



Developmental Disabilities Advisory Council

Meeting Agenda and Minutes

Date	March 2, 2023
Time	10:00am – 12:00pm
Location	Zoom Only Call In Information: https://uwyo.zoom.us/j/94868995005 , (669) 900-6833, Meeting ID: 948-6899-5005
Purpose	To assist and advise the Division of Healthcare Financing (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, Lorie Conrad , Brenda Dick , Jeff Gardner, Kayla Green, Buck Gwyn, Arkansas Le Marr, Marcella Maher , Sandy Root-Elledge, Bob Sell
Division Staff	Elizabeth Forslund , Lee Grossman , Dillion Johnson, Julie Lacey, Samantha Mills, Shirley Pratt
TOPICS AND HIGHLIGHTS	
1.	<p><u>Roll call and approval of minutes</u></p> <ul style="list-style-type: none"> • Jeff called the meeting to order at 10:10am • Bob moved to approve the minutes of December 1, 2022; Sandy seconded. Motion carried.
2.	<p><u>Division update</u></p> <ul style="list-style-type: none"> • Appointment of State Medicaid Agent <ul style="list-style-type: none"> ○ Lee Grossman has accepted the position of State Medicaid Agent and Senior Administrator of the Division of Healthcare Financing. He started in this position on February 6, 2023. Elizabeth Forslund has accepted the position of Home and Community-Based Services (HCBS) Section Administrator, which was vacated by Lee, effective March 1, 2023. Congratulations to both Lee and Elizabeth on these new opportunities. • Comprehensive and Supports Waiver Renewals <ul style="list-style-type: none"> ○ The current Comprehensive and Supports Waiver (DD Waiver) agreements with the Centers for Medicare and Medicaid Services (CMS) expire on March 31, 2024. The HCBS Section is aligning these documents with the Community Choices Waiver, where reasonable, and is updating processes and service definitions to ensure consistency with current practices and intent. The draft waiver agreements will be published for public comment on or around September 1, 2023, and will be submitted to CMS on or around October 15, 2023 to ensure a full 180 day timeframe for CMS review. The agreements will be effective April 1, 2024, once approved. ○ <u>Member question:</u> Will Chapters 44 - 46 be opened at the same time? If so, will the Division convene an advisory group similar to the group that was convened in 2018? <i>Division Response: The HCBS Section has been developing Chapter 34, which addresses the Community Choices Waiver program. Once this Chapter is in the final stages of rule promulgation, the HCBS Section will work with the Division's Legal Analyst to review and revise Chapters 44 - 46. At this time, there is no plan to convene a formal working group, but we do intend to have an informal public comment period prior to entering the formal rule promulgation process. We will take this request under advisement in order to make a final decision on the need for a rules advisory committee.</i> • End of COVID Public Health Emergency

