

Meeting summary for ID/DD Member Call (05/21/2025)

Quick recap

The meeting began with Diane Evans presenting updates on HIPAA changes and their implications for healthcare privacy practices, particularly regarding reproductive care and substance abuse records. Updates were provided on federal and state budget matters, including discussions about Medicaid expansion, provider taxes, and legislative processes. The conversation ended with discussions about Medicaid waiver rule changes, including quality measures, support broker rules, and proposed modifications to various service components, with plans for future meetings to address remaining concerns.

Next steps

- [Providers to review draft rules for group employment supports and best services and submit feedback to OPRA by May 23rd.](#)
- [OPRA to submit comments to the Department regarding concerns about removing the community integrated add-on rate for vocational habilitation as it transitions to the new best service.](#)
- [Providers to review and provide feedback on proposed rule changes to assistive tech and remote supports before the July Waiver Work Group meeting.](#)
- [Department to create a bot and API to allow SSAs to confirm information about ADLs from the LOC tool for the Access Rule implementation.](#)
- [Department to implement standardized assessment tools \(PHQ-2, PHQ-9, AD8\) for waiver participants 18 years or older at initial enrollment and annually.](#)
- [Department to roll out self-direction resources and training, starting with a June 4th webinar.](#)
- [ICF Work Group to continue discussions on equipment ceilings and potential changes to depreciation schedules in future meetings.](#)

Summary

HIPAA Privacy Practice Updates

Diane Evans from Guarded Edge presented updates on HIPAA changes, emphasizing the need for updated notices of privacy practices by February 16, 2016. She highlighted two key changes: enhanced protection for records related to reproductive care and substance abuse/therapy, stressing that individuals must not face repercussions for legally obtained care. Diane explained that these regulations apply to all healthcare sectors and populations, and she shared her contact information for further questions.

Reproductive and Substance Abuse Records

Diane explained the procedures for handling requests for reproductive care and substance abuse records. She emphasized that law enforcement would need a signed attestation to protect the individual's privacy, and that substance abuse records require specific consent or a court order for release. Diane also noted that drug-related records cannot be released with other types of medical information, and therapists or counselors can refuse to release records if they believe it could cause harm to the individual.

Privacy Policy Update Requirements

Diane explained the requirements for updating privacy policies and notifying business associates about new protections for individuals served by the organization. She mentioned that templates for these documents are available on Guarded Edge's website for a discounted price. Michelle addressed a question about whether individuals with disabilities related to drug use from their parents while in utero are covered under substance abuse, noting that this issue requires further investigation.

Budget Updates and Program News

Diane provided an update on a program, sharing information about their website and coupon code, and offered to answer any questions. Pete gave a brief update on the State budget, noting that nothing significant had happened since last week, and mentioned potential delays in the legislative process. He also provided an update on the Federal budget, explaining that after the Energy and Commerce Committee voted out their portion of the bill, the Budget Committee combined all committee bills into one large bill, which initially failed but was later passed after some Republican members voted present.

Medicaid Budget Reconciliation Updates

Pete discussed the ongoing legislative process regarding budget reconciliation, focusing on changes to Medicaid and tax policies. He noted that while the expansion population's access to benefits remains intact, there are concerns about cost-sharing requirements and exclusions for illegal immigrants. Pete also mentioned that provider tax caps will be frozen rather than reduced, which could impact healthcare funding. The bill is expected to be introduced soon, with a focus on passing it before the Memorial Day weekend to maintain a slim majority.

Ohio Medicaid Provider Tax Legislation

Pete discussed the implications of the proposed federal legislation on Ohio's Medicaid program, focusing on provider taxes and their potential impact on state revenue. He explained that if the state enacts an increase in provider taxes before federal legislation is enacted, it would be grandfathered in, but timing is crucial. Pete also highlighted concerns about the elimination of tax waivers for managed care plans, which could result in a significant loss of revenue for Ohio. The next steps involve monitoring the legislation as it moves to the Senate and advocating for changes to grandfather existing taxes, particularly for managed care plans.

Medicaid Waiver Quality Measures Update

The CMS Access Rule Work Group discussed the implementation of new quality measures for Medicaid waivers, with Kim Mobley named as the new self-direction manager. Ohio will need to revise its ISP and assessment tools to meet the new standards, including the addition of mental health and cognitive functioning assessments using the PHQ-2, PHQ-9, and AD8/8. The state will conduct annual assessments for

waiver participants aged 18 and older, with a random sample of 400 recipients to be reviewed starting in 2026, though the exact compliance threshold is still unknown.

Waiver Rule Changes and Concerns

The meeting covered several updates on waiver rule changes, including the delayed out-of-state travel rule and proposed changes to assistive technology and remote supports, set to take effect on January 1, 2026. Debbie highlighted concerns about the removal of the community integrated add-on rate for vocational habilitation transitioning to the new best service, emphasizing the need for clear service definitions and adequate reimbursement for community-based services. The group discussed the expansion of support broker rules across all three waivers by January 1, 2026, and the need for feedback on group employment supports by Friday, with Debbie expressing ongoing concerns about the distinction between vocational habilitation and group employment supports.

Draft Rules and ICF Updates

The meeting covered updates on draft rules and environmental modifications, with a proposal to stand them up in July 2026. Pete provided an update on the ICF reimbursement meeting, noting that the department is considering moving from an acuity-adjusted methodology to a single standard deviation for setting ceilings, though this is still under review. The group discussed equipment ceilings and depreciation schedules, with no final decisions made on these topics. The next meeting is scheduled for the following Wednesday at noon.

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