



agency for persons with disabilities
State of Florida

APD PROVIDERS / SUPPORT COORDINATORS JOINT MEETING

January 12, 2012 9:30 A.M.

401 NW 2ND AVENUE, SUITE N-1011, MIAMI, FL 33128

AGENDA ITEM	ISSUE/DISCUSSION	ACTION/FOLLOW UP
	<p>Meeting began at 9:40a.m. Area Administrator Ms. Evelyn Alvarez welcomed everyone to the first Provider Meeting of the year and requested that all phones be silenced to avoid interruptions. All Management staff and other staff at the front of the room were asked to Introduce themselves: Ivonne Gonzalez, Kirk Ryon, Sharon Powell, Carolyn Eleby, Maria Roqueta (Maria Springer is out today). Ms. Alvarez announced that Ms. Jackson is doing much better and we hope will return to the office soon and once again, gave thanks to everyone for their well wishes.</p> <p>Friendly reminder: This room is the DCF District Administrator's conf room and we are very appreciative that it is made available to APD for our Provider Meetings. However, the room is only available to until about 11:30am. When we adjourn please be reminded to do so promptly, quietly and pickup all of your belongings. If you need to meet with one of your colleagues we ask that you do so in the 4th floor cafeteria. Thank you for your cooperation.</p> <p>New Staff Announcements: none</p> <p>New Provider Announcements: none</p> <p>Guest Speakers: none</p> <p>1. Announcement:</p> <ul style="list-style-type: none">➤ Ms. Alvarez will need to excuse herself early to attend the Area Administrator state-wide conference call. Ms. Gonzalez will continue to Chair the meeting.➤ Legislative session has commenced and will run thru March 9, 2012. Area Office will share legislative updates with Providers upon receipt.	

**II. STATE / AREA
AND APD
UPDATE**

2. Agency Update:

Cost Plan Reviews

- The area offices reviewed more than 29,000 customer 's cost plans to ensure people are receiving the services they are eligible to receive under the waiver Handbook of Services and discontinuing services that they were no longer eligible to receive. Area 11 alone had over 4,300 and completed the project 12/22. There are still 150 notices in the legal department pending review.
- Discussed need to look outside of waiver funding to meet client needs. For example, develop natural supports to include family, friend neighbors, build community partnerships, expand existing community networks, engage faith-based organizations, maximize, Medicaid State Plan Services and Public School System.

Residential Fee Collection

- Area Offices are awaiting the draft operating procedure for implementation.
- The Agency for Persons with Disabilities is implementing Residential Fee Collection beginning January 1, 2012.
- The Residential Fee Collection only applies to adults (over 18), Persons in an APD licensed facility, and receiving Residential Habilitation. If all three are criteria are not met, the fee collection will not apply to them.
- The fee that will be collected is the excess funds from federal cash benefits. (i.e. Social Security Disability Insurance, Supplemental Security Income, Railroad fund, etc)
- The term "excess" refers to the amount left over after personal allowance is taken out (first). Room and Board (second), any additional federally approved exclusions, if any (third), any remaining money is considered excess and should be remitted to APD.
- The fee collection only applies to federal cash benefits. APD is not requesting persons to pay out of a trust fund, earnings or retirement plans.
- Other state agencies, like Department of Elder Affairs, have a fee collection in place. APD has tried to hold off as long as possible.
- The excess payment will be due on the 15th of the following month. (for January benefits/services, excess will be due Feb 15)
- APD does have statutory permission to implement the new cost containment measure.

Multiple questions were raised by the audience. Ms. Alvarez suggested that they be sent to her attention via email and that she would gather a list of FAQ forward to Central Office for response and send out an email to all providers.

For more information about the Agency for Persons with Disabilities, please contact Evelyn Alvarez at (305) 349-1478.

APD Intense Behavioral Residential Habilitation Rates

- The Florida Legislature has directed the Agency for Persons with Disabilities (APD) to establish cost effective rates that are uniform and predictable. These rates will allow the agency to identify the 432 people receiving Intense Behavioral Residential Habilitation who may be progressing to a less intense level of need and appropriately adjust the provider’s reimbursement rate or vice versa.
- Historically, Intense Behavioral (IB) rates have been negotiated for each IB residence. There were over 100 different rates prior to this change. Creating uniform rates allows the agency to reduce the number of rates to six.
- A scaling instrument was developed to measure intensity of services provided rather than basing rates on how well the provider negotiated.
- All APD customers needing behavioral services are assessed using the Global Behavioral Service Need Matrix which identifies six levels of need. This assessment is conducted by Board Certified Behavior Analysts employed by the agency. Consequently, the new reimbursement rates are driven by the level of need of individuals rather than negotiated rates.
- With the standardization, the rates to provide IB services to some individuals will go up and for others they will go down. There are 178 recipients whose rates will go up and 253 customers whose rates will go down.
- Allowing fair increases in rates may prevent providers from discharging customers with lower reimbursement rates to recover lost income.
- With the standardization of rates, there are six providers whose overall rates will go up and 18 providers whose overall rates will go down.
- The new rates are expected to cost about \$2 million less each year for behavioral services for customers.

