Return to Participant Letters

Starting September 29, 2014, Xerox stopped mailing Return to Participant letters to the employer for unprocessed payments. Xerox will contact the employer by phone and will also email the employer and consultant. You can contact the Helpdesk at 1-866-916-0310 to verify we have a valid phone number and email address to contact the employer of record.

When An Employee May Begin Working

Employees cannot work for a Mi Via participant until all pre-hire paperwork is received by Xerox and the employee has passed COR screening. To obtain the pre-hire packet, you can contact the Xerox Help Desk at 1-866-916-0310 or your consultant. Employees and independent contractors (without an appropriate professional license) are required by NM law through the caregivers’ criminal history screening act (7.1.9 NMAC) to pass a criminal background check which must first be processed against the COR. This COR screening is completed by Xerox, usually within 48 hours, after all complete and correct pre-hire packet information is received by Xerox.

Once the COR check is completed, and the provider has passed the COR check, the Employer (EOR) will receive an e-mail notification that the employee has passed their COR Background Check. If the EOR does not have an e-mail address listed in FOCoS online Xerox will contact the EOR, via telephone to let the EOR know that the employee has passed the COR check.

Remember, employees cannot begin working until the Employer has been notified by Xerox that the employee has passed their COR Background Check and may begin working as approved on the Participant’s Plan and according to the Participant’s Mi Via Waiver Eligibility. You can work with your consultant agency on the process of hiring an employee.

Although an employee may begin providing services as soon as they have passed their COR Background Check, as approved on the Participant’s Plan and according to the Participant’s Mi Via Waiver Eligibility, payment will not be issued until all required paperwork (Employee Agreement, Employee Information Form, Declaration of Relationship Form, and Federal W-4) is complete and has been processed by Xerox. You can contact the Xerox Help Desk at 1-866-916-0310 to verify that all required employee enrollment paperwork has been received and that the employee is set up to receive payments.

If an employee does not pass the criminal background check, as required by NM law, he/she may not provide services to the Mi Via participant. The employee and Xerox will be notified by the Department of Health if he/she does not pass the criminal background check.
Lost/Stolen Check Process

What are the steps to getting a lost/stolen check reissued?

1. Make sure you cannot locate the check. You must wait 30 days before a lost/stolen check will be reissued.

2. After 30 days, fill out the “Affidavit - For Lost or Stolen Checks” form and send it to Xerox.

3. After Xerox receives the “Affidavit” it will take about 5 business days for the check to be reissued.

4. If you find the lost/stolen check after you have sent the Affidavit, please contact Xerox immediately. Do not try to use the lost/stolen check since it may cause problems for other checks issued for this vendor. TeleCheck is a company that is used by retail stores such as Wal-Mart or Best Buy. If someone tries to use a check that has been reported lost/stolen, TeleCheck will not be able to process any other Mi Via checks causing problems for other participants.

FOCoSonline Training

You can now take the FOCoSonline training on your own, at any time, from the Mi Via website home page at http://mivianm.org. A list of frequently asked questions and a training manual is also included.

If you are an employer, please take the Employer training Parts I & II. If you are an employee, you only need to take the Employee training.

Please complete the quiz at the end of the training to help you review the information. You will receive a FOCoSonline Account Authorization form, once the training is completed. You will need to complete this in order to login to FOCoSonline.

Please note, for employees, your Employer must also have access to FOCoSonline so they can approve your timesheet.

Correction to Waiver Public Notice

Please note the following correction on the Human Services Department (HSD) letter dated September 14, 2014 regarding the Proposed Mi Via Home and Community- Based Services Waiver Settings Transition Plan in response to the Centers for Medicare and Medicaid Services (CMS) Final Rule. The last date for submission for written and recorded comments is incorrectly noted on page one (1) of the letter as October 14, 2014. HSD will accept written comments up to 5:00 pm Mountain Daylight Time on October 15, 2014 as indicated on page three (3).
## Dates to Remember in October 2014

