

MOHR

Minnesota Organization for Habilitation and Rehabilitation

“Together We Do More...”

2016 Legislative Work Plan

The MOHR Government Affairs committee submits this 2016 Legislative Work Plan on behalf of all membership.

Disability Waiver Rate Setting (DWRS)

1. Monitor rate setting for Employment Exploration Services (EES), Employment Discovery Services (EDS), and Employment Support Services (ESS) and coordinate legislative requests for additional resources with DHS.
2. Address budget neutrality within the Unit Based and Day Services Buckets in 2016.
 - a. Seek advice from Kevin Goodno
 - b. If favorable, develop legislative strategy with the DWRS Coalition.
3. Seek additional Extended Employment funds for Competitive Employment. Allow for new providers to apply for these funds in transitioning people to competitive employment.
4. Develop legislation to provide incentives for people to move from DT&H to competitive employment. (Potentially model incentive framework and rates after Moving Home MN concept) The proposal is for additional funds to incent conversion, not to replace funding for service delivery.
5. Consider legislative action to fund implementation of regional adjustment.

DWRS Subcommittee members: Lynn Noren, Rise – Chair; Rick Hammergen, Opportunity Partners – Chair, Ann Dahl, Udac; Jon Alexander, Kaposia; Jolene Thibedeau Boyd, CIP; Barb Hillenbrand, Heartland; Bob Brick, Ally People Solutions; Bruce Bester; Carol Donahoe, Achieve; Ed Boeve, ESR; Julie Zbracki, PRI; Julie Johnson, MSS; Leslie Swartling, Winona ORC; Linda Hibbard, Epic; Mary Anderson, Rise; Robyn, Chrestomathy; Todd Nelson, Grant County DAC;

Grass Roots

1. Stay Active in The Best Life Alliance (formerly known as The 5% Campaign)
 - a. Kevin Goodno will co-chair The Best Life Alliance Lobby Team
 - b. Anni Simons will co-chair The Best Life Alliance Field Team
 - c. Opportunity Partners communication staff will serve on The Best Life Alliance Campaign Communications Team
 - d. ProAct, Kaposia, Falls DAC, Opportunity Partners and Midwest Special Services each have staff serving on the The Best Life Alliance field team.
 - e. Opportunity Partners will serve as fiscal host for The Best Life Alliance
2. Calls for Action

- a. Excluding The Best Life Alliance, Goodno will initiate and get needed approvals for any call to membership for action;
 - b. Simons will develop basic instructions on how to take action that are included in any calls to action; and
 - c. Goodno will work with subcommittee chairs and others to develop talking points for any calls to action.
3. Support Town Hall Forums
 - a. Simons will advise members of Town Hall forums in their region and encourage client, family, and employee attendance.
4. Tuesdays at the Capital
 - a. MOHR member organizations are encouraged to participate as attendees.
5. 2016 Day at Capital
 - a. JWB will recruit and coordinate MOHR members work on specific tasks assigned to MOHR.

Grass Roots Subcommittee members: Tammy Haugen, Falls DAC, Chair, Members; Anni Simons, Fredrikson and Byron; Kevin Goodno, Fredrikson and Byron; John Wayne Barker, Merrick; Laurie Berner, Udac

HCBS & Olmstead

1. Collaborate with DHS to advocate for and request sufficient funds to adequately provide EES, EDS, ESS to meet the goals of the Olmstead and HCBS plans.
2. Advocate for new funds to assist programs that are deemed not to meet the HCBS standards to develop remediation plans and transition into compliance.
3. Explore with Goodno whether legislation should be introduced that states, “If services are not deemed institutional they are funded as HCBS and the state will rely on 245D licensing and survey processes to ensure continued compliance with HCBS standards.”

HCBS & Olmstead subcommittee members: Lisa Parteh, co-chair, Functional Industries; Tim Dicke, co-chair, Rise; Lynne Megan, TSE; Laurie Berner, Udac; Alethea Koehler, Swift County Developmental Achievement Center; Jacob Schuller, Opportunity Services; Terry Higgs, PAI; Linda Moore, Chestomathy; Brian Pederson, Opportunities; Linda Hibbard, Epic Enterprises; Brad Gustason, Goodwill; Bill Schwartz, MRCl; Steve Howard, WACOSA; Barb Hillenbrand, Heartland Industries; Lori Schluttenhofer, Opportunity Partners; Jolen Thibedeau-Boyd, CIP; Lyth Hartz, MSS; Bob Brick, Ally People Solutions; Michael Marrinan, PRI; Tom Weaver, Achieve Services; Trixie Girtz Goldberg, Life Track; Amber Eisfeld, Comconpar; Clayton Liend, ODC

245D

1. Advocate for paid training days (2x/year) to support providers in implementing new mandates. This would require an estimated fiscal note of \$1.5 – 2 million.
2. Consult with Goodno on potential legislative action to propose the following interpretation of the 9544 training requirements: “Core and function-specific

training requirements do not apply to board members or to administrative staff who serve a primary business function and have no role in the development or oversight of positive support plans.”

