

## STATEWIDE FUNDING COMMITTEE

Meeting Minutes

Thursday, September 29, 2005

El Dorado, KS

Present: Becky Tharp, Flinthills; Anna Silva-Keith, New Beginnings; Greg Wintle, Brian Bolen, SRS; Maury Thompson, Bill Fiscus, Tri-Valley; Sherry Arbuckle, Sedgwick County CDDO; Mieke Ellwood, Reno County CDDO; Lorraine Harris, DPOK; Janet Pfanenstiel, DSNWK; Doug Norris, Futures; Susan Overdick, BCDS; Penny Parker, CCDS; Linda Parker, Tri-Ko; Sara Pearson, Trudy Hutchinson, Hetlinger; Stan Zienkewiez, Northview; Michelle Johnson, Cottonwood; Joyce Koehn, Arrowhead West; Tim Arnold, Karla Gravenstein, JCDS; Cliff Sperry, Melanie Snider, CDDO of SEK; Sherry Plenert, Teri Kresa, Doug Wisby, MCDS; Donna White, Shawnee County CDDO; Sharon Vogel, WCDDO; Janice Denney, Riverside Resources; Earl McGinn, SDSI; John Platt, Brandy Hatheway, COF; Ed Henry, Twin Valley; Mary Rose Sudbeck, NCTC; Tammy Shaw, Linda Misasi, CCL

There was no advocacy representative at today's meeting.

### Review Crisis Notification Spreadsheet for FY06

Information in today's handout includes all notification forms submitted by noon on 9/28/05. With three months into the fiscal year, the costs of individuals entering crisis-funded service exceed those leaving service by \$530,929.00. CDDO's should submit FY06 notification forms back to the snapshot date, but only include FY06 costs. It was noted that the three months in the spreadsheet include the summer months, which historically have extra summer hours for In-Home Supports.

### Review Finalized Notification Spreadsheet for FY05

The information in the handout is not yet final. Greg is finishing some clean-up with notification forms. Members were asked to take the spreadsheet back, double-check your CDDO's information, and notify Greg if there are any errors. According to the handout, the costs of individuals entering crisis-funded service exceeded those leaving service by \$561,483.00.

### Waiver Spending

A new spreadsheet was handed out. "Exceptions to Allocation" contains all instances CDDO's are allowed to exceed their allocation, and the amounts per CDDO for each category. This spreadsheet replaces the V.C.3. columns from the FY05 waiver spending spreadsheet.

The individuals reported to Greg in the "Exceptions to Allocation" spreadsheet equal roughly 41 people. \$1 million was set aside from the FY06 waiting list funds for this population, but the projected costs for the 41 people are already \$1.7 million. It was noted that the DD waiver seems to be the catch-all of the HCBS waivers.

The FY06 waiver spending spreadsheet was handed out. The portability column of the spreadsheet includes ports received through 9/23/05. Members were asked to double-check these numbers. A few CDDO's questioned the numbers contained in the "FY06 Placements from SMRH/SMHH" column. Greg will check into this.

Concerns raised about the spreadsheet include:

- 1) The total of the exceptions column was duplicated in the total estimated expenditures, since CDDO's most likely included these numbers when determining their estimated HCBS expenditures.

2) \$1.2 million from the waiting list funds was not included in the total HCBS adjusted allocation.

#### Review FY06 Waiting List Progress

The FY06 waiting list funds allocations and distributions spreadsheet was handed out. The first 3 columns are the same as the old spreadsheet, with one adjustment to Big Lakes. The next 5 columns try to track the number of people who were allocated funds, and how many accepted and declined them. If an individual accepted one service but declined another (for example, accepting Day Services but declining Residential), they were listed as 0.5.

254 people were allocated waiting list funds, 236 accepted the funds and 93 declined them. If you add in the 41 served by "Exceptions to Allocation", 275-280 people benefited from FY06 waiting list funds. This does not include the people served with crisis funds.