Behavioral Res Hab Type	Rate/day	Level	Total # of Persons Per Level
IB 1	240	1	4
IB 2	250	2	25
IB 3	267	3	94
IB 4	286	4	188
IB 5	300	5	114
IB 6	360	6	7

iBudget Implementation (A11 does not have any IB Providers at this time)

- The new iBudget Florida waiver program is designed to provide APD customers with more flexibility and self-direction in making decisions about services. The individualized budgets, or "iBudgets," of customers in APD areas 1 and 2 were determined by their current cost plans when they were enrolled this fall. Once the funding model, including exceptional needs, is approved, then it will be applied to the 3,000 individuals currently enrolled in iBudget.
- To keep you informed about the new program, APD developed iBudgetFlorida.org. This specialized website has an Update section on its home page, where you will find the latest announcements about iBudget Florida. But you can visit iBudgetFlorida.org at any time to stay up-to-date on this exciting new program.

Legal Issues Update:

- November 2011 --- Settlement of *Mercer Human Resource Consulting v. Agency for Persons with Disabilities*, 05 CA 1716, Second Judicial Circuit for Leon County. This breach of contract case had been languishing since 2005. The complaint alleged multi-million dollar damages resulting from oral additions to services required under a software consulting and development contract. Mercer's primary allegation was that additional services were performed after receiving verbal assurances from APD that the agency would pay for these services. In settlement discussions, APD held firm to its position that verbal assurances had not been made; however, it was decided that it would be in the best interest of the State to settle for a payment by APD of \$45,000 (including attorney's fees) and delivery of the completed software to APD. This favorable settlement came about as a result of the hard work of APD attorneys Juan Collins and Bill Crowe, with the help of Gene Gandy from the Florida Attorney General's Office.
- October through December 2011 --- Class certification denied and motion for reconsideration denied by the Circuit Court in *Dykes v. Dudek*. This was an attempt to create a massive class made up of all 20,000 persons currently on the wait list for the waiver. The Court ruled that there was not sufficient commonality among the persons on the wait list to form a class.
- December 2011 --- DOAH issued Final Order of Dismissal in *JR v. APD*. In dismissing the complaint against APD, the Judge ruled that the cost plan freeze was not an "unadopted rule" but rather the mandate of the legislature.

- December 2011 --- F.A. v. Hansen (MRDP restraint & seclusion case). Reached settlement in principle. Final settlement document drafted and under negotiation

Commission on Jobs for Floridians with Disabilities

- The new Governor's Commission on Jobs for Floridians with Disabilities held its first meeting on January 6 in Tallahassee. APD assisted the Executive Director David Darm of the new Governor's Commission on Jobs for Floridians with Disabilities in supporting the new commission's meeting.

Other Cost Containment Initiatives Forthcoming:

- Set Agency rate to Solo Rate standardizing rates- 4/1/12
- Reduce rates for therapy assessments and all nursing services to the Medicaid State Plan Rates 4/1/12

GR Update on behalf of Maria Springer:

- Miami Herald Wish Book has yielded an abundance of generous donations from the community for many of the clients of the waitlist. Ms. Alvarez gave numerous examples of donations that have been made i.e. assistive devices, vans, adaptive equipment, consumable medical supplies, communication devices, funding for birthday celebrations, gift cards, food, clothing, etc.
- GR funding is available for Supported Employment services to individuals on the waitlist who have participated in SE Skill Building workshops. This is being done in Partnership with local Colleges and Universities in the community.
- Quarterly Waitlist Meeting are scheduled:

February 16, 2012 North Dade
May 17, 2012 South Dade
Monroe County July 19, 2012

Locations to be announced at a later date and will be posted on Area 11 APD webpage.

Ms. Carolyn Eleby: reminded participants at meeting that APD will be reviewing liability insurance for all providers at the time of their initial Medicaid Waiver Agreement signing and at the each renewal.

