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**OPRA POLICY COMMITTEE MEETING AGENDA**

**Monday, June 17, 2019**

10:00 a.m.

OPRA Office

Core Committee in attendance- Diane Beastrom, Scott DeLong, Jeff Johnson, Kurt Miller, Tim Neville, Dave Rastoka, and Abbey Summers. Jo Spargo and Wylie Jones attended online.

1. DSP PSA
   1. Dave Rastoka gave update on a PSA he has been working on with Gary LaVox from Rascal Flatts to educate the public on the role of DSPs.
   2. The PSA is in post-production and will be shared across multiple media platforms likely starting some time in August.
   3. The PSA will direct people to DSPOhio. OPRA staff are looking at implementing changes to the DSPOhio website to prepare for the increase traffic that should be generated from the PSA.
2. WIOA
   1. Kurt Miller overviewed his latest US Department of Labor audit on his use of a 14(c) certificate.
   2. The findings of the audit focused on the need to provide resources on local peer mentoring opportunities for individuals currently working in a setting using a 14(c) certificate.
   3. Questions about definition of local, what explicit information needs to be included on the peer mentoring resources distributed to individuals earning a sub-minimum wage.
      1. Resources need to contain specific dates, locations, and times of the peer mentoring opportunities.
   4. Very strict findings that appear to be directed by the DC DOL office. First time DOL regional office had seen this kind of audit.
      1. Kurt Miller is going to send contact information of a lady who may be able to come present to OPRA members about the audits.
   5. Policy Committee and the OPRA staff should consider/explore the roles of OOD, County Boards, OSDA to help provide this training.
3. PCG Medicaid Audits
   1. An OPRA Member was recently contacted by PCG notifying them that PCG would be coming to their agency to conduct a structural review/audit.
   2. OPRA believes these audits are just supposed to be in home health but some providers who do not provide these services said they recently got a letter preparing them for these audits.
      1. OPRA is looking into more information on this and follow up.
4. State Auditor Medicaid Reviews
   1. Two providers gave updates on their reviews. The auditors have collected all of the necessary documentation but neither agency has heard about findings yet.
   2. Still confusion from the auditors about the nature of these services.
5. Provider Certification
   1. Dave Rastoka gave an overview of the DODD workgroup’s progress. The workgroup has been split into two different groups- one is looking at agency requirements and one is looking at independent provider requirements.
      1. The main discussion in the agency subgroup is about DSP and CEO requirements.
      2. For new providers a few potential ideas for requirements is to have to have line of credit and certain amount of cash on hand.
      3. After much debate in the agency subgroup, the workgroup was ok with GED and age restriction removal.
      4. DSP Training- what is necessary first 60 before hiring vs within the first 60 days?
         1. Where does CPR and first aid fall? If you have at least one person on the shift with CPR and first aid certification, do you need it when a nurse is on shift?
         2. Does the entire MUI rule need to be trained on? Or just the parts that are pertinent the DSP role?
         3. When does training need to happen? When hired or before contact? What is considered “contact”? How does it apply to job shadowing?
      5. When does BCI and all of the registry checks need to be run: start v hire date. Some of the issues very contentious with the parents, county board staff, and advocates push back.
   2. The committee debated how far into the weeds should the rule revision should go.
      * 1. By explicitly outlining what needs to be trained on do we make training requirements more prescriptive and restrictive for providers? Does this open up providers to more scrutiny from auditors if they do not hit every outlined topics?
   3. Next DODD workgroup meeting is next week. The intent is to have the rule finished by November and implemented in January 2020.
6. Single ISP Workgroup
   1. First meeting of DODD workgroup is in July.
   2. The single plan will be applicable to waivers and ICFs.
      1. DODD soliciting information from QIDPs in regional forums currently.
   3. Workgroup should ensure that any requirements in the plan line up with ODH rules.
   4. Jo Spargo is on the committee and will provide updates at future Policy Committee.
7. EVV
   1. Christine Touvelle gave update on the status of alternate vendors in the certification process and training.
      1. As you go through the training/alternate vendor certification process please keep Christine in loop.
   2. Christine and Than Johnson discussed the good faith delay exemption process and who it ultimately protects.
      1. The delay is intended to protect state Medicaid programs from an FMAP reduction. Providers would only benefit if the Ohio Department of Medicaid passes the delay to providers which is currently not ODM’s intent.
8. Budget update
   1. Than Johnson gave an update on the status of the various state budget provisions including HPC DSP wages, summary suspension, informed choice, NMT, ICF quality indicators, and ICF franchise permit fee.
   2. The state budget is awaiting a full vote from the Senate, revisions from Conference Committee, the Governor’s signature and line-item vetoes, and any potential veto overrides.
   3. Gary Brown walked the committee through how the rates would change if the budget appropriates for the HPC DSP wage increase. Gary compared rates from when the budget came out of the Governor’s office, the House, and the Senate Finance Committee.
9. Patient Liability
   1. Providers are seeing an increase in county JFS’ coming in to collect patient liability in multiple wavier settings.
   2. Some are going back a year or more and are returning with having issues with really high collections. Providers then on the hook because they are supposed to collect this.
   3. Issue appears to be that JFS staff are entering the correct amount in the Ohio Benefits portal and are not updating MITS which is where providers must pull the information.
   4. Ohio Homecare and Hospice Association had presenters from Medicaid to discuss this.
      1. Abbey will help provide some contact information of the presenters so OPRA can discuss this.
10. MRC
    1. Providers discussed their transitions to the MRC up to this date.
    2. Gary Brown gave an update on his conversations with DODD on explanations of billable days. ODM is working on a guidance document that will outline billable v. non-billable days.
       1. Until the guidance document comes out, the best way to protect your agency is to document diligently when you provide services.
    3. Committee members have some significant concerns about the workforce shortage and how this will impact MRC utilization.
    4. There are three DODD/OACB/OPRA MRC trainings remaining. The training focuses on the culture shift necessary for county board and provider staff to be successful during this transition.
11. Cameras in Residential Facilities
    1. Committee reviewed the Vorys memo the committee requested a few meetings ago.
    2. Committee members provided feedback on the document to see what additional information may be necessary. The document will go to the board and then out to the membership.
12. 14c
    1. Jeff Johnson gave an overview of the discussion being held within the Day Array Committee on the use of 14c subminimum wage certificates and how this is informing the draft policy position paper.
       1. Jeff reviewed the vetting process of the topic, the day array voting process, and the next steps for the policy position paper.
    2. Discussed results from the 14c survey that was sent to the entire membership for input.
    3. Need to figure out where it fits in in the broader discussion of services and how this preserves choice
    4. Jeff suggests that the discussion should go back to Day Array Committee to see what exact actions and position the committee wants from the OPRA.
       1. Question for the Board may end up being that how many resources should the Board throw at the initiative
13. Other
    1. Minor employees- can ORPA see if Nelson from Vorys could write legal memo on minors working in field.
       1. What considerations need to be given when minors get caught up in MUI investigations, background checks, etc.