



## Joint Issues Committee Meeting Summary

Wednesday, January 15, 2020 – 3:00 PM to 4:00 PM

Attendance		
Committee Members	Organization	In-Person/By Phone
Joe Espinoza	APD	Phone
Melanie Ewell	OHCC	In-person
Ruth Geislinger	Consumer	In-person
Hani Ghamrawi	OHCC	In-person
Terry Haydon	SEIU	In-person
Paul Johnson	OHCC Commissioner	In-person
Zina Lerma	APD PRU	In-person
Traci Lerner	APD	In-person
Cheryl Miller	OHCC	In-person
Shelly Reed	ODDS	Phone
Maxime Rene	SEIU	In-person
Vanessa Richkind	ODDS PRU	In-person
Nancy Sodeman	OHCC	In-person
Patrick Van Orden	OHCC	In-person
Penny VanSanten	SEIU	In-person
Marsha Wentzell	OHCC Commissioner	Phone
Joy'e Willman	SEIU	In-person

Agenda Item	Presenter/Facilitator
Introductions.	Cheryl Miller, OHCC
OHCC Professional Development Certification (PDC)	Cheryl Miller, OHCC
APD – Consumer passes away – what should the HCW do?	Traci Lerner, APD

## Meeting Summary

### 1) Introductions:

Cheryl Miller, Oregon Home Care Commission (OHCC) Executive Director, opened the meeting at 3:02 PM and introductions were shared. Melanie Ewell, OHCC Policy Analyst with the newly formed Customer Relations Unit introduced herself. Cheryl reviewed the purpose and guidelines for the meeting.

### 2) OHCC Professional Development Certification (PDC):

Penny VanSanten asked if an individual who is both a personal support worker (PSW) and homecare worker (HCW) must earn the PDC twice.

#### PDC Requirements

- Cheryl responded that an individual with both an HCW and PSW provider number can use the same core and safety courses for PDCs that will apply to both provider numbers.
- HCWs and PSWs can choose any of the electives they want to take. *Three are type-specific, meaning anyone can take them, but they will only count towards certification of the specified type.*
  1. Everyone Communicates – PSW
  2. Sensory Processing Disorder-Children – PSW
  3. Challenging Behaviors – HCW
- Certifications may have different start and end dates due to the different pay schedules.
- If an individual is working as an HCW or PSW and later wants to add the other worker type, and is interested in the PDC for that type, they need to apply with the OHCC who will determine if new courses are needed, depending on when past classes were completed.

Cheryl emphasized that if a worker has questions about this, it is important to communicate with the training unit because answers are unique to each person. She noted other resources that are available:

#### PDC Resources

- Certification Emailbox – [Certifications.OHCC@dhsosha.state.or.us](mailto:Certifications.OHCC@dhsosha.state.or.us)
- PDC page on the OHCC website - <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCC/PSW-HCW/Pages/Professional-Development-Certification.aspx>

- OHCC Training Newsletter, Elevate - <https://apps.state.or.us/Forms/Served/de2368i1.2.20.pdf>

### 3) APD – Consumer passes away – what should the HCW do?

Traci Lerner, APD Policy Analyst, reviewed the procedures of what an HCW should do if a consumer passes away under several different scenarios.

#### **If the consumer employer (CE) passes away while the HCW is not on shift -**

1. This assumes the CE Rep and/or consumer's Case Manager (CM) already knows about the consumer's death.
2. HCW can submit the voucher without a signature (if there is no CE Rep to sign the voucher).
3. The HCW should not forge the consumer's signature or write down time not worked. That would be considered Medicaid fraud.

Shelly Reed, Office of Developmental Disability Services (ODDS) Policy Analyst, said PSWs would note why the consumer's signature was missing and then notify Public Partnerships, LLC (PPL).

#### **If the HCW walks into work and finds the CE has passed away -**

1. Immediately call 911 and wait for their arrival so that they have access to the home and the HCW can answer any questions they may have.
2. Contact the CE's Case Manager as soon as possible.
3. In some cases and if requested by the CM, the HCW may be asked to provide contact information to the CM of any close natural supports/family members.

Shelly confirmed the procedure would be the same for PSWs.

#### **If the CE passes away while the HCW is working with them –**

1. Immediately call 911 and wait for their arrival so that they have access to the home and the HCW can answer any questions they may have.
2. Contact the CE's Case Manager as soon as possible.
3. In some cases and if requested by the CM, the HCW may be asked to provide contact information to the CM of any close natural supports/family members.

Shelly confirmed the procedure would be the same for PSWs.

