

Developmental Disabilities Advisory Council (DDAC)

Meeting Minutes

March 13, 2019 (Wednesday)
Council Meeting: 2:00 - 5:00 pm
Public Forum: 5:00 – 7:00 pm
Higley United School District Board Room
2935 S. Recker Road
Gilbert, Arizona 85295

AGENDA

- Welcome
- Introduction of Council Members
- Document of Public Record
- Approval of January 2019 Minutes
- Public Forum
- DDAC Member Roster Overview
- AZ DES/DDD Report
- DDAC Statute Requirements
- IRFP Status
- Article 9 Revisions Status
- DDD Annual Budget
- Client Service Trust Fund System
- Gov. Ducey's Executive Order
- Council Management and Business
- Confirmation of 2019 Meetings
- DDAC Logo
- Submission of Reports by Members
- Member Announcements
- Call to the Public
- Adjournment

WELCOME

Gina Judy welcomed everyone present to the Developmental Disabilities Advisory Council Meeting (DDAC). Renaldo Fowler gave a brief overview of the DDAC's charter.

INTRODUCTION OF COUNCIL MEMBERS PRESENT

- Chair Gina Judy
- Renaldo Fowler
- Rick Hargrove
- Trevor Rogers (teleconferencing)
- Jill Ryan
- Karen Van Epps

APPROVAL OF DECEMBER 2018 MINUTES

Motion made, seconded and unanimous vote to approve minutes.

PUBLIC FORUM

Gina Judy advised that public comment and questions are not taken during the meeting but that there would be a short time at the end of the meeting for the public to ask questions or make comments. She also advised that there were sheets available at the door that could be filled out to address concerns more fully and they could be turned in so that the correct help could be provided either at the forum or later.

DDAC Member Roster Overview

Alissa Vander Veen reported that all names currently submitted to the Governor have been contacted for continued interest and the list will be going to the Governor's office in the next week for review and appointments.

AZ DES/DDD REPORT – Dr. Green, Assistant Director

We have established Priority AIPs. Section I #3 - AIPs must meet requirements.

- QMU (Quality Management Unit) Transition
- ATPC
- Care Coordination
- Care Coordination (Field Structure Manpower Alignment)

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- Network Development
- Eligibility – Kaizen events. Easier for people to get their eligibility determined.

Renaldo Fowler: Children who have both health and behavioral problems – is there a committee to look at these cases? We are not doing a good job with these kids.

Dr. Green: That is one of the good things about an integrated plan.

Gina Judy: AHCCCS should focus on in-school issues.

There were no bidders for the IRFP. The Division of Developmental Disabilities (DDD) is regrouping. We might need to narrow the process in place. We already have several contractors interested and AHCCCS can loan some. Dr. Conklin knows what is needed.

Coming in Fall there will be more monitoring of providers

Karen Van Epps: Until problem is fixed **what can OA do for – APS** issue must be resolved. Need investigators?

Dr. Green: We probably do not need an investigator. I am hoping the Task Force will close gap.

Rick Hargrove: This is an abrupt change for providers – what is value?

Dr. Green: AHCCCS discussions resulted in idea that DDD is not doing well. Work might be better outsourced. Now, rethinking how aggressive of change – may be too hasty – slowing down.

Renaldo Fowler: Why did no one apply?

Dr. Green: Only can guess. It was a very large scope of work; maybe more than people wanted to take on; more complex because of all different actions.

Karen Van Epps: Cannot understand how problems will be addressed to new people. Can't we just get DDD some help?

Dr. Green: Maybe, we will be looking at new solutions.

Karen: All toward sick people – not just aging

Dr. Green: We bring it up every time we meet. Need to fit it in. Case for Inclusion ranks AZ is #1 in integration of our members - 99% satisfaction with members.

Gina Judy: Dropped to 22 in Safety in the same survey. What kind of oversight on “the 2019 problem” now?

