

**Summary Minutes: Medical Care Advisory Committee
September 5-6, 2014
Soldotna Sports Arena & Aspen Hotel
Soldotna, Alaska**

Members/Medicaid Program officials present: Tracy Charles-Smith, Chair; Lorilyn Swanson, Vice Chair; Margaret Brodie, HCS Director; Catriona Reynolds (formerly Lowe); Renee Stoll, RPh; Mark Walker; Renae Axelson; Dan Kiley, DDS; Joy Neyhart, D.O.; Gennifer Moreau-Johnson HCS SPA Coordinator; Craig Baxter, HCS Assisted Living Home Program Manager

Members absent: Shelly Deering

Friday September 5, 2014

Minutes of June 6-7, 2014. Adopted as presented.

Announcements. This is the last meeting for Tracey Charles-Smith on the committee. She has served her three terms for a total of nine years.

Department and Divisional updates

Margret Brodie, HCS Division Director and Gennifer Moreau-Johnson, HCS State Plan Amendment (SPA) Coordinator provided the following updates to the committee

• **State Plan Amendments (SPA)**

- SPAs pending approval
 - Hospital Presumptive Eligibility-This SPA creates a federally required eligibility portal through on-site hospital determinations. The hospital eligibility determination has a slightly different application, and a slightly different eligibility period designated as “presumptive eligibility.” After presumptive eligibility determination, recipient will file regular application at DPA for standard eligibility determination. This SPA requires system modifications between MMIS and ARIES, HCS and DPA are collaborating to implement. Hospitals have expressed an interest in implementing, and hospitals will be held to accountability standards to ensure correct eligibility processing.
 - Pharmacy Reimbursement- This SPA modifies reimbursement for outpatient drugs to wholesale acquisition cost plus 1 percent.
 - National Average Drug Acquisition Cost (NADAC)- This SPA uses drug acquisitions costs calculated by the Centers for Medicare and Medicaid as the state maximum allowable.(The committee asked questions about possible adjustments for Alaska, and response was that Pharmacy Manager was monitoring the variance in reimbursement since NADAC implemented July 1 and seeing minimal change.)
 - Citizenship- This SPA was submitted to comply with federal requirements that a 90 day reasonable opportunity period be extended to any applicant in order to provide proof of citizenship, and that this 90 days be extended regardless of applicants previous failure to provide proof. The state may pursue action if fraud can be demonstrated in the event of abuse of the 90 day reasonable opportunity period, but fraud must indicate intent.

- Behavioral Rehabilitation Services- SPA submitted in an effort to re-write residential behavioral health services in order to bring service description language into compliance with federal regulations surrounding rehabilitation.
 - Upcoming SPAs (due this quarter)
 - Ambulatory Surgical Center - SPA to update coverage for Ambulatory Surgical Centers to account for inflation adjustments.
 - Annual fee schedule updates - SPA updating fee schedules to include inflation adjustments.
 - Commissioner Streur, SDS Director Duane Mayes, HCS director Margaret Brodie, DBH Director Al Wall and ORR Executive Director Jared Kosin met with CMS regarding the State Plan. Alaska has created a unique Behavioral Health program although CMS would like to see changes to the program.
- **Audits**
 - There are around sixty (60) audits that are either on-going or scheduled to happen this year. PERM, LEG, Myers & Stouffer, OIG and RAC
 - We will be submitting a SPA to stop the RAC audits as they are not cost effective to perform.
 - The Fed's will continue to follow up to ensure the audits are done correctly.
 - Program Integrity will be double checking the work of the auditors to ensure they are performing the audits correctly.
 - **Enterprise**
 - There are currently over 500 defects in the system
 - 75% haven't been assigned to a developer
 - Mediation between the State and Xerox is scheduled this week regarding the lawsuit against Xerox.
 - California, Texas, Montana and Nevada are seeking legal action.
 - North Dakota mediated with Xerox.
 - Every claim since October 2014 will need to be reprocessed due to under or over payment caused by defects in the system.
 - New RAs are coming out this month.
 - Big deployment went out last weekend, we won't know how successful it was until cycle runs on Sept 5, 2014.
 - **Department Update**
 - Jared Kosin, Executive Director of Office Rate Review, has accepted the Deputy Commissioner position for the Dept. of Revenue. His last day with DHSS is Sept. 12, 2014.
 - Craig Christenson has resigned; his last day with the State is Sept. 19, 2014.
 - Medicaid Reform Advisory Group (MRAG) is scheduled to meet on Sept 17, 2014.
 - Initiative documents are posted on the MRAG website
 - Twenty-three (23) initiative will be discussed and more information has been requested on ten (10) more for the next meeting.
 - **Hepatitis C Drug**
 - The treatment series can cost between \$80-160 thousand. The State has new Prior Authorization criteria that has been put in place.
 - **Behavioral Assessment**
 - CMS has new guidance on Behavioral Assessment.
 - This change could increase Medicaid spending next summer by \$54 million.

Residential Licensing

Craig Baxter, HCS Assisted Living Home Program Manager

- Craig Baxter provided a comprehensive program overview presentation to the committee.
 - Residential Licensing oversees, inspects, and conducts investigations of licensed assisted living homes, residential child care facilities, and children's residential psychiatric treatment facilities in the State of Alaska.
 - Residential Licensing does not include Long Term Care facilities.

Riverside Assisted Living Home tour

Colleen McNulty, Riverside Assisted Living Home Administrator

- Colleen McNulty provided the committee an extensive tour of the facility and services offered to the facility residents.

