Suggested SADC Site Evaluation Tool Webinar Transcript

September 16, 2022

Slide 1

Dianne Kiernan: Thank you and good morning, everyone. My name is Diane and I'm the bureau director for Managed Long-Term Care with the New York State Department of Health. Welcome everyone happy Friday morning. Today's presentation is for the social adult day care suggested site evaluation tool. What we will be presenting is a highly technical instructional webinar on the suggested site evaluation tool for managed long term care plans to use when conducting the annual survey of the contracted site or to use this tool when pre-contracting with a new social adult daycare site. On the webinar panel this morning we have my colleagues working specifically on this initiative. Many of the speakers this morning have been working with your plans on the submissions of the social adult day care self-assessment tools that are being filled out by your contracted sites, which are sent up through your plans, to us (DOH) through HCS. Our team has been reviewing those self-assessment tools and reaching out to your plans on a one-on-one basis to get clarification on some of those tools that were assessments that were submitted. As well, as last Friday, each of your plans should have gotten those 4 letters regarding the status bucket of each of your social adult day care contracted sites and there were action steps identified in each of those bucketed letters. I want to thank all of the plans for the intensive engagement that has occurred since last December when we launched the social adult day care compliance activities. We have posted a number of policies and many resources on our website, under the MLTC policy section. We have communicated out those reference documents to you and along our journey, we have heard from a number of plans seeking a standardized site assessment tool. The team that is working on this for the Department of Health has really worked very diligently to develop this tool, and the instructional guidance that has been posted with it (the guide) as well as preparing this presentation today on how this suggested tool can be used going forward and how our team may be looking at it when they do the surveillance activities. This presentation is being recorded, there are about 45 slides to go through. So, we do anticipate we'll be using most of the time, or all of the time that we have scheduled today, up through 11:45. We ask that you submit your written questions in the Q & A feature. We will be reviewing those as we go along. I'm sure some of the questions we will answer in the technical slides as we go through them this morning. We will have a Q&A option at the very end and will try to answer some additional questions that come in and, of course, if we're not able to answer them all, we will take those questions back and where we can answer them, we will develop an FAQ document and get that back out to you. So, with that, I think we'll move to the next slide, and I believe I'm turning it over to my colleague, Heather Grimmer who works in our bureau of Managed Long Term Care Surveillance team.

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I'm sure many of you have spoken to Heather over the many years that she's been with us, and she's a wealth of knowledge and I'll let her I'll go through what today's agenda is going to be. As we pass the ball to the next speaker, if you can just reintroduce yourself as a speaker, so that will be on the recording as well.

Heather Grimmer: Thank you very much Dianne. I'm Heather Grimmer, I am the Program Advisor for the Managed Long Term Care surveillance unit. I want to thank everyone for calling in and listening to us through our presentation today and we'll get started with our agenda. We're going to go through the overview and purpose of why we're here today. We're going to talk you through what the tool organization is, how to complete the tool, (and there are many steps on how to complete the tool) we'll go through all of them and you're going to want to keep your questions, because we will also take you through an instruction for how to copy the checklist tabs, and then at the end, we'll have (as long as we have time) a questions and answers section where you'll be able to ask the questions that you have. (Next slide please).

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Our overview and purpose. Next slide,

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the New York State Department of Health requires all MLTC plans to annually evaluate their social adult daycare sites for compliance with state and federal standards. So, this includes not only the 9 NYCRR6654.2 regulation, which is referenced in both the MAP and the Partial Capitation model contracts, but it also includes the new requirements under the Home and Community-Based Services Settings Final Rule, which we have been working very diligently to try to make everyone aware of and everyone come into compliance with. We've put together this suggested site evaluation tool and it's a Microsoft Excel Workbook, and this is really being created as a resource for the plans, to give you everything that you need to be looking at, in one location so that you can document everything you have, you can save this, and you can ensure that all of the requirements that you have to meet are included. You're not required to use this specific tool, but we do highly suggest it because we worked very diligently to get everything that you possibly need into this tool. If you decide to develop your own tool, it is very important that you ensure that all items in our tool are addressed in your own evaluation tool. Next slide