- Ms. Eleby also reported that Area 11 will be working in partnership with several organizations in the efforts to secure employment opportunities for consumers. This includes coordination of paid internships with Baptist Health Systems and volunteer opportunities with Trinity Church through Project Impact. She asked that all providers continue to be supportive of any of their consumers who participate in any of these endeavors.
- Ms. Eleby also reminded support coordinators of their very important role in providing oversight of individuals in supported living arrangements. She specifically emphasized the importance of being knowledgeable and aware of situations in which the consumer is in need of support by the coach as their "fiscal agent", representative payee of benefits and as the cosigner on the consumer's bank account.
- Ms. Eleby She recommended that support coordinators as well as coaches review the policies regarding fiscal management in the Supported Living Guidebook and that they strictly adhere to the requirements to ensure appropriate accountability by all parties.

Mrs. Ivonne Gonzalez : Spoke on Medicaid Waiver updates and CDC+ Program:

1. CDC+

- Mrs. Gonzalez was pleased to announce Estefanie Martinez, as the new Data Entry Clerk for the CDC+ Program. Remember to continue submitting your Purchasing plans by the 10th of the month to be approved for the following month. Please invite your families to the Support Group Meeting we have every 2 months where we have mini trainings, clarifications, etc. or perhaps the family would know if they are interested in the CDC+ Program. The schedule for the meetings are as follows: on Tuesdays at 9:30am-11:30am, February 28, April 24, June 26, August 28, Tuesday, October 30, and December 11, 2012.
- **Cost Plan Reviews:** Staff members have finished up the cost plan reviews for all waiver consumers. Thank you to everyone for your cooperation in assisting us with completing this assignment. If you receive a reduction/termination of service, the consumer guardian needs to send in a hearing request within 10 days to Melissa Lopez. Once a hearing date is scheduled and a Reviewer/witness contacts you, you may then submit additional documents needed at that time.
- If a reduction NOTICE was sent out. ***NO cost plan adjustments should be requested.

For instance reducing Therapies for Respite, when the therapies were reduced because of no plan of care, prescription, medical necessity, etc.

- As you know, Beverley Alexander is no longer working for the Agency so all change of provider requests, cost plan adjustments, Crisis, or Respite request will go directly to your Specialist. We have created an email address where you can submit your Annual Support Plans:
- Apd_medwaiver_supportplans@apd.state.fl.us. There is an underscore between apd_medwaiver_supportplans Subject line is your Agency name. The file should say last name first name. All Support Plan that have an effective date of Feb 1st is due in our office by the 10th of Jan. Please send these support plan packages with supporting documents (including prescriptions, ipp, etc.) to the email address: We will first try this out first with the support plans.
- Crisis Requests: when we ask for additional documentation- the areas of concern have to match the QSI and the Support plan. Please review the QSI to be sure it truly reflects his level of need.
- You will need to add an Update summary on the Support plan with this information. For instance if the consumer is asking for PCA because “caregiver unable to give care, and they only ask for 5 days of service”, list in the Support Plan who will do the PCA service the other 2 days. Send us the Crisis Tool filled out via zixmail and the justification memo filled out. This is a summary for the review. Please note that we are looking to fill 4 more QSI positions, so if you know someone that meets the Bachelor’s degree & 2 years in the DD field, please email me their resume.

Ms. Sharon Powell: Wished all the very best for the New Year. January is the time for new beginnings where we have made resolutions to have a healthier lifestyle, healthier weight and increasing our activities. Here are a few tips from the reader’s digest to energize your life:

- Do not miss breakfast, try to have proteins in the morning, this boost your energy and reduce your cravings to snack on unhealthy food items throughout the day
- Eat potassium rich food, which could be a glass of milk, bananas, dried apricots, prunes etc. This helps with decreasing your risk for heart attack.
- Those of us who are working in an office setting, try to take standing breaks throughout the day, this lowers your stress level among other health benefits.

- Go for a walk at least three times per week, this increases your memory. Get adequate sleep at nights, try for at least 6 hours. Try to wake up at the same time each morning.
- Ms.Powell also announced that she was sorry to say that Nurse Traci-Ann Miller is no longer working with the agency. MCM team is planning on having a workshop with our approved medication administration trainers to discuss recurring incidence dealing with medication administration. Based on the medication administration error reports we have identified that the most common medication error is consumers not receiving their medication. This is critical because medication administration is important to the health and safety of our consumers. As a team we will be meeting with providers throughout the year to address these areas of noncompliance.

Kirk Ryon :Distributed updated instructions on Incident Reporting in Area 11.