Joy'e Willman, PSW and SEIU Homecare Worker Vice-President, asked how workers are informed of these procedures. Cheryl said she would speak with Roberta to ensure that they are included in the End of Life course. Joy'e added that she talked with Sarah Edwards to make sure that information is included in orientation.

#### **4) Added to Agenda – Workers' Compensation (WC) Reporting**

Joy'e asked if there is training available for workers on WC insurance and the reporting process. Cheryl responded that information is shared:

- At orientation.
- Through FACT Sheets and cards made available at orientation.
- On the OHCC website - <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/HCC/PSW-HCW/Pages/Health-Safety.aspx>
- During OHCC office hours, workers can call to get the process started to file a claim.
- Workers are also able to call our insurance carrier, SAIF, directly to initiate a claim.

Cheryl said she would send the Union a supply of the WC cards and the Fact Sheet to meeting participants.

#### **5) Added to Agenda – PSW-Direct Support Professional (DSP) Dual Roles**

Several PSW-DSPs joined via Skype. Cheryl communicated at the start, that the Joint Issues Committee does not have authority over any of the rules established by ODDS. She continued that there is a rule-making process that was followed regarding PSW-DSP dual roles. Additionally, DSPs are not part of collective bargaining agreement and this group cannot negotiate with them.

Penny VanSanten, SEIU Member Resource Center, responded that she wanted the State to hear how this ruling affects clients. Cheryl responded that specific questions should be taken to ODDS' policy team for accurate responses.

The PSW-DSPs on the line shared their situations and asked several questions, such as what the research and rationale was behind the decision to not allow dual roles, who took part in making this rule, and why wasn't there individual notification of the rules-making process.

Shelly responded that a transmittal was sent out that explains the reasoning for the new rule. It is now an Oregon Administrative Rule that was completed through the

public rule-making process. She added that workers can look into the exemption process but noted that exemptions are not permanent and would possibly be an hours exception, but not a dual provider exemption. She also noted that Individuals have the right to file a complaint with their local case management entity. There was concern expressed about discussing consumer-specific information due to the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule and individuals were asked to direct their specific questions to ODDS.

Cheryl apologized to the PSW-DSPs on the line that they were invited to a meeting where the group has no authority to make decisions on this topic. She added that their individual concerns and the impact the ruling has on them was heard and noted. She said that although this group has no decision-making authority in this matter, she would like to send them links and information on who they can contact and where they can direct their questions to. Cheryl said she would send the following links to Penny for her to forward on:

- ODDS Complaint Process - <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/Pages/File-a-Complaint.aspx>
- ODDS Complaints Email - [ODDS.Complaints@dhsosha.state.or.us](mailto:ODDS.Complaints@dhsosha.state.or.us)
- ODDS Engagement and Innovation Page - <https://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/PROVIDERS-PARTNERS/Pages/engagement-innovation.aspx>

## 6) EVV Exemptions

Joy'e asked where workers need to go to ask for Electronic Visit Verification (EVV) exemptions. Shelly responded that workers need to go to their Case Management Entities for those and that exemptions need to be in place by April 1, 2020.

## 7) Follow-up – pay periods ending on a Sunday/the 15<sup>th</sup> of a month

Vanessa Richkind, Senior Provider Relations Specialist – ODDS, and Leaann Stutheit, ODDS Chief Operations Officer, responded to the question from last month's meeting regarding entering time when the pay period ends on a Sunday which is also the 15<sup>th</sup> of the month and how to avoid overtime. The bottom line is if a worker has 40 hours or less for each of the pay periods from the 1<sup>st</sup> – 15<sup>th</sup> and 16<sup>th</sup> – end of the month, everything will be fine. The system will go back and figure out any pending entries and will assign them to the proper time period.

Meeting adjourned at 4:17 PM.

<b>Assignment Tracker</b>			
<b><i>Topic</i></b>	<b><i>Owner</i></b>	<b><i>Assigned Date</i></b>	<b><i>Due Date</i></b>
Confirm procedures on what to do if a consumer passes away are included in the End of Life course.	Cheryl	1/15/2020	2/19/2020
Send WC FACT sheet to JIC Union reps	Cheryl – Nancy	1/15/2020	2/19/2020
Send supply of WC cards to SEIU	Cheryl – Nancy	1/15/2020	2/19/2020
Send links and information on who to contact regarding concerns and questions about the Dual Roles OAR to Penny.	Cheryl	1/15/2020	2/19/2020
<b>Future Agenda Topics</b>			

**Next meeting:  
 Wednesday, February 19, 2020 ~ 3:00 to 4:00 pm  
 550 Capitol St NE, Salem, Oregon 97301**