***OPRA Board Consent Agenda***

***August 23, 2017***

***NOTE: Some of the information is carried over from the update given at the Board retreat last month. Updates are in blue font and underlined.***

***A. Workforce Sustainability and Quality Focus Area***

**1. Waiver Pilot**

The budget bill contains language that allows DODD to request authorization from CMS to do a daily or weekly rate in the IO waiver. The final report on the waiver pilot was completed and sent to OHT. The report recommended the state look into residential habilitation as a waiver service. DODD released a draft rule for residential habilitation with a daily rate. DODD expressed a willingness to consider a weekly rate instead. The OPRA Waiver Kitchen Cabinet is recommending that the board and OPRA consider the weekly billing unit proposal by DODD. Provider and county board representatives of the Waiver Workgroup met with DODD to review the flat rate proposal. Several issues need resolution, and DODD continues to move the project forward.

**2. Threshold for Exempt Status** An injunction was issued by an Obama appointee, federal Judge in Texas on November 22nd, essentially blocking the implementation of the Department of Labor (DOL) overtime rule. The DOL was granted their motion for an expedited appeal, but the timeframe for the court’s decision is after the inauguration. Members of Congress have said they plan to use the Congressional Review Act to nullify the rule. Rumors are that the rule is a Week One priority for the Trump administration. Bottom line, it seems that the rule will not survive, but will require ongoing monitoring. We continue to watch the lawsuit, but every signal out of Washington indicates that this rule will not survive. Democrats in Rhode Island, Connecticut, Maryland, Wisconsin and Michigan may propose state-level versions of the OT regulation.

The court case remains pending. The Trump administration has asked the Louisiana 5th Circuit Court to delay filing their brief in the case by 30 days – to March 2nd. This extension is to give the new administration time, to consider what they want to do with the rule. Trump’s nominee for US DOL secretary, Andrew Puzder, has been an outspoken critic of the rule.

Texas Judge Mazzant declined the DOL’s previous request to put the case on hold, pending the Fifth Circuit’s review of the temporary injunction. Judge Mazzant has yet to rule on the AFL-CIO’s motion to intervene and on a separate request from the states and a number of business groups to block the rule permanently.

All indications are that the rule will not resurface. There is unconfirmed talk of the Trump administration introducing a new DOL OT threshold rule that increases the threshold to the mid-$30’s. The DOL has issued a Request for Information (RFI) for employers to provide comments on the OT rule. This is typically a pre-rule filing strategy. ANCOR is working on responding to the RFI and OPRA may submit a response also.

**3. Shared Living Services** (the expansion of this service is expected to assume some of the demand for DSP workers and allow providers to take on new individuals in other services – see C.2. below for more information)

**4. Healthcare Integration Workgroup** (the integration of LTSS and healthcare funding , services and outcomes is expected to result in more flexibility for individuals and providers, thereby increase margins and the ability for providers to structure DSP pay higher to achieve outcomes in both LTSS and healthcare – see C.1. below for more information)

**5. DSP Pilot - Community Connections, Career Partnerships-Ohio**

Clermont Northeastern High School in Batavia will be implementing C3P(O) for the 2017-18 school year.  Residential Concepts will be the provider-host and all of the students will be doing their internships at their location(s).

Pickaway Ross has been interested for quite some time, they may want to implement during the 2017-18 school year, so Janice is meeting with them on May 24th. Mark talked with the Pickaway county board superintendent. He is very interested in getting the program started next school year, but ran out of time for this year.

On May 25, Janice met with representatives of Pickaway-Ross Career Tech Center.  They were very eager to start the program in the fall and had already identified which students they wanted to be in the program.  Unfortunately, they quickly realized that they had identified the wrong students as all of they were all on full ISP's.  Kat Marriott was one of the people I met with (Rick's wife) and she said they would work to identify another group of students because they really want to have the program.  We have not heard back from them yet.

On June 1, Janice met with Lisa Deliz, the principal at Vermillion High School.  She is very excited about the program.  They have 125 CBI students and she was sure that she could identify 10-12 who would be a good fit.  She was going to contact some of the names Janice gave her from other schools and talk with her Superintendent.

On June 2, Janice met with representatives at CEVEC in Cleveland, along with providers and Kelly Petty.  They had previously visited with the students at Medina and this was our second meeting.  It went very well and they will begin offering the program during the 2nd grading period, which .  We have two providers who are willing to host the program.  Bethany of DSPATHS has been in contact with both of them.  Homewatch Care Givers, ResCare and New Avenues are the providers that will work with CEVEC.