We should also consider the people who received enhanced services, or people already on the waiver who access crisis funds. This drives up the cost per person, resulting in spending more on the same number of people. Discussed modifying the notification form to track this. Instead of revising the form, it was decided to use the field in Section 3, Service Column, 3<sup>rd</sup> box down, and write in either "New to Waiver" or "Existing Waiver". Members were reminded that the notification form should not be sent for people accessing waiting list funds.

For all crisis notification forms already sent for FY06, members were asked to send Greg the total numbers for both "New Waiver" and "Existing Waiver" categories.

A few CDDO's are still allocating the waiting list funds. Some of the amounts in the "Remaining Balance" column are incorrect. Discussion was held to decide what to do with the unallocated balance of \$189,227.00. Members were reminded that we are \$715,000.00 in the hole for "Exceptions to Allocation". One-time costs were considered, but decided against because these are annualized funds. The decision was made for Greg to complete the final adjustments to the waiting list spreadsheet, then continue allocating using the statewide list until the last person could not be served with the remaining funds. Those CDDO's that are still allocating waiting list funds have until 10/15/05 to spend the remaining dollars.

Several CDDO's had a negative remaining balance of waiting list funds. It was questioned if these CDDO's were serving more than they were allocated to serve. The amounts suggest that either attendance factors were not used in calculating costs, or tiers have changed since the allocation.

#### New Spreadsheets

During the last Maintenance of Effort (MOE) teleconference, CDDO's requested updated spreadsheets from SRS showing the SSBG adjustments. Greg provided copies of 2 revised spreadsheets. Upon review, several errors were noted. Greg asked members to shred the handouts. Corrected spreadsheets will be sent out. Any questions about this topic should be directed to Brian.

#### Status of Statewide waiting list on how to track

How should CDDO's respond to individuals/families requesting to know their placement on the statewide waiting list? After all of the waiting list funds are allocated, Greg will re-run the waiting list and provide each CDDO with a copy of the people in their region and their ranking on the statewide list. This will be updated on a quarterly basis. The only changes to this list would be crisis funding or people withdrawing from the list. Greg hopes to distribute the initial list at

the next Statewide Funding Committee meeting. In the meantime, members were encouraged to respond to these requests with information including how many people accepted and declined waiting list funds and how many people benefited from these dollars.

What if the dates on BASIS are reported to be in error? After much discussion, Greg suggested that the BASIS dates remain unchanged. The contract gives CDDO's control over the local list. CDDO's have the latitude to change the individual's position on the local list. Greg was asked if he could generate a memo to this effect, including appeal options and he agreed. Greg indicated that under Article 64, SRS needed a CDDO action on the local level to generate an SRS response. SRS will review local policy and determine if it was followed. Parties could then take it to Administrative Appeals.

#### New Waiting list concept

Why are individuals in BASIS and on waiting list if they are not able or willing to accept services? The waiting list is being cluttered with people who aren't sure if they want services. Discussed the need to have an accurate waiting list number for the legislature, and a possible systematic clean-up. BASIS should be used as a future-planning tool. Practices should be standardized across the state. Transition planning begins in the schools at age 14, with educational staff encouraging families to sign up for the waiting list as soon as possible. Some members cautioned against changing the BASIS request dates, but the concept of people "reserving" their place on the waiting list was troubling to many. It was agreed to defer this topic to the BASIS policy workgroup.

#### Annual documentation needed for super-tiers

Some CSP's have challenged CDDO's requests for information during annual reviews of super-tiers. Previously, SRS required cost studies for both individualized rates and super-tiers. However, at some point SRS made the decision not to hold the CSP to costs. Greg has learned that CSP's can have a mix of super-tiers and individualized rates.

There are different interpretations to the extraordinary funding proviso. Some members believe that a review of super-tiers could be held only when a tier changes. Greg responded that if staff changes occur for individualized rates, a review should be completed. Super-tiers were not intended to be tied back to the cost structure. However, CSP's are expected to keep documentation on file that demonstrates the need for the rate.

