

**NC Providers Council** **Regulatory/ Business Practices Committee Meeting**

**April 4th @ 10:00 a.m. – 12:00 p.m.**

**DRAFT MINUTES**

**Join Zoom Meeting**

[**https://zoom.us/j/92920235375?pwd=UVdPdU0zTy9hSWMvTmR6V1liRDFadz09**](https://zoom.us/j/92920235375?pwd=UVdPdU0zTy9hSWMvTmR6V1liRDFadz09)

**Meeting ID: 929 2023 5375**

**Passcode: 171652**

**Welcome and Introductions –** *Wilson Raynor*

**Attendence –**Devault Clevenger, Anthony Devore, Debbie Spry, Fontaine Swinson, Laurie Urland, Lindy Davis, Stacy Garnett, Devon Cornett, Helen Austin, Joel Maynard, Chris Brigman, Kenneth Bausell (10:15-10:30), Gina Lemons, Ann Newsome, Sara Huffman, Joel Maynard, Wilson Raynor, Ryan Parker, Seslie Roughton, Sheryl Zerbe, Sarah Pfau, Julie Bowden, Marika Whack, Lee Dobson, Kelly Husn, Jeanne Duncan, Teri Herrmann, Sandy Fuetz, Helen Austin, Ann Newsome, Stacy, Kaye White, Lindy Davis, Christopher White, Jennifer Lineberger

**Approval of Committee Meeting** **Minutes** (*see attachment*) Fontaine Swinson made a motion to approve the 3/4/2021 minutes and Robin Devore seconded the motion. Motion passed unopposed.

 **New at DHB –** *Kenneth Bausell*

* Appendix K update
	+ This has been extended until 10/21/2021 and potentially until the end of the year.
* COVID Money & Budgeting Expectations
	+ Staffing expense and Heroes Act pay into the 3rd and 4th quarters
	+ Language encouraging LMEs to extend pay until State Emergency status is lifted
	+ Auditing, Monitoring, and post payment review
* EVV update: EXTENTION!!
	+ They are looking for a code or a system for resolving the issues when DSPs are RDSE or in the community. They are looking at a code or modifier so that providers can bill those directly to the MCO. Looking at options for the whole authorization is for the total units and multiple codes potentially bill through the same authorization. More updates should be coming next week or two with the hopes to close this issue out.
	+ They are setting up a command center next week or the week after to help providers with EVV issues.
* TBI Waiver updates:
	+ They are reducing the age range of injury to 18.
	+ They are advocating for additional slots.
	+ Increasing the poverty level to 300%.
	+ They are adding Supported Living to the waiver.
	+ It was supposed to go live 5/1/2021 and that has been extended to 7/1/2021 to be on a quarter. For tracking purposes CMC would like to get the waivers lined up for same renewal dates which is one of the reasons for the new implementation date of 7/1/2021.
	+ They are working on expanding the TBI waiver beyond Alliance. An additional catchment area will be added with the renewal and they are looking to be statewide in the next five years.
	+ They are working with SU providers to add a residential service definition to the TBI waiver to address the need for people that have TBI and SU issues.
* There is legislation in motion right now regarding BCBA.
* There has also been some traction in the general assembly to increase innovations waiver slots and a ten-year plan to reduce the registry of unmet needs (waiting list). It will more than likely not be Innovations only, but will more than likely utilize other Medicaid services
* Tefra? Katie Beckett –25 states have this and SC is one of them. NC is working towards this. If the child has an IDD then the child would automatically be Medicaid eligible which potentially opens the door for services and supports that they currently….
* Omstead group met yesterday and there is a lot of discussion around staff wages and access to services. Updates will be coming out soon.
* In reference to the federally enacted funds ($10 million?) that the state is receiving for HCBS services, has the state determined how will it be utilized? NC Medicaid is working with CMS to receive the parameters before any decisions are made. This has been written at the federal level and CMS will oversee. Part of the reason for waiting to get more information is due to some of the other scenarios that we have seen with other federal funds that have been distributed and then CMS has added parameters 3 months after the fact.
* Behavior Analyst Bill would establish a licensure process for behavior analysts and exempt licensed psychologists and psychological associates from licensure. The North Carolina Behavior Analysis Board (Board) would be established with five members serving staggered terms. The bill would also establish the qualifications for Board members and operations of the Board.
* The targeted RFA dates are not concrete yet, but Kenneth noted that they are trying to finalize that in the next couple of weeks.
* Kenneth noted that they have a meeting set up with Partners in April and will be discussing the issues with the combined rate for some residential and day activity in lieu of services.

**Visitation Guidance:**

* The question that providers are asking is surrounding indoor visitation. Some providers are starting this process 1 person at time and with strict guidelines. Providers are working on this slowing incorporating some indoor visitation.

