



Developmental Disabilities Advisory Council

Meeting Agenda and Minutes

Date	December 3, 2020
Time	2:00pm – 4:00pm
Location	Call In Information: https://uwyo.zoom.us/j/202849015 , (669) 900-6833, Meeting ID: 202 849 015
Purpose	To assist and advise the Division in implementing a statewide service delivery system for persons who are identified as having developmental and intellectual disabilities, and acquired brain injuries (ABI).
Members	Rita Basom, Ginny Chidsey, Maria Clark, Heather Dodson, Jeff Gardner, Kayla Green, Buck Gwyn, Arkansas Le Marr, Shaye Moon, Erin O'Neill, Sandy Root-Elledge, Bob Sell
Division Staff	Tyler Deines, Elizabeth Forslund, Lee Grossman, Samantha Mills, Jeff Oliver, Shirley Pratt, Bethany Zaczek

AGENDA ITEMS/KEY POINTS DISCUSSED

Topics and Highlights	
1.	<p><u>Welcome and roll call</u></p> <p>Jeff called the meeting to order at 2:00PM. The Council welcomed Maria Clark. Division staff members introduced themselves.</p>
2.	<p><u>Approval of minutes</u></p> <p>Arkansas moved to approve the minutes of September 3, 2020 as circulated; Sandy seconded. Motion carried.</p>
3.	<p><u>Budget reductions</u></p> <p>Lee provided an overview of the phases of Governor Gordon’s budget reductions.</p> <ul style="list-style-type: none"> ● Phase I - hiring and contract freezes; ● Phase II - a variety of reductions across state government; and ● Phase III - proposed reductions as part of the Governor’s supplemental budget (pg. 889) request. These reductions have not been implemented, but will be discussed during the upcoming legislative general session. <p>Lee provided an update on the Phase II budget reductions that are affecting participants of the Comprehensive and Supports Waivers (DD Waivers).</p> <ul style="list-style-type: none"> ● Service eliminations, changes to the Inventory of Client and Agency Planning (ICAP) assessment, and the 2.5% reduction in provider reimbursement rates require an amendment to the DD Waivers. <ul style="list-style-type: none"> ○ Services to be eliminated as a cost saving measure are: homemaker, occupational therapy (OT), physical therapy (PT), speech therapy (SP), dietitian services and nursing. ● The Division has received public comment on these amendments, and a summary of the public comment and the waiver documents will go to the Centers for Medicare and Medicaid Services (CMS) for approval. CMS will have 90 days to approve. ● The Division is anticipating an expedited effective date of February 1, 2021. <p>The Council requested a high level overview of the proposed Phase III reductions.</p> <ul style="list-style-type: none"> ● Proposed reductions include higher scrutiny for Extraordinary Care Committee (ECC) requests, freezing funding from the waitlist, an additional 2.5% reduction to provider reimbursement rates,

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	<p>and funding participants based on the established individual budget amount (IBA) calculator. Refer to page 891 of the attached budget book for more detail.</p> <ul style="list-style-type: none"> • The Division is working with the Director’s and Governor’s offices to clarify projected savings and ensure that the projected savings can be realized through these proposed reductions. • The Division understands that all of these reductions, proposed and implemented, will have impacts on participants of DD Waiver services. • Jeff encouraged all Council members who weren’t state employees to provide feedback to legislators. • Member question: <i>The Phase II decrease is about \$6.5M and Phase III proposed is \$10.2 million. For a total of 16.7 million. What percentage of the total budget is this?</i> Division response: <i>Phase II represents a reduction of 5.6% to the DD Waiver budget. The proposed Phase III reductions would result in a reduction of approximately 15.8% to the DD Waiver budget.</i> • Member question: <i>How do you provide public comment to the legislators who are making the decisions?</i> Division response: <i>The Division will provide information on the upcoming Joint Appropriations Committee (JAC) meeting.</i> • Member question: <i>Is there funding in individual budgets that doesn’t get used from year to year? How is that reallocated?</i> Division response: <i>There is an 85 - 90% utilization rate of participant IBAs. Any money that isn’t used is then allocated to the general Medicaid budget to cover Medicaid state plan services (medical services).</i> • Member question: <i>Can participants specifically allocate unused funds?</i> Division response: <i>No, participants are not allowed to earmark their unused budget for a specific purpose in the Division’s budget.</i> • Member question: <i>If people leave the waivers for any reason, will their vacancies be filled?</i> Division response: <i>If the waitlist freeze is adopted as a budget reduction, the Division will not fill slots that are opened up through attrition. This will result in savings to the state.</i> • Member comment: <i>The reduction that could result from funding IBAs based on the IBA calculator is very confusing. Knowing the impact would help.</i> Division update: <i>The Division is updating the rates associated with each level of service score to account for the current 2.5% reduction, and will get this posted publicly in the near future.</i> • Member request: <i>A request for formal talking points from the Division was made.</i> Division response: <i>It is the Division’s responsibility to be accountable to all as stakeholders. However, it is important that we are providing official information, so we need to refer you to the official budget book (link attached). It is our obligation to inform, but we cannot use this information to sway judgements or opinions.</i> Member comment: <i>The Wyoming Community Service Providers have developed talking points and can share them with the Council.</i> • Member question: <i>Is the projected reimbursement rate reduction based on 2.5% or 5%? The supplemental budget is unclear.</i> Division response: <i>The Division will clarify if the intent of the reduction is to decrease rates by 2.5% or decrease the budget by the overall savings anticipated in this line item.</i> • Member comment: <i>Could participants experience double reductions with rate reductions and funding to the IBA methodology?</i> Division response: <i>No. Although participant IBAs will be reduced to account for the reduction in provider rates, their overall purchasing power will remain the same. They will be able to purchase the same services with their IBA that is affected by the 2.5% reduction.</i>
3.	<p>Division updates</p> <ul style="list-style-type: none"> • Home and Community Based Services (HCBS) Section merger