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<tr>
<th>Sun</th>
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<td><strong>Paychecks and Vendor Checks Received or Deposited</strong>; end of the pay period.</td>
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<td><strong>Deadline to submit PRFs for 10/24 payment</strong></td>
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<td><strong>Deadline to submit timesheets, Mileage &amp; PRFs for 10/31 payment</strong>; new pay period begins</td>
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<tr>
<td><strong>Spending Reports Mailed to EORs</strong></td>
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<td><strong>Deadline to submit PRFs for 11/7 payment</strong></td>
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<td><strong>Deadline to submit timesheets, Mileage &amp; PRFs for 11/14 payment</strong>; new pay period begins</td>
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</table>
# Mi Via Circle of Support

<table>
<thead>
<tr>
<th>Agency Name</th>
<th>Contact Name</th>
<th>Phone</th>
<th>E-mail</th>
<th>Region(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA Participant Direction</td>
<td>Dave Murley</td>
<td>505-508-5524</td>
<td><a href="mailto:aaapd4@gmail.com">aaapd4@gmail.com</a></td>
<td>All of New Mexico</td>
</tr>
<tr>
<td>CNRAG, Inc. (Care Network Resource Assistance Group)</td>
<td>Gale Idstein</td>
<td>575-650-0053</td>
<td><a href="mailto:gidstein@cnragusa.com">gidstein@cnragusa.com</a></td>
<td>Metro, SE and SW</td>
</tr>
<tr>
<td>Consumer Direct Personal Care (CDPC)</td>
<td>Sandra Woodward Jacob Patterson</td>
<td>1-866-786-4999</td>
<td><a href="mailto:sandraw@consumerdirectonline.net">sandraw@consumerdirectonline.net</a> <a href="mailto:jacopb@consumerdirectonline.net">jacopb@consumerdirectonline.net</a></td>
<td>All of New Mexico</td>
</tr>
<tr>
<td>Los Amigos, LLC</td>
<td>Sergio Garcia</td>
<td>1-888-843-2621</td>
<td><a href="mailto:Sergio@losamigosbs.com">Sergio@losamigosbs.com</a></td>
<td>Metro and NE</td>
</tr>
<tr>
<td>Self-Directed Choices</td>
<td>Don Skaar</td>
<td>505-508-1663 or 877-464-1252</td>
<td><a href="mailto:don@sdchoices.com">don@sdchoices.com</a></td>
<td>All of New Mexico</td>
</tr>
<tr>
<td>UNM Center for Development and Disability (CDD)</td>
<td>Vonnie Sachse</td>
<td>505-272-4631</td>
<td><a href="mailto:vsachse@salud.unm.edu">vsachse@salud.unm.edu</a></td>
<td>All of New Mexico</td>
</tr>
</tbody>
</table>

## Human Services Department / Medical Assistance Division – Exempt Services and Program Bureau

PO Box 2348, Santa Fe, NM 87504-2348, Toll-free Phone: 1-888-997-2583, Fax: 505-827-7277

Manages the FMA/Xerox contract and the TPA/Molina contract

<table>
<thead>
<tr>
<th>Melanie Buenviaje</th>
<th>Mi Via Unit Staff Manager</th>
<th>Functions: Mi Via Waiver oversight, Xerox Issues</th>
<th>505-827-3176</th>
<th><a href="mailto:Melanie.buenviaje@state.nm.us">Melanie.buenviaje@state.nm.us</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Betty Sangre</td>
<td>Participant Issues Resolution &amp; Eligibility</td>
<td>Functions: HSD/ISD Issues, Molina TPA Issues</td>
<td>505-476-7255</td>
<td><a href="mailto:betty.sangre@state.nm.us">betty.sangre@state.nm.us</a></td>
</tr>
</tbody>
</table>

## Department of Health / Developmental Disabilities Supports Division

5301 Central NE, Suite 203, Albuquerque, NM 87108. Phone: 1-800-283-5548

Operates the Mi Via Program for Developmental Disability (DD) and Medically Fragile (MF) Populations