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Dr. Green: Increased monitoring by support coordinators and nurses every day. We are making sure remaining staff is stable (lots of turnover) and we know staff does care. Transition plans being made.

Gina Judy: Good, that they are being monitored every day,

Jill Ryan: Question given to me on ICF needs. Is there any plan to use Coolidge?

Dr. Green: Not planning to use Coolidge.

Renaldo Fowler: Lack of oversight is bigger problem, especially the “hands off” attitude in AZ.

Karen Van Epps: There is a big problem – you cannot close a facility because people have nowhere else to go.

Dr. Green: We are trying to educate people on how to do things right and give services to members. Hacienda opened eyes and set us on path to find solutions for all situations in future. Legislative....?

Karen Van Epps: Day-kids program? People wanted group homes so they could have friends.

Dr. Green: Planned communities are springing up all over

Gina Judy: What is the timeline for another Intermediate Care Facility (ICF) provider to open?

Karen Van Epps: It looks like September.

Gina Judy: Will it be the same as an ICF?

Dr. Green: There is a vendor that wants to set up a new, small ICF in Phoenix that rumor says will have 6 beds. They were going to open in April but that has been pushed back. Costs a lot to set up and spreading the cost over 6 people will be hard.

Gina Judy: If people want to leave Hacienda, what is the Division doing to assist them?

Dr. Green: We are working on it.

Rick Hargrove: Some people are worried about “over” reaction to Hacienda. We request that DDD and others not overreact, and lose some providers, but have an appropriate reaction to remedy the issues without overreaching.

Gina Judy: Liz Archuleta gave me some questions; can you speak to them please?

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How is the Division managing the shortfalls in therapists to cover service needs throughout the state?

Dr. Green: Approximately 12-24 months, Network to do Priority AIP. We have not given enough time to it. How to staff up or use contractors? Doing process to keep network going 1-2 years. We need to know 5 years ahead about growth projections and plan where we will need providers in advance looking at population growth and movement. Therapists are hard to come by. DDD is working hard to identify how to cover growth. Not just more, but where needed also.

Renaldo Fowler: What are numbers we need to serve current need of different types of therapists? Always hear it is a problem but do not really see any movement, causing frustration.

Dr. Green: It is hard to know how many are active in the field. We know how many we have but schools give the number of those getting education – part-time vs. full-time, who withdrew, how many now gone on to administration is not known.

Rick Hargrove: My agency does this. To get more, you need to pay more. Minimum wage doesn't help pay their bills – schools pay more,

Dr. Green: It is a battle. We do have one leg up as we can be a lot more flexible than schools on when/where it will take place. Our services are the driving force AHCCCS is on us about. We are looking toward the stakeholders to help.

Renaldo Fowler: Rural AZ has major challenges; keep them in mind.

Dr. Green: Brought up at every meeting

How is the Division planning to address the inadequate rates for services as the availability of trained/skilled providers decrease with each Minimum Wages increase?

Gina Judy: Comments?

Dr. Green: Stakeholder groups are doing a good job.

Gina Judy: While we have been communicating with our elected officials to educate them on the inadequate rates, a lot of work still needs to be done. I was present at a Senate

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Appropriations hearing where I heard Senator Gowan express concerns related to the effect Prop 206 (Increases in Minimum Wage and Provision of Sick Leave for Employees) was having on the industry. Same concerns have been shared by Senator Brophy McGee in Health Committee. The need is over 42 Million ABOVE the 14 Million that is currently listed in the Executive Budget.

Dr. Green: Patrick Hays can respond on that.

Patrick Hays: The Division included in its budget request for FY20 funds for Prop 206 impacted services, and professional service such as in-home nursing and therapies. The Division reviews the annual network study that is completed by an independent consultant. This study helps inform the budget decision packages presented to the Governor's office.

ACTION: Patrick Hays to report on bill progress at next meeting.

