

**Mi Via Advisory Committee**  
**Meeting Minutes for July 24, 2014**  
**Approved October 23, 2014**

**Location:** 37 Plaza La Prensa, Santa Fe, NM

**Attendees (in person):** Tony Chavez, Doris Husted, Stevie Bass, Christine Wester, Guy Surdi, Heather Ingram, Melanie Buenviaje, Shari Roanhorse, Kim Shipman, Brittney Foss, Roberta Duran, Debbie Kinney, and Daniel De Paula, Imelda Garcia and Gerald Garcia

**Via Telephone:** Jennifer Hall (new Committee member), Althea McLuckie called in for the meeting and due to telephone issues in the meeting space, opted not to attend the meeting. Nadine Maes attended by phone.

**1. Welcome and Introductions:**

Mi Via Advisory Committee (MVAC) members and members of the public present introduced themselves and those calling in introduced themselves as they joined the meeting.

**2. Review Agenda: Add Additional Items:**

- For the next meeting, Tony Chavez would like time on the agenda for a discussion regarding an automatic vendor pay idea.
- No additional items were noted and the agenda was then approved as presented.

**3. Approved Minutes-April 24, 2014:**

- Minutes were approved after the following Action Items, questions and comments were answered and addressed:
- An error was noted on page 5 of the meeting minutes under #7, second bullet: “The coal is to submit the Waiver 7/1/14” should have read “The goal is to submit the Waiver 7/1/14”. It was agreed this correction does not warrant correction and resubmission to the Committee, just notation in these minutes.
- Action Items were discussed:
  - Kim Shipman, Molina, was to follow up with Molina to determine if there is an invitation only policy with regards to attendance at their Advisory Board meetings. Kim confirmed attendance is by invite only. Centennial Care Members receiving services through Molina can contact the Outreach Coordinator Tony Martinez at 505-348-0321 or [Anthony.Martinez@molinahealthcare.com](mailto:Anthony.Martinez@molinahealthcare.com) to discuss attendance at these meetings

- A suggestion was made for the Human Services Department (HSD) to provide feedback to the Managed Care Organizations (MCOs) about necessary steps to take to get members involved with the Advisory Boards and hold them to their contract. As this Committee is not designed to address issues related to Centennial Care and Orlando Vasquez with HSD is no longer attending these meetings, this issue was tabled. It was stated contact information for each MCO and their Advisory Committees were provided at the last meeting and Committee Members continue to express concern that the MCO Advisory Boards are not providing information that is readily available.
- Kim was to provide the contact name/number for the Molina Advisory Board which she did and this information is covered above under the first reviewed Action Item.
- Orlando was to provide DDS with the contact names/numbers for each MCO Advisory Board which he did and this information was submitted to Committee Members and those in attendance at the last Mi Via Advisory Committee Meeting in July.
- There was a request for the State to put together information/training/materials regarding the process to coordinate acute care services with Mi Via services in coordinating the participants Service and Support Plan. Shari Roanhorse indicated HSD is working on coordinating these activities with Mi Via and the Centennial Care Bureau. The Mi Via Waiver Renewal and Transition Plan to meet the requirements of Centers for Medicare and Medicaid have taken priority, however this activity is in process although no deadline for completion has been set. Shari indicated she would like to bring this information to the Mi Via Advisory Committee for input to assure it is user friendly.
- There was a suggestion for the (Third Party Assessor-Molina) TPA to receive training with regards to the definitions for approving/denying budgets. Shari indicated HSD has conducted training for the TPA on policies and procedures related to denials and references have been developed for approving budgets. She stated there are activities occurring with HSD/Molina work groups, bi-weekly calls, monitoring of Standard Operating Procedures and ongoing reviews of reference documents to address budget issues.
- Christine will email Althea to begin engagement of the Membership Committee. The Membership Committee was actively engaged, has reviewed the received Nomination Forms and this issue will be addressed later in the Agenda.
- There was a question raised about the target date for the transition to be completed for those transitioning to Centennial Care and whether those individuals will get their doctors for medical care. It was clarified that the transition is completed for those no

longer served through Mi Via and those individuals are responsible for assuring they are set up with their medical professionals.

