

The Advisory Council on Quality Supports for Individuals with Developmental Disabilities and Their Families Meeting Summary October 13, 2016

ACQ Members: Bill Myers, Patrick Anaya, Doris Hustad, Jim Copeland, Virginia Lynch, Joyce Munoz, Lily Martinez. Danny DePalma, June Montoya, Lisa Rossignol, Lecie Langille, Danny Palma, Kathleen Cates joined at 11:30,

State Staff: Marc Kolman, Regina Lewis, Teresa Larson, Jen Rodriguez, Ed Stallard, (get Melanie a name tent) Melanie Buenviaje, Annabelle Martinez, Tracy A, Kathy Baker, Steve Schann (guest)

Guests: Debby Kenny, Fritzi Hardy, Omar, Claudia and Alex Ibanez

TOPIC	DISCUSSION	OUTCOME
<ul style="list-style-type: none"> a) Call to Order: b) Welcome and Introductions c) Approve Agenda d) Review/Approve Previous ACQ Summaries 	<p>Patrick called the meeting to order at 9:45 am. He then went over ground rules and explained the procedure for public comment and the evaluation forms. Bill reminded everyone that members only fill out the evaluations. If you are not a member and you complete an evaluation, please indicate that you are not a member.</p> <p>A short discussion was had on the meeting dates for 2017. The question was asked if the 2nd Thursday of every other month would still work for everyone – all agreed. The venue is to be determined.</p> <p>A reminder was made that voting is for ACQ members only.</p> <p>Partner Forms: June Montoya – will be discussed when Chris talks about Transportation policy Jim – will be discussed in Dec</p> <p>Official transition to BSI – Marc Kolman, Deputy Director – transitioning from Community Programs to Bureau of Systems Improvement – Kathy Baker is officially taking over for Gayla Delgado, Chris Futey will also be part of the transition team.</p> <p>Updates: Marc Kolman</p>	

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	<p>Budget: 5 – 5 ½% cut was made across the board, in addition to the original cuts that were made earlier in the year. DDS has had most of the funding reductions restored, maybe. Restoration will be made to already reduced amounts, not FY16, i.e. beginning of FY17 budget</p> <p>Other news: DDS is suspending the SIS. This was approved just last week and the particulars are still in process as to how and when this will go into effect. There was discussion as to whether CMS needs to approve this. HSD said they are working with CMS. Also, that there are a variety of assessment and planning tools available in addition to the SIS for teams to use. Another question was if the OR will replace the SIS. Marc explained that the SIS is a needs based assessment tool and the OR is a budget, or allocation, tool.</p>	
<p>Wise Plan Objective 1: Identify weaknesses in communication chains</p> <p>DDW Renewal Status</p>	<p>Jen Rodriguez: DDW Renewal Status: The State has just received permission for second extension of the DDW renewal. We can now make the requested changes, although to date the changes requested have not been significant. There will be a formal public comment period. HSD will be distributing letters for this and they are asking Case Managers to distribute the information, as well. The CM are being asked to hand deliver the information. DDS will also be utilizing webinars to get the information to the public. Dates for these webinars are forthcoming. Preparations for Tribal notification on November 1 are being made. The Public Hearings will be sometime in January. The first 300 people on the Waiting List will receive a letter regarding these meetings. These 300 will also receive a hand delivered notification.</p> <p>There was some discussion regarding the DSM-IV currently referenced in the DDW Standards. Although there is a new DSM-VI now out, we do not anticipate any changes in language for this round of renewal.</p>	