Oversees consultant agency contracts

<table>
<thead>
<tr>
<th>Christine Wester</th>
<th>Functions: Consultant Agency oversight, LRI Approvals, Consultant Oversight and Issues, Fair Hearings</th>
<th>505-841-5510</th>
<th><a href="mailto:christine.wester@state.nm.us">christine.wester@state.nm.us</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Marie Velasco</td>
<td>Functions: Environmental Modifications (E-mods), Waiver Change Forms, Consultant Agency Change Forms, Allocation Issues,</td>
<td>505-841-2917</td>
<td><a href="mailto:marie.velasco@state.nm.us">marie.velasco@state.nm.us</a></td>
</tr>
<tr>
<td>Iris Clevenger</td>
<td>Functions: Waiver Change Forms (Medically Fragile), Consultant Agency Change Forms (Medically Fragile), Allocation Issues (Medically Fragile)</td>
<td>505-841-2913</td>
<td><a href="mailto:iris.clevenger@state.nm.us">iris.clevenger@state.nm.us</a></td>
</tr>
<tr>
<td>Regina Lewis</td>
<td>Functions: Allocation Issues, Fair Hearings, Consultant Oversight/Issues, Participant Issues, LRI Coordination</td>
<td>505-851-5519</td>
<td><a href="mailto:regina.lewis@state.nm.us">regina.lewis@state.nm.us</a></td>
</tr>
</tbody>
</table>

## Molina Healthcare of New Mexico

8801 Horizon Blvd, Albuquerque, NM 87113. Phone: 1-800-377-9594 ext. 180921

| Kim Shipman | Mi Via Ombudsman | Functions: Working in collaboration with the Participant, their consultants and advocates to resolve any reported issues, assist with navigating through Molina Healthcare internal processes and collaborating with Molina Healthcare internal department staff to resolve reported issues, which may include forwarding specific questions on a submitted budget or level of care to a Mi Via staff person for handling. | 505-348-0921 | kim.shipman@molinahealthcare.com |

Fax: 505-841-6523
TO: All Interested Parties

FROM: Julie B. Weinberg, Director

CC: Cathy Stevenson, Director, Department of Health (DOH), Developmental Disabilities and Supports Division (DDSD)
    Roberta Duran, Bureau Chief, DOH/DDSD
    Angela Medrano, Bureau Chief, HSD/MAD, Exempt Services and Program (ESPB)
    Melanie Buenviaje, Staff Manager, HSD/MAD/ESPB
    Christine Wester, Mi Via Program Manager, DOH/DDSD

DATE: September 12, 2014

RE: Proposed Mi Via Home and Community-Based Services 1915 (c) Waiver Renewal Application

The State of New Mexico Human Services Department (HSD) through the Medical Assistance Division (MAD) is accepting written and recorded comments for a period of 30 calendar days ending October 14, 2014 regarding the Mi Via Home and Community-Based Services (HCBS) 1915 (c) waiver renewal application. The purpose of this waiver renewal is to allow the State to continue administering the Mi Via program beginning October 1, 2014 through September 30, 2019. The current waiver will expire on September 30, 2014. The State requested a 90-day extension of the current Mi Via waiver through January 1, 2015 as a result of additional time needed to address the Centers for Medicare and Medicaid Services (CMS) Final Rule requirements 2249-F/2296-F on HCBS settings. The State intends to submit its waiver renewal application to CMS by November 10, 2014 for a retroactive effective date of October 1, 2014. A public hearing is scheduled for October 14, 2014 to accept public testimony for this waiver renewal.

Proposed Modifications to the Mi Via Waiver
The Mi Via program provides HCBS to individuals who meet both financial eligibility and an Intermediate Care Facility for Individuals with Intellectual Disabilities level of care criteria. As of June 2014, there are 703 Mi Via waiver participants. The goal of the program is to support individuals who wish to self-direct, or manage, their own services, supports and goods within an approved plan and budget in their communities as an alternative to institutionalization. The Department of Health (DOH)/Developmental Disabilities and Supports Division (DDSD) operates the Mi Via program with oversight by HSD.

Services provided through Mi Via include: consultant and support guides; customized community group supports; employment supports; homemaker/direct support; respite; home health aide; skilled therapy for adults; personal plan facilitation; behavior support consultation; community direct support;
in-home living supports; emergency response; environmental modifications; nutritional counseling; private duty nursing for adults; related goods; specialized therapies; and, transportation.

The key components of proposed changes under this waiver renewal are as follows:

1. The roles and responsibilities of Mi Via consultants and support guides will be enhanced and include more detail. Consultants are key to the success of the Mi Via program as they assist participants in arranging for, implementing and managing Mi Via services. The new detail provided in this waiver renewal clarifies and coordinates their work on behalf of participants. The frequency of face-to-face visits has been increased to quarterly up from twice a year and a monthly check-in is required.
   **Impact:** HSD anticipates a positive service impact to Mi Via participants and their healthcare providers with the additional requirements for consultants and support guide service.

