

State Program Standing Committee (SPSC)

June 20, 2024

Meeting held virtually by ZOOMGov

Attendees

Committee Members: Barbara Lee, Bethany Drum, Max Barrows, Karen Price, Susan Yuan, Annie Jackson, Barb Prine, Chad Cleverly, Cheryl Thrall, Connie Woodberry, Ed Place, Collins Twing

State Employees: Jennifer Garabedian, Jeff Nunemaker, Hilary Conant, Carolyn Bowen, Julie Abrahamson, Jessica Bernard, Chris O'Neill, Steve Fish, Tina Fede, Lisa Hewes, Ross King, Ellen Booth, Melanie Feddersen, and Judy Spittle

Guests:

Boyd Brown, George McWilliam, Jenn T., Jen Hayes, Michael Kasper, Karen Topper, Gloria Quinn, Susan Aranoff, Kirsten Murphy, MacKenzie Geary, Jean Warner, Marie Lallier, Colette Wilson, Tonya Mason, Kara Artus, Julie Cunningham, Katrina D.

Roll Call and Review of Agenda and minutes –

May minutes were approved by Bethany Drum and 2nd Cheryl Thrall.

Payment Reform – Part 1 – Draft Fee Schedule

What are the rates that we are proposing: This is a draft and is not final. We want your comments and will continue to update based on feedback.

For next meeting

Different budgets – how we will pay providers – will look at the draft rate models and budgets. A rate model is how people will build their budgets and services.

DAIL has met with Stakeholders groups in May, June and July. Reaching out to our advisory committees next. We will make changes based on your feedback.

Value based payments – the providers negotiate what those would be.

Jessica gave an overview of the payment reform background.

DS Payment Reform project began in January 2018

Goals

- Equity- people should have access to similar services and payment rates
- Flexibility – you can't always plan for every need and situation
- Transparency – budgets and payments should be clear

- Accountability – show how the money is spent and what services were delivered

Jessica reviewed the payment reform background assessment including the 6 levels of support

Questions from SPSC

Sherry Thrall - hasn't the decision that the context assessment will be completed along with the SIS A prior to budget being set? We will need the SIS A scores, the supplemental questions, the context document, and someone's residential setting to make a final budget.

Does the guardian or agency have to appeal the score to submit a verified need? When would that narrative be shared? We will have guidance on the exception process.

Exception process will come before the appeal process. People will always have the chance to appeal. We hope that the exception process will help people not to the appeal process.

What makes up the rate

- Direct Support Professional Wages
- Direct Support Professional Benefits
- Direct Support Professional 'productivity' (providing services)
- Program-Specific costs (staffing ratio, building costs)
- Program Support (supervision, quality assurance)
- Administration (salaries for staff who don't provide services)
- All of the above equals the total fee

Research about Wage Information

- Burns and Associates looked at the Bureau of Labor Statistics
- Inflation is when the cost of something goes up. We considered that in the proposed rates
- Provider Surveys about their rates

Productivity Assumptions

- Things we pay agencies for that staff do but are not services. For example, travel, documentation, staff meetings
- Rate Model Assumptions
- Providers have given feedback they would like to increase paid time off and healthcare costs in the model
- New Department of Labor rule about paying overtime that we need to look at.

Program Support Assumptions

- Program operations are things we also have to pay for. Examples, time for staff to have supervision, training, and program developments. These are things they cannot bill for.

- The provider survey found average program support costs of 9.5 percent of income.
- Current Service Coordination service includes both case management and other supports
- Service Coordination is about 8.5 percent of provider's income
- Rate models include a total of 15 percent of the total rate for internal service coordination and other program support.
- Providers gave feedback that they think they will keep up to 90% of case management responsibilities and the rate should be increased
- Some providers asked for the Service Coordinator to be a separate, billable service and not build into other rates.

Jessica reviewed the current rates and draft rates slide. See complete presentation below

..\Presentations\DAB_SPSC Plain Language Presentation of Proposed Fee Schedule.pdf

Gloria Q - Pay rate should be tied to current pay rates utilized in this field in Vermont (we made important investments in VT) with New England back drop.

GMSA uses a report by Vermont Common Good to learn about wages and benefits paid by Vermont Non-profits. The report costs \$125 but we found it very helpful.