Slides 5 & 6

please on tool organization. The tool is organized into nine sections which are going to include all the evaluation questions that are required. For both the regulation and for meeting compliance with the HCBS rules. Sections of the workbook are listed, we have instructions, a cover page, the general section, contract and oversight, site requirements, which specifically talk about what the daycare site is required to have, there is a member checklist, which is going to go through reviewing a member file while you're at the site and everything that you need to be looking at when you're at the site and reviewing those member files. Then there's also requirements for the site staff where it will tell you everything you have to go through to make sure that the staff are in compliance with social daycare requirements. There's a checklist and then there's also a section at the very end where there's HCBS compliance for the final rule, and that will bring you through everything you need to check to make sure that your daycare site is in compliance with the HCBS Final Rule. Next slide please.

Slides 7 & 8

Completion of the tool: The tool is intended to be utilized upon initially contracting with that daycare site and then it is also designed so you can use it as a tool when you do your annual site visits for every year that that daycare is contracted that MLTC plan. So, when you go to the daycares and you do the initial and the on-site, you have to use a separate tool, and every MLTC plan has to use a separate tool for each daycare they contract with. We do have the tool and instructions posted and they will be stored on the DOH website. There is also specific HCBS requirements sections out there as well, for any additional information, you may need. You're going to want to follow the provided guidance for questions that you have, just to ensure that you're getting accurate information. You're filling out the tool based on the number of members and staff volunteers reviewed. There're recommendations for the member checklist and the staff volunteer checklist, so that you're doing the appropriate number, reviewing the number of members as well as staff. There are specific instructions for how to copy the checklist and create additional copies of it and then save them so that you have them all in one tool. When you're completing the tool, it is required that you fill out all fields, unless there is another directive indicated for why you would not. Once you've completed your tools, you are required to keep them on file for seven years and you do need to prepare to furnish them to any or regulatory agency that requires the tools or asks for them. Next slide please.

Slides 9 & 10

Sarah Hoffman: Thank you Heather, I'm going to be going through all the steps to complete the tool and just to introduce myself, my name is Sarah Hoffman. I am working on the team that is currently undertaking the efforts to ensure that social adult daycares are in compliance with the HCBS Settings Final Rule. The first tab is the cover page and it just contains the basic information on the site visit; recording who the site was that was visited along with when the review is conducted and your plan's information. We do have you list the plan information so that when you return these to the survey team or CMS looks at them, it's right there for a quick reference. Next slide please.

Slides 11 & 12

The next section of the tool is the general information. It is divided into 3 sections. It's going to contain information on the Managed Long Term Care Plan representative, the person from your plan that's conducting the review. The social adult day care representative that's there and their point of contact, and also just some basic information on the social adult day care site itself. Next slide please.

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The first section of the general information tab records details on the representative from your plan, who conducted the evaluation, the MMIS ID or Medicaid ID whatever you prefer to call it, and plan name. The MMIS ID and plan name are going to be prepopulated on this tab from the cover page, so if you see that they do not look correct, just go back to the cover page, and fix the typo or whatever you entered, and it will transfer over to the page. Next slide please.

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The second section of the general information tab is information on the social adult day care point contact and just like the managed care plan name and MMIS ID, the social adult day care site name is going to be prepopulated from the cover page. Next slide please.

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The final section of the general information tab contains basic information on the social adult day care site. It is going to include the contact information for the owner and director; if is the same person, you can just enter the one or the one doesn't apply, and it also captures the types of contracts existing between your plan and the social adult day care and the total numbers of members broken down by the contract type. In the example shown, which is on the slide, the hypothetical plan is contracted with the social adult day care site and have both a MAP and a PACE contract and they have 35 members who attend as part of MAP contract and 15 members who attend as part of the PACE contract. Next slide please.