2. Customized Community Supports is renamed to Customized Community Group Supports (CCGS). A CCGS agency is still required to have a business license but is no longer required to be a licensed adult day health provider. In addition, per the CMS Final Rule on HCBS settings, the service definition for CCGS is expanded to include information specific to services being provided in an integrated setting and supporting access to the greater community.
   **Impact:** HSD anticipates a positive service impact to Mi Via participants and their healthcare providers with the additional requirements for CCGS service.

3. Assisted Living has been removed as a service due to non-utilization the past three waiver years by the developmental disabilities and medically fragile populations. This change will also bring the waiver into closer alignment with the CMS HCBS Final Rule to maximize opportunities for individuals to have access to the benefits of community living and to receive services in the most integrated setting.
   **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the removal of the assisted living service.

4. Customized In-Home Living Supports is renamed to In-Home Living Supports.
   **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the service name change for in-home living supports.

5. Environmental Modification (EMOD) services include the purchase and/or installation of necessary equipment or other physical adaptations to a Mi Via participant's residence. The five-year renewable spending limit from the first date of EMOD services has been changed from $7,000 to $5,000. This brings equity to EMOD spending among the Mi Via waiver, the Developmental Disabilities waiver, and the Centennial Care Self-Directed Community Benefit. Over the last two years, there were 74 Mi Via participants that used the EMOD service. Their average expenditure was $4,355.
   **Impact:** HSD anticipates minimal service and/or financial impact to Mi Via participants with the spending limit change for EMOD services.

6. Quality Improvement performance measures are now administered primarily through the DOH Developmental Disabilities Services Quality Improvement (DDSQI) Steering Committee.
   **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the change in the administration of quality improvement
performance measures.

7. Quality measures and reporting through performance indicators have been updated to comply with the modifications required by CMS effective June 1, 2014. These CMS modifications include: health and welfare monitoring and outcomes are emphasized; remediations are reported to CMS in substantiated instances of abuse, neglect or exploitation; and, quality improvement projects/remediation are required when the threshold of compliance with a measure is at or below 85%.

**Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the modification to quality measures and reporting.

8. Details related to the CMS Final Rule on HCBS settings are included in Attachment #2 and Appendix C-5 of the waiver application.

**Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the additional information on HCBS settings.

**Written or Recorded Comment and Public Testimony Opportunities**

HSD has issued this public notice to accept written and recorded comments and public testimony regarding the proposed Mi Via waiver renewal. This notice, the proposed waiver renewal application, HCBS Transition Plan and other information can be found on the HSD webpage at:


The current approved Mi Via waiver (NM 0448.R01.00), effective October 1, 2009 through September 30, 2014 is available on the CMS webpage at:


**A public hearing on the Mi Via HCBS Waiver Renewal request is scheduled be held in the Rio Grande Conference Room, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, NM on October 14, 2014 at 1:30 p.m. MDT.**

**Written comments must be submitted by 5:00 p.m. Mountain Daylight Time on October 14, 2014**

**by mail to:**

Jenn Chavez, Human Services Department - Medical Assistance Division

Program Policy & Integrity Bureau,

P.O. Box 2348, Santa Fe, New Mexico 87504.

**Recorded messages may be left at:**

(505) 827-3118 or toll free at (888) 997-2583 asking for extension 7-3118.

**Emails may be directed to:**

JenniferL.Chavez1@state.nm.us.
DATE:          September 14, 2014

TO:            All Interested Parties

FROM:          Julie B. Weinberg, Director

CC:            Cathy Stevenson, Director, Department of Health (DOH), Developmental Disabilities and Supports Division (DDSD)
                Roberta Duran, Bureau Chief, DOH/DDSD
                Angela Medrano, Bureau Chief, HSD/MAD, Exempt Services and Program (ESPB)
                Melanie Buenavieja, Staff Manager, HSD/MAD/ESPB
                Christine Wester, Mi Via Program Manager, DOH/DDSD

RE:            Proposed Mi Via Home and Community-Based Services Waiver Settings Transition Plan in Response to the Centers for Medicare and Medicaid Services (CMS) Final Rule 2249-F/2296-F

The State of New Mexico Human Services Department (HSD) through the Medical Assistance Division (MAD) is accepting written and recorded comments for a period of 30 calendar days ending October 14, 2014 regarding the proposed Mi Via Home and Community-Based Services (HCBS) Waiver Settings Transition Plan to bring the Mi Via Program into compliance with the CMS Final Rule 2249-F/2296-F. A public hearing is scheduled for October 14, 2014 to accept public testimony.