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<p style="text-align: center;">Know Your Rights Campaign</p>	<p>Know Your Rights Campaign – We are doing this because it is the right thing to do, not just because we have to do it. DDS is working with HSD and home and community based providers. There has been one stakeholder’s meeting held with another one scheduled for November 10 from 10:00 – 3:00. There is a full agenda planned for the day and everyone is cordially invited to attend. This meeting will have more of a provider focus. Jen Rodriguez is the point of contact for any questions. There have been webinars and trainings held to inform people of their Rights. These have been geared toward the individual and guardians.</p> <p>There was discussion on who should be involved in the Know Your Rights Campaign. It was suggested that the NM Medical Association and the Law Enforcement Community be involved. DDS is asking everyone to get involved. Educate the people around you.</p> <p>The Stakeholders Meeting will be discussed at the December ACQ meeting.</p> <p>The question was asked how this was going to work with Mi Via. Regina Lewis explained that the Mi Via waiver was already implementing changes and the expectations are the same as for the traditional waiver. Melanie from HSD said that participant validations were going to be done in their settings. Mi Via and the Med Fragile waiver are currently presumed to be compliant with the Final Rule. CMS is requiring that these settings be compliant.</p> <p>Melanie Buenviaje: http://www.hsd.state.nm.us/providers/written-tribal-consultation-letters.aspx</p> <p>The amendment will be submitted to CMS in January, 2017 – public comment period opens on Nov 17</p> <p>Town hall meetings will be held to discuss the key components of the proposed changes:</p> <ol style="list-style-type: none">1. Update the number of participants being served under the waiver.	
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<p>Mi Via Amendment Timeline</p>	<ol style="list-style-type: none"> 2. Related goods will be renamed Individual Directed Goods and Services and will include services, equipment or supplies not otherwise provided through this waiver or the Medicaid State Plan. 3. Appendix I-2 <i>Rates, Billing and Claims</i>, will be updated to include clarifying language that reasonableness of rates for approval of Individual Directed Goods and Services will be determined by reviewing trends in utilization over a two year period. 4. The Transportation services will be updated to clarify that payment for transportation under the waiver is limited to the costs of transportation needed to access waiver services included in the participant's service plan or to access other activities and resources identified in the service plan. 5. The Respite service will be updated to clarify that respite is provided on a short-term basis to allow the participants' primary unpaid caregiver a limited leave of absence in order to reduce stress, accommodate a caregiver illness, or meet a sudden family crisis or emergency. 6. The In-home Living Support service will be updated to clarify that the service must be provided through a vendor agency and not through an independent contractor. <p>At this time HSD does not see any impact to existing budgets.</p>	
<p>Mi Via Financial Concerns</p>	<p>Financial Concerns: Related Goods such as computers, mattress pads, etc. Issue being faced: The participants ask for a dummy receipt from the vendor for the item they would like to purchase. They then present the receipt to Xerox with a request for a check for the goods. Upon receipt of check, the participant will present check to vendor, Vendors have not been accepting the checks because they are made out by Xerox and there is no way to know if it's good or not. In 2014, HSD reached out to vendors. Many of the big box stores will not accept these checks, but local business will. HSD encourages people to shop locally.</p>	

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<p align="center">Mi Via Newsletter</p>	<p>TNT checks (telechecks) have been determined to be too expensive. Plus, when a check is issued it is for the exact amount only and many times the price for the item has changed since the original dummy receipt was printed.</p> <p>Debit cards - From 2015 to now, HSD has looked into the possibility of using debit cards. One of the concerns of debit cards is the potential for abuse and exploitation. The participant may not have ability to keep family or caregivers from using card for their own purposes.</p> <p>Purchase Agent – 2016 – A third party purchases the goods.</p> <p>A proposed option is the purchase order system – The participant picks out the good online and then a subcontractor would purchase the good and have it delivered to the home or allows the participant to pick up the good at the store. HSD is looking at developing this. HSD and DOH are participating with MVAC subcommittee for suggestions for protections needed for this type of system. This would work for both the State and the Participant.</p> <p>Online timesheet submissions is a new process and seems to be working very well. We are currently working toward vendor and mileage online submissions next. Maybe in the next 3-4 months.</p> <p>Newsletter – Purpose of the newsletter is to inform people of changes or updates to Mi Via. It also lists community resources. It is one of Mi Via’s main forms of communication. HSD is respectfully declining to put ACQ articles on newsletter. They will put contact information in the Circle of Support part of the newsletter. Regina said that ACQ information can be put on the Mi Via website. Regina will get the information to Melanie for the Circle of Support on the newsletter.</p>	
<p>Objective 2: Provide feedback to support improved communication</p>	<p>Litigation Conversation – Ed Stallard:</p>	