Public Comment. Lorilyn Swanson, MCAC Vice-Chair. Public comment was held in the Soldotna Sports Arena from 1:30-3:00pm. The committee heard comment from three individuals in person and one telephonically.

- Dr. Arom Evans, MD – Child and Adolescent Psychiatry, Eagle River, AK (telephonically)
 - Difficulty meeting need – 8 – 10 person waitlists for therapy. Dr and Nurse Practitioner fly into area once a month, and then supplements with telehealth. Would prefer face-to-face services, but clients must have a local address for clinic services. Physical address required because of geographic rate differential. Interested in new regulations for rendering licensed social workers to supplement therapy services.
- Kathryn Kennedy – Director Ninilchik, Alaska Senior Center
 - The Ninilchik Center is certified as a provider for Medicaid waivers. The Medicaid certification process was extremely difficult and full of red tape. The Ninilchik Meals Program has not had one referral for a Medicaid meal recipient in one year and remains prepared to deliver meals when needed. She is concerned that the vulnerable community she serves is not being properly informed of their services and/or having proper assessments done. She would also like to know who to contact.
- Charlene Tautfest – Parent Recipient Advocate
 - Her adult disabled child is on Medicaid and wants to get a job but is concerned he would lose his Medicaid benefits. She has tried to get more information about the “buy-in” or working disabled Medicaid program without much luck. Charlene was directed to a representative to learn more about both programs.
- Sherry Mettler – Member Alaska Assisted Living Home Association, Consulting Designee for Assisted Living Investment Group in Alaska, Instrumental in building of Riverside Assisted Living in Soldotna
 - Concerned about maintaining protection of other residents and finding a balance of all rights of the residents.
 - The Landlord Tenant Act is an issue for Assisted Living Homes (ALH).
 - Medicaid Certification process needs a complete overhaul.
 - Condition of Participation (COP), the amount of required documentation and the audit process needs to be adjusted, especially on how the audit companies are paid.
 - Xerox's lack of proper operation puts a financial burden onto the providers. The RAs have extended the time needed to reconcile the claim payment.
 - RSS services for an ALH in Anchorage that has a sixteen (16) bed home for Dept of Corrections is \$300 thousand behind in claim payment.
 - Myers & Stouffer extrapolation motivates auditors who work on commission. Would like to see their contract changed to a flat rate pay.

Recommendations to the Commissioner

Tracey Charles-Smith, Committee Chair

- Recruitment of vacancies on committee
 - All recommendations have been given to the Commissioner and we are waiting on his decisions. Catriona Lowe has been given a verbal approval until the official letter can be written.
 - Committee vacancies are:
 - Consumer Advocate, Child Advocate, Recipient, Hospital/Nursing Home Administrator, Tribal Representative.
- Finalize Recommendation Letter items
 - Director Brodie is exemplary in her current position as Medicaid Director. MCAC recommends the Director be appointed Deputy Commissioner of Department of Health and Social Services. This will increase effectiveness in executing strategies across all Medicaid Divisions.
 - Adoption of a Family Planning State Plan Amendment to persons up to 200% Federal Poverty services (only, not abortion) will save Medicaid multiples that would otherwise be spent on prenatal care for unplanned pregnancies.
 - Aggressively address delinquent backlog of Senior and Disability Services Assessments by contracting with outside agents.
 - Consider available Senior and Disability Services re-assessment tools and select the most-simple effective tool. The preferred tool should be easily executed by the patient's health provider.
 - Assertively pursue 1915(i) Waiver to provide services for ADRD Home and Community Based Services and Institutional Care. Submit a State Plan amendment to the Centers for Medicare and Medicaid (CMS) for review and approval of this waiver option.

Saturday, September 6, 2014

Roundtable discussion. The committee members were given five minutes to advocate for their stakeholder group.

- Tracy Charles-Smith
 - Highly suggests the committee travels to outline communities to see how challenging access to medical care can be. Recommends that a good mix of consumer advocates serve on the committee to offer different points of view.
- Joy Neyhart
 - Infant Mortality in non-medical planned home births. ACA mandates birth centers but questions Medicaid funding home births.
- Catriona Lowe
 - Family planning
- Dan Kiley
 - Mission of Mercy's next function is in Fairbanks, August 2015. The mission is solely volunteered based and was able to provide \$1.2 million in treatments to 1332-1589 patients at the last mission in Anchorage.

- Renae Axelson

◦ Specialty Pharmacy, Geneva Woods, provide clinical oversight for patients that have high end chronic disease, they are taking a case management approach. IV Therapy (home infusion); working on providing documentation to support patients using their in-clinic infusion. There is a significant savings from in-home infusion. An Ambulatory infusion suite requires a Physician on staff to perform the services. Encourages TEFRA advocacy.

- Renee Stoll
 - Pharmacy formula changed from SMAC to NADAC; it's not as bad as originally anticipated.
- Lorilyn Swanson
 - Looking into the national MCAC reimbursement rate to the states.

Results Based Accountability

- Shelley Deering was unable to attend the meeting so this topic was tabled until the next meeting.

Prepare for next meetings.

Tracey Charles-Smith, Committee chair

- Agenda items for next meeting
 - Committee applications
 - Develop agenda for Jan. meeting
 - Update on RBA
 - Discuss Governor results
- Determine meeting dates
 - Teleconference meeting scheduled for Nov 21, 2014.
 - Face-to-face meeting scheduled for Jan. 30-31, 2015 in Juneau.
- Discuss committee chair elections
 - Lorilyn Swanson was elected to Chair
 - Renae Axelson was elected to Vice-Chair