In two weeks, KU will present the findings of their research project to the SIS group. 300 people participated in the research project. Correlation will be a big topic of conversation. This will be an open meeting at the Learning Center. The meeting and the information that is presented will likely lead to changes in how extraordinary funding is handled. The information from this meeting will be discussed at the next stakeholder conference call. Until the system changes, CDDO's should honor the super-tier rates.

#### Review Final FY05 State Aid Report & CDDO Admin Report

The final FY05 spreadsheets were handed out. The reports are still vague in some categories, but will get better over time. Greg expressed a need to have clearer information on these reports. There has been no review of whether expenditures equal or exceed allocations. Cliff noted that the CDDO Admin report had one error. The amount listed on the community education line item for CLASS should be moved up one line to Indirect Costs.

These reports are not audited to costs, they are for informational purposes only and the SFC is the conduit to gather this information. It was suggested that a footnote be added to the reports,

something like “These figures may not necessarily correspond with audited figures”. It was also suggested that the columns be reduced and condensed. Ideas for revisions should be sent to Maury.

#### New Draft CDDO Admin and State Aid Reports for FY06

The revised draft of the State Aid report was handed out. The first report is due on 10/1/05. Revisions are made to these reports one time per year. The last item under System Infrastructure is new. Guidelines of common uses and where they should be reported will be sent out. Greg confirmed that if the reports are sent electronically, you do not need to send a signed copy.

The revised draft of the CDDO Admin report and guidelines for completing the forms were handed out. Changes include adding the following:

- Note: Don't report expenses under \$1,000.00
- Administrative Support
- Maintenance Agreements
- Staff Recruitment
- Building Insurance

After discussion, it was decided to move “Building Insurance” to “Building Costs”. The “Other” category will include “Other Insurances”. It is acceptable to group the itemized expenses and only report them under the main categories. There was discussion about whether we should be limited to the identified line items, or whether we could add lines as we feel appropriate. The consensus was not to get carried away, use the existing form and the instruction sheets that contained examples. It was suggested that a small group of members hold a teleconference to condense many of the subcategories listed on the FY05 report. Maury will take the lead on this effort.

#### Outcome Measure #4 in FY06 contract

A draft comment paper on Outcome Measure #4 and a synopsis of federal regulations on sheltered employment were handed out for informational purposes. After reviewing the handouts, discussion was held on members' understanding of the outcome measure.

Greg confirmed that CDDO's need to meet the 2% threshold before the incentive kicks in. This may or may not have been the intent of the outcome, but that is how the contract language is written. The funding for people moving out of the system could be used to fund the replacements. Question raised include: How are the replacements determined? Are the first people on the waiting list expected to receive services from the CSP meeting the goal? Do you skip these people on the waiting list in favor of individuals choosing that CSP? Concerns were voiced that this system could lead to CSP's to feel that they “own” people on the waiting list. In addition, choice could prohibit the mechanics of making this outcome work. It was noted that this outcome is not necessarily a reward; it is keeping the status quo. The intent of the outcome was reported to be person for person, not dollar for dollar. Once the threshold is met, all individuals are replaced. The target population is HCBS only, not SGF-funded individuals.

Critical issues identified with this outcome include:

1. Who is the target population? Is it 2% of Day Service recipients or 2% of all waiver recipients?
2. How do we give credit to the CSP doing the work?
3. When adding people from the waiting list, do they receive all needed services or Day Services only?

Brian reminded the group that an individual could not have Residential Services and Working Healthy. To meet this outcome, they would have to completely leave the waiver. Maury offered to take these questions back to Carolee, so that she could work on a second draft of the comment paper. He would then send it out to committee members. It was noted that this discussion highlighted the obstacles with being creative and trying to serve people in new and different ways.

