

10-6-16

ODDS Stakeholder Rates Call

Frequently Asked Questions (F.A.Q) regarding recent announcement of new employment rates for the Office of Developmental Disabilities Services (ODDS). These questions are taken from a call with the field and stakeholders held on Sept. 30, 2016, as well as other inquiries sent in via email.

There is also an online training module on these new rates at:

<https://www.youtube.com/watch?v=7zi1CHO1AUo>

Background:

The Office of Developmental Disabilities Services has received approval from the Centers for Medicare & Medicaid Services (CMS) to change the rates for three services: Discovery, Job Coaching and Job Development. ODDS has already put these rate changes out for public review and held a number of stakeholder meetings in anticipation of CMS approving these rates. The rates have been approved and are expected to go into effect Nov. 1 2016. More information is online in a previous ODDS director's message: <http://www.oregon.gov/DHS/SENIORS-DISABILITIES/DD/DirectorMessages/ODDS%20Director's%20Message%2009-16-16%20CMS%20Rate%20Change.pdf>

Question: What is the timeline to get job coaching maintenance rate requests in to ODDS? Who makes the request?

Answer: The service coordinator or personal agent is the person who submits the request to ODDS. If you are an employment provider and believe the individual you are providing job coaching for will need the maintenance rate, reach out to the SC or PA early to make the request. They have until Dec. 1, 2016 to get those requests into ODDS and ODDS has until Feb. 1, 2017 to respond.

Question: After 18 months, is there a way for the job coaching rate to continue to be ongoing or is it automatically maintenance rate?

Answer: The ongoing rate is time-limited to 18-months; that is the maximum allowed. The initial job coaching is 16 months. The maintenance rate can be requested once annually.

Question: Can you explain direct contact requirements for ongoing job coaching versus maintenance job coaching?

Answer: We do not want to stop or hinder a provider from fading coaching; the rates are set up to encourage fading when needed. Initial job coaching requires at least four face-to-face contacts per month and ongoing job coaching requires at least two. It can be more. If the person doesn't need four contacts, they can go straight into ongoing; there is no need to wait 6 months for initial to end before transitioning to ongoing.

Question: For those who are in job coaching past 18 months (in maintenance), is there a direct contact requirement for billing that service?

Answer: The contact requirement is different for the maintenance rate because we assume you are providing whatever has been decided in the Individual Support Plan(ISP)/Career Development Plan or Service Agreement. If it says you will be in direct contact with the person three times a month in the ISP/Career Development Plan, then that is what you should be doing and billing for.

Question: Does this rate apply to Personal Support Workers?

Answer: Personal support workers only bill for direct contact time and receive a different rate per their collective bargaining agreement. This rate only applies to the CMS rate, which only applies to provider agencies.

Question: What happens if a person is supported on one job and gets a second job, and that job has different supports and dates?

Answer: You can have job coaching authorized in different time sequences, so someone could be in initial job coaching in one job and ongoing at another at the same time. Plan of Care should allow for this to be billed and if you have problems, contact us.

Question: What about when it is difficult to distinguish between Job Coaching and Activities of Daily Living (ADL) and Instrumental Activities of Daily Living (IADL) supports?

Answer: We have tried to provide examples of this in the Worker's Guide and there is a training powerpoint that has a chart that shows different services. CMS is

clear that ADL/IADL supports are a component of job coaching, but it shouldn't be the primary function of job coaching.

Question: What if someone needs behavioral supports on the job?

Answer: Behavioral supports are primarily ADL/IADL, but some things they are specific to a job and work environment and if that is the case, the team should consider that when billing or making a request for maintenance job coaching.

Question: What if someone who has ADL/IADL supports does not live in a group home or foster care. They may be using most of their hours up at home and not have enough support hours left for work.

Answer: If you run into this situation, please call or email us. This is a concern and if this is encountered, ODDS wants to review the situation.

Question: APD-AR-16-065 states that as of Nov. 1, 2016, ongoing job coaching may only be authorized for up to 18 months and this applies to job coaching authorized beginning September 2014. What was the expectation after those 18 months given the fact that maintenance job coaching did not exist?

Answer: Job coaching was not limited to 18 months when it was initially rolled out, but it was essentially the same premise – paid on the hours the individual worked with an assumption of direct time in the rate. That's why we say in the current transmittal that we are considering those who have been in the service since it rolled out in September 2014, and not starting over with initial/ongoing job coaching.

Question: What is to happen if someone received 19 or more months of job coaching since September 1, 2014? Will the provider have to back out those claims?

Answer: Because there was not a time-limit in the past, it's okay if they have gone past 18 months in the past. We will get everyone caught up by February 1, 2017 with the new deadlines and then moving forward need to ensure we are on an 18-month schedule.

Question: Will the Career Development Plan (CDP) Worker Guide be updated to reflect the language ODDS would like to see in the CDP regarding job coaching supports as there are three categories now?

Answer: There are only three categories for providers. Some will use Personal Support Workers. Job Coaching should still have an individualized desired outcome for the individual and provider implementation strategies, or service agreement that outlines what the service will entail; the plan for fading, etc. The biggest potential difference is if it is initial job coaching, the individual may not be ready for a fade, so that may come later. However, some individuals will fade quickly, while others will require ongoing supports.