- It was noted that issues with budgets and timesheets have been non-existent for some Committee members, however, recently there have been issues with the copies being faxed back to Participants in terms of being difficult to read. Heather is willing to look into this and will coordinate efforts with Doris Husted to review examples Doris has.

#### **4. Discussion of Nominations and Voting in of new Committee Members**

- Those attending this meeting who were not Committee Members were asked to temporarily leave the meeting to allow Committee Members to discuss the nomination process and vote in new Committee Members.
- The Nomination Committee was engaged as planned for at the last Advisory Committee. The deadline for Nomination submission was July 11, 2014 and those Nominations received after that time will be kept for review in the event of future vacancies.
- Members of the Nomination Committee each received a packet containing all Nominations and they applied scoring as directed by the Chair of the Nomination Committee, Althea McLuckie.
- Advisory Committee Members agreed to vote in the new Committee Members as a slate rather than as each individual nomination.
- Those presented as Nominations were:
  - Imelda Garcia-3 year term
  - Nadine Maes- 3 year term
  - Jolene “Catalina” Saavedra-3 year term
  - Tony Chavez-3 year term
  - Jon Peterson-3 year term
  - Stevie Bass-3 year term and will carry out one more year term to fulfill duties of Committee Chair
  - Leslie Martinez-3 year term
  - Althea McLuckie-3 year term
  - Rebecca Shuman-Consultant-2 year term
  - Jennifer Hall-3 year term
- Advisory Committee Members approved all members listed above to serve on the Committee through Motions made by Doris Husted and Guy Surdi. New Committee Members who are not representing a Mi Via Consultant Agency will serve three year terms and those representing a Consultant Agency will serve a two year term per the Committee By Laws.

**5. Discussion of the MVAC going under the Department of Health (DOH), Developmental Disabilities Supports Division's (DDSD) Advisory Council on Quality Supports for Individuals with Developmental Disabilities and their Families (ACQ)**

- DDSD has invited this Committee to come under the Division's ACQ as a sub-committee
- The MVAC opted to rebuild after the transition to Centennial Care through Nominations and re-establishing the composition of the Committee per the By Laws prior to further discussion about the interface of this Committee with the ACQ.
- Roberta Duran provided the ACQ Regulations and ACQ meeting schedule to Committee Members. She and Doris Husted provided information about the functions of the ACQ.
- The ACQ is a statutorily required advisory committee to the Division.
- The ACQ is authorized to make recommendations to the Department of Health, DDSD. HSD is also part of this Council. The ACQ is at the same level of Division advisement as the ICC (Interagency Collaborative Council) for the Families, Infants and Toddler Program (FIT) in terms of its authority to advise.
- As it is a statutorily recognized group, the ACQ can provide stipends for vetted members to attend meetings if necessary. The MVAC is not and cannot provide stipends.
- The ACQ looks at the quality of all services provided by the Division for the population of those with Developmental Disabilities. Some examples of services were given such as residential services, school transition services for adults, state general fund issues, FIT program issues, case management requirements, standards as well as what services consist of and who provides them.
- The ACQ has sub-committees and the MVAC would become a sub-committee for Mi Via issues. It was stated there is a standing policy sub-committee that meets regularly and reviews the quality of Division services. The Family Living Task Force came under the ACQ and continues to meet regularly looking at issues related to Family Living.
- There have been some lapses in meetings, however, the Council has regrouped over the last year. There continues to be multiple sub-committees about different topics such as discharges from an agency.
- There is a Central Registry sub-committee that developed out of Senate Memorial 20 to look at services available to those on the Central Registry, cutting down the wait time for services and looking at creative options for supports to be put in place outside of Waiver services for those who might not accept the Waiver at allocation.

