

DD Digest¹

News Highlights for Developmental Disabilities (DD) Services Providers

April 2011

Convention 2011.....	1
• First Annual DD Day!	
• DD Hero of the Year Award	
On the Hill.....	2
• DD Congressional Fly-in: May 25, 2011	
Quality Corner.....	4
• Partnership with ANCOR’s Performance Excellence Initiative	
CMS Update.....	5
• Survey Clarification Memos Released	
AHCA Governance.....	6
Resources.....	7

Convention 2011

First Annual “DD Day” Event at AHCA/NCAL’s Annual Meeting!

AHCA is holding its first “DD Day” event on Sunday, Sept 18, 2011 from 8am-4:30pm at the Mandalay Bay Hotel in Las Vegas, NV. This is on site with [AHCA/NCAL’s Annual meeting](#).



This event provides 6 CEUs and is jam packed with dynamic speakers and valuable information targeted to DD services providers, including:

- “Therapeutic Play for Caregivers and Clients”
 Speaker: Kareen King, Registered Drama Therapist

¹ April 29, 2011. Copyright AHCA/NCAL. Contact: Melissa Temkin, mtemkin@ahca.org

- “Ethics and Best Practices in DD Residential Services Settings: Psychiatric Care and Human Rights”
Speakers: Dr. Robert Morton, Haven Behavioral Center; Gary Blatter, Attorney
- “Behavior Management of Clients in DD Residential Services Settings”
Speaker: Dan Housepian, Luther Home of Mercy, Right Way Living
- “Medication Management: It Really is a Mine Field!”
Speaker: Diane Moore, Developmental Disabilities Nurses Association

To register for DD Day, go to the AHCA/NCAL Convention web-site [here](#). To sponsor this event, contact [Joni Leonardo](#). For questions, contact [Melissa Temkin](#).

DD Hero of the Year Application is Due on May 24!

The application for the 2011 “DD Hero of the Year” award is now available [here](#). The Honoree will be a person who has shown commitment and dedication in helping people with DD. The award will be presented at AHCA’s Convention to a volunteer, family member or member of the larger surrounding community who has touched the lives of individuals with DD. A staff person who volunteers additional time is also eligible. Individuals can be nominated by state affiliates OR individual member facilities. Nominations must be **typed and received** by AHCA by Monday, May 24, 2011. For questions, contact [Tom Burke](#).

On the Hill

DD Fly-in Scheduled for May 25, 2011!

AHCA/NCAL is pleased to invite DD services providers to our 2011 DD fly-in event, held at AHCA/NCAL offices on Wednesday, May 25, 2011 from 8am-11am with subsequent Capitol Hill visits. This event is FREE for AHCA/NCAL members and non-members.



As change continues in Congress, we encourage DD services providers to get involved and make their advocacy efforts count. Share with top policy leaders and decision-makers how their legislation affects your vulnerable clients and how you provide quality care for these individuals. Your presence and voice as a DD services provider is important as we advocate for persons with DD.

To register and for information on scheduling Capitol Hill visits, click [here](#). For questions, contact [Melissa Temkin](#) or call 202-898-2822.

AHCA/NCAL Congressional Briefing

Please note that due to a change in the legislative calendar, AHCA/NCAL’s Congressional Briefing has been moved this year to July 13-14, 2011. Mark your calendar today and join us for this unique opportunity to meet face-to-face with your Members of Congress and their staff. To register, click [here](#).

We Need DD Advocates!

Members of the 112th Congress are hard at work on their legislative agenda. It is critical that your Members hear from you as they consider issues affecting long term care providers, including DD services providers. [Click here](#) to become an advocate and stay informed by joining AHCA's Action E-List. Please note that it is important for you to identify that you are a DD services provider by checking the appropriate box on the sign-up page.

