

Family Support Council Meeting
May 22, 2021
Zoom Meeting
Meeting Minutes

Members present: Sarah Carlson, Amber Finnesand, Krista Bau, Christine Kenser, Tim Reinbold, Joanne Hairy Shirt, Bridget Leiseth, Pat Norin

Members absent: Letty Thelen, Janet Whiting, Michelle Powers, Diane Baumiller

DHS Staff: Jaze Sollars, Kade Anderson, Joey Younie

I. Call to Order

Sarah called the meeting to order at 8:33 AM CT.

II. Introductions

Everyone has been on the council. No introductions occurred.

III. Approval of Minutes

Tim motioned to approve minutes. Pat seconded the motion. The motion passed with a voice vote.

IV. Family Support 360

A. General System Overview and Update

There are 1,354 current participants. We have 120 people on the waiting list. Waiting list may not be reflecting accurate numbers. Benchmark has been reaching out to families on their waiting list only to find the family is not interested in the program. There is still a waiting list in the eastern part of state. The central part of the state has openings. The western part of the state has about 10-20 people on their waiting list.

Family Support Waiver will be coming up for renewal next spring.

The Division of Developmental Disabilities has been working to create a universal application for all agencies. It is in final stages of editing.

One area that the State has been working on are updating the Financial Assistance Guidelines. DSS is requiring these changes. Some areas likely to be affected would be the transportation category, recreation, respite, and environmental accessibility. Family Support can't reimburse over what Medicaid already pays for travel reimbursement. Family Support can reimburse for medical travel that is not covered by Medicaid. Adaptive recreational equipment is going to be allowed; this could include swim diapers, adaptive life vests, or other fitting adaptive equipment. Clarification of the usage of Respite Care is also going to occur due to fraud investigations. Family Support will no longer be able to cover fences. Technology in the home in the form of remote monitoring will also be addressed.

Questions were asked about play pens and baby gates and whether they would be considered fences. Jaze advised she would look further into this.

B. Swim Diapers on FS360 Waiver?

Amber updated council that swim diapers are not covered by Medicaid or Family Support. Jaze advised that historically swim diapers were covered by Family Support under incontinence supplies, but Medicaid took the incontinence budget and is not currently

covering swim diapers. The adjustment to recreation category will allow the coverage of swim diapers through Family Support

C. EVV/AWC

Electronic Visit Verification (EVV) - Met the timeline set by the federal government in establishing EVV in South Dakota. The state held a check-in with providers and FOCOS and it was a very positive meeting. Families are wanting to see the service expanded into other care areas due to its ease of use.

A question was asked, is there an easier way for coordinators to correct errors? FOCOS is very close to having this be a possibility and is aware of the issue.

Agency with Choice (AWC) – A workgroup meeting was held with the 5 AWC providers, DD staff, and Family Support Council Members. Jaze advised that Family Support would like to allow more than 20 hours per direct support provider. Currently all providers have some type of limitation on the number of hours an employee can work. The providers felt like the waiver was not intended to be used this way. Providers felt like they would need more management and oversight because of the liability. Two providers indicated that they would not be interested in that model.

Pat, Bridget, and Amber shared that providers acted as if it only affects one or two people. The saying “Don’t throw the baby out with the bathwater” was shared about not getting rid of the current program.

Amber made a motion to move Update on Conference Call Help with CSP and Subcommittee Members from VII A to IV C. Bridget seconded the motion. Motion passed with a voice vote.

Comment was made by a council member that they were surprised more people were not having issues with the reduction in hours. Just a couple of families? How do we find out how many families this is affecting?

The State requested AWC providers audit their lists of direct support providers. It has been heard that people are being turned down, because the AWC provider list is full. There is an email that is being sent from one agency when they are full and able to add direct support providers. AWC providers sent out an email when they are no longer taking any new providers. Who is the email going to and who is distributing the email? Families are in the dark on this communication.

A question was asked, are there any companies that would like to be a provider company? Jaze answered that, currently we are looking for more companies. New providers have the same concerns as our current providers with liability. The Family Support redesign will need to address this issue.

Pat, Bridget and Amber shared that there were employment concerns from the providers, they do not want families hiring away from them. Employers across the board are to struggling to find employees.

Jen Carda joined the meeting.

Sarah asked how many hours a support provider can work? Jaze explained that a support provider can work 20 hours with one person and one agency and 20 more hours with a different person and different agency, but that it cannot be the same person or the same agency.

The State acknowledged that AWC subcommittee meeting was challenging. Even though the meeting was challenging the State is striving to move forward and find permanent long-term solution. More workgroups will likely occur with this subcommittee.

V. Update the Council Roster, Review Open Positions and Current Terms

Kristi Hale resigned position on the Family Support Council. Executive board approved resignation.

Current open positions for the Family Support Council: (1) individual with a developmental disability and (1) family member over 21. On July 1st 2021 there will be an opening for a family member under 21.

Janet will complete her appointed term and will be able to start her own first term in July 2021.

Bridget will complete her first term in June and eligible for second term. Bridget plans to go forward with 2nd term.