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<p>IMB Update</p>	<p>Where IMB stands with the Jackson Lawsuit – Distributed a handout with the Eleven IMB Objectives: S1.1.1 – “Define Abuse, Neglect and Exploitation (ANE) consistent with New Mexico statutory Adult Protective Service (APS) definitions.” In Jan this was submitted for disengagement. Disengaged S1.1.2 – “Provide educational information about how to detect ANE.” Target audience includes Providers, physicians, clinicians, families, guardians and law enforcement. S1.1.3 – “ANE Train the Trainer curriculum” – training providers to have a trainer on staff so there is consistent train across the State on how to recognize ANE – getting ready to submit for disengagement S1.1.4 – “ANE is reported immediately.” Dr. Gant has approved – Recommended for Disengagement S1.1.5 – “Providers will take immediate action to develop a safety plan after an allegation of ANE to protect the alleged victim(s) during the course of an investigation.” Pending S1.1.6 – “Severity of the alleged ANE dictates the investigation response.” Pending Emergency – 3 hours to respond Priority 1 – generally involves physical injury – 24 hours Priority 2 – 5 days – low level S1.2.1 – “Competent ANE Investigators conduct professionally adequate investigations of ANE.” Completed 3 ½ steps – have a ½ step to complete Consultants helping to create a review/tool S1.3.1 – “Consistent with the IGA (Inter-Governmental Agreement), IMB will be the primary authority for ANE investigations.” Dr. Gant has approved - Recommended for Disengagement. S1.4.1 – “Provide information regarding ANE reports/investigations to designated stakeholders.” This is essentially our annual report showing trends and patterns that have been identified regarding ANE. Pending S1.5.1 – “Risk of ANE is reduced when individual/systems issues are identified and prevent[ive] and remedial measures are taken.” When an investigation has been created – provider must provide a plan to correct or prevent action from happening again – Pending S1.6.1 – “Use ANE information to improve health/safety.”</p>	
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<p style="text-align: center;">Waldrop Update</p>	<p>In short, started with 11 Disengaged – 1 Recommended for Disengagement – 2 Pending - 4 Four more to go</p> <p>There was further discussion regarding how IMB investigations work. Ed indicated he would be happy to give presentations to individual agencies and that if anyone has a question or concern with a particular case, they are more than welcome to contact him. It was suggest that if a presentation to the ACQ was requested it should be done through a submission of a Partners Form.</p> <p>Waldrop Update There was no prepared update for Waldrop. Jen shared that this month marks the yearly anniversary of the Outside Review. The question was raised that if the SIS is no longer going to be used will the Waldrop lawsuit go away? No, the terms of the Waldrop Agreement is for two years. We are the one year mark right now. The State is looking at resolving what’s left on the disengagement in the next year.</p>	
<p style="text-align: center;">Recorded Meetings</p>	<p>Recording Meetings: Webinars are limited by band width so that is not a feasible option at this time. State offices are not able to provide flat screen tvs, computers and/or phones. At this time, the State is using Skype, but Chris Futey was unable to find the recording function in Skype. Offering the space for availability at State offices is being discussed. The space would require a</p>	<p style="text-align: center;">Executive Committee Meeting agenda item</p>