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- On February 11, 2023, Secretary Becerra extended the federal Coronavirus Disease 2019 (COVID-19) public health emergency for a period of 90 days. With this final extension, the federal public health emergency is [set to expire](#) on May 11, 2023. The HCBS Section will be releasing updated guidance on the flexibilities offered during the PHE early next week. This guidance will be available on the [DD Providers and Case Managers](#) page of the HCBS Section website, and will be shared with the DD Advisory Council once it is available.
- Member comment: I appreciate the flexibility to allow staff members to work while they are waiting for the results of their background screenings. Division Response: *This allowance is offered to providers and employers of record, as established in Chapter 45.*
- Member question: Is this currently allowed for participant-directed employees? Division response: *ACES\$ is updating their systems to allow employees to work prior to having results on file. This will be in place later this year.*
- Care Case Management System
 - The Care Case Management System (CCMS) is the new solution that will replace the current Electronic Medicaid Waiver System (EMWS) and Information Management for Providers system (IMPROV), which are the systems used for DD Waiver participant and provider recording keeping and tracking. The Division is currently drafting the requirements that need to be included in the Request for Proposal, which is the first phase of the procurement process. The Division has put all of the pieces in place to procure the best system available.
- Online Medication Assistance Training
 - In collaboration with an advisory team and the HCBS Section subject matter expert, the HCBS Section has developed a six (6) hour online Medication Assistance Training (MAT), which will replace the current train-the-trainer in person training format. As outlined in Chapter 45 of Wyoming Medicaid Rules, this is a required training for any DD Waiver provider who will offer any form of medication assistance to participants. This will be the only training offered through the HCBS Section; in-person training will no longer be provided. The draft modules will be shared with a group of internal and external stakeholders in order to provide final feedback before the training goes live in early to mid April.
 - Member question: How long will people have to obtain their certification? Presuming there are many staff members and employees who will need to take this training, it could cause service access concerns if everyone has to take the training within 30 days. Division response: *The Division acknowledges these concerns. Current flexibilities state that training must be scheduled within 30 days, so we will provide additional guidance on reasonable timeframes to allow employees to obtain this certification.*
 - Member Comment: Having the consistency of online training is a great alternative to the in-person training.
 - Member Comment: The Division is to be commended for the work put into developing this training.
- NCI-IDD State of the Workforce in 2021 Report
 - The National Association of State Directors of Developmental Disabilities Services (NASDDDS) and the Human Services Research Institute (HSRI) have released the final National Core Indicator Intellectual and Developmental Disability State of the Workforce in 2021 [Survey Report](#). The report offers an important picture of the circumstances faced by providers of HCBS providers in 2021.
 - Wyoming had the highest turnover rate of the other respondents.



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	<ul style="list-style-type: none"> ○ <u>Member question:</u> Who responded to the survey? <u>Division response:</u> Respondent characteristics are found on page 9 of the report.
3.	<p><u>Legislative update</u></p> <p>During the 2023 General Session of the Wyoming Legislature, which will adjourn on March 3, 2023, the Wyoming Legislature passed House Enrolled Act 0037, a budget bill that includes several footnotes that affect the DD Waiver programs.</p> <ul style="list-style-type: none"> ● A provider reimbursement rate increase that applies to DD Waiver agency providers, which are defined as providers that designate wages and employ staff members other than themselves. Agency rates will align with the rates identified in Appendix D - Original Model -Waiver Service Rates, of the Comprehensive and Supports Waivers SFY 2023 Provider Rate Study. The rates for independent providers will not be decreased to align with this Appendix. The total appropriation for this footnote is \$12,600,000 in state and federal dollars, over the next biennium. ● An additional 2% increase to all provider reimbursement rates, over and above the increase for agency providers. All provider rates that are paid based on a billing unit, regardless of provider type, will be increased by approximately 2%. The total appropriation for this footnote is \$3,164,536 in state and federal dollars, over the next fiscal year. ● Funding for the waitlist has been appropriated, and is anticipated to provide funding opportunities for most of the individuals who have been waiting for services for 18 months or longer, although the exact number of funding opportunities is still being calculated. The total appropriation for this footnote is \$7,511,278 in state and federal dollars, over the next biennium. ● The Department of Health has been instructed to initiate a study of a revised methodology and rebasing of the individual budget amounts (IBAs) that have been established for Comprehensive Waiver participants. <p>The Division is still in the process of digesting these appropriations, but is already working to implement them as quickly as possible.</p> <ul style="list-style-type: none"> ● <u>Member comment:</u> The rate increase is appreciated; however, the survey data is old and the rates will still not cover the costs of doing business, especially with the increased costs that resulted from the pandemic. The waitlist is being funded for Supports Waiver services, which do not cover all of a participant's needs. With the current worker shortage, it will be difficult for newly funded participants to find providers who can serve them.
4.	<p><u>American Rescue Plan Act (ARPA)</u></p> <ul style="list-style-type: none"> ● Case Manager Training and Incentivization <ul style="list-style-type: none"> ○ The Division continues to work with the Wyoming Institute for Disabilities (WIND) to develop online case manager training that addresses person-centered planning. We are hopeful that the training modules will be available this spring. More information can be found on the website that was developed by WIND. ● Technology Innovation Grants <ul style="list-style-type: none"> ○ The Division is prepared to launch the first grant cycle for the HCBS Technology Innovation Grants on April 1st. An Application Evaluation Panel has been identified, and the Division has been working behind the scenes to ensure that the necessary documents are ready to go in order to expedite the payment process. More information can be found on the Division's ARPA webpage. ● National Core Indicators (NCI) Surveys