Jeff Mackey (retired from ResCare, now working as a consultant with Homewatch Care Givers) was very instrumental in getting CEVEC on board!  Now, as a citizen of Lake County, he has reached out to Elfie Roman, Superintendent of Lake County Board of DD.  We are in the process of setting up a meeting there - it will be during the first week of August.

Foxfire High School was supposed to start at 12-week summer C3P(O) program on June 5, but sent word a couple of days before that they weren't going to be able to do it - they will wait until schools starts in the fall.  This was actually good news, as we didn't think we could get it done in the time they thought they could.

School is starting!  Here are the dates:   August 21 - Medina and Clermont Northeastern; August 23 - Franklin Heights; August 28 - Rushmore Academy; and Foxfire HS and CEVEC will be starting in October.

Katrina Sacay, OADSP, will be the instructor at Clermont Northeastern.  Residential Concepts will be the host site and the internship site, but does not wish to teach the curriculum.  Clermont Northeastern may need to wait until next year, as they had eight signed up but three have moved from the district.  They are trying to recruit other students.  The school board meets on August 21 to decide on their path forward.

Foxfire High School needs to go back to their funding source to see if they can access funding for the program.  Foxfire has pushed the start date to the beginning of October.  There may be too many students for provider capacity. RHDD is the only provider in the program in the area to date. Janice is working on resolution soon.

Janice is working out last minute details with CEVEC.

On August 4, Janice met with Elfie Roman, Superintendent of Lake County Board of DD, Kelly Petty, Jeff Mackey, Karen Knavel and two others regarding the possibility of a C3P(O) program in Lake County.

Janice has also received a request from Tuscarawas County Board of DD for information regarding C3P(O). They want to approach their local Career Center.

We have lost a strong internal advocate at ODE, as Dr. Bruce is no longer with the Ohio Department of Education.

Anyone interested in C3P(O) is encouraged to contact Janice at jhall@opra.org.

**6. Provider Information and Selection Tool Pilot**

This pilot will allow families and individuals to write reviews of providers, and will encourage a new “customer service-oriented” culture among DSP’s. (see C.7. for additional information)

**7. Direct Care Workforce Workgroup**

Lisa Reed (RHDD) is chairing and Anita is staffing the OPRA Direct Care Workforce Workgroup. OPRA established this workgroup in 2015. The workgroup reviewed reasons DSP’s leave and brainstormed solutions. Top 3 reasons: lack of transportation, lack of child care, poor supervision. Continuing to work with Lucas County Family and Children First Council on a grant to pilot solutions to these problems. OADSP also involved. Pilot is one year in duration and started July 1, 2016. The grant received an extension through December of 2017. Data collection has begun in earnest and the first full data set is expected in early July. In addition to retention statistics, data set will include numbers of staff who accessed ERN services, the type of services accessed, status of referrals and number of loans to employees/dollar amount/status.

Bridges out of Poverty training is a major component of the grant. Members have been requesting the training. We are in contact with Bridges out of Poverty trainers and are negotiating regional BOP training for 2017. There are licensing issues that need to be reviewed and addressed. Washington County Family and Children First Council received a BOP grant and have opened up 2 free training sessions to OPRA members. The Lucas County Family and Children First Council has extended invitations to OPRA members for free and low cost BOP sessions in Toledo. These are posted on our training and events emails.

We will be offering attendance to members for sessions scheduled by the Bridges Out of Poverty (BOP) licensed entities. We will also be scheduling a few OPRA sponsored sessions in different areas of the state.

Free informational session scheduled for 3/3 at OPRA. This session will offer an overview of BOP, along with presentations from workforce resource entities that have participated in the grant and are available on a statewide basis.

Anita met with representatives from WestCON about implementing components of the grant in their counties. They are very interested in this project and anticipate being able to do this sometime later this year. We are still in need of funds to get sister projects up and running. WestCON is exploring some local funding options.

OPRA had a vendor booth at the OACB conference and shared information on our workforce initiatives.

**8. ODDC Marketing Grant for DSP Recruitment**

On Friday, December 8th the Ohio DD Council awarded OPRA a $35,000 grant to create statewide marketing materials targeted to recruiting direct support professionals. All materials will be generic with consistent messaging so that they may be customized and used by providers across the state. The first meeting of interested stakeholders will be at 12:30 on Thursday, December 5th. This meeting will be designed to help craft the message. All products are anticipated being finished by the end of March 2017.

A rough cut of the TV spot has been shared with the HR and Nursing committees. Will reconvene the Workforce committee when spot is ready.