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- As of November 1, 2020, the Community Based Services Unit (CBSU) and the Developmental Disabilities Section have merged into a single working section that administers the DD Waivers and the Community Choices (CCW) Waiver. Lee serves as the HCBS Section Administrator.
- The Section's task is to administer these programs and be responsive to stakeholders. Individuals external to the agency should not experience much of a change, although points of contact may be different.
- Section staff are excited for the opportunity to implement consistencies across the populations we serve, and to use state resources more efficiently.
- The Section is in the process of rebranding the website, documents, and communications, but this will take some time.
- Contact numbers have not changed:
 - Phone: (307) 777-7115 or (800) 510-0280
 - Fax: (307) 777-6047
- COVID-19 response
 - Wyoming continues to experience an increase in cases and has seen some concerning trends related to COVID-19.
 - Current flexibilities are in place through January 26, 2021. The Division expects to see further guidance on extending timelines should the public health emergency extend past that date.
 - Providers are reporting that they are still experiencing increased costs due to issues such as overtime and needing to purchase personal protective equipment (PPE).
 - The Division requested feedback from the Council on steps it can take, from the regulatory perspective, to respond to the needs of participants, providers, and case managers. The Council will contact Lee with any feedback they may have.
 - *Member comment: The Wyoming Governor's Council on Developmental Disabilities (WGCD) has completed two impact surveys and will share this information with the Division to help inform what has been useful and what is still needed in the COVID-19 response.*
 - *Member comment: The Division has been incredibly helpful and responsive. The partnership has been wonderful. Division response: We appreciate the feedback and engagement.*
- Electronic visit verification (EVV)
 - The EVV system for participant-directed services will be in place and comply with federal regulations by the January 1st deadline.
 - The EVV system for traditional services will be managed through a separate system. Carebridge has been contracted to do this work. They were selected through a competitive procurement process. The go-live date for this system is September 1, 2021.
 - As part of the contractor's deliverables, multiple trainings will be offered to providers and recorded for future viewing. These trainings will be separate from the regularly scheduled provider support calls. However, the Division will offer general update information during the provider support calls.
 - *Member comment: The participant-directed system had some hitches. Training was time consuming, but is essential. It is important that the training be comprehensive.*
- Quality Improvement Committee kick-off

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- The Quality Improvement Committee (QIC) is an internal team across the Division. Although still in its early stages, the QIC is tasked with reviewing key quality measures and indicators across all HCBS programs. Heidi Hoffman will lead this effort.
- Findings of the QIC will be shared with the Council.
- Quality Improvement Strategy
 - The Council reviewed the DD Waiver Performance Measure Report. This report reflects the information that was provided to CMS as part of the Division's required reporting on quality measures and assurances that are part of the DD Waiver agreements. Quality data is provided to CMS six months after the waiver year (April 1 - March 31) ends.
 - The Division noted two performance measures that fall below the 86% accepted by CMS.
 - Supports Waiver - G.ii.a - Percentage of critical incidents in which root cause was identified - 75% - Of the four critical incidents reported for the waiver year, the root cause was identified in only three. During the course of implementing the root cause analysis, which is a new project for the Division, the Division identified areas within the incident reporting systems that could be documented more thoroughly by Division staff. Division staff have been retrained on documentation expectations, which will provide better information needed to identify root cause for all critical incidents.
 - Comprehensive Waiver - G.iii - The percentage of restraints reported to the Division that received appropriate follow-up action in accordance with state rules and procedures - During the reporting period, sixteen incidents of restraint were reported. Of the sixteen incidents of restraint, three were found to be in violation of state rules and procedures. Corrective action has been issued for providers, as appropriate.
- Rate rebasing
 - The rate rebasing project is still in process.
 - Guidehouse Consulting, the contractor for this project, continues to sift through provider survey data and conduct research on industry standards.
 - The Provider Team will resume meetings in 2021.

Member updates

- 4.
- Council members received a letter from parents who were concerned about the Phase II rate reductions that are being implemented; specifically, the elimination of services. The Division received this letter as well, and is considering the information as part of the public comment process.
 - The Wyoming Department of Education Web-based Academic Vision & Excellence Symposium (WAVES) continues to be held virtually throughout the 2020-21 school year. Virtual conferences, webinars, and seminars are scheduled through April 2021, with an interesting webinar in March related to a literacy program for children with significant disabilities. As a reminder, continuing educational credit is being offered. Go to <https://edu.wyoming.gov/educators/pd/> for more information.
 - The Division of Vocational Rehabilitation (DVR) continues to serve clients, although there are fewer clients seeking services. Staff continue to work both in the office and by way of telework.
 - The Wyoming Institute for Disabilities (WIND) continues to offer and enhance the Wyoming Telehealth Network (WyTN). WIND recently received two awards for assistive technology programs focused on decreasing isolation and increasing people's abilities to access medical help during the public health emergency. The programs are focused on the population of aging adults, but WIND hopes to expand the focus.



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5.	Council Bylaws Ginny, Rita, and Arkansas volunteered to review the Council bylaws, and bring recommendations back to the Council as a whole.
6.	Public Comment There was no public comment offered during the public comment period.
NEXT MEETING – March 4, 2021	