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<p style="text-align: center;">ACQ Article for DDS Newsletter</p> <p>Increase System Capacity</p> <p>Objective 1: Support clean-up of wait list numbers and the maintenance of accuracy thereafter</p>	<p>phone and computer/internet access. Computer or laptops with a camera and microphone would be needed also. Lisa Rossignol was asked to request that Parents Reaching Out come to next meeting to explain how they set up their meetings. It was decided that recording meetings will not be offered at this time.</p> <p>ACQ will submit an article for Dec. newsletter</p> <p>Chris Futey: Transportation Guidelines: The Policy and Quality subcommittee went over the Transportation guidelines at last Subcommittee meeting and made some changes. Please look this over with suggestions for further changes – Christopher.Futey@state.nm.us – We appreciate all the feedback we’ve received. I would like to take it back to Bureau Chiefs on October 24 for final review after any other changes are made. I want to remind everyone that these are guidelines only, not policy. <i>Bill Myers</i> reminded everyone that most agencies will have these guidelines because of their insurance coverage. Please have any suggestions for changes to Chris by Oct 20. Chris pointed out that the Statement of Introduction and Purpose states these are guidelines are for DDW. There was discussion around guidelines for an agency or agency contractor who provides transportation to clients. Health concerns could be written into the ISP to address the concern, i.e., smoking.</p> <p>Score Card: Chris gave everyone a copy of the Power Point that has been presented to the Regions and the Policy & Quality Subcommittee. The scorecard scores providers red if actions are taken and green if no actions are taken by the IRC (Internal Review Committee). QMB surveys are drilled down to COP (Conditions of Participation). The data has been</p>	
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	<p>completed through the end of September. This has been sent to Senior Management and OGC (Office of General Council) for final approval. A request has been made to provide the scorecard in Spanish.</p> <p>Kathleen Cates – We know this is a very large and complex process, thank you Steve and Chris for the work that you have done. Chris – we are still working on it, but getting closer to the end.</p> <p>Wait List Committee Meeting – Not making a lot of progress on SM20. The committee would like to address the possibility of at least a small amount of money being set aside for allocations each legislative year.</p> <p>MVAC – Danny Palma - so many resources are available that are not being used (Employment Service). If anyone has any ideas or suggestions, please get ahold of us. Jen: If there are formal recommendations being asked for we need to get the right people at the table. This is not the place. Is there an HSD rep that sets on the wait list committee?</p> <p>ACQ Subcommittees:</p> <p>Wait List Committee: Jim Copeland Omar & Claudia Danny Palma Lecie Langille Lisa Rossignol Lily Martinez Virginia Lynch Doris Husted LeAnn Connor Teresa Larson Cassandra DeCamp Regina Lewis</p>	
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	<p>Fluer Dahl Juanita Salas</p> <p>Policy & Quality Committee: Chris Futey Lisa Rossignol June Montoya Bill Myers Kathleen Cates</p> <p>MVAC Subcommittee: Will be meeting in Ste 203 at BOW on Oct 27 Stevie Bass Melvin Brown Jeanette Bundy Tony Chavez Darlene Hunter Jennifer Hall Brad Hill Keytha Jones Nadine Maes Leslie Martinez Althea McLuckie Jolene Saavedra Cathy Salazar Rebecca Shuman Shayla Spolidoro Michael Romero Sandra Woodward</p> <p>Membership Committee No one at this time</p> <p>No other active committees at this time</p>	
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	<p>Members whose terms are coming up, do they need to be re-vetted? Cathy Stevenson is asking the Governor's office if they have to go through the vetting process again.</p> <p>Sandy Skaar – vetting packet at Governor's office currently Melvin Brown</p> <p><i>June Montoya</i> asked if her daughter can become a member of ACQ.</p> <p>Ed Stallard returned – EAR Employee Abuse Registry Ed will send the guidelines for EAR to Kathy B to distribute to all. Provider is supposed to receive the Long Letter that gives the evidence used to substantiate an allocation. Provider can request the IMPR report which will have names redacted.</p> <p><i>June Montoya</i> – Could there ever be a hybrid DDW/Mi Via waiver? Regina was not sure. She said there is a lot of flexibility between the two waivers and individuals can change when it is right for them.</p> <p>Motion to Close – all in favor</p>	
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1. Future Agenda items		

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2. Closing:		