

Minutes of May 24, 2016 Participant Directed Programs Policy Collaborative (PDPPC)

Executive Summary:

We had a presentation on a new attendant registry that Consumer Direct will provide. We decided to eliminate categories for time sheets like emergency, weekend, etc., and use numbers instead. This is a process and people will be notified before it changes. We set goals for the upcoming year. We addressed a few process related issues for the committee. Several commented it was best meeting in a long time.

Present in Room

Alisha Singleton
Bonnie Rouse
Brent Salner
Curtis Wolff
Gerrie Frohne
Jason Smith* FMS Aces\$ vote
Jeff Harriot
Jen Martinez *FMS PPL Vote
John Barry
Kady Hetherington
Kate McGuire
Kathy Sargent
Kevin Smith

Kirk Miller
Lilly Hauser MS
Linda Medina
Linda Skaflen
Louis Apodaca
Rebecca Sturdevant* FMS MS Vote
Rhyann Lubitz
Roberta Aceves
Ryan Zeiger
Sara Horning
Sharita Richmond
Valarie Baker Easley

Present on Phone

Beth Petersen
Bev Hirsekorn
Candie Dalton
Cathey Forbes
Connor MacCleod* FMS CD vote
Craig Morrison
Heather Jones
Julie Farrer
Julie Reiskin

Kari Vinopal – CDCO vote
Kelly Morrison
Linda Westlund CoAccess
Lucas O’Connell
Mark Simon
Renee Farmer
Sivani Rasanayakam
Tim Moran

Excused: Kelly Tobin, David Bolin, Corrine Lindsey

The draft agenda was reviewed and accepted unanimously.

Linda Skaflen reviewed those who had **voting privileges**.

Kevin Smith moved and Sara Horning seconded approval of February minutes with the change made by Rhyann. The motion passed unanimously.

Sara Horning moved to approve and Kevin seconded approval of the April draft minutes with no corrections. The motion passed unanimously with Cathey Forbes, Julie Reiskin, Linda Skaflen, and Curt Wolff abstaining either due to not being present at last meeting or not having reviewed minutes.

Action Item: Both February and April minutes as presented will be posted on website as final documents.

PDPPC DOCUMENTATION:

Issue: At the beginning of the meeting last month there was discussion about how long recordings of meetings could be saved. They are now saved for 30 days. Moreover they are not made available to everyone but are kept to help whoever is taking the minutes. The recording is part of the current Century Link contract and under the current contract cannot be downloaded. There was question about whether recording could be saved, distributed to all, or kept longer. This led Rhyann to decide she needed to ask the group what was needed and wanted for how we document these meetings. Very detailed minutes are taken of the meetings currently. Rhyann wanted to know if this works for members of the group or not.

Discussion:

- Sara H—if someone wants to record it then they should do it independently.
- Maria R—if she has to miss a meeting and cannot record it would she be able to access recording?
- John B. The department conference call contract has the recording available for 30 days after which time it is deleted. If we wanted to keep it for an additional cost Century Link could put the recording onto a CD and send to HCPF. We do minutes but there is a difference between minutes and recording. He has been part of other groups whose members do not want to have entire process recorded due to level of personal visibility. He said he did not have opinion one way or another but wanted to put out that some people may have this concern.
- Linda S—It may be easier to record in room than on the phone. Should we remind people that it available for 30 days?
- Sivani —Indifferent as to if she is recorded or not but she has recorded conference calls on the phone in the past and it is possible. 30 days is plenty of time to review. If someone missed a meeting and this is really important to them they can make time in 30 days to listen to recording. Lots of people dittoed that.
- John- We started recording to help people taking minutes but have not made it available. If we start making it available this would be a change.
- Rhyann-If we made it available and the Department managed it they might require consent or forms for everyone to say it is OK to be recorded and to have that shared.

- Maria-Many people with disabilities (PWD) have to record things due to disability and any public meetings should be accessible to public.
- John-The public has access to this meeting through draft minutes and web page.
- Linda S—Management of a consent or release form would be a challenge because of different people being present at each meeting. We have enough transparency because minutes are so detailed. If someone has a challenge reading the minutes they could ask for an accommodation but no one has asked for this.
- Curt-Agrees with Maria that this is public forum but agrees we have draft minutes and also people can record on their own, in other words transparency is important but we are already very transparent.
- Sara –Is this recording available on line? Answer no you dial a number and listen and you can fast forward or speed up.
- Maria-Not all people have technology
- Linda M-As someone who tried to listen to recording to do minutes, it is horrible and not very useful
- Julie R-if everyone wants to listen to recording maybe detailed minutes are not needed. Do people want both or only one and if one which one?
- Sivani: Prefers detailed minutes to recording, many dittos to this

Outcome: Status quo –detailed minutes will be taken and recording will be done only for those who are taking minutes. People who want this recorded for personal use are free to record independently. This is legal under Colorado law.

