

State Program Standing Committee (SPSC)

May 16, 2024

Meeting held virtually by ZOOMGov

Attendees

Committee Members: Barbara Lee, Bethany Drum, Max Barrows, Annie Jackson, Barb Prine, Chad Cleverly, Connie Woodbury, David Ballou, Collins Twing, Lehana Guyette and Jennifer Stratton

State Employees: Jennifer Garabedian, Jeff Nunemaker, Hilary Conant, Carolyn Bowen, Julie Abrahamson, Jessica Bernard, Chris O'Neill, Sara Skomitz, Jessica Bernard, Steve Fish, Tina Fede, Lisa Hewes, Ross King, Ellen Booth, Ginny Clark-Ziske, Jill Bowen, Joy Barrett, Shawn Skaflestad, and Judy Spittle

Guests: Jim Caffry, Rebecca Bessette, Jess Moore, Kirsten Murphy, George McWilliam, Austin Hornyak, Jean Warner, Elise Haydon, Katrina D, Jenn T., Judith Jackson, Marie Lallier, Rickey Tate, MaryBeth LeFevre, Ashleigh Goldberg, Karen Topper, Susan Aranoff, Michael Kasper, Ellen Maline, Kara Artus, Tonya Mason, Christine Rainville, Chuck M., Marla McQuiston, J. Merrill, Samantha Thomas, Mary Graham McDowell and Gloria Quinn

Roll Call and Review of Agenda and minutes –

April minutes were approved by Bethany Drum and 2nd by Connie Woodberry

Director's Updates

Centers for Medicare and Medicaid (CMS) has adopted the Access Rule. These new regulations include rules about:

- how Medicaid rates are used to pay direct care employees.
- how critical incidents are handled.
- how quality is measured.
- Person-centered service planning.
- timeliness of access to services.
- making a grievance system in fee-for-service (FFS) programs.

We are still learning how this new Rule will affect us. Right now, DS Home and Community-Based Services do not seem to be included in all parts. We are learning as much as we can to be prepared to follow the requirements of the new Rule.

GMSA has plain language slides – Jennier and Kirsten will connect to get copies. Also, Kirsten and Jennifer plan to present on this after they have attended the conference.

The legislature has adjourned – call for veto session. After all Bills have passed through, they go for Gov signature, sign, veto held or pass without signature. If he veto's, then the Legislature can come back to override and vote the Bill thru. Scheduled for the middle of June.

Bills for the forensic facility had a lot of action at the end. No longer a facility, proposal of community-based support option for people with high needs around public safety.

Susan A – thanked SPSC for their advocacy. Excellent advocacy on this. Max Barrows wrote a fantastic letter supporting this.

Barb Prine – has DAIL had the conversations about what this is going to look like for our programs. Jennifer said they are starting now.

Workforce – VT chosen to get a grant for peer technical assistance DCW initiative

<https://www.ncoa.org/article/14-states-join-peer-initiative-to-grow-direct-care-workforce>

First meeting yesterday. More information will be coming.

Settings CAP – Corrective Action Plan

State participated in a settings rule in the CAP - visiting Heartbeet – from that visit – heightened scrutiny.

Elements we are working on

- Tighten up the work around the Settings Rule – systems that we have had.
- Demonstrate the work you are doing or have done.
- Ensuring full integration with our community and employment supports.
- Are people able to access their community etc., workforce

The SPSC committee was disappointed that they had not heard of this CAP until January of this year.

Shawn Skaflestad joined us.

The due date of 2023 was extended due to COVID

August 2023 – CMS met with DAIL and discussed their expectations. Meet monthly with CMS to review the outstanding items. Started those meetings in Sept 2023 and continue them up to the current day. At the end of December, some additional items from the sub-set. Narrower set of items is what we are working on now. Date to be finished is June 2024.

Collins asked if a copy of CAP was sent to SPSC. Shawn indicated its posted on the CMS website and the State website.

SPSC wants to review the CAP and have Shawn come back in June to go overview

Barabara wants the SPSC to get a copy of the problems and solutions and have this on the JUNE agenda to discuss again.

