



Employment First
Funding System Re-design Work Group
Thursday February 26, 2015 9:00a to 4:00p
Location: Columbus Developmental Center

Facilitator: Jo Krippenstapel

Attendance: Allen I. Bergman(Consultant), Teresa Kobelt (DODD), Carmen Shelton (Advocate), Greg Dormer (OOD), MaryThompson Hubbard (Privatization Support Group) , Jason Umstot (OPRA), Mary Vail (Goodwill Columbus), Lori Stanfa (OACB), Pete Moore (OACB), John Pekar (Fairfield/Vinton DD), Laura Zureich (Champaign/Shelby County DD), Kathy Phillips (Ohio Waiver Network), Lori Horvath (DODD), Debbie Hoffine (DODD), Rick Black (Butler DD), Kristen Helling (DODD), Stacy Collins (DODD), Chris Filler (OCALI), Vic Gable (Wood DD/APSE), Clay Weidner (DODD), Greg Swart (DODD), Brenda Smith (OAAS), David Reichert (Cuyahoga DD), Steve Koons (Goodwill Cincinnati), Joe Kowalski (DODD), Caroline Westbrook (ODM), Laura Leach (ODM), Eric Hammer (Cuyahoga DD), Courtney Frantz (DODD), Gary Smith (Licking DD)

Not Present: Lisa Mills, PhD (Consultant)

I. Welcome and Introductions

- a. This was completed by all in attendance.

II. Review and Approval of Meeting #6 Minutes (Allan)

- a. The work group asked for clarification pertaining to data collection. Please submit monthly data to Kristen. Data should be submitted by the 15 of each month for the previous month.
- b. Minutes were approved as presented.

III. Overview of the Day

- a. *Review of the folder (Kristen)-*
 - i. 4 service definitions (SE-Individual, SE-Small Group, Integrated Prevocational Skill Building, and Integrated Community Supports).
 - ii. Guidance for Funding System Re-design Workgroup- CMS and DOJ Guidance.
 - iii. Purpose- The new service definitions have a target implementation date of July 2016, but the existing services and definitions for Vocational Habilitation and Adult Day Support will remain in place until 2024 pending CMS's approval of Ohio's Transition Plan. The new ADS services do not eliminate current services; As of July 2016, individuals receiving Vocational Habilitation and Adult Day Support will be able to continue to receive them, with a gradual transition to the new services. There will be no new entry into the old services as of that date.
- b. *Questions regarding deadlines and timeframes (Jo)-*
 - i. Previous discussions had the target date January 2016. This was moved to July 2016. The goal is to submit waiver amendments in early 2016. The target date

was moved to allow for IT infrastructure building to take place in the DODD and ODM systems and for the rule development process.

- ii. This workgroup timelines are outlined in the transition plan for CMS.
- iii. Question about “piloting” the new services. It was clarified that this is not a “pilot” per se, but would be a side-by-side comparison for providers to understand the impact of the new billing and rates compared to the current billing structure. Providers would still continue to bill under the current structure.
- iv. Target date for full implementation- March 2024, pending approval from CMS of Ohio’s Transition Plan.
- v. Assessment Tool- Questions were raised regarding the timeline on a tool for acuity and if a new tool would be developed. The current data collection process is evaluating acuity with regards to level of support needed to maintain employment. A new tool cannot be developed within the current timelines, but we will continue to evaluate how current tools function with the new services.
- vi. Rate development- Do we have a vision for the future and an outline of next steps? The goal is to come to a consensus on service definitions today. Business managers will meet again and present information back to the sub-group. The large group will come back together to evaluate the entire package (service definitions, rates, provider qualifications).
- vii. A concern was expressed regarding the assumptions built on outlining hours available per service. Rate models are being developed using BLS data.
- viii. Teresa thanked everyone for being in attendance and shared that with the amount of change taking place in the DD system in Ohio at this time, it would be beneficial to take a fresh look at service definitions to find consensus among the group before moving forward.
- ix. Lori H. shared the vast amount of work that is being planned with regards to many of the budget initiatives, including new workgroups and various amendments to the waivers that are being planned. This information was shared in response to the request by the workgroup to redesign/consolidate HPC and integrated day supports. DODD is committed to exploring this change, but it is not within the scope of this workgroup, nor will it occur prior to implementation of budget initiatives.