After consulting with Margaret, Greg confirmed that Working Healthy is not yet a waiver, but the individual would have to leave the MR/DD waiver to access Working Healthy services. SRS is agreeable to using the number of HCBS Day Service recipients when establishing the target population. SRS is also agreeable to allowing the replacement individuals access to all needed HCBS services, not just Day Services. After the 2% threshold is met, CDDO's could add individuals on a 1:1 basis. All members agreed to use the 4,705 total identified in the contract spreadsheets as the baseline to establish the 2% goals. If your goal results in a fraction, you would need to round up to meet your threshold. There is risk involved for those agencies that do the majority of the work on the goal, with the CDDO region failing to meet the threshold. CDDO's and CSP's should accept some ownership of these issues and attempt to work it out. More clarification is needed for people accessing Voc Rehab funding.

#### MOE

An example of one CDDO's response to Greg's request for CML information was handed out. Greg indicated that he received a variety of responses that were not very helpful. He would like all CDDO's to re-submit the requested information in the format of the handout. Members should not include CDDO Admin or TCM match responsibilities; only include other items that have been committed for matching purposes, and the amount that is leftover. SRS will continue to send out requests for certification of match.

SRS needs to know how much CML is in the system and how much is available for match. Some CDDO's have reluctance to share CML funds for a state-run program. SRS's alternative is changing the TCM rate. A CDDO concern is the assumption that unmatched funds would automatically be matched for TCM, thus losing flexibility for future opportunities. Some CDDO's also report that they grant out the funds to CSP's, so they can use the funds as match for their own grants.

SRS reported to be open to other options, but they would have to be budget-neutral. Brian indicated the need for SRS to have these numbers so they can run scenarios for system redesign (Certified Public Expenditures workgroup). Maury reminded the group that these concerns were not meant to be adversarial, that most agencies are very cautious with these funds, and that the counties control them.

Members were asked to send either the requested information or the reason for refusal to share the information to Brian by the end of business on 10/7/05. If CML was used to match for CDDO Admin, then the agencies should be able to show the expenditures. Members asked for clarification in writing from SRS.

#### BASIS Enhancement Committee

The purpose of this committee is to develop BASIS policies prior to re-designing the BASIS system. Some examples of their work would be to determine whether people are waiting for services or waiting for funding, defining the waiting list, and establishing consistent dates. This subcommittee will report their work product to the SFC. The work product will then be sent to a technical subcommittee for system redesign.

Volunteers for the policy subcommittee include: Sherry Arbuckle, Becky Tharp, Dixie Williams, Janet Pfanenstiel, Mary Rose Sudbeck, Michelle Johnson, Sharon Vogel, Anna Silva-Keith, Karla Gravenstein, John Platt, and Greg Wintle.

The first step will be a conference call to determine who's in charge and schedule the first meeting. The policy group will not be limited by the current parameters of BASIS. Greg will make the conference call arrangements.

#### Rate Study

Brian reported that SRS has chosen a vendor, but cannot release the name until the contract has been signed.

#### DDP Funding

Greg was asked if SRS had explored the possibility of a flat rate for BASIS DDP screenings. Greg reported that SRS was not prepared to offer a rate yet, but this topic should be discussed at the next stakeholder conference call. The sense of urgency for the flat rate was noted by SRS. Current billings for the DDP's are running around \$55.00 per person. Members explained that not everyone was billing for this service. In addition, there are questions about what activities are billable. The manual is not very helpful in this regard.

#### Family Financial Participation

Greg reported that the letters explaining the Family Financial Participation fees would be sent to families in waves, approximately 100-150 letters at a time. Information on this topic is available on the website. Greg was asked to look into brochures for CDDO's.

#### EDS Expenditure Reports

Greg asked about the status of the EDS reports. Members indicated there has been some improvement. July reports were problematic, but corrected reports were sent out. August reports appeared to be okay. Page breaks are not in the reports yet. Greg asked if it was time to invite the EDS team to the next SFC meeting again and if there was anything else we should ask for. It was suggested that they review the previous list of recommendations and implement those changes. Greg will email the team and request they complete the Phase II changes.

#### Next Meeting Date and Time

Thursday, December 8<sup>th</sup> in Wichita\*  
Sedgwick County CDDO will be responsible for meeting minutes.

\*Note: After today's meeting, the location of the next SFC meeting changed from Wichita to Topeka at the SRS Learning Center.