245D subcommittee members: : Dan Reitz, co-chair, TSE; Tim Schmutzer, co-chair, PHASE; Nancy Betts, WACOSA; Jennifer Gajewski, Rise; Angie Hart, STAR Services; Jim Mattson, PRI; Suzanne Sancilio, PAI; Heather Trieschmann, Udac

Extended Employment

1. New money needs to be added into the system to allow for expansion of a new provider that was approved in 2015.
2. An additional \$2 million needs to be added into the system for expansion of the basic rate.
3. An additional \$12 million needs to be added to the system to address the coming Olmstead expectations.

Extended Employment Subcommittee members: Steve Skauge, Productive Alternatives, Chair; Karen Johnston, Tasks Unlimited, Government Affairs representative; Sheila Olson, Goodwill Easter Seals; Peter McDermott, MDI; Steve Ditschler, ProAct; Brian Benshoof, MRCI; Trixie Ann Girtz Golberg, LifeTrack; Connie Giles, Lifeworks; Carolyn Dobis, ProAct; Andrea Pearson, Opportunity Partners; Barbara Arnold, AccessAbility; Clayton Liend, ODC; Dawn Renee, MDI; Brad Gustafson, Goodwill Industries; Dale Majerus, MDI; Doug Anderson, AccessAbility; Diane Meyer, MDI; Denise Johnson, Industries; Gil Bessard, Tasks Unlimited; Heidi Smith, Winona ORC; Jon Alexander, Kaposia; Jamie Baker, Functional Industries; Jeanne Eglinton, MDI; James Mueller, Cedar Valley Services; Kim Feller, Resources; Laura Bealey, MRCI; Lyth Harth, Midwest Special Services; Lynn Noren, Rise; Leslie Swartling, Winona ORC; Lynn Vincent, Courage Center; Maureen Gaedy, Goodwill Easterseals; Mary Bray, Goodwill Industries; Nancy Huizenga, Allina/Courage Kenny; Rich Pavek, Cedar Valley Services; Rod Pederson, Functional Industries; Steve Hill, ABC Inc; Susan Winterfeld, Lifeworks; Charlie Oaks, Stevens County DAC; Rachael Praught, Functional Industries; Tim Dickie, Rise; Tim Schmutzer, PHASE

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2016 DHS/DEED Administrative Work Plan

Disability Waiver Rate Setting (DWRS)

1. Analyze methodology for new transportation rates. (Data Committee to do this analysis when framework is made public.) Determine if adjustments are needed based on MOHR data.
2. Work with the DHS to establish sustainable rates for the new waiver services to support employment. DHS has indicated that the Action Group from the Impact Initiative, as well as current members of the DWRS Advisory Committee, will be included in the development of the new rates.
 - a. By the end of 2015, assure MOHR is participating in these discussions.
 - b. Assure indirect service costs such as drive time and job development activities that are not face-to-face, are included in the rate methodology as billable service time.
 - c. MOHR Data group involvement and testing of any proposed rates to assure reasonable costs are covered.
 - d. Assure that the planning for implementation of new rates for employment services include seeking additional funds at the legislature to expand employment opportunities and not drain the Day Services bucket. (DHS propose in 2016 budget)
 - e. Seek a legislative solution with MOHR as the lead if needed. (include a proposal for additional funds, stipulation that MOHR reps have to be at the table and a time-line for completion of this work if a workgroup has not been formed by DHS by the beginning of 2016 session)
3. Address the weightings that drive the variation of rates by staff ratio. (Data Committee has analyzed the formulas behind the ratios.)
 - a. By October 31, 2015, schedule a meeting with Dan Neumann and Matt Knutson to inquire their understanding of how the formulas were developed.
 - b. Review understandings from DHS and use data-driven analysis to propose adjustments.
 - c. Ask DHS to administratively adjust according to MOHR’s proposal.
 - d. Seek legislative solution if needed.
4. Non-Wage Factor Adjustments
 - a. MOHR data group to develop and implement a survey tool for members to analyze non-wage expenses.
 - b. Participate in DHS Research Study related to non-wage factors. Analyze data collection survey and process and make recommendations for adjustments needed.
 - c. Complete comparison of State collected data to MOHR data.
 - d. Based on analysis propose adjustments to non-wage cost factors.