**9. DD Awareness Day**

Direct care issue will be worked into the agenda for the DD Awareness Day, by highlighting the value of the work. The DD Awareness Day was a big success, capped by a fine musical performance by Zayne Harshaw and a surprise appearance by Governor Kasich.

***B. Efficiencies and Simplification Focus Area***

**1. Licensure and County Board Accreditation/National Accreditation**

The Partnership is continuing to pursue abbreviated reviews for county board accreditation and licensure. Mark Davis and John Pekar are coordinating this effort for the Partnership. The Partnership sent a letter to Director Martin, requesting a meeting to discuss making this effort a priority. We will follow up with Director Martin at a later time due to the current system reform workload. The Partnership will continue to pursue this issue in 2017.

**2.** **ODH and DODD Streamlining**

The budget bill contained language that gives DODD the authority to delegate licensure reviews to ODH. The administration has said they intend to follow this path. It has been reported that ODH has begun doing ICF surveys on behalf of DODD, in some instances. We have been told by DODD and ODH that they will begin phasing this in beginning on January 1, 2017. A DODD webinar held on 12/12 regarding the new licensure process. To date, one member has reported having a joint survey. We are continuing to monitor. A meeting was held on May 19th to update on the status of the project. Here is the fourth quarter CY 2016 citation by standard. There were 57 surveys (2 initial, 6 special and 49 regular reviews). Ann Weisent attended the Program Directors meeting on 6/15 to present information, answer questions and elicit feedback.



**3. Provider Certification Process**

OPRA continues to have conversations with DODD on provider and system stakeholder frustrations with the provider certification process. The last meeting was with DODD was at the OACBDD Fall Conference the first week of May. OPRA has an initial draft of legislation to address the lapse of certification issue. DODD is concerned that any substantive attempt to band-aide PCW risks breaking the whole system. A subsequent meeting to discuss the wide difference of opinion in next steps is being scheduled.

**4. Heightened Scrutiny Review Process**

Heightened scrutiny memo was released by DODD prior to stakeholder input/communication. There has been an inconsistent process and outcomes for these reviews by DODD and the Ohio Department of Medicaid. OPRA is working with OACB, DODD and ODM to resolve these concerns. A meeting with DODD to discuss these issues is scheduled for 12/14. The outcome was generally positive and a follow up meeting is scheduled for 2/21. Lisa is providing strategies and tips to meeting the HCBS Setting Rule at the OPRA Day Services Meeting on Monday 1/23, as well as working with Members one on one when requested. Stakeholder meetings are held at DODD on a regular basis. The conversations have been constructive and DODD has modified their process based on these discussions.

Have heard recently that DODD may begin issuing citations, which has not been discussed with the stakeholder group. Will work with OACB to clarify processes and advocate for training and TA as has been discussed in the workgroup.

Lisa, along with Scott Marks from OACB, continue to train providers and County Boards on strategies and tips to meet the HCBS Settings Rule. During June, the following regional trainings on the HCBS Setting Rule were/will be completed: **June 14 -**Northeast Region (Kent), **June 15 -**Northwest Region (Bowling Green), **June 19 -**Southwest Region (Dayton), **June 29 -**Southeast Region (Athens).

***C. Quality, Accountable and Sustainable System Reform Focus Area***

**1. Healthcare Integration Workgroup**

In addition to seeking funding, the CERIIDD team is currently focusing on disseminating the results of CERIIDD’s Healthcare Disparity study in a peer reviewed journal and at conferences.

Mark Davis, Lisa Mathis, Christine Touvelle, and Jeff Davis attended the ANCOR Conference in early May. Lisa and Christine presented on CERIIDD to a group of interested state association representatives and providers. States represented at the presentation included Alaska, Pennsylvania, New York, Minnesota, and Colorado.

CERIIDD is currently analyzing MUI data provided by OPRA members to determine if there is a correlation among MUIs and the full moon. Results will be presented at the May board meeting. Many thanks to members who provided data!

CERIIDD is currently contracting with Vikki Wachino, former director of Medicaid, to assist us in securing funding for CERIIDD. CERIIDD, as a new research business that is not associated with a university, is at a disadvantage when seeking grant funding. In order to get CERIIDD up and running and started on the process of analyzing Medicaid claims data, CERIIDD will be asking the OPRA foundation to consider funding a slimmed-down, minimally staffed, CERIIDD budget for the first year of operation at the cost of $263,090.

The CERIIDD team is currently having conversations with the Kaiser Family Foundation about using OHIO data to create infographics demonstrating the importance of Medicaid to people with IDD.

CERIIDD has received funding from the OPRA foundation for one year of operation beginning on October 1, 2017. We are currently collecting applications for a Director of Research and will be interviewing for the position soon. We are also working on creating a CERIIDD website, getting job descriptions in place, and getting business cards created.

