

PARTICIPANT DIRECTED PROGRAMS POLICY COLLABORATIVE
(PDPPC) MEETING
MARCH 27, 2019

Stakeholder Draft Meeting notes for Stakeholder Review

Green highlight signals tasks for all members
Yellow highlight signals task for specific person

Executive Summary:

We discussed the transition to the new FMS vendors at length. We discussed issues related to Electronic Visit Verification (EVV) and made a recommendation. We discussed and clarified the process for making recommendations. We got an update on IHSS and discussed the participant guide. We got an update on the CDASS rule revision process.

John Barry opened the meeting at 1:00 PM
Rhyann took attendance and voting rights were read with no objections.

Minutes from February -taken by David Bolin, excellent job

Renee had a couple of typographical changes:

- 1) Page 2 CDASS potential suggestions: Change us to use on 2nd suggestions
- 2) Maria agreed and felt that this should be a requirement for the FMS (it says required)

No other changes or corrections and minutes adopted as amended.

Curt reminded the group that this was our meeting! The department is here to support our process.

Open Forum #1

- 1.) Jennifer Martinez: Deferred until second open forum
- 2.) Robin Bolduc: Electronic Visit Verification needs to be on our agenda regularly. There is a rule in the draft stage. There are meetings going on and huge implications for consumer direction. Robin also said that clients/employers should be able to choose which EVV system they use. This would be the state system which is Sandata or their FMS. Robin said right now we have to choose an unknown EVV system because we have no info on 2 of the three FMS agencies. Only PPL has their FMS system on their website. Robin said that we also need to have rules stating no geo fencing or geo tracking and no biometrics.

Julie Reiskin moved and Curt seconded that PDPPC make a recommendation that

A) Lets each employer choose either state or FMS for EVV vendor.

B) Each FMS must disclose all details about their EVV system well in advance of open enrollment

C) No geo tracking, geo fencing or biometric.

The motion carried unanimously. Julie and Robin will fill out the recommendation form and send to the co-chairs for a final vote at the next meeting.

David said we need to get rule fixed now while it is in a draft—there needs to be a ban on privacy invasions. David heard of agencies taking pictures of clients without their approval. The current rule says there is GPS tracking in and out locations and we need to make comment now on the rules.

John was asked to send link to the rule to whole group

There is Colorado EVV facebook page. This notice needs to go out in next week.

There is also a need to make sure the rule requires accommodation of employees with

disabilities. **Anyone who wants to make comments as PDPPC send to Julie in two weeks and she will put together the comments for the next meeting for the group to vote.**

3) Julie—people are getting calls about not using hours and is concerned that people are getting the message that if they do not use every hour they will get a reduction. She said this is the wrong message and we want people to save hours for a time of need instead of always asking for an increase. Alisha said they received directive from HCPF to follow up and ask why someone may not use all hours they are allocated. She said that they were directed to ask the client if they need more hours and they make sure the client and SEP are on the same page. Rhyann said that she has been sending out a standard email quarterly showing number of hours approved, used, and total hours since the CDASS 2015 audit. She said the instructions are to check in at next quarterly call to ask if needs are being met and to ask if they need more support or training. She will put a note on top of the next email making sure it is clear that there is no requirement for hours to match and clients will not be penalized if they do not use all hours.

Due to time constraints Gerrie and Mark were put on the list for the 2nd open forum.

PDPPC STRUCTURE

Kevin—we do a prep call each month after the prior meeting. We have discussed what is our actual role as co-chairs and there is no description on responsibilities on the website for this

meeting. PDPPC has been around for a long time but before that there was CDASS Advisory Committee. The main function is to collaborate with stakeholders, case management agencies, FMS, HCPF but mostly recipients of service. We have gotten far away from this as most of the representation is on the phone and only CDASS. Voices need to be heard. Roles —wants direction from the group —are we missing anything?

Curt-this collaborative has done a good job on things we need to change, audit follow up, etc. We have had good things happen. We have a say in this community and this is a good place to voice concerns. They can add things to the agenda but they do it quickly to get the materials out ahead of time.

We would like the new FMS to also announce PDPPC in newsletter and appreciate PPL putting this out. Curt also suggested adding PDPPC info and call in number in training manual. Most people when they have questions go to HCPF via John. Kevin and Curt are available to take questions for IHSS and CDASS respectively. There have only been 8 recommendations since 2012

John said contact info for Curt and Kevin is on our website and John always gives this out. Julie gave history of the JBC recommendation which was informal and started the current iteration of PDPPC.