Tina will complete her first term in June and eligible for second term. Tina plans to go forward with 2nd term.

Jen will finish 2nd term in June 2021. Could not be reappointed to the council. Could reapply in one year. July 1st there will be an opening for family member under 21.

Jaze has been trying to do some recruitment for these open positions. Jaze personally contacted individuals. The application is currently shared on social media. Open to ideas for recruitment. Sarah encouraged coordinators to reach out to potential candidates.

The question was asked whether a parent and child can't serve on council together? The State did not believe there was an issue with that. Can send application to anyone.

August meeting will be elections for positions. July 1st technically elected positions end. Current positions will open meeting in August.

Pat motioned for current elected positions remain in effect until next meeting, the Council will complete unfinished business after which elect new Executive Council Members. Tim seconded the motion. The motion passed with a voice vote.

VI. Family Support vs. CHOICES Waiver Overview

Jaze presented on comparison of Family Support & CHOICES Waivers.

The infographic that was used is available on the DD website.

The question was asked that supported employment is offered by both waivers and whether there were any differences between them. Jaze answered that the main difference is that in family support you hire your own staff. CHOICES allows for both group and individual supported employment. Group supported employment is not allowed in Family Support.

The question was asked whether volunteering to get out in the community was different than the intent to be employed. This was answered by Jaze in that it would be taken by a case by case basis.

DD would prefer people be referred to VOC Rehab first. VOC Rehab has numerous supports to help people get employed.

The question was asked whether services are location specific. This was answered by Jaze in that we have different service levels in CHOICES, we have group homes, supervised apartment

(number of staffing hours), monitored apartments those can occur with less frequency, some participants receive services in family home.

The question was asked whether there was an age limit for CHOICES? Federal authority is that we serve birth to end of life. Federal requirement waiver services can't duplicate educational services. School district is responsible for providing supports. Yes, children can be served on CHOICES but there is an extra funding layer.

The State is doing some work in standardizing processes with coordinators about differences between the waivers and services that the State offers. They are creating informational videos about their services.

VII. Family Support Waiver Brainstorming

A. Update on Conference call held with CSP and Sub-committee Members

Earlier in meeting, Amber motioned to move updates on conference call held with CSP and Subcommittee Members from VII A to IV C. Bridget seconded the motion. The motion passed with a voice vote.

B. Next Step

This will be the first brainstorming session for the upcoming waiver renewal. Continuing Family Support Council meetings will be check in points for the upcoming renewal.

Jaze wanted to address therapies being funded under the recreation category. Jaze opened the possibility for therapies being allowed in their own waiver category. Regulations and parameters would need to be set up for the service. What would be fair parameters? Needing a letter of recommendation? Need to be a certified provider? MD or therapist recommendation. National licensed specialists would be a reasonable requirement for each therapy. There might be limitations in where service can be provided since we reside in a rural state. Monthly Cap? The Council would prefer an annual limit compared to a monthly limit. DDD would need to project costs to find the limit. It was asked if the waiver could cover ABA, massage, OT, PT, speech and feeding therapies. Therapies such as ABA speech, massage therapy are Medicaid covered services so the waiver would not be able to offer those. Art Therapy could be looked into but would need to be nationally certified.

A question was asked about Respite Care and the ability to go on vacation for 3-4 days and pay provider an appropriate rate. Possibly, increasing the wage for a short time, this would be a no. Has to be "usual and customary" practice according to Medicaid. Jaze mentioned reaching out to other states for guidance, because vacations will be subject to the 20 hour and 40 hour per week limits as well.

AWC Redesign – Jaze stated improving the contractual process to allow people to be eligible for benefits. An additional possibility as considering all self-directed staff to be independent contractors. The difference between an independent contractor and employee of an agency would be that an independent contractor would take on own liability issues and have own insurance and pay into Medicare/SS/Taxes. Would there be a cap and would Medicaid require a cap to the wage? More commonly you will see a range of wages or a set rate. Possible cap of \$109 a day for an independent contractor.

Parents and families don't want to be the only care giver. We want the participant to stay in the home but don't want to exhaust families by providing that care. Bridget advised that there is a gap between CHOICES and Family Support for individuals, we need to address that gap for families.

Jaze stated which strategy could be reasonably implemented. Self-direction is not for everybody. Would still like to possibly have a pool of candidates to choose from. People

starting into the DD system might need to start with the pool approach and transition into self-direction.

This topic will be a continued agenda item.

VIII. Public Comment

Employee with LifeQuest who is a parent of a child with a disability advised the Agency with Choice issue was a very difficult decision to make (capping AWC at 20 hours). Many meetings were had with the advisory board at LifeQuest about the issue. The LifeQuest Employee wanted to share that LifeQuest does care about the families on Family Support and reiterate that it was a very difficult decision for them to make.

IX. Council Discussion

None was had.

X. Adjournment

Tim made a motion to adjourn the meeting at 11:43 AM CT. Pat seconded the motion. The motion passed with a voice vote.

X

Amber Finnesand
Secretary