

Meeting summary for ID/DD Member Call (04/17/2024)

Quick recap

Debbie discussed updates on federal rules, the importance of the 2023 Dsp. Compensation survey, and concerns raised by the stakeholder work group regarding the administrative burden on providers. Josh provided updates on the Employment Quality Readiness project, proposed changes to pre-vocational and employment services, and new rates for the cost of doing business and nonmedical transportation. Lastly, there were discussions about the increase in employment services for those with community-integrated employment and concerns about individuals residing in Integrated Community Services (ICS) without their plans in the Ohio ISP.

Next steps

- Providers will review the draft rule for the new best service and provide feedback to Debbie and Josh by next Friday to ensure the final rule meets the needs of ICF providers and maintains necessary safeguards.
- Debbie will follow up with the CMS regional support facilitators to clarify the correct interpretation of the Tag W. 2, 62 medication prescribing guidance and share the updated guidance with ICF providers.

Summary

Federal Rules and Risk Assessment Forms

Debbie discussed various updates regarding federal rules. The Department of Labor's overtime rule, which was proposed to increase the salary threshold for overtime exemption, has not been finalized yet but is expected to be released soon. The Medicaid access rule, which includes a payment adequacy provision requiring 80% of Medicaid reimbursement to go towards direct care compensation, was also released from the Office of Management and Budget (OMB) but has not been finalized. Debbie also mentioned the possibility of legislation or litigation that could affect these rules. Additionally, Debbie requested ICF providers to email her any risk assessment forms they use for blood-borne pathogens, as she will share them with a member who inquired about them.

2023 Dsp. Compensation Survey Importance

Debbie emphasized the importance of the 2023 Dsp. Compensation survey for all agencies providing homemaker personal care or adult day services, as it is a requirement from the department and the data is used for advocacy and budget increases. She stressed that the information provided should be accurate and timely, as the data is public record and could be requested by the Legislature or the public. Debbie

also mentioned that the survey includes questions about the impact of the recent rate increases and the ability to serve people with higher needs. She provided a link to the department's webpage containing resources and information about the survey and encouraged everyone to complete it.

Employment Quality Readiness Project Update

Josh provided updates on the Employment Quality Readiness project, which has received 56 applications so far, and is expected to select up to 30 providers by April 26th. He also discussed concerns over a draft rule regarding Intensive Behavior Support rates for Peer Group 6, replacing the current Intensive Behavior Support rate add-on program. Lastly, Josh mentioned a draft of the Mui rule for stakeholders to review and provide feedback on.

MUI Process Proposal and Concerns

Josh discussed concerns raised by the stakeholder work group regarding the administrative burden on providers within the MUI process. They proposed a change to Category C to require a quote administrative review instead of a quote administrative investigation, which would shift the oversight role to providers. Debbie emphasized the need for feedback on this proposal, particularly from ICf providers, and raised concerns about the high percentage of unsubstantiated cases in Category A and B. Josh also indicated that the County Board could use the process for Category A if they deemed it necessary.

BEST Service Tiers and Employment Rates

Debbie provides an update on the proposed changes to pre-vocational and employment services. The department plans to create a new tiered service called BEST, with separate rules for those over and under 50. It will impose time limits, but individuals can continue based on person-centered planning. The department also plans to eliminate community integration rates for pre-vocational services and create new group employment rates instead, which were shared but not details provided. Discussions focused on clarifying definitions and monitoring processes.

New Rates for Employment and Transportation

Debbie presented the new rates for the cost of doing business and nonmedical transportation for community integrated employment. The rates for group employment supports ranged from \$140.75 to \$333.75 per day, depending on the category, reflecting an increase from the current rates of \$39 to \$51.75 per day. The proposed nonmedical transportation rates were structured in bands of mileage, with rates ranging from \$33.10 to \$121.29 per trip, depending on the provider and the distance of the trip. Debbie noted that these rates would significantly increase the current costs, and further discussions were planned to address these changes.

Employment Services and Waiver Updates

Debbie discussed the increase in employment services for those with community-integrated employment and concerns about individuals residing in Integrated Community Services (ICS) without their plans in the Ohio ISP. She emphasized the importance of using the Ohio ISP and assured the team that the department will not issue citations for compliance until after January 1st. Debbie also sought clarification from the Centers for Medicare and Medicaid Services (CMS) regarding the interpretation of the State Operations Manual and the guidance given to surveyors by the Department of Health. She further urged the team to inform her if they receive citations from the Department of Health in the coming weeks. Pete then provided an update on the Waiver waiting list meeting, focusing on revising the assessment form and requiring more follow-up.

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