



DDSD Advisory Council on Quality (ACQ) Meeting Notes June 10, 2021

MEMBERS PRESENT

Lisa Blue (Co-chair), Daniel Ekman Co-chair), Veronica Chavez-Neuman, Lily Martinez, Cathy Salazar, Patrick Anaya, Virginia Lynch, Stevie Bass, Joyce Munoz, Allyson Rhatigan, Dan De Paula, Gabriela Ramos, Tracy Perry, Angelique Tafoya, April Spaulding, Laura Matthews, Jennifer Bartz, Sandy Skaar

MEMBERS ABSENT

Sandra Woodward

STATE AGENCY NON-VOTING PARTNERS PRESENT

Brad Hill, Alice Liu McCoy, Tanya Baker-McCue

STATE AGENCIES PRESENT

Scott Doan, Marc Kolman, Teresa Larson, Iris Clevenger, Marie Velasco, Kresta Opperman, Cassandra DeCamp, Christina Hill, Victoria Herrera, Jennifer Roth, Margaret Bost, Casilda Gallegos, Casey Stone-Romero, Evangeline Yanez, Linnea Forsythe, Anysia Fernandez, Chris Futey, Jason Cornwell, Lindsay Sloan, Sally Karingada, Melanie Buenviaje, Shari Roanhorse, Jen Rodriguez, Jacob Patterson, Lorie Pacheco, Michael Driskell

GUESTS

Peggy O'Neill, Jessica Gutierrez, Elisheva Levin, Christina Barden, Lori Steward, Kate Nash, Cynthia Chavez, Alicia Bernal, Peter Crespín, Brittany Maldonado, Angela Ortega, Lecie McNeese, Susan Toclanny, Adam Zamora, Holly Faulkner, Ampara Mato, Matthew from Molina, Jentry Hinton, Conor Hulbert, Trina Zamarripa, Velardej, Delfie Lopez, Denise Hernandez, Benjamin Cisnero, Jennifer Rose Stubbs

ACQ ADMINISTRATOR

Wendy Corry

WELCOME/ ANNOUNCEMENTS

- Reminder- during ACQ meetings only members, including pending members, are encouraged to speak, guests are welcome to speak during Q and A and Public Comment. It is harder to do this on ZOOM. The Committees are open to all as a public forum.
- Many of us miss in-person meetings but the ACQ will continue to adhere to the Governor's and Dept. of Health's guidance.
- The public comment period will be moved to the beginning of the agenda to ensure consistency for the time allotted.

- MCO's have been invited to all ACQ meetings. They will have specific agenda items when they are asked to present.
- The Exec. Comm. recognizes the concerns regarding the national nurse's shortage and the impact this has on the DD Waivers. The Exec. Comm. is working towards scheduling a presentation on this issue.

REVIEW OF MINUTES FROM FEBRUARY 2021

- Minutes were approved with minor revisions. Gabriela moved to approve the minutes. Joyce seconded the motion.

PUBLIC COMMENT:

- No public comments
- Public Comments are recorded through ZOOM and are available through the ACQ website at <https://www.nmhealth.org/about/ddsd/coco/acq/>

COVID-19 UPDATE/DIRECTOR'S UPDATE- Scott Doan

COVID Update

- Scott provided the COVID statistics for people receiving waiver services and this will be distributed.
- reviewed and discussed the "DDSD Day Services and Congregate Facility Reopening Plans" document that has been distributed.
- DDSD had a meeting with providers and stakeholder's on June 9, 2021 regarding this reopening.
- DDSD will require each provider that offers day programs to submit a reopening plan to the respective regional office who approve it or send it back with specific revisions needed.
- July 1 will be earliest date for reopening.
- Discussion on mask mandates. DDSD is hoping to distribute updated mask mandate guidance and training info around June 15.
- Discussion on ventilation systems in day hab centers which will be included in the providers reopening plan submitted to DDSD.
- Questions on vaccinated/non-vaccinated staff. Answer- The vaccine is not mandatory for staff or individuals. Non vaccinated staff can work with individuals.
- Medical dispensers or medical alerts will be assessed on a case by case basis.

American Rescue Plan Act.

- This is for HCBS Waiver Services. For FY 21 an additional \$14.7 million into the system. For FY 22, additional \$36.5 million. **This is temporary funding, not reoccurring dollars.** Will expire on March 31, 2022. States have up until 2024 to spend the money. Numbers could be subject to change.
- DDSD is considering costs to assist reopening day programs as a part of ARPA (ex. ventilation systems).
- All states have to submit a spending plan which is now due July 11 due to an approved 30-day extension.

- DDSD and HSD would like people's suggestions on how to spend the money. Please contact Scott Doan, Mark Kolman, Deb Veering, Jason Cornwell, Melanie Buenviaje and Kresta Opperman by June 25.

MI VIA WAIVER UPDATE REPORT- Jen Rodriguez/Melanie Buenviaje

- Jen and Melanie provided a status report on the Mi Via Waiver including info on the changes that have been approved under the renewed MI Via Waiver which is good for 5 years. A summary of their presentation is attached to the minutes.
- Aaron Maestas is the new DDSD Mi Via Program Manager.
- Jen provided a written report which is attached with the minutes.

STANDING COMMITTEE UPDATES:

MI Via Matters-Stevie Bass.