IV. Facilitated Discussion about Supported Employment- Individual (Jo)

a. Quick Review

- i. Allan provided a quick review of changes to the proposed service definition based on feedback from the previous meeting.

b. Concerns

i. Constituents

1. Concerns with the annual cap per person. No decisions have been made regarding annual caps for individuals.

2. Situational Observation- Should this be listed as 30 days or moved to hours?
3. OAAS appreciates the alignment with OOD.
4. OAAS question on job coaching- Would there be any scenario when the provider would not get paid? Outcome based reimbursement would be based on hours the individual works. The hourly rate would be determined on acuity (level of support) and length of time on the job. Job coaching cap would be 2080, which is a full-time job. The cap per individual has not been determined.
5. If an individual loses a job, reimbursement would cease until a new job is obtained. There was a remark that CBs need control to ensure appropriate accountability and oversight.
6. Would it be better to have guidance on limitations or allow the Person Centered Plan to drive the limitations?
 - a. OACB indicated that guidance would be best.
 - b. OAAS- the person-centered planning process should drive the time limit.
 - c. CMS guidance is clear that prevocational is time limited. This needs to be in waiver application.
 - d. It was proposed that the group look at a prior authorization process where county boards complete the PA for time limits.
 - e. A larger discussion on the above occurred and group members discussed their concerns with no time limits and how time limits are not person-centered. A fear was expressed that without time limits, there is little incentive to encourage providers to stay within timeframes in order to achieve outcomes.
7. Time limits in question: (list all from service definition)
 - a. Situational Observation and Assessment- 30 days
 - b. Discovery- 60 days, written profile due in 60 days
 - c. Job Development- 75 hours, conducted in 9 months

c. Initial Check-In Vote

- i. Vote on current language: 8 in favor of current language, 5 opposed to current language. Consensus not obtained.
- ii. Concerns:
 1. Need to evaluate OOD capacity to provide job-seeker services; Waiver should be primarily used to support follow-along; A workgroup should be developed to review existing data from the Partnership to determine fall-out from Partnership referrals
 2. Need to ensure SSA oversight to assure quality person-centered planning.
- iii. Proposed language changes:

1. Keep time limits in the rule, provide an exceptions process for the small percentage of individuals who need it. This will be an alternative to the existing rule language. It will be a prior authorization process that will be authorized by the county board. (prior authorization, authorized by the county board.) STRAW VOTE: 10 in favor; 3 opposed; Consensus obtained
2. Can “Job Seeking” and “Retention” be broken out into separate service definitions? It was explained that Supported Employment-Individual would include both of these activities in the waiver amendment to CMS and there can be modifiers within the rates.
3. Co-worker model of support language – who will monitor that the activities funded are not part of the regular business activities. Does this need to be a change in the language or could this be handled through guidance? This is a tool in the CMS toolbox to provide options to employers. We don’t feel like this would be a high volume service – could be implemented through guidance to SSAs/ENs

V. Facilitated Discussion about Supported Employment – Small Group (Jo)

- a. **Quick Review:** Allan reviewed the changes to the proposed service definition.
- b. **Concerns:**
 - i. Some workgroup members expressed concern that the group size should be 8; others felt that 8 was too large to ensure integration. Discussion about how the service expectation should be to ensure integration, but that the group size is arbitrary. The outcome for the service is individualized community employment – can we do that with 8 people? Is there any data that supports that you can truly move people from groups of 8 into an individualized outcome? Does the back-end time limit help to accomplish that same push vs. group size? Larger group sizes are harder to handle. Much more manageable for the system to have smaller sizes.
- c. **Initial Check-In Vote:** STRAW VOTE on group size remaining 4 as in current language: 4 in favor; 9 opposed. Consensus not obtained.
- d. **Proposed Language Changes:**
 - i. Would the new services replace supported employment – enclave immediately, or would they be able to transition within the CMS transition plan timelines; current enclaves can be 2-12. According to Lori, it will be hard to justify to CMS that we are planning to keep supported employment-enclave and add the service of supported employment – small group.
 - ii. Emphasize that the purpose of the service is to move people to community employment. Member does not feel that a group size of 8 can do that. Where is the data?
 - iii. Is there any way to handle this in rule similarly to how we are requiring ICF providers to transition to smaller settings? That would be a conversation with CMS.

- iv. Allan suggested that the group consider the conversion strategy under the service limitations. Lori feels this is possible. Agree with 1:4 as the best scenario but providers need flexibility to work with businesses if the business needs more workers.
- v. Discussion around non-profits with a social enterprise model to create jobs for people where the non-profit is the employer of record. The purpose of these services is to move people out of them.
- vi. Two goals here: integration and to move people out of group services into individualized services; how does group size hinder or not hinder that second goal of moving people along? If it's 4, 8, or 12, and a person is learning a skill, does size matter? The goal of integration matters.
- vii. CMS talks less about the physical location than the experience.
- viii. HCBS Settings rule overlays all of this – maximum opportunity for interaction in the community; integration, quality, etc. Does number have anything to do with this? We know that this population does not typically generalize or transfer well. A lot of what we have developed in the group/enclave will not transfer well.
- ix. Discussion that this may not be a model we wish to sustain as it does not achieve the outcomes it is intended to. Many group members agreed and it was decided to take a consensus vote on whether to support including Supported Employment-Small Group in the service array.
- e. **Second Check-In Vote:** STRAW vote: Should we eliminate the service supported employment: enclave; with no new entry after July 2016: 10 in favor; 3 opposed. Consensus achieved.