We need volunteers to take minutes in July and August when Julie Reiskin is not available to attend the meeting.

Open Forum #1: Last month we decided to try something different by having open forum at beginning and end of meeting. We can decide later if we want to keep this.

- 1) Linda S. Wanted update around SLS and CDASS: Answer from Roberta:
 - a. “Still working on it”
 - b. Roberta said HCPF sent amended waiver to CMS,
 - c. CMS had questions,
 - d. HCPF answered questions
 - e. CMS has 90 days to respond or approve.
 - f. HCPF is working on rules but rules have not been submitted to coordinator yet.
 - g. When rules are submitted we will know so we can make public comment.
 - h. If all goes well soonest it could be is end of September or October.
 - i. Linda S. asked if there is possibility that CMS might disallow until we have conflict of interest resolved. No one had an answer.
 - j. Roberta announced she is retiring. Adam Tucker will be interim working on CDASS/SLS.

- 2) Curt proposed we have rate review committee for CDASS employees. We need a consistent way of having increases. Curt spoke to Lila Cummings who does rate review for HCPF. We need a way to tie rate increases to something that CMS will approve. We need to start now to get legislative work done. The JBC formed a rate commission last year; Ryan Z. said he has attended the meetings. The Department has internal process as well and Lila may be looking to form some committees. Rhyann explained that she asked how rate setting works after Curt asked her why CDASS was not increased with agencies. She coordinated so Curt and Lila could communicate. Bonnie said that all HCBS rates are up for review this year but it may be early in the process and no committees are formed yet. Linda wanted to know how they find committee members. **Rhyann will ask Lila to call in and explain the process at our next meeting.** Discussion of JBC rate committee and how this is different process and we need to be involved in both processes.

ATTENDANT REGISTRIES:

Bonnie —the topic of attendant registries has come up multiple times. This is a tool to help people find attendants and to connect attendants that want more hours with people looking to hire. HCPF decided to amend the Consumer Direct (CD) contract to create a universal registry. CD is here to demonstrate what this service looks like in other states. Rhyann will create a subcommittee of PDPPC to customize the directory to Colorado. Bonnie said that the one thing we cannot do is put reviews on attendants due to liability.

Jeff Harriot from CD was introduced and went through a PowerPoint that was sent out with the agenda and meeting materials. He explained that this presentation is based on what is operational in WI. They are serving the attendant and employer—each to have awareness of another. No tie to specific FMS.

Attendants can go in and register with the service and have their information displayed. He demonstrated how the search feature works for the client. One can look for workers in a specific area or with specific skills. We do not have to use the same list as they have in WI. It is highly configurable. Results provide specific attendants.

Questions/Comments:

- Jason-do they do background checks? Answer NO-attendants will still need to do application with FMS.
- Someone said if no background check, how do we know if it is safe? Also can we do smoker or not smoker? Answer: FMS will still do background check. We can configure whatever parameters we want.
- Mark-
 - Would like to see FMS that already maintain attendant registry be able to upload their data into this centralized registry that CD is putting together.
 - He would like them to identify those who have been background checked and are already working in program.

- Each FMS should have prominent place on website that shows people where the provider directory is.
 - Directory should be searchable online.
 - While we cannot do reviews or evaluations we can identify if they work in program.
 - Can we post information such as how many clients they have, have they been fired, if no longer working for client are they eligible for rehire.
- Bonnie -This is the kind of specific information that she was seeking and there will be group that puts all of this together.
- Someone -Very happy we are doing this. How will it be kept current? Answer: CD can go through the database and run reports on what information has changed. This can be updated as often as people want as this is programmed in. Part of contract with CD is to maintain info.
- Rhyann will send out email to ask people to join subcommittee
- Julie R- Had concern using pictures due to possible racial bias. Maria R ditto.
- Sivanni—is this going to be a nonprofit version of care.com Answer yes. Sivanni - This is really good idea because finding caregivers is hard. However, she had caregivers saying they did NOT want to be on registry, will they be able to opt out? Answer: Bonnie said likely they will not be able to upload a list so attendant would have to affirmatively add him or her. This way no one who does not want to be on list can be on list.
- Julie F- Was co-chair of workforce development committee of CLAG. It is important to include some things that may not be relevant to us but applicable to some people like certification and working with certain populations, etc. She wants this to be adaptable as no wrong door is implemented. Can people list reference or recommendations or positive statement? Rhyann said we can look at that bit if not the applicant/employee can give references.
- Sara-We should also put tolerance for marijuana in preferences.