During the past month, CERIIDD created a series of Data Briefs that were based on empirical research. These Data Briefs were designed to inform policy makers of the possible impact of policy decisions and included: *Direct Support Professionals and Overtime, Healthcare Political Reporting and Individuals with IDD, Ohioans with IDD Impacted by Federal Medicaid Reform, Fiscal Efforts for IDD Services Pre and Post Medicaid Expansion,* and *Medicaid, SSI, AND Children with Disabilities.* One of CERIIDD’s briefs was referenced in a report to the US Senate by Senator Sherrod Brown.

Additionally, Dr. Maryse Amin is assisting us to apply for a $50,000 funding opportunity through the Ohio DD Council. If we receive this award, we will research the relationship between IDD, race and ethnicity, and health outcomes. We may also investigate the impact of marriage on the programs and services of individuals with IDD.

**2. Shared Living Services**

We convened a stakeholder meeting on June 17, 2015 with interested members, county board SSAs, advocates and the Department to create a statewide Strategic Marketing Plan focusing on recruiting host families and educating families and SSAs about Shared Living as a model.

On September 1, 2015, the consultant delivered the revised marketing plan to OPRA and OACBDD. The plan was discussed with DODD on September 22nd. Carolyn Knight of Ohio DD Council has indicated an interest on the part of Council to review the plan to see how Council might assist. DD Council approved our project request and awarded $20,000 to help fund the marketing plan. DODD has indicated that they have the capacity to perform most of the tasks listed in the marketing plan and will take the lead. In a meeting with DODD and OACB it was decided that Council funds will be used primarily for the development of the video(s). OPRA and OACB will assist. It remains clear the DODD expects Shared Living to grow significantly and that there are many challenges to realizing DODD’s vision for Shared Living expansion.

The education and implementation phase has begun. DODD is actively doing outreach to county boards, families and providers. OACB and OPRA had sessions at their upcoming conferences on shared living.

On May 8th, DODD published a proposed rule for shared living that combines adult foster care and adult family living.

**3. ICF/IID**

OPRA has not supported moving forward with the reimbursement re-design, as we believe it is not complete. Budget language addressing the new reimbursement system was deleted in the House, leaving the status of this initiative unclear. DODD has since proposed funding this with existing monies. Held an ICF call and members voted to negotiate a 2% increase with the implementation of the new system.

DODD has committed to continuing the work on the reimbursement redesign throughout 2017, with the goal of implementing the new system in July of 2018. Both the Reimbursement and Process workgroups have been re-instated. Given the recent proposal and negotiated agreement, recommendations for the structure of the new system are due in October of this year. There is much work to be done on the ODDP scoring and the capital component.

PGC initial recommendations:

IAF will be replaced with the ODDP. Change capital reimbursement to a FRV (Fair Rental Value) system as is currently used in nursing homes.

13 quality measures developed across 4 domains – Quality of Life (community and participation) and Quality of Care (health/wellness/safety and staffing). Meeting quality measures will result in an add on to funding.

Most of the requested data has been received and reviewed by the accounting firms. There are issues with the scoring of the ODDP and with the FRV component. These issues will be addressed in upcoming workgroup meetings. OPRA established its own Capital workgroup to identify and target issues for further discussion with the DODD workgroup. We met with Josh Anderson on 4/20. WE developed a list of 6 concerns with the FRV component as currently designed. This list was shared with DODD. During a conference call on 4/27, DODD addressed 2 of the concerns and committed to reviewing the remaining issues in upcoming stakeholder meetings.

ICF Employment Pilot: Received funding and is underway. No further updates at this time.

Current ICF Statistics (as of 4/18):

Preadmission Counseling: 313 sessions completed. 255 chose ICF. 58 chose waivers. 34 of the 58 have been enrolled.

Options counseling: 2,668 people have been contacted. 254 declined to participate. 2,414 did participate. 1062 chose to remain in the ICF. 697 indicated they may be interested in a waiver. 655 chose a waiver over the ICF. 137 have been enrolled.

**5. Business Intelligence Tool**

Data has been collected from DODD that identifies all providers in the State of Ohio and the counties which they offer services. This along with the OPRA Provider Capacity Survey that was collected in recent weeks, are being used to categorize providers throughout Ohio. In addition, requests have been made for DODD to provide the amount of individuals being served by geographical locations and their acuities. This information should aid OPRA members in making an educated decision on increasing their services and where to potential develop their business within Ohio. Relevant, current and correct data will enable OPRA to advocate for sustainable solutions across our Medicaid and Medicare systems. OPRA is researching systems necessary to automate and maximize the value of our data visualization software.

