



**Coalition Of Provider Associations**

*Representing More Than 250 Provider Agencies in New York State*

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## **Provider Association Meeting Minutes – July 16, 2018**

1. **OPWDD Management.** 2018-2019 Budget included reduction of 32 FTEs. First step will be to identify positions that have been vacant and can be dropped. Second, OPWDD will look at current departures to see if the position can be dropped and consolidated with other positions. Abiba Kindo has been promoted to Deputy Commissioner, taking Megan O'Connor's position. Acting Commissioner Delaney stated that they are also working to fill the vacant Executive Deputy Commissioner position.
2. **CCO Enrollment Update.** 97% of individuals receiving MSC/PCSS signed up for a CCO and of those, 97% signed up for Health Home and the remainder signed up for Basic. There are about 3,300 individuals that did not make a selection. OPWDD preliminarily assigned these individuals to the CCO that their MSC was affiliated with. OPWDD will follow up with the CCOs regarding their status.
3. **CCO Life Plan.** New Life Plans require habilitative goals and a safety plan (as part of an IT package) and are not program specific. Providers will develop a Staff Action Plan that describes how the goals and safety plan will be delivered. For new individuals entering the system after 7/1, these individuals will require a Life Plan immediately. For people already in the system, the Care Manager and person's team may elect to push out the Life Plan meeting to the annual or semi-annual review dates, but the Life Plan must be completed before June 30, 2019. OPWDD will be issuing an ADM, they claim in the next few weeks, on the implementation requirements. OPWDD is also looking to develop documents and processes for service authorization in the new environment. There is a 60 day grace period after development of the Life Plan for providers to develop an action plan. Compliance with these new procedures during a survey is postponed until November 2019. The Provider Associations urged OPWDD to not have any new requirements for program or billing be issued retroactive to July 1, 2018. As OMIG has not developed its protocols, we should be looking at dates that mandate compliance going forward not backward.
4. **CAS Update.** OPWDD still intends to use the CAS both for current rate setting purposes of determining acuity and ultimately, to determine capitation rates. OPWDD presented its current process for reviewing questions and concerns regarding accuracy of CAS assessment. Currently, per their assessment, only 1% of the assessments conducted to date generated concerns and 65% of the concerns involved coding. OPWDD has identified four systemic concerns: 1) lack of timely sharing of CAS summaries; 2) individual had significant changes since CAS was performed; 3) documentation variations; and 4) variation in interpretation of finding in CAS summaries. OPWDD is developing a process for updating the CAS when changes have occurred in individuals.

The current review process through the OPWDD CAS email portal is the only mechanism available to correct CAS errors. Concerns were expressed regarding accuracy of responses as reflected in the CAS summary and the findings in the validity study regarding behavior issues. OPWDD took some suggestions on conducting Assessor reliability studies and heard the difference of opinion expressed by the providers about the CAS processes, including their communication with the residential providers and families, and the results in the CAS Summaries. There have been 30,559 CAS Assessments completed. Their intention is to have CAS Assessments completed for all individuals living in certified residences by 12/31/18. More review and discussion will occur.

5. **Prevocational Regulations.** Emergency regulations were issued June 18, 2018, regarding requirements for prior approval for providing prevocational services to a group larger than 8 and having more than one group of 8 at one location. There will be no audit vulnerability for the balance of this calendar year. An approval form will be available on OPWDD website to be submitted for prior approval.
6. **Justice Center Vehicle & Traffic Offenses Guidance.** There was substantial confusion regarding the guidance and its applicability to reporting to the Justice Center. OPWDD will pursue the matter directly with the Justice Center.
7. **SPA Update.** The State has submitted the minimum wage increases and 3.25% increase for Article 16s to CMS. CMS is asking about impact on UPL (upper payment limit under federal Medicaid regulations.)
8. **DOH Rates.** DOH and OPWDD are continuing to review implementation of unmerging cost data for 7/1/17 rates for providers that had a change in auspice or merger. Regarding 7/1/18 rates, the State is contemplating a modification of budget neutrality corridors that was imposed for 7/1/17 rates. Provider Associations have requested that providers not be cut if they had a rate increase and corridors only be used to help agencies that were negatively impacted. Nevertheless, OPWDD is now considering the following adjustment corridors for 7/1/18 rates:
  - For rates that are decreasing by up to -1% or increasing by up to +2%, for no rate adjustment;
  - For rates decreasing by more than -1% up to -3%, a +1% rate adjustment;
  - For rates decreasing by more than -3% up to -7%, a +2% rate adjustment;
  - For rates decreasing by more than -7%, a +3% rate adjustment;
  - For rates increasing by more than 2% up to a 5% increase, a negative -1% rate adjustment (.99%); and
  - For rates increasing by more than 5%, a negative -2% rate adjustment (.98%).
9. **Development Process for Children Aging Out of 853 and CRP Placements.** Recommendations were made for changing the process for the development of adult residential projects by permitting 853 schools and CRPs to identify a group of adult providers to work closely with as

they develop adult placements. Abiba Kindo will seek to set up a work group with providers to hear about obstacles in the development of residential opportunities.

10. **Division of Quality Improvement & Performance Management** (formerly just DQI). DQI will continue to review MSC services through September 30, 2018, the end of the annual survey cycle including 1,500 selected randomly by OPWDD and DOH and review all Willowbrook members in IRAs. 1,100 samples will be selected by OPWDD; 400 will be chosen by DOH. Review will only include MSC services delivered through June 30, 2018. Former MSC providers will have to maintain appropriate documentation for review. In next review cycle starting October 1, 2018, the survey process will focus on CCO work product. The sample will again be 1,500 plus the Willowbrook individuals in IRAs.