the ‘E’ off budget items to force agencies to come in for supplemental. Bill encouraged that the budget committee be contacted immediately to discuss the virtues of the partnership and also how it leverages local funding. Higher Education will receive a large infusion from the settlement received from mortgage lenders. 349 individuals on the MRDD wait list will not be served if this cut is sustained. The committee even reduced our local match money. Removing the “E” takes away the flexibility for County Boards to add more local money to provide match services. Bill stated that the committee is saying that they did not intend to make a 100% cut. We need to advocate to restore as much as possible in the House budget. Rep. Silvey also asked the Departments to go back and redo their impact statements. DHSS budgets reflected cuts to provider rates. Silvey said the intent was not to cut provider rates and they want things to proceed as though the funds are there, then go back to the Governor for Supplemental budget requests. Sarah stated that the Senate formed a new Committee chaired by Senator Schaaf to look at all social service programs. HB1794 is a new bill filed by Representative Grisamore which would assure that County Board’s can use independent contractors to provide services. Contacts should now be made with the Budget committee.

4:00 – 5:00 PM

General Discussion -Issues; Task List; develop questions for Bernie

Discussion Items:

- Committee Membership – L. Wagner/D. Boeckman; Doris reported that committees are beginning to meet. She observed that there are quite a few members who are not on a committee. She will reach out and encourage them to sign up and participate on a committee. She is particularly concerned about MACDDS committees. Les will be appointing committees and wants to finalize by next week. Anyone not wishing to remain on a committee for which they are listed or wishing to be added to a committee should do so by next week.
- Spend-down – What is legal and ethical L. Smith; Lynn asked how other counties are addressing the issue of people not meeting spend-down. Agencies may be

Our Mission:

MACDDS is dedicated to the promotion of county initiatives in developmental disability services

absorbing the cost for the first few hours of service which they provide. The consumer is sent a bill and submits it. County Boards which had tried to write a check to pay spend-down had the checks returned. Checks must be from a client account and that must be indicated on the check. Gus stated that DMH has an agreement with DHSS and they actually pay the spend-down for people. Lynn had requested from DHSS that SB40 Boards as political subdivisions be given the same access that Regional Offices have, but DHSS denied that request.

- TCM Transition in Clay County –C. Washburn; They are increasing services and have a goal to serve 1000 people in 2 years.
- MACDDS Legal Opinion – J. Jones; Jan asked the group to consider having an attorney create a document for MACDDS regarding OHCDs contracts. Discussion was held and the Executive Committee reported that there is money in this year's budget for legal expenses and the group will discuss what those are needed for.
- Travel Time to Conferences—discussion was held and the consensus of the group was that employees do not have to be paid for travel time. There was disagreement as to whether or not the driver should be paid.
- Work Comp Issues – J. Scherer; John asked if there was any information regarding other carriers outside of Missouri Employers Mutual. Other names were provided.
- MODOT 5310 Program – Jennie Ames; MODOT is behind on their grants and Jennie's Board is concerned that they may not be able to maintain their current vehicles long enough to wait for MODOT. Marcus was told that it would be probably May before the vehicles would be available.

Moving people from PFH Waiver to Other Waivers – B. Barnes; Discussion was held as to how this is being applied at different regions. Peg stated that if a person is in a waiver, they cannot be put on a waiting list for another waiver and they must be put into the waiver that will meet their documented need. Roger stated that the Regional Office has to send the request for the waiver slot to central office. Les stated that he is experiencing issues with the Regional Office not fully funding services for individuals who transfer in from another region, but that the funds do not cover the cost of services in the new region.

- Level of Care—Jeff reported that there is a new guideline in this regard and some discussion was held.

Meeting adjourned at 4:45 pm.

MINUTES
Thursday, February 23, 2012
Capitol Plaza Hotel, Lincoln Room - Jefferson City, MO

9:00 - 9:15 AM **Call to Order** – Les Wagner, President

The group determined points to discuss with the Division when they arrive. Discussion was held about concerns with the flow of information from DMH to County Boards regarding abuse neglect. Janice had received a call from a legislator asking why they had placed a person in a residential setting with a provider who had numerous substantiated abuse and neglect charges. Janice stated that the person was already placed when her Board began services, but it illustrates the need for shared information. Anita stated that if a Board is paying match it should be made aware of provider concerns. Les stated that his legal team has advised that if they are funders, they either need to be receiving the Division's findings or conducting their own investigations (which does not make sense).

9:15 – 10:30 AM **M. Ryan Barker, MSW, MPPA**, Director of Health Policy, Missouri
Foundation for Health – Health Care Reform

MFFH determined that it is a need to educate the public regarding the Affordable Care Act (ACA) and Ryan provided a handout and delivered general information. The ACA changes what insurance companies are allowed to do and not to do. The focus of the act is on preventative care. The exchanges must be up and running by 2014. There will be four tiers of available plans plus a catastrophic plan. The exchange creates competition in areas that may only have one available provider now. The exchange cannot exclude applicants for pre-existing or other conditions. Currently carriers can rate based on age and health condition. The exchange allows rates to be varied due to age, but it is limited to a maximum of three times the amount for younger people. They cannot rate on gender, employment status, health status, etc. The government is in charge of the rules, but the providers are private insurance companies. Some mandated services include prescription drugs, mental health ad substance abuse, preventative care, hospitalization and maternity care. There cannot be cost-sharing on preventative care. There is no annual lifetime dollar limit. Coverage for dependents must be offered up to age 26. Small businesses (employ less than 50) do not have to offer insurance and there is no penalty if they do not. The tax credits offered do apply to non-profits.

