

## OPRA POLICY COMMITTEE MEETING AGENDA Tuesday, January 22, 2019

10:00 a.m. OPRA Office

You have several parking options: front of the building on the street, front parking lot adjacent to the right of the building, lot behind the building, lot across the alley behind the building, other legal street parking.

Core Committee Members in attendance: Diane Beastrom, Scott DeLong, Rich Johnson, Wylie Jones, Ryan Knodel, Kurt Miller, Tim Neville, Dave Rastoka, Brenda Smith. Jo Spargo was on the phone.

- A. Welcome
- B. Working with a new administration
  - 1. Policy Committee's strategy:
  - 2. OPRA White Paper:
    - a. Policy Committee reviewed a draft of the White Paper.
      - a. Used as a potential marketing tool for recruiting new OPRA members
      - b. Simplify down to a one page with talking points for legislators
    - b. Need work plan outside of the white paper
      - a. Will allow Policy Committee to have outline of goals for 2019
      - b. Will be reviewed and revised as issues progress
    - c. Core committee will be divided to work on each- input will be given to Christine by January 28th. Wylie and Christine will work on redraft by February 1st and will have conference call on February 1st. Will set up Board conference call the following week.
    - d. Workforce Committee- Dave, Scott, Ryan, Jan, Than
    - e. Regulatory and Admin-Brenda, Rich, Gary
    - f. IT- Tim, Justin, Jo
    - g. Impact on Individuals served- Kurt, Scott, Jo
    - h. "Publishing" program- who are releasing this to? Who are our allies who want to follow up with public support (OACB, OHCA)?
- C. 50% rule update

Dr. Lisa Mathis gave an update on the 50% regulation. The DODD state stakeholder group will be
meeting next week on Jan 31 and will have updates after the meeting. The framework was sent
out to the membership.

## D. Ohio State Budget Ask

- 1. Status of budget process- state budget coalition will be meeting this week to discuss strategy.
- 2. OPRA asks- 13/15, ICF asks on 1 to 4 bathroom ratios (exceptions, higher ratios-concerns about where people will go if they are forced out in an effort to come in to compliance), bed tax for an agency no longer owns.
  - a. Concerns about final budget numbers.
  - b.Do not want budget to be dead upon arrival in the Ohio House with the unexpected

    House leadership shakeup and the Governor's commitment to opioids and children's

    issues.
  - c. As OPRA begins to open up conversations around the development rule issues, we need to open the entire development up in the second half of the year.
- Amy Showalter webinar- Christine Touvelle discussed the webinar being held on Friday, January
   25th.

## E. Status of 2018 Work Plan and Strategic Areas

- Provider certification- Diane Beastrom lead the committee in a conversation about the
  committee's stance. Either you abolish both requirements or to build a career pathway with the
  direct support assistant and direct support professional. The policy committee is suggesting to
  the Board to adopt the stance that the high school diploma/GED and the age requirement should
  be removed.
  - a. Providers will still need to pay attention to things like child labor laws.
- 2. Need to work a showing the competencies of the workforce and showing the position is a career path.

- 3. DBU- negative assurance (documenting you did not provide a service), non-billable days excluded hospitals and incarceration, concerns about audit protocol for OBO services when person in hospital/incarcerate or when service is not delineated in an ISP (especially OBO services) conversion timing and working together with CB, issues with adequately planned CPTs and providers are going to need to be comfortable monitoring CPT utilization, concerns about historical utilization and current workforce crisis.
- F. Case for Inclusion- ANCOR's new report
- G. Emerging Issues- Christine Touvelle gave an update on the below federal developments.
  - Federal Government Shutdown- the federal government shut down has impacted the distribution of SNAP benefits. Please be aware of this.
  - 2. DOL Overtime Rule- potentially being reintroduced again.
  - 3. CMS Medicaid Block Grant- potentially being reintroduced again.
- H. Policy Committee Strategic Areas-
  - 1. What are the top of the issues? Is it workforce? Keeping money in the system and getting more?
    - a. Remove waiver quality incentives since that was for mainly the budget and the \$13/\$15 ask took its place.
    - b.ICF quality indicators- Policy look at stopping incentives, stopping money being taken out of rates. Additional group has been working with Anita Allen to develop an ICF Quality Indicator toolkit.
    - c. PUCO- Director Davis is going to continue this effort as a Department- the membership continues to want to exempt DODD providers from PUCO requirements.
    - d.NMT- Miscommunication about where the funding was coming from (county board vs state)- nothing to do as of right now
    - e.OSOC- Will be included in the budget ask- shooting for minimum wage in the direct care component
    - f. EVV- Support for delay to 2020- Nothing Policy Committee can do as of now.

- g. 50% vocational habilitation workgroup- DODD workgroup meeting next week to discuss updates and then will have more complete picture
- h.Provider certification- the Policy Committee wants to look at getting the CEO training removed and reduce requirements. Jeff, Scott DeLong, and Dave Rastoka were working on this and will give notes to Anita.
- i. High behavior- Potentially get ViaQuest, Boundless, or Rose-Mary to present on how to make it "work" in regards to cost, regulations, etc. Part of the issue is behavior support rule and not being able to use clinical terms in plans, inability to include behavior support analyst in staff ratio. Need to increase wages to be sufficient for highly trained staff, understand how downsizing has impacted ability to serve this population. Revisit after July 1, 2019.
- j. Employment First OOD rates and ODD concerns, OOD white paper, employment navigation with SSAs and OOD.
- k. Community-based day services- compliance reviewers have subjective view of what those are.
- I. Role of county board and level of authority over providers.
- m. Development rule in general- bathrooms first and then work with changing the language. The Policy Committee will create subcommittee to work on this- Gary Brown, Kurt Miller, Scott DeLong, Jo Spargo
  - n.Daily Billing Unit- high priority because of effective rule- working with county board-OPRA will have training, let us know issues.

## I.Other

1. DRO- litigation- DODD was trying to settle with DRO on the ICF lawsuit and new administration will have to take this on. Will keep the committee up to date as the negotiations become public.