Slides 17 & 18

That's the basic information on the tool. We're going to start going through the contract and oversight section. The contract and oversight tab is the first tab that really gets into questions and requirements. It contains 3 sections, the first 2 sections do focus on their requirements, and the tab is all about ensuring that all of the oversight and contract requirements between your plan and the social adult day care are being met. All the questions are yes/no and some of them do require a detailed comment which you'll see is the greyed-out field, it will turn white if a comment is required. For example, the question "in the last year has the managed long term care plan received any complaints about the site?". If you do answer yes, then the detailed comment is needs to be included and explanation of what those complaints were and how they were resolved. Next slide please.

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Specifically, the required questions number 6 and 7 in this section are regarding certification with OMIG. There is some information on this slide regarding this requirement. Also, all this information is in the user manual, which is posted on the website. As a reminder, all social adult day care sites do need to be certifying annually with OMIG, please make sure they continue to do that. Next slide please.

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The final section is on the references or additional information. The purple subsections on this part of the tab indicate which questions or refence the additional information relates to. For example, the first section contains 3 references that are related to oversight question number 5. Next slide please.

Slides 20 & 21

The next section of the tool are the site and staff requirements. There are two separate tabs for these because there were a lot of questions; the site requirements and then a separate one for the staffing requirements. The layout on the tabs is the same which is why they're covered together in this presentation. They both contain yes or no questions for all requirements in section 6654.20 of Title 9 of the New York Codes, Rules, and Regulations. Requirements related to the social adult care site itself from the site requirements tab and those related to staffing at the social adult daycare site from a different tab. Both tabs were organized the same way with the standards or requirements in the first column, the questions to assess for that standard in the second column, and then guidance to assist with making an assessment in the third column. Next slide please.

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On both of the tabs if an answer of no is selected, the cell does turn red because this is an indicator that the social adult day care site is not compliant with the requirement that you have just indicated no for. Therefore, if you do select "no", a detailed explanation of how the social adult day care site will remediate the noncompliance is needed. The boxes that are greyed out for that will white and are required. DOH does recommend that your plan discuss all noncompliance issues with the social adult day care site and create a formal remediation plan to ensure they are brought into the compliance. We here at DOH also recommend that your plan retain all remediation documentation for example if they update a policy or have pictures showing a change was made make sure that is sent to your plan and that you do retain it. Next slide please.

Slides 23 & 24

The next section of the tool is the member checklist. The member checklist is used when you're reviewing member files and ensuring all the documentation and requirements, such as person-centered planning are being met. The member checklist tab is copied or duplicated for each member file that's reviewed, so if you end up reviewing ten member files at the site, there would be ten copies of the tab when you're done. We will go over later in the presentation how to actually copy and duplicate the tabs and those steps are also detailed in the user manual. All questions on this tab are yes or no, except for one, which just asks that your plan to confirm frequency the service plan of care was reviewed. That's the social adult day care service plan. For example, one of the dropdown options is every six months. Just like the prior section if an answer of no is selected, it indicates noncompliance, it'll turn red, and a comment is required to provide additional details and information. DOH does recommend that a statistically significant sample of member records be evaluated each year and just remember to not include any member identifiable information on this checklist tab, since it will be shared later with DOH.

Slides 25 & 26

The next section is the staff and volunteer checklist. In addition to reviewing member records, a statistically significant sample of staff and volunteer records should also be reviewed annually. It is very similar to the member checklist tab; it can also be copied or duplicated for how many of staff or volunteer files are reviewed. The staff volunteer checklist also is composed of all yes or no questions. A no does indicate noncompliance and a comment advising of remediation steps and an explanation should be included. Next slide please, thank you.

Slides 27 & 28

We're going to go through the final tab, which is the HCBS Settings Final Rule and I'm going to turn it over to Dianne, who's going to provide some background on the final rule and then we'll continue through completion of that tab.