VI. **Facilitated Discussion about Integrated Prevocational Skill Building**

- a. **Quick Review:** Allan reviewed changes to the proposed service definitions.
- b. **Concerns:**
 - i. We need to ensure people have the ability to improve soft skills.
 - ii. If supported employment- small group will not be a service, could people be paid in integrated prevocational services? Wages could be paid but it cannot come from Medicaid Funding (FFP).
 - iii. The work group wants to ensure we would not lose opportunities for specific skill building with the elimination of supported employment-small group. Large discussions were held about SE-small group, SE- individual, and integrated prevocational services. Someone could access a combination of multiple services.
 - iv. Point #1 under Service Exclusions- this was being misinterpreted as you cannot be paid for these services. This bullet is pointing out two different things. Revise language.
 - v. This service already has an exception process listed on page 5. Add exception that this lies at the county board level with SSA; county board prior authorization exception process for 24-month time limit.

- vi. Before vote, there was a question regarding prior authorization on community internships- Page #5- We need to add separate language regarding the length of community internships.
- c. **First Vote:** CB Prior Authorization. **Vote: 11 In Favor, 2 Opposed- Consensus obtained.**
- d. **Second Vote:** Develop language pertaining to each specific paid work experience (community internship or work experience) cannot exceed 6 months. This language should go on page 2 as an addition to the four bullets. **Vote: 13 In Favor, 0 opposed. Consensus obtained.**
- e. **Third Vote:** Person-Centered Planning drives the 24 month time limit; remove 24 months from the service definition. **Vote: 2 In Favor, 11 Opposed, Consensus not obtained; 24-month time limit remains.**
 - i. Concern with bullet #3 and they shall confirm, at each service plan meeting to develop or review the individual service plan, their agreement with the following. The concern is the language is offensive and does not match person-centered planning. The language will be softened and reflect person-centered philosophy.
 - ii. Page 4- change language to only state that, transportation for participants is not included in the rate to providers of this service. Consensus; a vote is not required to move forward with this change.
 - iii. If someone does not want to work they should not be in prevocational services. If they are unsure, prevocational services could be part of their plan.
 - iv. Remove references to supported employment- small group
 - v. Concerns were addressed about the percentage of people currently in “prevocational services” who would not fit under this new service definition. We do not have an answer but need to evaluate potential loss of income.
 - vi. Have other states ceased small group employment? We need to have clear language and guidance that no services are lost if SE-small group is removed from the service array. Prevocational services can be provided to fill in the gaps.
 - vii. It was expressed that work group members want to make sure that this system supports all people in Ohio.

VII. Facilitated Discussion about Integrated Community Supports

- a. **Quick Review-** Allan reviewed all changes to proposed service definition.
- b. **Concerns:**
 - i. Concern with bullet #3 and they shall confirm, at each service plan meeting to develop or review the individual service plan, their agreement with the following. Will be addressed as in Integrated Prevoc.
 - ii. Concern that the service definition reads like a person must be served in the community all day. This is not the intent of the service definition. The hours in the community should be driven by the person-centered plan and should include appropriate rest time. The rate should include a cost for operating a small “hub” where this can be accommodated. It is the expectation that people do not congregate in one location for long periods of time. It is difficult to define

in terms of a setting and we need to express the experience is more important than the location. This needs further explanation in the definition.

- iii. Page 1, third line down.....Integrated Community supports only shall be provided in integrated community settings. We need to make clear that people can have a place where they can go for multiple reasons (personal care, over stimulation, etc.).
- iv. Review the potential to develop language around provider qualifications and requirements about community engagement (outings, breaks, etc.)
- v. We need to provide examples of what someone's day might look like using a "hub" to ensure meaningful integration for all.
- vi. Remove supported employment- small group

c. No vote was necessary for this service definition.

VIII. Next Steps in the Process and Establishment of Workgroups

a. Work Groups Next Step

- i. Forming Several Work Groups around budget initiative
 - 1. Waiver Work Group- business managers will continue to work on service definitions agreed upon today.
 - a. Lori is convening a group to look at larger waiver issues, including assessment tools and NMT.
 - 2. ICF Work Group.

b. Messaging- How are we going to carry this message forward to our constituents?

- i. Services are being repackaged and no one is losing services. We need to ensure this message is clear.
- ii. On-going work: Email Kristen with preference for workgroup:
 - 1. Work to develop guidance around service definitions, further development around the Path to Community Employment, update to the Who Am I Document?
 - 2. OOD/DODD Collaboration.