

Aging & People with Disabilities Office of Developmental Disabilities Services

2016 Joint Emergency Board on Human Services Subcommittee

Update on HB 5026 (2015) and Budget Note SB 5701A (2016)

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Budget Note (excerpts):

“APD and ODDS take steps to provide policy and budget options for decision making required during the 2017 Legislative Session to ensure future sustainability of the programs.

The work requires:

- Involvement of stakeholders, legislators, and partners.*
- Formal report during Legislative Days in May and December on progress.”*

APD Immediate Actions

Assessment tools and program eligibility criteria

Service Priority Levels

Action Taken:

- Extensive review of OARs and comparison with the questions used within the tool.
- Recommendations from case managers who have seen impact first hand.
- Discussed possible changes with stakeholders via rule making advisory councils and a facilitated workgroup.

Expected Outcome:

- Could include adjustment in assessment questions, hours or changes in service priority levels upon reassessment.
- Updated training for case managers, technical and rule changes.

We recommend a series of common sense changes to the assessment tool and plan to start making these changes in the coming months.

APD Immediate Actions

Restrictions to the live-in service option

Action Taken:

- Utilizing new criteria for live-in, in-home plans for new and reassessed consumers.
- Managing centrally through an exception process.
- We have explored other options for the live-in service option with stakeholders.

Outcome:

- Exceeding targets for reducing the live-in program caseloads.
 - September, 2015 to August, 2016 reduced from 1,923 individual serviced to 466,
 - 76% reduction but we still have concerns about the sustainability

New Recommendation: Governor's Recommended Budget calls for phasing out by July 1, 2017.

APD Longer Term Actions

- **Continued engagement with stakeholder community.**
- **Prioritization of options that minimize impacts on consumers and providers**
- **Continued discussion around workforce development**

ODDS Immediate Actions

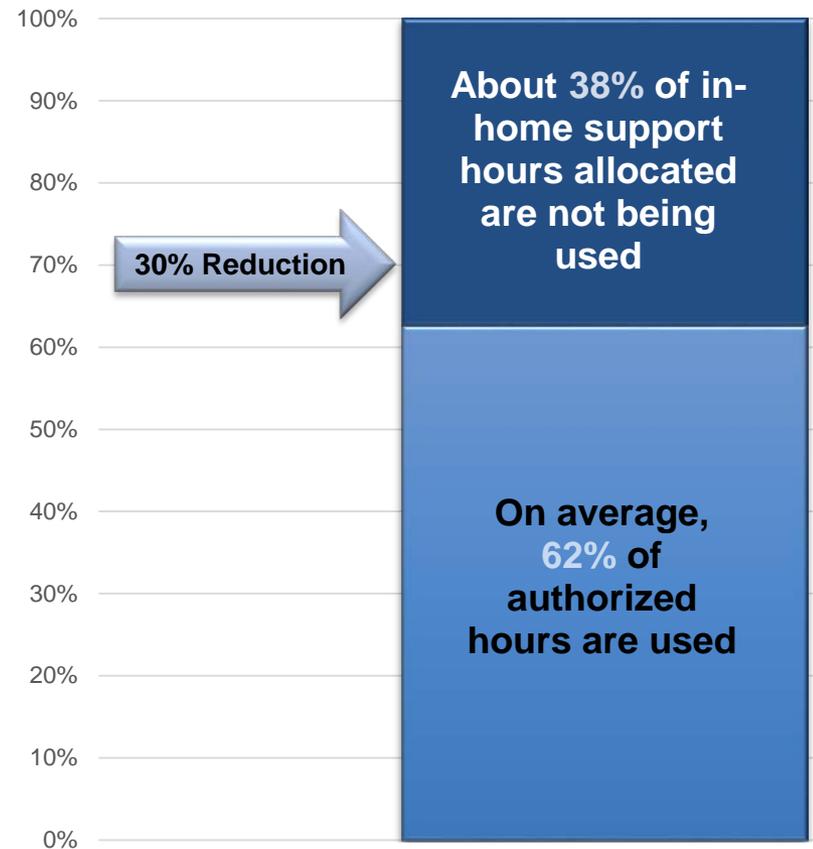
Align service authorizations with utilization for In-Home services

- During 2016 Session, the Oregon legislature directed ODDS through a Budget Note to “take action to more efficiently align service authorization with people’s needs, also consider appropriate limits”.
- To accomplish this, ODDS made changes to the Adults and Children Needs Assessments (ANA/CNA) that define the hours of in-home services approved for children and adults.

ODDS Immediate Actions

Align service authorizations with utilization for In-Home services

- New service authorization levels for:
 - New individuals beginning services **September 1, 2016**
 - All individuals with Individual Support Plans (ISPs) beginning **November 1, 2016** and after
- New service hour approval levels are estimated to save **\$904,924** in general fund in 2015-2017 biennium and **\$6,457,323** in general fund in 2017-19 biennium.
- This will begin to bend the cost curve.



ODDS Immediate Actions

Align service authorizations with utilization for In-Home services

All individuals impacted by the change are eligible for an exceptions process to request additional hours and/or appeals and hearing process.

- As of November 30, 2016, ODDS received 103 exception requests.
- 20 appeals and hearing requests have been submitted (of them, 3 have been withdrawn)
- Hearings are being scheduled.

ODDS Long Term Actions

- ODDS is required to conduct a functional needs assessment to inform the individual support plan for any individual receiving I/DD services under the K-Plan.
- SB5529 (2013) directed ODDS to implement a single, uniform assessment tool. ODDS is working to develop **Oregon Needs Assessment (ONA)**.
- ODDS is in the process of developing and piloting the tool to test for validity and reliability. The pilot began in **October 2016**.

ODDS Long Term Actions

Collaborative work with Stakeholders on long-term strategic planning for the ODDS system:

- Working with **DD Vision Advisory Committee**, a long-standing stakeholder group.
- Gathering recommendations and feedback from stakeholders on short and long term options.
- Prioritizing options that minimize impacts on individuals and providers.
- Initiating facilitated strategic planning process.

ODDS and APD Immediate Actions

Limit use of overtime in service plans

Collective bargaining

According to the collective Bargaining Agreement (CBA) finalized in June 2016 and effective September 1, 2016 Homecare Workers (HCWs) and Personal Support Workers (PSWs) will have limits to the number of hours they will be authorized to work each week, based on the following categories:

- HCWs/PSWs may be authorized to work up to 40 hours per work week
- HCWs/PSWs may be authorized to work up to 50 hours per work week if the HCW/PSW was credentialed prior to June 1, 2016 and worked more than an average of 40 hours per week in March, April, and May 2016.
- HCW/PSW may not work more than the authorized amount unless there is an emergent need that would endanger the health and safety of the individual if additional services are not provided immediately.
- The CBA supersedes a DHS policy that took effect on September 1, 2015, limiting the number of hours a HCW/PSW can work to 50 hours per week, per each individual. The CBA applies across all individuals the HCW/PSW for which they work.

ODDS and APD Immediate Actions

Natural support vs. paid support

Emphasis on Natural Supports and Community Resources

- APD and ODDS received Technical Assistance via the Centers for Medicare and Medicaid Services (CMS)

Scope of work:

- Explore the ability, under K-plan authority, to promote natural supports and community resources as opposed to a “paid service life”.
- Explore K-Plans approved by CMS in other states for better management strategies of service authorizations.

Current Status:

- Final CMS Technical Assistance report was received in **October 2016**.
- APD and ODDS are reviewing CMS Technical Assistance recommendations with stakeholders.

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