- The ACQ has already approved the MVAC as a sub-committee to the ACQ. There would be a member of the Mi Via sub-committee who would have to be a vetted member of the ACQ (this person would be the Chair of the sub-committee). This member would serve as the interface between the ACQ and the Mi Via sub-committee. This person would be expected to be a vetted member of the ACQ by going through the application process and background check.
- The Mi Via sub-committee could make recommendations to the Division through the ACQ or the ACQ could request the Mi Via sub-committee to review issues related to Mi Via for them to provide recommendations to the Division.
- The current MVAC is not a required Committee for the Department of Health but it has been allowed to continue. By coming under the umbrella of the ACQ, the MVAC would have a more formal way to advise the Department as a sub-committee.
- ACQ also has representation from the Division of Health Improvement and they have sought recommendations from the ACQ in terms of their policies and procedures for investigations and surveys.
- The ACQ is made up of vetted members from provider agencies, individuals with Developmental Disabilities, family members, HSD, DOH, the Developmental Disabilities Planning Council, Parents Reaching Out, New Mexico Disability Rights, and there is work towards obtaining membership from the Department of Education.
- The work of the ACQ involves large, systemic issues impacting individuals with Developmental Disabilities such as legislative actions, funding recommendations as big picture policy issues.
- The ACQ affords the opportunity to have one discussion about an issue with multiple perspectives rather than having multiple discussions. The ACQ has tremendous responsibility and there are many issues that are discussed within it.
- ACQ meetings are open meetings so even though there are members, anyone can attend and be part of the discussion.
- Some members of MVAC felt it would be beneficial to have representation on the ACQ as well as on the various sub-committees such as the one to address the Central Registry.
- An example of issues discussed at the Central Registry sub-committee is to review peer supports for those receiving Mi Via services, education and outreach materials for Mi Via, assisting individuals with making a choice between the Developmental Disabilities Waiver and the Mi Via Waiver. This Central Registry sub-committee could benefit from more representation from Mi Via.
- Doris indicated there is a flow chart that outlines relevant state agencies and indicates what they provide oversight of which might be helpful to MVAC

Committee members in determining the impact of each on Mi Via. She will provide this chart to Christine Wester for distribution to MVAC members.

- There was a concern raised in terms of the MVAC becoming a sub-committee to the ACQ in terms of a conflict of interest if a person is serving on these committees as both an EOR and a participant. There was also a concern raised that Mi Via will be tied to DD Waiver through this group and the effect this could have on Mi Via becoming a medical model. It was clarified that there would not be a conflict for a participant who is an EOR or another individual who is an EOR serving on the ACQ or Mi Via sub-committee. It was also stated that the Mi Via sub-committee would be able to make recommendations to the Division through the ACQ if there were concerns with the direction of the Mi Via Program.
- It was stated a Mi Via sub-committee could make recommendations to the Division regarding state positions required to support the Mi Via Waiver Program.
- The ACQ is not afforded the time to fully address various concerns or issues regarding DD services or to develop processes, therefore the sub-committees take on the work to flush out those issues which are of significance to the work of the ACQ.

**6. Fiscal Management Agency (FMA) Update: Provided by Heather Ingram, XEROX**  
(The Committee agreed to move to deviate from the Agenda in order to allow time for Cathy Stevenson, DDS Division Director to arrive at the meeting.)

- There were no formal updates as all is going well in terms of payment, the call center is fully staffed and all were advised that if a call is not addressed satisfactorily through the call center, the Mi Via Liaison is a supervisor position who can be contacted for another level of support.
- XEROX continues to have an inbox and Heather can always be copied on any emails.
- XEROX contact list should be redistributed to MVAC members in light of new membership
- Turnaround time in communication continues to be part of the FMA contract.
- It was reiterated it is important to have reference numbers on calls as that is part of quality control for XEROX and XEROX staff are required to give this number out at the end of the call.
- Debit cards continue to be researched through XEROX and HSD. The use of these cards are becoming a much bigger issue than originally thought due to banking and CMS rules. All want to be very clear about the use of the card in conjunction with the rules, so research continues. The transition to Centennial Care also affected this in terms of looking at MCO funds, state oversight etc..

- There was a request for XEROX to look at the system with regards to errors on timesheets. It was stated there is one phone call from XEROX when an error is discovered in hopes of this being a more timely way to get an issue resolved rather than waiting on the letter of error in the mail. There was an example provided that a Participant received a notice of an error in the mail without a phone call which was too late to correct the error. This can be problematic for families who don't check their mail every day. It was stated it is important for XEROX to provide notice of an error first by phone.
- More information was requested to clarify that the FOCoS system is the Plan of Care Management System for Mi Via with the CoS acronym meaning Circle of Support. It was stated TNT is the entity authorized to do the taxes and filing.
- It was stated that Consultants don't know there are tax changes until a Participant runs short. TNT notifies FOCoS when the changes are going to occur and then creates an alert to the Consultant. When the Consultant receives the alert they need to then evaluate the changes to their Participant's budget and work with the Participant to make adjustments if needed.
- The MVAC requested clarification if the EOR gets notice of the tax changes as well.