- Mr. Ryon reported that overall there continues to be very good compliance with incident reporting in Area 11, however, there are still incident reports coming in on a number of different fax machines at the 401 building, including fax machines at other departments. The fax number for all APD Incident Reports is 305-377-7438.
- Mr. Ryon noted that approximately half of the incident reports that come into Area 11 APD, up to 20 reports per day, are faxed. The other half are sent via email. Providers who are sending incident reports via fax are advised to explore sending incident reports by email in order to save time and money. A writable template of the Incident Reporting form is available on the APD web site.
- Mr. Ryon reminded providers that Incident Reports are categorized as either Reportable or Critical Incidents. Reportable Incidents must be submitted by the next business day, Critical Incidents must be reported immediately, including evenings and weekends. The APD On Call Number for after hours Critical Incident Reporting is 305-299-3366.
- Mr. Ryon noted that Incident Reports, particularly Critical Incidents are being closely scrutinized and must be thoroughly completed with no omissions. The questions "Who, What, Where, Why and When" must be answered as part of the incident report as well as any steps taken to safe-guard the customers' health and safety.
- Kirk Ryon reported that the Delmarva Foundation will be implementing their monitoring beginning this month, January 2012. Many Area 11 providers should have received letters from Delmarva announcing their intention to monitor within the first 3 months of 2012. Mr. Ryon noted that as reported in previous provider meetings, the Area 11 providers rank among the highest in the state in terms of Delmarva scores on PDR reviews. Beginning in 2012, any provider with a score of 84 or less will be contacted for a meeting with the APD 11 Quality Assurance Unit in order to discuss quality improvement strategies for Delmarva reviews requiring remediation.

**IMPORTANT:
OUR ON-CALL PHONE NUMBER IS 305-299-3366**

III. ADJOURNMENT	Meeting adjourned at 11:20 am.	
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Attendance: Sarah Cartaya, Ruben Suarez, Gladys Machado, Marcos Lopez, Darlene Thomas, Susan Rodriguez , Penny Schueneman, Wilma Johnson, Cristiana Robaina, Ludmila Senkevithz, Emma Diaz, Clora Romero, Dora Guzman, Muriel Cuadro, Mercedes Carrillo, Mable Burger, Ubaldo Alvarez, Jackie-Butler- Wilson, Maria Rodriguez, Kathleen Mulkey, Timothy Paul, Ebone Jones, Malika Berroa, Aqueelah Raudle, Roberto Baez, Suzette Spalding, Vivia Oblegueri, Cynthia Gay, Ally Jalice, Yadi Flores, Maria Garcia, Tatiana Cortez, Derrick Harley, Isabel Rojas, Janet Batet, Mariana Abraham, Andres Pacheco, Argeo Rodriguez, Mayda Wiltz, Aida Fernandez, Haydee Milian, Diamleys Pordomingo, Rusty Towokend, Karen Knoblock, Manuel Achong, Jesus Cruz, Jerome Silverberg, Maria Figueredo, Pascale Malete, Crisma Ultine, Merman Graca, Janice Thurston, William Appleton, Margarita Colorado, Gabriel Lefran, Steven Kuster, Luis Rodriguez, Star Granda , Mara Martinez, Elissa Maiorino, Marthan Khan, Gloria Fortune, Marta Bermudez, Desma Walker, Joanna Brown, Carlos Rocha, Martine St- Aime, Marianela Wata Wara, Lasengia Simpkins, Penelope Rarn, Lourves Matamorus, Alicia Coll, Angela Gamazo, Chasgaviera Gaviria, Lola Bain, Alexander Bain, Kathleen Childs, Jacques Thompson, Charlie Minino, Gladys Minino, Laronda Smith, Jorge Villalon, Tammie Martin, Juan Carlos Toledo, Kerly Basulto, Raquel Lotero, Sandra Jaramillo, Roberto Pire

*** Denotes tardiness of more than 15 minutes**

*Monica Martinez*Eddie Danta*Mario Osegueda*Janie Houston*Laurel Motia*Ruby Manuel*Natalie Jordan*Michael Coley*Mayelin Armas De Leon*Martine Osaguae*Judith Rodriguez*Mathew Zosnick*Ivette Sotomayor*Velma Fulger*Yitzan Rivero*Elsbeth Arce*Luz Ortiz*Travis Davis*Derick Tores*Christine McAniff*Arnold Coats*Veronica Oliver*Josephine Livingstone*Portia James*Andrew Lurence*Kevin Edward*Crislayne Abraham*Shelin Edwards*Reynold Stewart*Darlyne Sherian