Presentation continues: As client/employer looks through list that is generated based on preferences if you see someone you like you press button get connected now. Client provides more info that is shared with attendant via email. This can include things like preferred hire date, type of care that will be required, contact info. The client has to put in their info and services needed.

- Louise –How can this deal with cultural differences. She had situation where even though she explained needs on phone clearly attendant shows up for interview and says culture prohibits him or her from touching another person. Is there a way to address on database to save time and avoid someone being matched to person who needs something they do not want to do? Answer: Goal is to get as much information up front without getting into a face to face interview. Katy said that you can identify types of care and client can select specifically what is going to be needed and attendants would know what they are and not apply if they cannot or do not want to do that kind

of task. Katy said this is like job search engine but is not meant to eliminate the interview process and vetting process.

Then we were presented with the registration for the service provider experience. The worker registers and it goes into holding spot where it is vetted and approved. The vetting process for Colorado is to be determined.

- Kirk asked what mileage meant on page 4? Answer it is miles within zip code and we can tune as needed to meet our needs.
- Curt reminded people we still need to do interviewing
- Jason suggested adding barrier crimes during registration so people know who is not eligible for hire

Timeline for implementation: ASAP but Bonnie is moving to another position. Rhyann recently interviewed for IHSS position and there were some good applicants in the pool. So we do not fall behind on projects Rhyann explained she hopes to have someone hired from that same pool of candidates for Bonnie's position. ***Rhyann hopes to get subcommittee meeting by the 2nd week in June and then CD will have to do the heavy lifting on the website.***

- Someone- We need to pay attention to zip code sizes in Colorado, you could be in same zip code and may be 150 miles away.
- Maria had concern this will be too Denver centered. Should put on questionnaire if person is willing to relocate or travel higher distance for more pay.
- Louise –we should also clarify if person has their own vehicle or if they will be using public transportation
- Julie F- there are attendants in rural areas that cannot get enough hours so we should ask folks in rural areas to participate.

Presentation conclusion: CD will be able to assist people unable to access the internet by talking to people over the phone and getting the information for them after entering preferences.

Rhyann and group expressed thanks to Bonnie for spearheading this.

CDASS TIMESHEET CODES:

Issue: Right now the timesheets have codes like weekend, holiday, emergency, training, etc. No requirement to use code for what it says. Concern that in audit it could look weird if someone is writing weekend for work that happens on a weekday or training every week, etc. Rhyann asked if we should have rate 1, 2, 3, 4 or have people stick to what it says (e.g. weekend, holiday, etc.)? **She also asked how many rates we need.** We still have to have the three categories.

Discussion

- Julie-We should go to numbered rates, we used to be able to put in rates with timesheets and then had to standardize, we just picked the categories we have randomly, and they were never intended to be used only as described.
- Sivanni—if she had three caregivers would rate 1 be same for each or could it be different for each one. Answer—can have rate for each caregiver.
- Bonnie said the names are confusing and attendants put weekend or holiday when they work on weekend and holiday but the client may not have set a rate for those time periods. She thinks numbers are better. She said it would be easier for training also.
- Curt –is this related to the categories, homemaker, personal care, etc.? Rhyann answered NO—we would still create the categories of homemaker, personal care, etc. You would have numbered rates for each category but still the different types of categories.
- Curt – as trainer prefers to keep it simple.
- Sarah - likes using numbers.

**ACTION ITEM: MOVE TO NUMBERS INSTEAD OF DESCRIPTIVE CATEGORIES:
STANDARD RATE, PLUS NUMBERS.**

Rhyann—do we need 5 rates per category or fewer?

- Sivanni worries that she will have to reject timesheets due to errors and would want to have standard then rate 2 and rate 3 and not more. She said if we have more rates on a time sheet than employer agreed to would that add to confusion. Right now if someone goes into PPL all options show up even if employer did not put a rate for that category. She worried that for example they would click on 3 when no 3. Rhyann said she can see if the FMS vendors have option in system to not show options that do not exist for the employee, but it might have to be client training the workers on how to do timesheets.
- Julie said she just puts the standard rate in every category unless she wants a specific different rate, for example she does not use holiday category so she just puts the regular rate there to avoid problems with timesheets.
- Maria said more categories the better. She has not heard of mechanism for addressing damages in the house if attendant breaks something. She said there is no set way of handling that in a good way at present.
- Julie said that with agencies you can get them to pay for damages because they are responsible for training but with CDASS we are responsible for training and supervision. She did not think it was possible or legal to dock their pay in any circumstance for breaking something but if there was any sort of expectation in that area this should be dealt with up front.
- Kirk asked if renters insurance could be solution.

Outcome: Most people felt three rate categories was adequate.

Next Steps: Rhyann will find out how many people are really using more than 3 rates and will talk to FMS vendors to see if they can change categories to numbers and if so timing and how much work that would be.