**ASAM Update:**

* Trillium and a proposed Train the Trainer Model and Webinar*: Sara Huffman*
	+ DHHS in conjunction with DHB and UNC will be providing another component of the ASAM training. This training will be provided to leadership of the LME/MCOs and contracted providers in order to fully implement, integrate and sustain The ASAM Criteria training within your organizations. There are 2 different dates for the training and each event has a capacity of 25 participants.
	+ This opportunity is an avenue for providers to train staff to the new requirements without an extensive financial impact. The hope is this training will continue to be offered as a strategy to support and sustain long term ASAM training requirements.
	+ During discussion some of the providers noted that this is better but not ideal especially since there is limited availability and that is still an issue.

**County Disengagement**: News and Developments – Brief discussion, but no official updates at this time.

**Supported employment:**

* Olmstead and next steps (please send end of minutes for additional information on meetings and links to the webpage.
	+ The work group is submitting the recommendations. Wilson Raynor will submit the document to Joel Maynard and this group to review.
* DOL
	+ Supported Employment
	+ Commensurate Wages/Piece Rate
	+ Resident fund balance vs. Medicaid Benefits
	+ on 3/31/2021 – Living wage for NC this will be tracked in the bill tracker in the members only communication page – be aware that this was filed yesterday. There is a high risk that this will not go anywhere.

**DSP Wage Increase Initiative:**

* + Governor’s Budget and the 80/20 split ($83-$86 million – potentially $23 million for portion for DSPs)
		- 80% goes to providers but 20% to the MCOs potentially, but it sounds like the 20% is for the employers to use for the wage increase so there is confusion and concerns on that.
		- There is nothing in the bill about MCOs receiving any of the money. The bill is written for the money to go directly through the MCOs and to the agencies for DSPs, put there is some part of administration that MCOs could potentially get.
			* Providers are requesting flexibility to address the funding as we are able. The current understanding is that providers should be able to utilize as needed for DSPs.
			* The other understanding and push from providers are that the MCOs should not be able to touch it.
			* The money that is being proposed is not enough – but the push is for the DSPs to have parity of institutions.
			* Providers noted that rates over the last 20 years have dropped in some of the services that we have been providing.
			* In addition, the administrative burden has increased tremendously
			* Additionally, the IT systems that are needed today are extremely costly.
		- NCPC is working with Benchmarks and other advocates have put together a one pager for the invisible heroes (DSPs) for legislatures in support of this bill. When it is complete Joel will send it out. The deadline was yesterday, and Joel sent it Monday so we are just waiting on final support paper and there should be a bill released next week.
	+ Advocating for a DSP wage increase (for Innovations, ICF, and State-funded services)
		- This is a big-ticket item that providers have been pushing for. It was made clear that the Governor wants to apply some money towards this, it is unclear on the research, time or efforts that have been made towards.
		- In the Governor’s budget it was intentionally left not very prescriptive.

 **ABLE Account summary:**

* Sarah compiled a detailed summary of information on ABLE accounts. Please see today’s invite for the attachment. It is an excellent resource for providers and families. Thank you Sarah for doing this research!

**New Business:**

* CMA update – During the last MLF Kelly Crosbie and her team presented how CM in TPs should go. There were a lot of questions, concerns, barriers noted from providers on this. Joel is working with Kelly to set up some meetings with a small group of providers. Please email Joel directly if you are interested.
	+ In addition, there will be a survey about questions, concerns, issues with CM. Joel Maynard – joel.maynard@gmail.com
* President Biden released an American Jobs plan and one of those is expanding the definition of employees and this will potentially impact providers that utilize contractor DSPs. NCPC will track through ANCOR.

**New in DMH/DD/SAS –** *Lisa Jackson (replacing Brad Owen to give us a DMH update on these calls)*

* Welcome and Introduction – This will take place in May meeting since we ended early today.
* JCB #391 and is attached to the invite and will be in the NCPC newsletter Monday.

**NCPC Network Council [LME/MCO] Update –** *Wilson Raynor*

* Alliance – none
* Partners – SCS Innovations rate is now $300 per member/per discipline/per month.
* Sandhills – none
* EastPointe - none
* Trillium - none
* Vaya – no updates
* Cardinal – Cardinal InfoSource from 3/31/2021 has significant changes to B3 respite and Community Navigator authorization guidelines update, SCS billing and utilization, Guiding Care trainings are taking place this week with providers.

Please visit [Olmstead Website](https://www.ncdhhs.gov/about/department-initiatives/nc-olmstead) for additional information.

Olmstead meeting events can also be found on the [DHHS Events](https://www.ncdhhs.gov/events) page.

 **Next meeting:  Thursday, May 4th**

**Motion: Devon Cornett made a motion to adjourn, and Robin Devore seconded. Motion approved unopposed. Meeting adjourned 4/1/2021 at 11:36 am.**