**7. Third Party Assessor (TPA) Update: Provided by Brittney Foss and Kim Shipman, Molina**

(The Committee agreed to move to deviate from the Agenda in order to allow time for Cathy Stevenson, DDS Division Director to arrive at the meeting.)

- Molina is meeting timelines on budget reviews
- Molina contact list should be redistributed to MVAC members in light of new membership
- A question was raised regarding payments for gym memberships for both a Participant and a support person. It was stated that the budgets are reviewed per Standards and procedures in terms of what is an allowable budget item under MiVia. It was stated that private businesses have been helpful to Participants in assisting when they see a need such as allowing a reduced cost or allowing a caregiver to attend and not be charged. It was stated that if the Participant cost can be covered by Mi Via that sometimes helps with the financial issues for the caregiver just covering their own admission/membership.

**8. Break**

**9. ACQ Discussion with DOH/DDS Division Director, Cathy Stevenson**

- The request for the MVAC to come under the umbrella of the ACQ was a direct request from Cathy as the DDS Division Director.
- There is one advisory body, the ACQ, which advises the Division to look at services provided by the Division as a whole.
- Discussion of the proposal to have the MVAC become a formal member of the ACQ in order to pass recommendations to the ACQ as a formal advisory body.
- Some MVAC members felt this would strengthen the Committee and its work.
- The Committee could continue to have separate meetings, vote for a member of the current MVAC to become a vetted member of the ACQ to bring issues to meetings.
- It was confirmed that meetings are open to the public and the Mi Via Program Manager could attend the ACQ meetings as a support but could not speak for the group
- The current MVAC By Laws could continue
- A representative from the MVAC was invited to attend the next ACQ meeting on August 14, 2014.
- ACQ members do have to file an application and go through a vetting process which takes about 3 months, however, the representative from the MVAC can still attend while in the process of being vetted for the ACQ.
- If the MVAC were not to come under the ACQ, members could still meet, however, it would not serve in an advisory role to the Division.
- The Mi Via sub-committee to the ACQ would be considered a standing sub-committee to the ACQ.
- It was reiterated that the chair of the Mi Via sub-committee would have to be a vetted member of the ACQ. This member would serve as the interface between Mi Via sub-committee and ACQ.
- Currently the ACQ has limited knowledge about Mi Via and could benefit from increased understanding of the program
- The ACQ provides advisement on a variety of systemic issues, changes, processes and operations to the Division.
- MVAC members stated they recognize the pros of making this transition. Overall there were few concerns with merging into the ACQ.
- The Cons identified in taking this step would be the ACQ is a larger group and the Mi Via sub-committee as a part of that group would also need to be looking at larger issues across the population of individuals with Developmental Disabilities. Additionally, cons mentioned by Cathy Stevenson were that MVAC would lose autonomy and this may feel like a loss of power. Also, ACQ may need to find space to house larger meetings if Mi Via becomes a sub-committee.
- As Mi Via now serves approximately 730 individuals a Mi Via sub-committee could be effective in working with the ACQ with regards to growing the program.

- The Mi Via sub-committee would need to be sure they carefully articulate the recommendations well to the ACQ member taking concerns and recommendations back to the Council.
- An issue related to the payment of staff out of pocket by a participant or the giving of a gift to a family member who is also a staff was raised. It was determined that staff, even those who are family members and Participants need to avoid any potential circumstances for exploitation. With self-direction there might need to be discussions around how a Participant gifts a family member for a birthday or Christmas as they would for any other family member and avoid concerns with exploitation.
- There are 25 members of the ACQ with an Executive Committee and sub-committees who have Chairs.
- The ACQ By Laws do need to be revised and the Division Director wants the ACQ to retain its status as an advisory board with consistent information exchange across the Division.
- The ACQ does advocate for recommendations and legislative changes.
- As an ACQ sub-committee, Mi Via could request time with the Secretary of the Department of Health to inform and educate on Mi Via.