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	<ul style="list-style-type: none"> ○ Approximately 42% of the NCI surveys have been completed. The survey deadline is June 30, 2023. Participants who have been randomly selected should receive a letter from the Division, notifying them of their selection for the survey. If the participant is selected and agrees to participate in the survey, a representative from Vital Research will administer the survey, either in person or through a virtual meeting, depending on the participant's preference.
5.	<p><u>Member updates</u></p> <ul style="list-style-type: none"> ● Wyoming Department of Education - Ginny Chidsey <ul style="list-style-type: none"> ○ Western Regional Early Intervention Conference, June 13-15, 2023. This conference is designed to support families and professionals working with children from birth to five years of age who are deaf, hard of hearing, blind, visually impaired, or deaf-blind. ○ Pathways to Success Post-Secondary Transition Conference. Virtual sessions in March and April, with in person meetings on May 10-11, 2023. ● Wyoming Governor's Council on Developmental Disabilities - Kayla Green <ul style="list-style-type: none"> ○ Developmental Disabilities Awareness Month Luncheon, March 17, 2023 from 11:30am - 2:30pm. There is no cost for the lunch, although if someone has the means to pay, a \$10 donation is suggested to offset event costs. To register for the luncheon, visit wgcd.wyo.gov. ○ Developmental Disabilities Awareness Month Artists' Gala, March 25, 2023 from 5:00pm - 8:00pm. The Master of Ceremonies is Magician Byron Grey. For more information or to register, go to wgcd.wyo.gov. ○ Aleyta Zimmerman, the WGCD Policy Analyst and WYABLE State Administrator, will be leaving on March 17, 2023 to explore a new employment opportunity. ● Provider updates <ul style="list-style-type: none"> ○ Provider workforce issues continue to prevail. One provider is struggling to hire employees to work, while another provider has been able to hire many, but still has to get them trained and oriented to the job before they can work.
6.	<p><u>Bylaws Review</u></p> <ul style="list-style-type: none"> ● Bob reviewed edits suggested by the Bylaws Committee, and moved to accept the bylaws with the recommended changes. ● Rita seconded; motion carried with a 2/3 majority vote.
7.	<p><u>Election of Officers</u></p> <p>Current Council officers were thanked for their year of service.</p> <ul style="list-style-type: none"> ● Rita nominated Jeff as Chairperson; Bob seconded. Motion carried. ● Rita nominated Bob as Vice Chairperson; Ginny seconded. Motion carried. ● Rita nominated Ginny as Secretary; Arkansas seconded. Motion carried.
8.	<p><u>Public Comment</u></p> <p>The following comments were received during the public comment period.</p> <ul style="list-style-type: none"> ● Carolyn Burke, parent, Jackson, Wyoming: Request that parents be able to hire an agency through participant direction. <i>Division response: The main characteristic of employer authority under participant-direction is that the participant functions as the employer of workers. An agency cannot be hired as an employee under participant-direction, since the agency would be the employer of the workers.</i> ● Lisa Potzernitz, case manager, Jackson, Wyoming: The Division should consider allowing a parent who is not a legal resident to be the employer of record under participant direction, so these children can receive services. <i>Division response: The employer of record must be a United States resident.</i>



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- Lisa Potzernitz, case manager, Jackson, Wyoming: When a child exits school services, they are not being moved to the Comprehensive Waiver and don't have the funding to provide a full six hours of service each day. Division response: *When a child turns 21 and IDEA no longer covers their school day services, their Supports Waiver individual budget amount increases to help offset this loss of services. The participant is not placed on the Comprehensive Waiver when they graduate from high school. If a participant meets the emergency circumstances established in Chapter 46 of Wyoming Medicaid Rules, they may request a Extraordinary Care Committee review of their circumstances.*

NEXT MEETING – June 1, 2023 - Zoom or In Person