Max asked how we can notify the Federal Gov that we have not been involved. CMS has monthly calls

To see the plan, scroll down about 1/2 way on this page. There are 2 items: HCBS Setting CAP approval letter (Jan 11, 2024) and Revised HCBS Settings Approval Letter (Jan. 24, 2024):

<https://dvha.vermont.gov/global-commitment-to-health/comprehensive-quality-strategy>

COI – Conflict Free management

New Phase – public feedback – DS Service Tables – proposal expectations of the individual who received services

<https://vermonthcbs.org/>

RFI posted by next week -recommendations for CM entities. Will bring feedback to this group after this.

SPSC asked if there will there be another webinar – Jeff said yes.

SPSC June meeting will go over RFI and Service Table document.

Notifications sent too late – they need to go out sooner.

SPSC to meet with the Entity finalists before any offer is made. Jennifer will look into this to see if this is possible. Due to procurements not sure how this could happen.

HMA – guiding this, limits stuff -

For anyone who would like to sign up to be on the Conflict-of-Interest Case Management list you can sign up here:

<https://vermont.us21.list-manage.com/subscribe?u=4bc6e470f21fa9b2e18ff9171&id=ee784bdb2e>

Payment Reform

Context document – Standardized workgroup has developed this document.

- Have received a variety of feedback
- Plain language version should be developed
- There were some areas the context missed including supports around racial equity, religion, LGBTQ etc.

Payment Reform Project Planning

- Model Service Mixes were presented to DS Directors on April 22nd
- Burns and Associates provided a Payment Reform Rate Presentation on May 1st on the proposed fee schedule, bundled payment model and reconciliation process. A plain language document regarding this is in development now.
- The official public comment period will begin in August through September and in October/December the final draft will be shared. Public comments will be shared, and then the draft will be submitted to CMS for approval.
- There will be continued opportunities for feedback, including town halls during the public comment period.

Chad - Health and safety - # 139 not understandable – the risk should not be negotiations

Topper would like Jessica B and Kristen to come back to GMSA

Jennifer introduced new DAIL Commissioner Jill Bowen

Plain Language Workgroup

Katrina DeAnjou provided an update for DDS's Plain Language Workgroup. The workgroup has completed a [plain language appeals document](#). The workgroup is nearly complete with a grievance plain language document and has two other projects on the agenda—a service agreement document for the Office of Public Guardian and a levels description document for Payment Reform.

The workgroup is comprised of Agency staff, State staff, and family members. The workgroup is looking for participation from self-advocates or individuals receiving services.

Please help to get the word out. If you have questions or know of anyone who may be interested in joining the workgroup, please contact hilary.conant@vermont.gov

Regarding the Paying Parents Initiative, we are finalizing comments that we received from the Global Commitment Register. Once those are posted, we will move through Rule Making including posting at the Secretary of State's office. We will share a more detailed timeline as soon as it is available.

Other Updates

Annie from Heartbeet shared that there will be a new house available at the Heartbeet property for 3 individuals which will provide independent living.

DD Council

The Council had many items on their platform for the Legislative session

- Stop the forensic facility
- Got the ABLE Clawback removed
- Raise the wage for direct service workforce – 3% increase

Add [https://lifo.vermont.gov/assets/Uploads/4914931e04/FY25 Provider Rate Increases.pdf](https://lifo.vermont.gov/assets/Uploads/4914931e04/FY25_Provider_Rate_Increases.pdf)

- Housing – add to VT housing, landlords to HCBS and homeless.

David Ballou – Good Will store – under new mgmt. – they have discontinued the program for clients – UCS hopefully will come up with an alternative program

GMSA

Voices/choices – 600 people attended. The conference had 24 workshops and the theme was “GMSA 30 years anniversary”

Ally of the Year went to June Bascom from DDSD.

Leaders met for 2 days for strategic planning

VCP

Legislature update – collaborative with the forensic community option

Amy Johnson – VCP – set-up agencies presentation at health care committee

Reviewing items on the Access Rule

Advocating for Medicaid services in DS be available for Agencies to apply at their discretion and not equally across all services (i.e., agency directed services, self/surrogated directed services and shared living stipends) – 3% increase

SPSC Summer schedule

Barbara Lee asked the Committee if they wanted a summer break. The consensus was to keep meeting. Bethany Drum asked about meeting in person. Barb Prine suggested possibly meeting twice a year. Gloria Quinn offered a hybrid option in Randolph at UVS.

Judy and Jennifer will explore options in Waterbury and Options for meeting with a hybrid model will be brought back at a future meeting for discussion.