Question: When will new expenditure guidelines be coming out with the new rates for Job Coaching, Discovery, and Job Development as outlined in the ODDS Directors message? I assume this will include the maintenance job coaching code?

Answer: The guidelines will be out Nov. 1, 2016. The rates are posted for public comment. The code will be a modifier code (w-7).

Question: The Community Developmental Disability Program (CDDP) received an excel spreadsheet identifying individuals that may reach 18 months of ongoing Individual Supported Employment. Is the expectation that the CDDP review all Plan of Care's authorizing ongoing job coaching since Sept. 1, 2014 to ensure this list sent by ODDS is accurate, or is ODDS certain that this list is accurate?

Answer: ODDS is only certain it is as accurate as billing. If there are gaps in billing that doesn't get the individual to 18 months, but they had services long before Sept. 1, 2014, we may be missing some individuals. We are expecting CDDPs/brokerages to review the lists we sent to ensure that the individuals actually used 18 months. If there are concerns that others have received the service, it would make sense to review those who have received ongoing job coaching within the county.

Question: If a provider does not provide a face-to-face contact with an individual for three consecutive months, it appears it is the responsibility of the provider to report that to the CDDP. Will there be any liability on the CDDP for not identifying this?

Answer: Everyone must work together to monitor this. The provider won't bill, so we will see this in billing and we will be tracking internally here at ODDS, and during monitoring and check-ins this should be reviewed, particularly if there are concerns. ODDS cannot rely entirely on billing, because some providers do not bill monthly.

Question: What is the monitoring requirement on the CDDP to ensure the face-to-face direct contact? Do job coaches need to submit progress notes to our office at time of billing?

Answer: Yes, it can be person/team specific. If there are concerns, progress notes can be requested and must be provided. It can be monitored through employment monitoring, ISP monitoring, monthly/quarterly check-ins, etc. ODDS will also be monitoring in Plan of Care.

Question: Does the provider need implementation strategies/action plans for job coaching?

Answer: Yes, this is an Oregon Administrative Rule (OAR) requirement: all funded employment services require implementation strategies, which can be action plans.

Question: Is it ultimately the CDDP/Brokerage who is responsible to ensure ongoing job coaching doesn't go past 18 months?

Answer: Yes. ODDS has provided a list of individuals to help, but there may be errors due to people switching jobs, wrong billing information in Plan of Care, etc.. We ask that CDDPs/Brokerages verify if the names provided are correct or not.

Question: What are the monitoring questions to be used?

Answer: To monitor maintenance it would be to ensure that the Career Development Plan includes how often the service will occur and the plan to at least attempt to fade. This must then be monitored to ensure the Career Development Plan/Provider Implementation Plan/Service Agreement (as applicable) are being followed. This is basic service monitoring.

Question: Why is this not part of the monitoring process on the front end to ask these questions over time?

Answer: That would be ideal- if it is done upfront, it would not have to be done as part of the request as it would already be built in. This is also outlined in the "plan to fade" in the Worker's Guide, as well as in the online training.

Question: What does the CDDP/Brokerage do about ongoing services during transition if job coaching is critical to work?

Answer: The intent is for it to be an accepted status prior to the individual needing the service to continue.

Question: How do you assess readiness to change between initial, ongoing, and maintenance?

Answer: The Worker's Guide and AR 16-066 outline this. They may have up to 6 months of initial, and 18 months of ongoing. If approved, they can have up to 12 additional months of maintenance (which can be requested annually, if needed). If the person does not use the four monthly face-to-face contacts of initial, or the team determines the person does not need that, that would be a good cue that the person may be ready for ongoing. Or, if the person only needs some initial assistance to get familiar with the work and then only needs intermittent job coaching as determined by the team, it may make sense to request the Maintenance rate earlier. Again, this is outlined in the Worker's Guide, and is in the [training](#). This is ultimately a team decision and should include the individual and their servicer coordinator or personal agent, as well as the provider if the individual agrees.

Question: What do you do when a person elects to change work and need for additional job coaching for new responsibilities? Does the 6 and 18 month clock reset?

Answer: The clock re-sets if the individual gets a new job.

Question: What happens if person accesses Family and Medical Leave Act (FMLA) during job coaching time frames?

Answer: If they aren't using job coaching, then it doesn't count against the time limits.

Question: How is vocational monitoring being used with these new requirements?

Answer: Vocational monitoring is still required, as is plan monitoring as outlined in the case management and employment rule. The plan will need to be monitored for job coaching utilization (i.e., is the service being provided as authorized in the CDP, Implementation Strategies and/or Service Agreement, etc..) ODDS is also monitoring for the required face-to-face components.

Question: What is the expectation around documentation of service coordinators and personal agents' face to face time?

Answer: There is no change here: they need to make progress notes and enter into Plan of Care.

Question: What is the consequence of the 30 days to process? What if the service coordinator/personal agent does not request in time?

Answer: If the service is not requested in the allocated time-frame, the service will end. Not everyone will request this service as they may no longer need it, transfer to ADL/IADL, etc. In the event that it should have been requested and was not, it will need to be requested right away for the service to be reinstated until the determination can be made.

Question: How are ADL/ IADL supports paid for the individual?

Answer: This is under OR526. They can have up to a total of 25 hours of combined support, so if they are only working in competitive, integrated employment they could have up to 25 hours of support.