



## MINUTES

### Transitions Stakeholder Advisory Council

303 E. 17<sup>th</sup> Ave. Denver, CO 80203  
Floor 7, Room 7B  
Conference Call #: 1 877-820-7831  
Participant Passcode: 869804#

Thursday, February 6, 2020  
2:30 – 4:30 p.m.

#### COUNCIL MEMBERS

- Anne Bartels, PASCO X
- Candie Burnham, Atlantis
- Amy Dixon, CPWD X
- Paige Gallaher, Atlantis X
- Jennifer Giurgila, Jefferson County X
- Fallon Gillespie, CO Access X
- Emily Harvey, Disability Law
- Ashly Johnson, DRCOG X
- Jennifer Krulewich, Focus Care X
- Tracy Martinez, Touch of Care X
- Ed Milewski, Jr.
- Jenn Ochs
- Jennifer Reeves, DRCOG X
- Lisa Smith, Team Rubicon
- Neal Waite, ADRC Region 3B X
- Clarice Ambler, DRCOG, Ryan McGee, DRCOG
- Department Staff: Katy Barnett, Matt Bohanan

#### 1. Welcome and Introductions

- Approval of the December Minutes – Minutes were approved with the request that Focus Care's name be changed to remove the extra "s".
- Purpose of Today's Meeting – Matt Provided a brief overview of the agenda.

#### 2. Welcome New Council Member



- Paige Gallaher – The group welcomed Paige to the Council.
- An additional Council application from Clarice Ambler of DRCOG was reviewed. Clarice shared her experience with the program. All Council members received a copy of her application and Katy will resend the application after the meeting along with a link for anonymous voting to the Council.

### 3. Co-Chair Opportunity

- Matt restated the role of co-chair, specifically working with Matt and Katy to finalize the agenda, lead the Council meetings, and broadly represent the Council. Since the last meeting Department staff received one nomination.
- Jennifer Reeves and Ashly Johnson jointly nominated Clarice Ambler as Council co-chair. Jennifer shared that she would step down from the Council if Clarice is approved. Both Ashly and Jennifer shared that they felt Clarice has a good understanding of the program and had previously been both a Transition Coordinator and an Options Counselor and now an Ombudsman. Clarice accepted the nomination and shared she's very interested in the opportunity.
- After the meeting Katy will send a separate link to vote on Clarice's nomination to co-chair the Council.

### 4. Program Updates

- Matt requested more information from the Council regarding sharing data. At the previous meeting Lisa Smith had suggested sharing data on transitions with the Council. Katy offered a few types of data that are currently tracked by the Department including options counseling visits, number of members in the process of transitioning, number of individuals who transitioned in the previous month. Matt clarified that monthly data may be difficult to share because the Department has a safe harbor policy in place which does not allow staff to share data with 30 individuals or less due to the concern those individuals could be deidentified. Matt suggested sharing quarterly numbers to avoid the safe harbor policy.
- Jenny of Focus Care added she would like to see data on the average length of a transition. Department staff agreed and shared that a similar question is asked on the semi-annual report required by CMS. Council members also requested numbers for both the new Transition Services and the Colorado Choice Transitions program. The Council agreed with Matt's suggestion of quarterly data and requested having quarterly data from 2019 to compare to current numbers. Department staff will work to get this data for the Council in April to cover the first quarter of 2020.