Rick Hargrove: Lobbying to get what we need to do about CMS (Medicare) mandates. How it flies in face of citizen initiatives. Educating legislators is key.

Patrick Hays: Every summer we pull network report and legislators are covered. We take that in consideration in the Budget submitted in Fall. included rate increase in in-home, but it did not make the Governor's approved list. As Dr. Green has noted, there are many hands out and the Governor cannot give everyone the amount they request.

Renaldo Fowler: Stakeholder's families – are they aware of how budget requests affect services?

Dr. Green: Provider communities help educate members to know how to advocate – make legislators visit, etc. to increase awareness and understanding so they know when they approve budgets what they are affecting.

Gina Judy: Our job as a Council is to respond to member questions and concerns. Senate hearing on health – spoke about budget and shift in 2006 and 2014 shortfall 34% and turnover rate in some areas 98% for communities.

Dr. Green: About to kick off efforts to long-term services and support (Going 50% more and 1 for providers). Stakeholders are in it for life. Advocates know what is needed – let them tell us. Starting Monday.

Gina: Council appreciates openness and candidness; it is refreshing.

DDAC STATUTE REQUIREMENTS

IRFP status and meetings being held prior to award - Leah Gibbs

- Partnering with Communications team to do some focus groups to find out questions and get answers – invited some stakeholders and families to tell about changes. Have done 2 in Maricopa, 1 tomorrow in Tucson, then 1 in Flagstaff. Also, there will be 1 more with providers on March 26.
- Raising Special Kids – Partnering around state in meetings – what’s working or not. Must work with multiple entities to get everything in place – long term support
- Also coordinating with third-party for providers; 2 in each division

Renaldo Fowler – Going out how?

Leah – On website, our calendar, Raising Special Kids sites; using their network to reach out

Renaldo Fowler – Each District has flyers to take to members by Service Coordinators

Karen Van Epps – What about adults?

Leah Gibbs – That’s why we are doing newsletters and Service Coordinators to put out the word.

Rick Hargrove – Two options: same or outsource – will there be education

Leah Gibbs – Yes, we are going to show what it will look like.

Rick Hargrove - I would like it to stay as is – is that a choice?

Leah Gibbs – Behavioral and Physical – under RFP already

Jill Ryan and Leah Gibbs: Report will be done by Raising Special Kids

Gina Judy – Possible confusion on role of council. Others went out and said ‘whoa’.

Article 9 Status of Revisions - Tina Schulze, Megan Woods, Rameshwar

Adhikari

Thirty-three comments received in call to stakeholders and review meetings starting.

Jill Ryan: Thought it was very confusing.

Gina Judy: Will they have 2 reviews?

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Megan Woods: Next steps in Rulemaking drafted by Rameshwar Adhikari and will be sent to Alissa.

Gina Judy: Big bullet points on revisions

Tina Schulze: Meetings going on now. Sent request to Karen to help review. Karen wants in-person meeting.

Gina Judy: When?

Megan Woods: Tuesday 3:30 – 5:00 Webex is available

Karen Van Epps: How many on Webex? 1st call ...

Megan Woods: Need to pin down. Need to get comments all done by end of March. Three additional public comments past due.

Gina Judy: "Next Steps" going to Alissa – Council needs to review.

ACTION: Alissa Vander Veen will send comments to Gina Judy. Gina will distribute to Council and take a vote on having an interim Council Meeting to discuss. Put on agenda for next meeting in May.

DDD Annual Budget - Patrick Hays

Working with AHCCCS to adjust rates and fiscal year. AHCCCS proposing to change to Federal fiscal year. Extending this fiscal year by 3 months would have little impact to members and providers. The revised Cap will be adding \$23 million.

Gina Judy: Clarify how fiscal year change would affect providers.

Patrick Hays: It would be seamless.