President Obama and House Leaders Release Budgets

President's Fiscal Year (FY) 2011 and Multi-Year Budget Proposals

On February 1, President Obama released his budget for FY 2011; it serves only as a blueprint for Congress and does not hold the force of law. Below are summaries of some of the provisions that relate to DD services providers:

- Six Month Extension of Temporary Federal Medical Assistance Percentage (FMAP): Originally provided through the *American Recovery and Reinvestment Act*, the budget recommends extending this additional funding from January 1, 2011 through June 30, 2011 and suggests \$25.5 billion in additional funding;
- Medicaid and Medicare Program Integrity: The budget recommends a \$250 million increase in funding for FY 2011 over FY 2010, for a total of \$561 million for combating health care fraud and abuse;
- Survey and Certification: CMS requests \$362 million for survey and certification activities. While the frequency of skilled nursing facilities and home health agencies surveys will not increase, other types of health care facilities will be surveyed more often than at present; and
- The budget also supports workforce development, increased collaboration between the Departments of Health and Human Services (HHS) and Housing and Urban Development (HUD) to facilitate increased access to home and community based services and housing for seniors and those with disabilities.

On April 13, President Obama released a wide-ranging, multi-year budget proposal to Congress to address the deficit, reduce spending, and sustain the nation's economic recovery. The framework of the budget specifically states:

- No Medicaid block granting
- Provider Taxes: clamp down on states' use of provider taxes to lower their own spending while not providing additional health services through Medicaid.

- Reform of Federal-State Partnerships: A single matching rate—that rewards efficiencies—would be substituted for existing Medicaid matching formulas.

AHCA/NCAL has prepared a summary of the proposal, which can be found [here](#).

House Budget Released in Early March

On March 5, House Budget Chairman Paul Ryan (R-WI) released his budget proposal for Fiscal Year (FY) 2012. As compared to the President’s budget, the House proposal would cut spending by \$6.2 trillion over the next ten years and cut the federal deficit by \$4.4 trillion over ten years. It also recommends the following:

- Implementing Medicaid block grants:
Each grant would be adapted to meet the specific needs of each state, and States would enjoy significant flexibility as current program requirements and enrollment criteria would be eliminated.
- Repealing the Patient Protection and Affordable Care Act
- Increasing fraud and abuse efforts.

It is important to realize that the House Budget proposal serves only as a blueprint and sets monetary targets for savings. The committees of jurisdiction over Medicare and Medicaid-- Ways & Means and Energy & Commerce respectively, must put together separate legislation to meet the savings targets through program cuts. The Senate will release its own budget soon, which is likely to focus on different priorities.

[Click here](#) for a summary of the House’s FY 2012 budget proposal that are of interest to post-acute and long term care providers.

Quality Corner

Opportunity for Quality Benchmarking! Join ANCOR’s Performance Excellence Initiative

AHCA has recently partnered with the [American Network of Community Options and Resources](#) (ANCOR) on its [Performance Excellence Initiative \(PEI\)](#). Since 2008, ANCOR has been collecting quality benchmarking data on services to people with disabilities. ANCOR started PEI because of the inherent belief that the disability field can benefit from benchmarking in order to drive its own quality improvement programs.

PEI currently measures three categories of quality metrics: customer satisfaction and choice; direct service provider (DSP) turnover, retention and stability; and medication administration. PEI will soon measure three more metrics: preventive healthcare; mortality; and substantiated abuse or neglect. Information is collected and analyzed by an independent technical partner, DEYTA, LLC; reports that

are generated allow participating agencies to confidentially compare their performance against benchmarks for their state, and nationally.

ANCOR needs your data! In order to succeed, PEI must receive data from a large proportion of agencies providing supports to people with disabilities who are interested in benchmarking; agencies can then use their own data to improve quality supports to clients.

ANCOR is offering AHCA members its own member rate to participate in the PEI program. An annual subscription is \$1000, and the rate for agencies with a budget below \$3 million is \$500. Participants will receive confidential data on their agency's metrics and summary data reflecting state and national benchmarks.