The updates for Tableau have been purchased and we are now waiting for the new IT support to install the new server. Once the new server is installed, we will download the program and Tableau will be up and running!

**6. CMS Regulations on Definition of Community, Conflict-Free Case Management, Person-Centered Planning and Heightened Scrutiny – State’s proposed transition plan**

OPRA continues to advocate for a sustainable plan to implement the new CMS HCBS regulations. Ohio’s transition plan received Initial Approval from CMS and is likely to receive final approval too.

DODD has established a workgroup to develop standards and guidelines for the heightened scrutiny process. There is not a common understanding as to the expectations of “integration”.

**7. Provider Information and Selection Tool Pilot**

Cuyahoga and Coshocton Counties, along with 5 OPRA members in those counties, designed and implemented a provider information and selection tool pilot. The pilot contains a website that is a “Trip Advisor”-type tool for people to obtain useful information on providers. DODD is aware and supportive of our efforts.

We have continued the pilot in Cuyahoga, Knox and Coshocton counties. We are working out issues to make the site more user-friendly and accessible.

We have started preliminary conversations about OACB and OPRA continuing to fund ProviderGuide Plus after May 31, 2018 (end of current 3-year agreement).

**8. Employment First/Day Services**

On February 7th, Lisa attended a meeting at OOD that was facilitated by the Common Sense Initiative. Based on the tone of the meeting, there is a chance that the new OOD fee structure will not go into effect on the newest proposed date of May 1st.

The new DODD rules and rates for the day array went into effect on April 1, 2017. Based on feedback from OPRA members, OPRA teamed up with OACB and conducted five regional trainings on the new rules. These trainings brought providers and county boards together in the same room to problem solve implementation of the new rules. Further training will be conducted OPRA and OACB during June focusing on the day array. Further training will be conducted OPRA and OACB during June focusing on the day array.

The new OOD fee schedule will go into effect on October 1st, 2017. OPRA is seeing increased membership interest from OOD providers who are not DODD providers. Several new non-DODD providers have signed up as OPRA members in the last 30 days.

Lisa, along with Scott Marks from OACB, continue to train providers and County Boards on strategies and tips to meet the HCBS Settings Rule during day programming. During June, the following regional trainings on the HCBS Setting Rule were/will be completed: **June 14 -**Northeast Region (Kent), **June 15 -**Northwest Region (Bowling Green), **June 19 -**Southwest Region (Dayton), **June 29 -**Southeast Region (Athens).

OOD recently rolled out some of the provider forms that will be put into effect on October 1st, 2017. These forms can be found under the provider tab on the OOD website. Additionally, OOD is offering training on the new fee schedule and forms beginning August 23rd.

Stacy Collins will be speaking to the OPRA Employment First and OPRA Day Services workgroups on August 28th about what the last 5 years of data indicates concerning employment and day services in Ohio.

**9. Waiver Pilot**

The OPRA Waiver Kitchen Cabinet is recommending that the board and OPRA consider the weekly billing unit proposal by DODD. (Please see A.1 for additional information.)

**10.** **Outcome-Based Payment Systems**

On April 1st, DODD plans to implement the following outcome-based services;

1. Assistive Technology
2. Benefits Educations and Analysis
3. Career Discovery
4. Employment/Self-Employment Planning
5. Situation Observations and Assessment

On May 1st, OOD plans to implement the following new outcome-based services: Supported Employment

**11. MUI Process**

In concert with OPRA’s initiatives on simplification and efficiencies, membership has expressed a strong desire to address the MUI/UI rule and process. The timing for this review is consistent with the 5-year rule review mandate. After an initial meeting with DODD’s Scott Phillips and County Board representative Eric Metzger to begin discussing parameters, OPRA had its first member meeting on February 13th with the OPRA Rules Focus Group to discuss the rule and process in depth. Results of those discussions were presented to DODD on Tuesday, February 14th. A structure for continued statewide discussions as well as internal OPRA discussions (with a developed strategy for moving forward) are being developed.

**12. OPRA Training and Evaluations**

In January of 2017, OPRA began aggressively developing and scheduling training sessions to bring added value to the membership. OPRA committees have been surveyed for topics of interest/need to them and other sessions have been selected based on OPRA staff input. Some topics will be repeated, based on session evaluations and overall demand. Others, such as Polypharmacy (requested by the Nursing Committee) will be one time offers during the calendar year. This is a work in progress and we expect to learn a lot and further refine our process as we move ahead.