Background

The CMS Final Rule 2249-F/2296-F addresses several sections of the Social Security Act and makes changes to the 1915(c) HCBS waiver programs. CMS published this final rule on January 16, 2014 with an effective date of March 17, 2014. The Mi Via HCBS Waiver is a Medicaid 1915(c) HCBS self-directed waiver. The final rule provides New Mexico the option to combine existing waiver targeting groups. The final rule also established requirements for HCBS settings under the 1915(c), 1915(i) and 1915(k) Medicaid authorities, and person-centered planning requirements for Medicaid HCBS participants under 1915(c) and 1915(i). In addition, it clarifies the timing of amendments and public input requirements when states propose modifications to HCBS waiver programs.

The final rule requires that all HCBS settings meet certain qualifications, including that the setting:

•  is integrated in and supports access to the greater community;
•  is selected by the individual from among all settings options;
•  ensures individual rights of privacy, dignity and respect, and freedom from coercion and restraint;
•  optimizes autonomy and independence in making life choices, and,

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* facilitates choice regarding services and who provides them.

**Proposed Modifications to the Mi Via Waiver**

HSD/MAD along with the Department of Health (DOH) completed assessments of Mi Via services, settings, and person-centered planning to determine compliance with the CMS Final Rule 2249-F/2296-F. The two departments determined that Customized Community Group Supports services (CCGS) will require modification.

CCGS services, which are non-residential/non-institutional services, are designed to offer MiVia participants flexible supports in integrated community settings. These supports can include participation in community day programs and centers that offer functional meaningful activities that assist with acquisition, retention or improvement in self-help, socialization and adaptive skills. CCGS may include Adult Day Habilitation, Adult Day Health, and other adult day support models.

HSD will address the following three areas which will be included in its proposed Mi Via HCBS Transition Plan:

1. HSD will expand the definition of CCGS in the Mi Via Service Standards to include information that CCGS services are provided in an integrated setting that supports opportunities for participants to access community resources and activities with others in their community. **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the additional requirements for CCGS services.

2. HSD will revise provider packets for CCGS to include an attestation that services and supports provided will be delivered in a community-based integrated setting. **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the additional requirements for CCGS service.

3. HSD will train consultant providers on the revised CCGS standards and monitor implementation through service and support plan development and the participant quarterly review form. Consultant provider responsibilities include monitoring the implementation of Mi Via services through service plan development. Therefore, adding the revised CCGS standards will pose no additional financial impact to Mi Via participants or the program. Currently there are 80 participants accessing this service and there will be no interruption in their services or their providers with the change in the definition. **Impact:** HSD does not anticipate a service or financial impact to Mi Via participants or their healthcare providers with the additional requirements for CCGS services.

**Public Comment and Testimony Opportunities**

HSD has issued this public notice to accept written and recorded comments and public testimony regarding the proposed Mi Via Transition Plan. This notice, the proposed Transition Plan and other information can be found on the HSD webpage at: [http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx](http://www.hsd.state.nm.us/public-notices-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx).
The federal regulation is available on the CMS webpage at: http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html.

Written comments must be submitted by 5:00 p.m. Mountain Daylight Time on October 15, 2014 by mail, recorded message, or email to: Jenn Chavez, Human Services Department, Medical Assistance Division, Program Policy & Integrity Bureau, P.O. Box 2348, Santa Fe, New Mexico 87504. Recorded messages may be left at (505) 827-3118 or toll free at (888) 997-2583 asking for extension 7-3118. Emails may be directed to: JenniferL.Chavez1@state.nm.us.

A public hearing on the proposed Mi Via Transition Plan is scheduled to be held at the New Mexico State Records and Archives, in 2027 Pinon Room (Law Library), Santa Fe, New Mexico on October 14, 2014 @ 10:30 a.m.