Gina Judy: Clarify State only dollars versus Other dollars

Patrick Hays: \$1.6B overall budget. Most of the budget is provided by Medicaid with a state fund match. However, there are items that are solely state funded, such as case management for state only members. Services provided by AzEIP are mainly funded by state funds. AzEIP grant is only one third of the total budget for the 0-3 population. Room and board charges are not Medicaid funded. Room and board are funded by revenue from client billing. Client billing is limited by statute to charge up to 70% of a member's benefits for room and board. The shortfall between costs and revenue is funded by state funds.

Karen Van Epps: Room and board for in-home not getting enough dollars.

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Rick Hargrove: Is it possible to include room and board in the provider waiver since other states have done so?

Patrick Hays: Room and board is not part of the waiver

Dr. Green: Even if part of the State waiver, Medicaid will not fund room and board. I will check on it.

ACTION: Dr. Green to check on waiver

CLIENT SERVICE TRUST FUND – Rick Hargrove, Trevor Rogers and Karen Van Epps

Rick Hargrove: The fund is basically extremely close to being out of money and new funding is not anticipated. The current system is not reasonable or workable. It is the recommendation of the committee that the currently received applications be processed and then the fund be suspended, and any remaining funds be transferred to a non-profit. Trevor Rogers: Agrees that there is no guarantee of funding in the future.

Gina Judy: Sen. Brophy giving funds to bridge change. There are other coverages now available for the 2009 biggest needs (dental, diapers, incontinence).

Motion: Recommend dissolving Client Service Trust Fund after 2019 awards. Seconded. Renaldo Fowler abstained. Motion passed.

ACTION: Determine next steps on how to legally dissolve the fund.

Gina Judy: There will be a review of the current requests in early April. Asked that that the current committee members serve on the selection committee. Agreed.

GOVERNOR DUCEY'S EXECUTIVE ORDER AND DDAC REPRESENTATION

Governor Ducey issued an Executive Order on February 6, 2019 directing the Arizona Health Care Cost Containment System (AHCCCS), the Arizona Department of Health Services (ADHS) and the Department of Economic Security (DES) to strengthen protections for people with disabilities. One of his orders was for AHCCCS, DHS, and DES to convene a working group that includes individuals with disabilities, disability advocacy organizations, providers, and family members. This workgroup shall consider additional steps that can be taken to

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protect and improve care for individuals with disabilities and shall make recommendations and submit a report to the Governor's office by November 1, 2019.

The Task Force has been formed and met initially on March 6, 2019. The initial meeting was to lay the foundation including 5 working groups. Gina Judy and Karen Van Epps will be members of this task force with each serving on 1 or more of the working groups.

Gina Judy: Would like to see a member of the DDAC in each of the working groups. She can put forth the names to the Task Force.

Renaldo Fowler: My office is involved already. My advice to the task force is to not be hasty; look for a long-term fix not just for 1 issue. Additionally, do not leave Task Force results sitting on a shelf; need to implement.

ACTION: Keep this item on the Agenda for all future meetings.

COUNCIL MANAGEMENT AND BUSINESS

2019 Meetings

Remaining meetings for 2019 are: May 13 in Sierra Vista, September 18 in/near Page, November 13 in Surprise.

Renaldo Fowler: Keep doing places like Gilbert. Thanks to Communications and staff for getting the word out with more people attending.

DDAC Logo

A new DDAC logo was presented for approval. The new logo was prepared by Communications to readily identify the DDAC in all communications to the public.

Motion to approve use of new logo, seconded, passed unanimously.

MEMBER REPORTS

Rick Hargrove: Date of Services supposed to start is what?

Patrick Hays: FOCUS has date providers can start billing; use that date.

Jill Ryan and Karen Van Epps: Our concerns were addressed in the meeting.

Gina Judy: Notice to Cure – Summer 2017. Notices going out to revisit IRs.

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CALL TO THE PUBLIC

No response.

ADJOURNMENT

Gina Judy adjourned the meeting at 4:42 pm.

DRAFT