5. Work with DHS to ensure that counties provide actual screenshots from RMS to providers to ensure that accurate information and rate setting.
6. Clarify DHS's intention to implement to DWRS rate band at 1% or .5% on January 1, 2016.

Grass Roots

1. Effective Communications with External Stakeholders

- a. GAC Vice-Chair is MOHR representative to ANCOR
- b. GAC Chair will present question to Board on how to connect with ARRM, DHS, CMS, Region 5 Associations, MN CCD, etc.

Olmstead & HCBS

HCBS

1. Be engaged in self assessments survey interpretation and action plan. Work with DHS to determine compliance of DT&H.
2. Request a 5 year extension to implement. Work with ANCOR and other national organization to have them champion this effort.
3. Expect and promote consistent and accurate data collection and distribution (across MOHR membership and committees in partnership with MOHR, Counties, and DHS).
4. Establish a state self-directed policy/HCBS position statement when transition plan is approved.
5. Engage DHS in developing future quality improvement initiatives tied to a rate increase.

245D

1. Request expanding the existing FAQ on the DHS website ("245D Home and Community-based (HCBS) Frequently Asked Questions") or manual similar to 245B Manual that included FAQ section. Identify the process by which elements are selected for inclusion on FAQ. Suggested elements are:
 - a. Requirements to meet "competency-based training"
 - b. Clarifying 9544 training requirements for executives, managers, etc.
 - c. Clarifying whether the timing of CPR/First Aid renewals are based on the length of the certifying entity or by statute
2. Meet with DHS to determine if they are willing to and have the latitude to provide a "technical review only", similar to the model used by OSHA's consultative reviews. Licensing violations that are not health and safety related would be identified with a corrective action plan. No citations would be given if the corrective actions are taken according to the plan. If DHS does not have the latitude to take this approach, develop legislation to affect this change.
3. Negotiate with DHS that providers are given at least 90 days notice prior to the implementation date of a new requirement. Any new training requirement would be effective 90 days after the

implementation date of the rule or law. If unable to address administratively, develop legislation to affect this change.

4. Meet with DHS to request a minimum notice of 30 days for training announcements to ensure that MOHR members have the opportunity to participate.
5. Make Train Link more user friendly. Examples included:
 - a. The unique key process is cumbersome
 - b. Links are often broken
 - c. Multiple steps required to search for the “linked” sessions
 - d. Confirmation emails should embed links to the training site
 - e. Wrong numbers have been posted for call-in options
 - f. Meet with licensing staff to share concerns and recommendations
6. Meet with DHS to determine their authority over counties who fail to provide a timely Service Agreement. Request DHS intervention after a 60 day delay in the provision of a Service Agreement or at the point at which a person will be suspended or discharged for lack of payment.

Extended Employment

1. Finish Extended Employment Rule rewrite.

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2016 MOHR Work Plan

DWRS

1. Conduct a survey of members on non-wage factors.
2. Release a new rate worksheet and analyzing the impact of changes on MOHR membership including providing training on using the rate worksheet and analyzing individual data.

Grass Roots

1. Support Family Advocate Groups
 - a. Hammergren will contact known leaders and inquire about interest in MOHR support.
 - b. Any support/assistance needed will be brought back to GAC for discussion.
2. Through ANCOR membership, Lenertz will monitor DOL guidelines for exempt status, WOIA, and commensurate wage changes.

Olmstead & HCBS

Olmstead

1. Develop training materials/overview fact sheets for distribution to stakeholders (clients, families, social workers, etc.)
2. Create informed choice tools and identify existing tools to walk members through the informed choice process. Work with the ICI, National Core Indicators, CARF, or others to identify an existing best practice/process to create a process.
3. Upon approval of the state plan, analyze and inform MOHR membership. If not approve, monitor and give feedback to MOHR membership.
4. Review Olmstead Position Statement and revise as needed.
5. Explore seeking out additional funds through grants/donors to develop and pilot innovative service to meet the Olmstead and HCBS standards.
6. Advocate for and assign a MOHR member to participate in the Employment First Coalition work plan committee.

HCBS

1. Understand new competitive employment service options. GAC is issuing a MOHR position Statement and encourage member to submit comments individually by 10-23-15.

2. Explore how MOHR could provide technical assistance to providers who need to come into compliance with HCBS.

245D

1. Seek clarification on how 245D licensing applies to CARF accredited organizations.

Extended Employment

No MOHR actions identified.