- Matt shared that the Housing Navigation contract was finalized. The previous contract had ended in July and the RFP process had taken longer than expected. The original housing navigation pilot had covered 26 counties, but the new contract would cover the entire state. Matt asked for patience in the implementation process and encouraged the Council to provide feedback on the process as it moves forward.
- Matt shared that the Case Management and Quality Performance Division had a new Division Director after a nine-month search. The new Division Director is Amanda Lofgren who joined the Department six months ago in the role of Strategic Outcomes Division Director. Amanda has a background in Medicaid from her time in Alaska.
- Department staff wanted to flag two new Departmental memos for the Council:
  - HCPF IM 20-002 COLORADO CHOICE TRANSITIONS (CCT) PROGRAM TIMELINES: This memo states that the Department would like to confirm that individuals identified with CMAs having been accepted by a TCA prior to December 31, 2018 will remain eligible to receive CCT services if they have been determined to be functionally eligible for HCBS and discharged to the community prior to December 31, 2019.
  - Jenny of Focus Care asked for clarification of how to bill for members enrolled prior to 12/31/18 but still did not discharge before 12/31/19. Specifically, will unit tracking start over at zero 1/1/20? Matt stated that TC's were asked to start tracking their time with members in February 2019 but for individuals who were enrolled much earlier than 12/31/18 Matt would be willing to sit down with agencies to look back at log notes to identify units. Jenny asked what if the max units were not enough to cover what has already been done with a member. Matt clarified that the Department is working on a process for requesting additional units right now and would keep everyone informed when it was ready to share.
  - Fallon of Colorado Access shared a concern that many of these members who had been enrolled in CCT prior to the enrollment cut off date (12/31/18) were coming up on their functional eligibility review. She asked for clarification of how those should be handled by HCBS care managers. Matt clarified that assigned TCA and TC should be left as the secondary provider of record in the BUS.
  - HCPF IM 20-009 WAIVER TRANSITION SERVICES AND THE SERVICE PLAN AUTHORIZATION LIMIT: This memo states that for individuals on the Supportive Living Services Waiver, the HCBS waiver transition



services are excluded from the Service Plan Authorization Limit or SPAL. However, the services are included in the overall Authorization Limit of \$52,938.31 for the waiver.

- Katy clarified that this was a question which had come up on the Transition Services 101 webinar the Department had hosted in the fall and that Department staff wanted to clarify in writing what the expectations were for case managers.
- Matt added his thanks to the community for responding to recent requests for additional information. He sincerely appreciated everyone's timely response to the requests. He also shared that he is continuing to work with DXC on outstanding billing concerns with the CCT population.

## 5. Council Updates

- Fallon shared concerns regarding the BUS and the inability of care managers to identify transition cases. Specifically, under the CCT program individuals in the BUS were labeled CCT-EBD but now there is no designation and care managers are having a hard time identifying if the specific case is a transition and therefore eligible for the new HCBS waiver transition services. Her suggestion is to be able to mark someone in their certification as EBD-Transition much like members are marked for EBD-CDASS. She also noted that under most of the waivers the new transition services were not an option to add in the BUS. EBD currently allows for transition set up and transition coordination to be identified but no other services. Matt said he will look into these issues in the BUS.
- Fallon shared that requests for household set up coordination are not being tracked in units but rather a lump sum number. Jenny of Focus Care added that Nora had instructed TCs not to track household set up in the BUS log notes. The Council discussed the possible solution of updating the cost report sheet to document coordination units in addition to the items purchased for household set up. Specifically, a new line item could be added stating that 40 units are available for household set up coordination and include a billing code on the PAR which care managers need. Matt said he would look into making that update.
- Jenny of JeffCo said she had a specific member situation she wanted to get clarification on. Her member had started the transition process in the summer of 2019 but had been admitted to the hospital in the fall and was currently there. The member is unwilling to return to a nursing facility, but the TC has continued to work with the member to ensure they do not lose their voucher. Jenny's specific concern was that members not currently in institutional settings, defined in regulations as nursing homes, intermediate care facilities,



and regional centers, are not able to access the household set up waiver service. Matt said he is aware of this specific situation and is working to determine what can be done given the specificity of the rule. While the Department is interested in expanding the benefits of Transition Services, the Department wants to do so in a mindful way.