**10. HSD/DOH Update: Provided by Shari Roanhorse, HSD, Melanie Buenviaje, HSD and Christine Wester, DOH**

- A draft handout of the changes to the Mi Via Waiver that will occur as part of the Waiver Renewal was provided to MVAC members for their input at this meeting.
- Melanie Buenviaje, HSD Mi Via Staff Manager was introduced. She has been on board since May and learning the Mi Via system fast and furiously. She was previously with the DOH in Epidemiology and has worked with the DOH/Division of Health Improvement, DHI, and with Jackson Class Members.
- Meetings were held last fall with the prior DOH/HSD Mi Via Program Managers and now all the information regarding the Waiver Renewal is being put into the CMS portal.
- The document will be shared with stakeholders and DOH/HSD are collaborating to assure information is consistent between the Renewal, Standards and Regulations.
- The document highlights:
  - Roles and responsibilities of Consultants are more detailed as it is outlined in the current Service Descriptions
  - Customized Community Group Support will be the same service it is now with the word “Group” added. The change is that adult day health centers are no longer required to be licensed. There is also a change in service definition to include information to support integration to meet the CMS rules on integration. HSD/DOH are currently waiting on CMS feedback regarding this information as part of the transition plan to meet the rule.

- Assisted Living was removed from the Waiver. This service has not been utilized for individuals with Developmental Disabilities/Medically Fragile conditions for the last three years. In combination with the lack of utilization and the CMS rules to focus on community living the removal of this service shows CMS we are coming into compliance with their new rules.
- Public Comments about the Mi Via Waiver renewal were requested in writing and there was a Public Comment hearing about the transition plan to meet the CMS rules
- Customized in home living services will now be called In home living services to avoid confusion due to the number of customized services
- Employment services now has more detail to be consistent with current service descriptions and regulations.
- Environmental Modifications has now been changed from \$7000 to \$5000 every 5 years to be consistent with Centennial Care changes for this service. There was a recommendation for the document to indicate this is consistent with the DD Waiver as well given Mi Via now serves just those with Developmental Disabilities and Medically Fragile Conditions.
- There needs to be clarification regarding the manner in which Environmental Modifications are approved as a question was raised as to if this is a rolling amount and how this is determined.
- DOH through DDS and DHI now has the responsibility for monitoring the new Waiver Performance Measures. There are some new ones related to abuse, neglect and exploitation.
- The current Waiver expires 9/30/14 and the expectation is to submit for the new Waiver mid to late August for CMS review. The expectation is to keep the 10/1/14 start date even if it takes CMS longer to approve.

## **11. ACTION ITEMS:**

- Tony Chavez indicated he did not receive the meeting minutes nor directions to the meeting via email as other Committee Members did. Christine Wester will assure the correct email address is utilized in sending email information to Tony.
- There was a request for the State to put together information/training/materials regarding the process to coordinate acute care services with Mi Via services in coordinating the participants Service and Support Plan within the next 3 months.
- Doris Husted will send examples of documents she has received from XEROX that have been difficult to read to Heather Ingram for her review and follow up.
- Doris will send a flow chart for services to Stevie and Christine for distribution to the MVAC.
- Heather will provide a list of contacts for XEROX to Christine for distribution to MVAC members and meeting attendees.

- Brittney will provide a list of contacts for Molina to Christine for distribution to MVAC members and meeting attendees.
- Heather Ingram will determine if the EOR receives tax alerts as the Consultants do when taxes change.
- Shari Roanhorse provided the handout listing description of significant Waiver changes occurring as a result of the Waiver Renewal
- Christine Wester will follow up with the DOH/DDSD Mi Via Regional Lead who processes the Environmental Modifications for the Division to determine how the approval of funds is conducted.
- Committee Members were asked to complete the Media Consent Forms and submit them to Christine Wester prior to or during the next meeting.

**12. Public Comment:**

- Provided by Imelda Garcia indicating her appreciation in becoming a new Committee Member and for the opportunity to give input at the meeting.

**13. Next Scheduled Meeting:**

Next meeting scheduled for Thursday, October 23, 2014 1:00pm-4pm in Albuquerque, location to be determined. The phone system for this meeting will be checked prior to the meeting to assure it is effective and working.