NEW BUSINESS:

Issue: Rhyann said she was working on last audit requirement which is comprehensive analysis and maybe doing satisfaction survey to compare agency and non-agency use and quality. She said we have gotten through the transition regarding the Fair Labor Standards Act. She wanted to know what we wanted to work on next. The following ideas came out:

- Julie R-FAS (Fund for additional services) lots of agreement
- Julie F—how do people on SLS know about CDASS? Also do we have peer trainers who know about working with people with different communication?
- Julie F-We have talked about authorized rep training for a long time—there is a different kind of authorized rep that happens in the IDD world, people need to know what is IDD and what is not IDD.
- Maria agreed with Julie F.
- Candie—IHSS into other waivers and what other waiver services to be consumer directed –lots of agreement from room
- Curt-Rates-lots of agreement

Kevin-with all of these items how do we prioritize and set time frames?

NEXT STEPS: Rhyann will do research on how much work each one will be and suggest what to tackle first.

Open Forum:

Sarah Horning:

Issue: At the last meeting there were individuals taking excessively long amounts of time and not staying on agenda –she was close to leaving and not coming back. She proposed that we change the agreement and add to that no comments can be more than 2 minutes so meeting can be productive. She said this is most productive meeting she has been at in six months.

Discussion

- Maria said she did not agree with that arrangement.
- Curt said that we came up with phone etiquette a few months ago –two minutes may be tough to enforce, the problem is people need to stop making point over and over. He thinks that can work. He said the Co-Chairs will stop people from overtaking the meeting because the chairs have heard from numerous clients that they do not appreciate a few people going on and on.
- Kirk Miller-ADAPT groups all over the place follow strict protocols for meetings.

- Ryan suggests we have a standard that can be invoked if people are out of line so it is consistent and fair.
- Julie F some people take longer to speak (augmentative communication) so has a concern about time limits. Issue is respect and need to move forward –first time she has been able to get through meeting in long time.
- Kevin—when we have pre meeting we need to be very clear about time for each topic. He hopes that having open forum in middle opens it up for comments, unless topic has been discussed already. If something is discussed and voted on we need to move on.
- Mark—even the legislature gives you three minutes –maybe we should have sergeant at arms to stop people. They would be empowered to say “you are no longer contributing and just obstructing”. When one person goes on and on, it makes it hard for everyone to be heard.
- Curt—proposes 5 or 6 minute limit and make it fair to everyone
- Linda S—agrees with Ryan, chairs have option if there is a problem set a time limit if off topic.
- Rhyann –we have 5 minute limit at forum maybe we keep this limit. We need to make sure that everyone gets a chance to talk and we do not want clients to stop coming.

Ryan moves to amend working agreement to empower chairs to apply 5 minutes rule whenever discussion is not productive to move forward. Linda 2nd.

Discussion

- Maria—this is rigid is this anti disability—if we do this what is next?
- Linda S—this is not absolute, it can be accommodated for a disability but co-chairs can implement it if someone is obstructing.
- Maria concern it could be enforced in biased way (not to say it would)
- Ryan- There are plenty of advocates to make sure people have a voice if there is disability bias. If we implement and it is anti-disability we can always reverse it. The cost of total openness is too great because things are not moving forward because of meetings not being as productive.
- Mark—are we talking about 5 minutes on a topic, each time we speak, or what? Chair should be able to say to someone you are going on too long and you have one minute to wrap up. Group needs ability to override chair decision to cut someone off. Also we need to be cautious to never cut someone off because someone is saying something others do not want hear but can cut someone off if they are repeating the same thing over and over.
- John reminded group that stakeholder co-chairs serve at pleasure of group and they are not performing they can be replaced and if people do not like how he does it they can contact department, there are safeguards.
- Kirk-several PWD got really sick of what happened last month and it is hard for PWD to sit when there are problems like last month and that is disability issue also. In other words behavior last month was anti-disability.

- Maria Could we come up with solid criteria –enforcing this could be really complex. We need specific criteria for people with speech problems to provide them time, etc.

Ryan made revised motion: Chairs be allowed to limit any given person to 5 minutes each time they are called on if they deem conversation no longer productive. Linda seconds.

Mark makes substitute motion which is co-chairs and anyone else interested come back with proposed policy we would adopt so we can flush out all of these details. Ryan withdrew motion. Sara seconds Marks’s motion. ***Motion passed unanimously.***

Next Steps: Co-chairs will work on policy for next meeting. Policy will address details of how to stop someone from filibustering the meeting or repeating self over and over but in way that does not restrict healthy disagreement.

June 22 is next meeting

Bonnie and Roberta were thanked again for their hard work.

Respectfully submitted
Julie Reiskin