www.healthcare.gov is the website which details the available tax credits and other information regarding the ACA. The individual mandate defines what type of coverage a person must have and the penalties that will be imposed if he or she is not covered by health insurance. There is an exemption process. There is a case pending in the Supreme Court regarding whether the individual mandate is constitutional. MFH also has information regarding ACA on a separate website, www.covermissouri.org. The law considers 32 hours full-time and number of employees is counted by FTE. Employers are not required to provide health insurance for part-time employees.

10:30 AM – 10:45 AM **Break**

10:45 AM - Noon **Updates and Open Discussion** – Bernie Simons, Director, Division of Developmental Disabilities.

Bernie thanked the membership for its hard work and particularly the Partnership for Hope. Bernie stated that he was on a conference call regarding managed care and he personally believes that we are better for to having gone to a managed care system for individuals with DD. Bernie has heard that there are concerns with UR processes around the state and will be sending out a guideline to help sensitize people to the process and clarify timelines and procedural issues. Lynn stated that her concern was with getting authorizations entered. Bernie stated that he would ensure that if that is not in the CSR it will be in the guideline. Bernie discussed the upcoming symposium sponsored by the Division in March. Recommendations out of the House

Our Mission:

MACDDS is dedicated to the promotion of county initiatives in developmental disability services

appropriations for the budget committee were for 75% of the line item. Bernie stated that the Division will take GR funds that are not matched to make up the difference and keep the funding at 100%. Bernie is concerned about the uncertainty regarding any supplemental requests that are anticipated. A subcommittee was formed to review the recommendations and possibly make additional recommendations. Les asked how Bernie would manage the 75% - 25% if it came in a supplemental. Bernie stated that he does not know and believes there would be conversations with MACDDS and MARF as to how to proceed and what decision will be made. Jeff mentioned the cut in the flexibility with how monies are received from SB40s. Lynn asked Bernie about spenddowns and how the Regional Centers have access to view specific information related to when spenddowns are met. Robin Rust said all providers have access to this information through EmoMed. The draft guideline is pending the review of family support division. They are working to get local offices to understand how DMH services meet spenddowns. Bernie will have Ron Berg do a webinar to know where to find this information. Les asked about DMH paying spenddowns. Jeff stated that if the person's benefits are managed by the state, then the funds are appropriated from the nafs accounts to get the spenddown paid. Jeff stated that only benefit monies are used by the state to pay spenddowns. Cathy Arrowsmith asked about transitioning individuals from the Partnership to another waiver due to increased costs and being above the cap for the Partnership. When an individual's needs increase beyond the one-time exception and are ongoing, and it is more appropriate for another waiver, then they should be moved. It should not be a trend that individuals are going into the Partnership waiver then being moved into another waiver. Alecia asked about increasing the maximum amount and if that was a possibility. Jeff stated that it is not up to the Division, but that the majority of individuals served through the Partnership are staying well below the cap. Janice discussed the need for Case Management providers to be made aware of concerns with providers. Bernie stated that abuse and neglect investigations may or may not be a reflection of how good a provider is. Discussion was held about types of situations that create abuse neglect investigations.. Alecia asked if case management providers could have access to the no referral list and if tcm providers could get a list of agencies that the Division is working to improve or has problems. Bernie stated that he did not feel it was appropriate to publish a list for everyone to go out and see, but if an SB40 is a funder, then they may get the information. Bernie asked that MACDDS get recommendations to him as to how we want to be given the information. Bernie said that the list of providers on no growth or no referral should be managed out of central office rather than at the local level. Jeff Grosvenor suggested that the SB40 ask providers to self-report then DMH can verify if the information is accurate or not. Mary said Division Directive 4.080 addresses this issue specifically. Bernie will review the directive and address the concerns. Mary asked about the issue of OHCDS contracts and how the Regional Office OHCDS contracts could be used instead of individual county boards. Robin Rust said they want to be very flexible and that it should not take the Provider Relations teams long to enroll and get providers going. She stated that sometimes the FBI checks take a long time. Robin said they have to go through the typical provider contracting. If there is an urgent/crisis situation the Regional office can expedite the process. Robin said whoever is the OHCDS is, they must take the application and do the screening which replicates the provider enrollment system. Les asked about the administrative fee which was eliminated. Robin said that they are working out how administrative claiming can be done. She said in August of 2011 an MOU went into effect with Social Services and this should allow the administrative claiming. Les asked if there could be an in-service provided to inform interested parties. There is a standard contract and standard process for all Regional Offices to use the OHCDS. Robin stated that the Division can provide the boiler-plate language from OA and they will send it to all MACDDS meetings. Les thanked Bernie and the other DMH staff for attending the MACDDS meeting and working in partnership and concentrating on improvements in communication.

Jennie stated that she got a call from MODOT and the applications funded in 2011 may receive their funds by 2013. The education committee provided an update on conference and training plans for this year.

Meeting adjourned at 11:55 am.