Should we have job duties and descriptions for co-chairs? Yes.

IHSS UPDATE: Erin Thatcher

- 1) SB 19-164 passed appropriations and passed 2nd reading in Senate for continuation of IHSS. It is moving forward. The only change DORA said continue 7 years and now it is 9 years to match home care agency sunset. Question re IHSS and Brain Injury waiver-last month there was a discussion about why IHSS is not in the Brain Injury waiver—there was a DORA recommendation to allow IHSS for all LTSS clients. Erin: The bill does remove the limitation of specific waivers. If the bill passes the department could go through expanding but they would have to get state and federal approval and go through the whole process.

2) Participant Guide IHSS:

This was sent as PDF. This was group project. Wanted to thank participants especially Kevin **They are taking any final comments before it goes through clearance process.** We have all received the letter explaining what the guide is and give people number for Consumer Direct who would provide the guide.

Distribution: Consumer direct will contact participants to let them know about the guide and ask if they want it sent to them by email, PDF or mail. It will be online for case managers, and

agencies and it will be online all of the time. There is a delay as people will get the materials about a month after they enroll and HCPF is looking to streamline

David said he wished it was briefer, people are not going to spend an inordinate amount of time reading. He said we should shrink it down with less wordiness and get it right to the point.

Erin said the guide is 47 pages of content, lots of pictures, simple and the last 20 pages was supplemental material. Some case managers learned a lot by reading this guide. The goal is to streamline between traditional, IHSS, and CDASS delivery models. Erin said that many people on IHSS do not know what they can do.

Kady said they did struggle about what they wanted to see in the guide. She said that people can read what is interesting and useful now, and keep the guide for a reference to be used in the future. She said was hard to be both concise and thorough. She also said there were many user-friendly tools including information about how long it should take to review.

David said he also worried about cost to mail these out.

Julie Miller from Montrose asked "Will case managers distribute or will it come from CDCO?". Kady said as case managers you always have access to the guide online and you can send link to clients or anyone. **If someone needs a hard copy CDCO will mail it to the client.**

DRAFT RECOMMENDATIONS: PROCESS DISCUSSION

We had a discussion about how does the process actually work?

The issue comes before this committee, we vote on if we want to make a recommendation. If so, it is written up for consideration at the next meeting. It is then voted on and submitted to HCPF. Some thoughts:

- Put process for recommendation on agenda so all know how to make a recommendation
- Make the written process clearer
- Also put the process on website -

They will work on wording at next meeting. The issue is when and how does the recommendation get to HCPF. What if there is a change during the voting process after the recommendation is distributed.

Discussion and agreement: If a recommendation is voted on at a meeting that is considered submitted and the date is the date it was approved as noted in the minutes. If there is a minor change, such as a typo or other non-substantive change that should be noted in the minutes but the recommendation is still valid and should be considered submitted. The recommendation should be corrected as noted in the minutes as soon as possible by either the

minute taker, drafter of the recommendation, or one of the co-chairs and resent to John Barry. However, this should not stop HCPF from moving on the recommendation. HCPF staff can modify or explain the minor change.

If there is a substantial change, then the recommendation should be revised and sent out for a final vote the following meeting. If there is time sensitivity the group can ask for a notational vote in between meetings. When the recommendation is sent to PDPPC leadership ahead of a meeting, it is important that everyone read it carefully so that mistakes can be captured before the final recommendation is sent to the full group to avoid delays or confusion.

It is always a balance between timeliness and accuracy and both are important.

CDASS DRAFT RULES:

Rhyann explained that the draft rules went through the clearance process and just today she received comments back from the attorney general's office. She needs to figure out which of their comments and suggested changes are optional and which are not. She expects to go to MSB 4/12/19. **If there are any further comments let her know.** In the materials she sent both a clean and marked up version. There should be a new clean version about this time next week.

Louise asked if the one we have the one that submitted to attorney general —Answer YES.