<https://commongoodvt.org/product/2022-nonprofit-wages-benefits-report-of-northern-new-england-vermont-edition-copy/>

Sherry Thrall - We also need to keep the workforce shortage in mind, as well as our aging state in terms of payrate considerations.

Karen Topper - I look forward to the time when we have clear job descriptions for all the different staff that work with people with disabilities. It is hard to advocate for what we need and give feedback on the quality of our services when roles are unclear.

60/40 split of case management roles and responsibilities is too low

The layout of the rates will be discussed at the next meeting in further detail

CAP – Settings Rule

The Division worked with CMS around a Corrective Action Plan (CAP) for the Settings rules around a “heightened scrutiny” review of Heartbeat Lifesharing. As part of this visit CMS did a site visit in August 2022. CMS offered the State the opportunity to extend the implementation date of the Settings Rule through the use of a CAP. Original implementation date of Settings Rule was March 17th 2023. The extension date is June 30, 2024.

Jennifer discussed all of the elements. See complete presentation for details

- Element 1: Brain Injury Program Survey slide
- Element 2: Direct Care Giver Workforce

- Training Opportunities – Direct Service Professionals
- Element 4: Supported Employment Web Resources
- Element 5: Premium Pay Workforce Recruitment/Retention
- Element 6: Independent Employers/Employees Training Platform
- Element 7: Act 186 Pilot Planning Grants
- Element 8: Information Sharing
- Element 9: CMS Heightened Scrutiny Visit

[Presentations\DAIL Settings Rule CAP DDS SPSC Presentation \(6.2024\).pdf](#)

Related to Element #2: Administration for Community Living - gave a Direct Service Workforce Peer Technical Assistance grant to Vermont. This grant will focus on creating a roadmap for the work being done in the State to help grow the direct service workforce across the Agency of Human Services.

Question related to Element #3: Will Independent Direct Support Workers be able to be paid for training time if they are not with an individual? We haven't figured that out yet. But is on our radar.

Question related to Element #7 (and in general): Can you talk about what you will be doing to request funding?? On our list for Division priorities. Housing is a huge priority for us.

There was no money for the projects last year- there is still money for the projects themselves- but they are in the Corrective action plan- maybe the SPSC committee can write a letter to legislature regarding this funding. This process is moving quickly not sure if there is time to write a letter.

We can discuss it further at the July meeting; Jennifer is limited as to what she can share regarding the budget process. She would be happy to hear SPSC feedback and bring it forward but cannot guarantee that it will be brought forward.

Jennifer discussed with CMS and they would be happy to hear any feedback from SPSC.

Jennifer will get CMS contact information for SPSC.

Cheryl Thrall recommended expanding the meeting ½ hour for the summer since there is so much going on. It was decided to try a trial of starting July meeting a ½ earlier.

Chad made a motion to start the July meeting at 9:00 a.m. to 12 noon. Max seconded the motion. Last ½ is for Committee business only.

COI Service Tables

Overview CAP with CMS to become in compliance with Conflict Free management. Released RFI last month. The deadline for feedback is tomorrow.

Service Table document is very hard to read. Boyd will create an easier readable document and send to Jeff to send out to group.

Boyd Brown from HMA joined us and shared a presentation on the following.

- What is the Detailed Services Roles DS Table
- What are the roles and responsibilities of the person
- What are the roles and responsibilities of the Service Provider
- What are the roles and responsibilities of the Case Manager
- Service Category: Community Supports
- Service Category: Self-Directed Care
- Service Category: Respite Supports
- Service Category: Clinical Services
- Service Category: Crisis Services
- Service Category: Supportive Services
- Service Category: Employment Supports
- Service Category: Home Supports
- Service Category: Environmental and Assistive Adaptions

Question: What's the role of Transition II – talking with TII on these changes – not sure at this point what their role will be. .

The proposal from DAIL is that the role of the Supportive ISO will evolve and could be become a with a Support Broker.

COI work has been in partnership with DA/SSAs and other stakeholder input. Although the State has a consultant group that supports them to do this work, the recommendations are the Division's recommendations—not the consultants. These recommendations will be presented to the Department leadership soon and then to the Secretary of Human Services to make decisions.

It was decided that there will be a “special” meeting on July 11th from 1 – 3pm to discuss the COI Service Tables further. Boyd Brown from HMA will create a document that is easier to read for this meeting.