- Jenny of JeffCo also requested clarification on authorizing payment for transportation. She had received a cost report which included transportation costs during the moving process. Matt clarified that the expectation for case managers should be to receive, review, and document costs but not to get in the weeds about what is requested. He encouraged that case managers should share any red flags but that the Department was looking at these issues on the back end as well.
- Jennifer Reeves of DRCOG shared a concern from a nursing home provider that complaints regarding TCAs were not being properly escalated. She shared that members had been discharged from facilities to move into apartments with no furniture and no food which creates an unsafe environment. The nursing facility administrators have stated they feel like complaints are not going through the proper channels and that, under mandatory reporting, they will start referring these issues as neglect to adult protective services. Jennifer asked who is supposed to provide oversight of TCA. Matt clarified that the Department is working with the Colorado Department of Public Health and Environment (CDPHE) to ensure that processes are consistent. Amy of CPWD added that her TCA provides complaint/grievance process information to all members they work with. Ashly of DRCOG shared that her staff receive many complaints and concerns from members regarding TCAs and when she has shared those complaints in the past she is unsure if they are followed up on. She shared that they have now developed a spreadsheet to track the concerns and will start sending it to Department staff along with their monthly options counseling referral logs. Amy added that nursing facilities often do not know how to make a complaint, but most TC do have a process in place. Clarice of DRCOG added that a clear complaint process should be put in place prior to growing the program.
- Building off the lack of food concern, Amy added that the new program does not allow food with household set up unlike the CCT program had. There is considerable frustration regarding this issue in the community. Amy shared that in order to get her members emergency food stamps they must wait for the long-term care case manager to process the request, but it can only be processed on the day of discharge. Matt shared that he is looking into this concern specifically getting additional clarification from CMS on regulations. Amy shared that there are other resources like food banks and that TCs should be using those resources.



- Jenny of Focus Care asked for suggestions from the ombudsman in the room about a situation where a member was being evicted from a nursing facility before their transition process could be finalized. Jennifer of DRCOG shared that she had heard of similar situations and that some nursing facilities feel that might expedite the transition process. Jennifer and Clarice clarified that there is an appeals process that should be stated on any eviction information and that can delay the eviction process as the final arbiter is the health department.
- Fallon requested clarification regarding functional assessments. Specifically, Colorado Access has had member who discharge before the functional assessment could be completed in the nursing facility. She asked if that assessment could be completed in the community. Matt offered to look at situations like this on a case by case basis to determine if any extenuating circumstances were involved.

## 6. Council Planning

- SWOT Analysis Review and Project Planning for 2020
  - In November the Council conducted a SWOT analysis and identified three key areas of focus:
    - Improving general understanding of new services and new regulations for all stakeholders including TCAs, SNFs, Options Counselors, and other Transition Service.
    - Developing resource tools for providers and members after Transition Services end.
    - Helping eliminate rural barriers to providers including bringing more representation onto the Council from rural areas.
  - Katy suggested adding the complaint process to the list of areas of focus and the Council agreed.
  - The Council discussed activities and projects the Council could conduct in the next year to meet the identified needs. Specifically, the Council discussed:
    - Better directing stakeholders to existing resources like memos.
    - Developing training opportunities like the Transition Services 101 and risk mitigation planning trainings for TCAs.



- A “boiled down” training on the Transition Services regulations would be helpful.
  - Training on the interface between different providers, specifically the between TCAs, SEPs, and SNFs.
  - Forms to allow members to track when they need to call for additional assistance after the TCA support had ended. Many Council members found that Medicaid redetermination was missed by transition members and because of this many lost their vouchers and in some cases were reinstitutionalized.
  - Creating an “After Your Transition Services End” sheet of contacts and resources and what members need to know to remain independent in the community.
- Paige of Atlantis shared a question from Candie regarding the housing contracts. She had heard there were two contracts in the works and wanted to make sure that this would not slow down or change the housing navigation work. Matt clarified that the Department is working with DOLA to identify additional housing resources and potential collaboration but explained that these would represent additional resources available and would not require change in current process.

## 7. Adjourn

- Katy will send the Council Clarice Ambler’s application and a voting link as well as a voting link for the co-chair position.

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