- All members of MVAC feel that the reason for participation is to improve the quality of life for all participants.
- An ACQ member stated that some Mi Via budget denials are going on now that seem unusual. Dozens of people have line items in their budget denied at a higher rate than usual. Some items have been denied that were previously approved multiple times. MVAC has formed a work group to work on this issue and will be producing a written document of recommendations to the state related to the NMAC language.
- DDSD noted that the state asked MVAC about the additional funding and the future of what additional funding might look like along with the criteria. A fix was put in place to allow for people with additional funding in their budget to get the funding back even if they were denied. HSD and DDSD met with DRNM on the specific issue of additional funding.

HSD noted the criteria set forth in the NMAC will be applied for additional funding requests beyond what was already present in someone's budget. The guidance related to Additional Funding is as follows: "To allow for the state to engage and receive input from stakeholders, the TPA has been directed to approve all services and goods requested in the base budget and AF if there is no change to the frequency, duration, and scope for the services requested and approved from the previous year budget request, however the TPA is directed to allow for minor increases in the AF amount due to changes in updated tax and minimum wage requirements. For increases to AF requests, meaning a change in the frequency, duration and/or scope from the previous year's approved budget, the TPA has been directed to apply the AF criteria outlined in 8.314.6.17 (F) NMAC. For new AF requests, meaning the services and goods were not on the previous year's AF budget, the TPA will apply the AF criteria outlined in 8.314.6.17 (F) NMAC".

Goodwill Industries uses the Vineland to assess participants. One member brought up that she was offended at a recent assessment of a family member due to out of date language regarding the old term "Mental Retardation". After discussion it was agreed that HSD would talk with Comagine to determine if they are using the 2nd edition of the Vineland instead of the updated third edition which has eliminated the offensive term. A question will be how many of the assessments Goodwill has purchased.

An ACQ member stated consultants need to be educated about Mi Via therapies. TPA needs a denial letter for the insurance first, which can then be sent to the TPA to be approved for Mi Via Therapies. There are consultants that still do not understand that process. DDS will address the issue with the specific individuals. The TPA reviewal and approval process has not changed.

The Medically Fragile Family Advisory Board would like to be included in giving input into the NMAC Revisions like the MVAC is. HSD stated that they can, and that work is being done on getting feedback.

ELECTRONIC VERIFICATION VISITATION (EVV) UPDATE- Marc Kolman and HSD

- Currently working on training as moving towards phase II. Phase II includes mobile apps to track EVV entries and linking to claims.
- Looking at monitoring and how to do that effectively and agency compliance with EVV requirements.
- Part of EVV implementation is personal care services and home health aide services. The deadline for EVV compliance for that is 2023. Will impact Med Frag Waiver. Will start looking at how that will be onboarded or implemented for any services that have a Home Health Aid component.
- there are much more support systems in place for Phase II rollout along with a comprehensive training plan.
- ACQ members want to keep EVV as a standing agenda item.

STATUS REPORT ON MCO ENGAGEMENT WITH THE ACQ

- The ACQ Exec. Comm. met with HSD and the MCO's to brainstorm options of how we can all address this ongoing concern. Agreed Upon Outcomes of the meeting:
 1. All MCO's will send representatives to the ACQ meetings on an on-going basis
 2. Presentation for the August 12 ACQ meeting- What MCO's are doing to outreach to people on the DD Waiting list re: Community Benefits, how services are accessed through the MCO's (includes medical as well as community benefits, etc), high level overview of MCO's role and responsibilities. Cover assessment, what services are available, EPSTD.
 3. Quarterly data reports from each MCO. Number of people receiving therapy, community benefits, etc.

QUESTIONS AND ANSWERS-

- Concern was raised by the Medically Fragile Family Advisory Board about the nursing shortage documents. Families would like to know how the increased rates filter down to the nurses performing the care. What is the pass through? Concern that nurses aren't seeing too much of an increase in their pay. Without nurses, parents have to become the aide and doctor. Parents in some cases have to provide ICU level care without that training. Nurses can work at a hospital for much more and get benefits as a nurse as compared to home health. Working with the College of Nursing to think about a program that would help train nurses. Some families have allowed students nurses into their

home. Might be able to look at some unique and creative avenues through the College of Nursing.

- Scott Doan added that they are aware of the issue of wages for nursing. In the rate study, they wanted direct pass through to on the ground professionals. American Rescue Plan Act money intent is the same. DDSD does not have the ability to dictate how agencies will distribute their reimbursement. A bill on a percentage of pass through in the Legislature did not pass.
- HSD contracts with the MCO, not DDSD. DDSD contracts with the DD Waiver provider themselves. In Medically Fragile Waiver, the providers contract through DOH. Can't dictate to agencies pass through or what they spend on frontline workers.
- DDSD is beginning to form a task force to look at the nursing shortage. The Medically Fragile Family Advisory Board requests representation for this task force.

POSITIVE STORIES:

- Numerous positive stories were shared, and everyone agreed this is a great addition to the agenda

ACTION ITEMS:

- Everyone was encouraged to provide input to DDSD and HSD on recommendations for the American Rescue Plan Act spending. Deadline for input is June 17, 2021.
- HSD will follow-up with Comagine regarding use of the outdated Vineland Form by July 15, 2021.
- DDSD is starting a Task Force on the nursing shortage and will include Medically Fragile representation.

The meeting was adjourned at 12:45 pm

The next ACQ meeting will be Thursday, August 12, 2021