FMS TRANSITION:

There will be a change in FMS vendors. Contracts are executed with three FMS agencies: PALCO, ACUMEN AND PPL. The contracts begin as of 4/1/19 and the first payroll will be in July. There will be data transition agreement. There was an online posting re new vendors and a letter should go out in a week or so to all CDASS clients and ARs outlining the fact that there are new vendors and telling people to make a move to new vendor. The letter will tell people how to notify their case managers about which vendor you want to use. The case manager will notify one vendor to transfer all information. Vendors then send forms to do updates. Choices must be made by 5/31/19. **Anyone who does not make a choice will be randomly assigned.** The reason for random assignment is to make sure everyone has an FMS so no payrolls are missed.

Each FMS was offered the opportunity to make a brief statement:

Acumen: Information will be on our website shortly. They are advertising for new local director and have office space in Lakewood. They will have info on EVV on the website soon and are excited to work in Colorado.

Palco: We appreciate this opportunity. We share the same issues in other states and work to try to address systems issues. They have online enrollment, info on EVV, and will have these resources in CO and physical presence.

PPL: We have been in Colorado since 2010 and are excited to continue. We are passionate about self-direction. One enhancement we made is that workers can now get their W2 on our website.

QUESTIONS AND COMMENTS:

Maria: Asked Acumen: When can employers sign up and will you have an employers advisory board?

Acumen: We are working with Rhyann about the transition process and a letter will give direction on April 8. We are open to having employers advisory board. Acumen asked if this is common? Answer is no but it is a good idea.

Kevin: When will new FMS be allowed to be part of voting: Rhyann and Julie thought it should be after they attend 3 meetings. There was no objection.

Louise: Can HCPF send email with website addresses of the new FMS. YES-John said each FMS should send John the proper URL that they want used and John will send to the list.

Mark:

- A) New enrollments: We need to level playing field for new FMS and have everyone re-enroll.
- B) We should not do default assignment. Marks understands that it is a problem if someone does not pick but thinks we need to find another way. He said the default should not be assigned to PPL who already has the lion's share of the market.
- C) We need good information for clients to choose FMS. For example, we need to know what EVV system they are going to use. We asked specific questions last time (have you ever missed a payroll or been sanctioned in another state) and one vendor did not disclose that they had been sanctioned and missed payroll in another state.
- D) The FMS should notify client if there is a termination and payroll is not going to be made. He said he had a client where two months in a row the client got disenrolled from CDASS because county did not work the case. The client did not know about it until the attendant tried to do payroll. The FMS knew and the client never got a notice and the FMS never told the client.
- E) We should have no lock in for 6 months as we get a feel for it. There should be more grace during the transition to allow clients to change vendors if one vendor cannot meet their needs especially because there is not adequate information about EVV systems ahead of time.

Rhyann-responses:

- A) We have 840 clients that have to pick new FMS in 6 weeks. To have everyone re-enroll would not be feasible. However, the mailing is going to every CDASS client. At some point we need to change the re-enrollment process. Rhyann said there is not enough bandwidth in case managers to handle more than 3000 clients making changes right now.
- B) She understands but she cannot make people make a choice if people are without an FMS the workers will not be paid.
- C) Not discussed directly
- D) Discussed in public comment #2 and below
- E) Tax quarters are very tricky. This is why we cannot have more than quarterly enrollment. Mark said that we need to give someone the ability to change for cause.

Julie Miller asked if case managers have received any email about this? Rhyann said no but the letter sent to clients/AR's will be sent to case managers with instructions on the case managers roles/responsibilities. Rhyann is also reaching out to the vendors asking them to reach out to Single Entry Point Agencies (SEPS).

Louise:

Can we get a copy of the letter yet?

Rhyann: It is not ready yet. **She will have John post it when it is ready and she sends it out to the mailing house.** So we will have it before it hits mailboxes so we can help explain. People will also get letter from ACES\$ and Morning Sun if they use those FMS agencies.

Louise: said she understands the labor intensiveness of asking every client to change, but hopes that letter will specify that all people should respond and choose as it is open enrollment for everyone and everyone should make affirmative choice.

Rhyann: agrees but said the letter already is a bit long.

Bonnie Caputo: She sent email to all case managers letting them know that ACES\$ did not renew contract, important dates, etc. They also are sending letters to clients.

Julie: is the letter going to say to call case manager (instead of a specific name and number)? She asked if there can be a generic email and number at Colorado Access since most do not know their case manager because it changes so much. It would be nice to have one clear way to communicate this. Rhyann will reach out to Colorado Access about this and get back to people. There may be other larger SEPS where this is appropriate. In most rural areas clients have long term relationships with case managers and know who the case managers are.