Data may be submitted to DEYTA until June 24, 2011. ANCOR staff and DEYTA stand ready to help you successfully use PEI—they welcome as much or as little data as you can provide, and will help you to format your data to be compatible with PEI. To learn more about the PEI, contact Debra Langseth at dlangseth@ancor.org. To get your confidential log-in information from DEYTA, contact Rebecca Guess at rguess@deyta.com.

CMS Update

CMS Memos for ICFs/MR: Self Administration of Medications and Reporting Mistreatment Requirements

On March 18, CMS released two survey and certification memos for ICFs/MR: [Clarification of Self Administration of Medications](#) and [Clarification of Reporting Mistreatment, Neglect and Abuse of Injuries of Unknown Source.](#)

Some provisions of the memos include:

Self Administration of Medication:

- There is no regulation that requires every client to have a formal, self-administration program for medications. The appropriateness of such a program for a client is determined by the interdisciplinary team in consideration of the comprehensive functional assessment data.
- For clients who have formal training programs for self administration of medication, the concept of “continuous active treatment” requires that the facility utilize the time during medication administration by staff as a teaching opportunity for clients.

Reporting of Mistreatment, Neglect and Abuse:

- The regulations require that the facility ensure that all allegations of mistreatment, neglect or abuse, as well as “injuries of unknown source,” are reported immediately to the administrator or to other officials in accordance with State law through established procedures.
- The memorandum clarifies the definitions for the terms “injury of unknown source,” and “immediately”.
- It also clarifies that CMS expects that all allegations will be reported to the administrator of the facility unless he/she is suspected to be a party to, or otherwise involved in the, the occurrence

AHCA commented to CMS on both of these memos while in draft, and we are pleased with the provisions in the final memos.

For questions, the memos contain contact information for CMS staff.

State Demonstrations in Place to Integrate Care for Dual Eligibles

CMS' Center for Innovation has awarded 15 states up to \$1 million each to design strategies for implementing person-centered models and payment integration models that fully coordinate primary, acute, behavioral and long-term supports and services for dual eligible individuals. The goal is to eliminate duplication of services for these patients, expand access to needed care and improve the lives of dual eligibles, while lowering costs.

The 15 states that will receive these funds are California, Colorado, Connecticut, Massachusetts, Michigan, Minnesota, New York, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Vermont, Washington and Wisconsin. In addition to the states receiving these awards, CMS also will work with all states that request assistance in improving care coordination for dual eligible individuals.

For more information, contact [Janice Zalen](#).

AHCA Governance

AHCA Soliciting Candidates for 2011-2012 Board

AHCA members in good standing can now run for positions on the 2011-2012 Board of Governors. The following positions are open: Chair, Vice Chair, Secretary/Treasurer, and four at-large positions. Terms for these positions will begin in October 2011. To run for a position, click [here](#) for application materials.

Applicants must complete and electronically submit the candidacy materials to [Christy Sharp](#) by close of business on May 25, 2011. Once the application phase has ended, the AHCA/NCAL Ethics Subcommittee will hold an in-person meeting to certify each candidate. Once certification occurs, AHCA will announce the slate of candidates to membership.

The AHCA elections will take place during the second Council of States meeting at the AHCA/NCAL Annual meeting. AHCA's Council of States elects AHCA's Officers and at-large Board of Governors' positions.

Resources

AHCA's Medicaid Webpage is a Valuable Resource

The [AHCA Medicaid webpage](#) is a repository of valuable information on the Medicaid program. The webpage contains links to current news and updates, as well as AHCA research and reports. In addition, there is a list of links to external resources on Medicaid, including state plan amendments, waivers, demonstrations, and data and statistics. For questions, contact [Steven Gregory](#).

AAIDD Publishes “End of Life Care” Resource for Individuals with DD

The American Association of Intellectual and Developmental Disabilities (AAIDD) recently published a book entitled “*End-of-Life Care for Children and Adults with Intellectual and Developmental Disabilities.*” The book provides information on medical conditions, clinical management, do not resuscitate (DNR) orders, and a variety of ethical and legal issues related to palliative care for individuals with DD. For more information, contact [AAIDD](#).