Debbie: Wanted to respond to Mark's point about people not getting notified that they lost Medicaid. She said even though they worked, employees are still not paid. She said that something needs to be in the contract to require immediate payment when this happens.

Louise: asked Rhyann to please be clear in letter about what the client must do.

Julie: would like to know what new FMS agencies are doing to earn our business? Will they do the paperwork so people do not have to do the hassle of having employees redo everything? She said that it takes a long time if paperwork has to be redone especially for people who have a lot of employees. FMS agencies should tell us what they will do to make it easier. Will they help our employees with their portals if not intuitive, especially our employees with learning disabilities?

Rhyann: said that they are taking all of the data from existing FMS to do the transfer to not be in the same position as the last transition which was a nightmare. So there are only 3 IRS forms for clients to sign. Julie said this was fantastic and a huge improvement.

Julie: said that no matter how hard we all try to avoid problems or glitches, this will happen in those cases the new FMS companies (and PPL for new clients to them) needs to be a preparation to do payroll quickly if there are problems. We know there will be problems and people should not have to wait another week or two weeks if the problem was not the fault of the worker. It is important that someone either be in Colorado to write a check or have the power to issue a direct deposit immediately.

Rhyann: said that exiting FMS agencies will provide paycard data to new FMS agencies so that employees using paycards will be able to avoid a break.

Open Forum # 2:

- 1) Jennifer Martinez: Did not need to speak.
- 2) Gerrie Frohne: Question how many people in Supported Living Services (SLS) waiver have chosen CDASS option and have already gotten in services? Katie said the option started August 15th. As of now, 29 are getting services and 3 started 3/16 so it will be 32. There are 7 in training. Gerrie asked if they know why is this so small and what are they doing to make it grow? Katie said that part of it is the lengthy process. She said that some want to see how it works and as people are enrolling, they are starting to see pickup. She said that the initial paperwork takes time to start. She also said that they just got an increase in pay from the bill that increased IDD rates by 6.5% last year. The Community Centered Boards (CCBs) have been reaching out with questions. Kady from Consumer Direct said one of the CCBs reached out about an information night they are hosting next month for families and clients on SLS waiver. Consumer Direct will be there to give information. Gerrie asked if any of the 29 enrolled have moved from EBD? Answer: They do not know but do not think so. Julie said she knew that some CCDC

members said they did not enroll because either they suddenly got offered a Comprehensive slot or that it only works if the client or family could direct all services (supported community connector, respite, etc.) not just personal care, homemaker, and health maintenance.

- 3) Curt: There is an ongoing problem with termination. He said he personally experienced this twice. This is an issue where the state is noticing a glitch and the FMS or SEP is contacted and immediately disenrolls the client. If the client does not notice and catch it the client is kicked off. Curt said that we need to resolve this once and for all. We must address this ongoing problem with cancellation of benefits without adequate notice. He said this happens in the Buy-In Program because the county does not turn in paperwork or the SEP does not get doctor letter. Rhyann said that it is not one issue. Every month it is different issues. She said it varies from financial to Medicaid buy-in to disability trust, etc. She said sometimes the clients were not given proper notice and in those cases she can re-open the case. However, if there was notice with appeal rights and the time has passed to appeal she cannot do anything. She said that if someone is missing physician form they should get notice. She said sometimes it is a (Prior Authorization Request) PAR issue where the case manager did the PAR, sent it to FMS and FMS does not have it and the client is caught in the middle and we need to mitigate this. Julie said we need a way to know ahead of people working if there is a problem so people are not stuck without pay after working the hours in good faith. We need a different process flow so we are notified ahead of time. Curt said he was notified by 2 people (provider agency and FMS) before he got letter from the state. Mark said the issue is made known when an employee finds out they cannot submit a timesheet. He said early on in the process we had a discussion about what should happen if a client has used allocation and employee cannot be paid. He said that we need to notify employee if they are not going to be paid ahead of them doing the work. He said that if we do not pay them on time that is a fair labor act violation. When these things happen we need to figure out how and why it happens. The client should be told who dropped ball.

The meeting adjourned a bit before 4:00 PM and John announced that the location for our April meeting is uncertain at this time but people will be notified when the agenda is sent.

Respectfully submitted
Julie Reiskin