Dianne Kiernan: As we have been communicating pretty regularly since last December when we really launched the social adult day care compliance activities for HCBS, federal regulation, which was effective March 17th, 2014, set new standards to promote community involvement and independence for people who receive Medicaid funded Home and Community Based Services (HCBS). The rule set new requirements, including, person-centered planning, conflict of interest, and standards for all settings where HCBS services are provided. Since social adult day care does receive Medicaid funding and is an HCBS service in the community, all MLTC plans are required to ensure that all contracted social adult day care sites are compliant with the HCBS Settings Final Rule. At the bottom of the slide there is a citation that can be accessed for more information, and we have also posted links and many of our reference documents that are under MLTC Policy 21.05 related to these HCBS person-centered planning requirements. Copies of these slides will be posted on our website when we finish this presentation today, so you'll have this information and these links again. Next slide please.

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The final rule standards must ensure the following for social adult day care: that the setting is integrated in and supports the individual having full access to the greater community, the setting is selected from among options by the individual and their representative, if they have one, that there's assurance of an individual's rights of privacy, dignity, respect and freedom from coercion and restraint, optimizing autonomy and independence in making life choices and facilitating choices and options for an individual's services and who provides them at your site. Next slide please.

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Turning it over to my colleague, Sarah Hoffman. Thanks Sarah.

Sarah Hoffman: Thank you Dianne. The final tab of the tool is focused on ensuring compliance with the HCBS Settings Final Rule. The first section is regarding the characteristics of the settings and the second is ensuring all the HCBS standards are being met. Next slide please.

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The first section of HCBS settings tab has only one question which is asking about the social adult care setting. There are three dropdown options. The first is that the setting is in a publicly or privately operated facility that provides inpatient institutional treatments and the second, is that the setting in is in a building on the ground of or adjacent to a public institution. The third option is none of the above, meaning neither of those apply. If you just select either options one or two a detailed comment is needed. Your comment should detail how the social adult day care site has overcome the institutional characteristics of being part of, on the grounds of, or adjacent to an institution. The reason this question is asked is that the HCBS Settings Final Rule requires that all home community-based services are received in settings that are not institutional or institutional-like in nature; they should be separate, not part of an institution. Next slide please.

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The final section of the HCBS Final Rule tab contains all yes or no, questions regarding the standards that are required. If an answer of no is selected, it does mean the social adult day care was found not compliant with that standard. The field will turn red and a detailed comment on how the day care will remediate the issues and come into compliance is needed. DOH does recommend a detailed remediation plan between the day care site and your plan be done in cases where this happened. There's also a column to record comments and observations during the evaluation and we also did include some notes at the bottom of the questions, which are indicated by the word “note”. It’s just additional information on some of the standards to help with the actual compliance assessment. Next slide please.

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So, with that, I will turn it over to my colleague, Amy, who we'll go through the instructions of copying a checklist.

Amy Sanborn: Okay, thank you. Hi. I'm Amy Sanborn. I’m also a part of the social adult day care compliance team, and I'll be walking you through this next section about copying and renaming a checklist tab. As we discussed earlier, member, staff, and volunteer files must be reviewed and documented. This section will show you how to copy the tabs to duplicate the member and staff and volunteer checklists. This slide here, that we're looking at, explains the whole process to duplicate the tabs on each of the Excel spreadsheets and the following slides display the steps and we'll take a look at those now. Next slide please.

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As you can see, at the bottom of the spreadsheet, the member checklist tab and the staff and volunteer checklist tabs are already named, and these are the tabs that you'll need to duplicate. Next slide.

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The member checklist tab will be duplicated in this scenario. We’re going to use this as the example. You're going to right click on the tab. Next slide.

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Once you right click the options will pop up, and in this case, we will choose the move or copy from this list. Next slide.

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Once you choose to move or copy, you'll choose the member checklist from the next set of options, as shown there, and next,

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you will check the small box to select create a copy and then click “ok”.

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As you can see here, you will now have a duplicate. You will continue the process for additional member checklist copies as well as for additional staff and volunteer checklist tabs as needed. Next slide.

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This slide is provided in case you need to rename or delete a worksheet or tab. You will right click on the tab and choose either rename or delete. Selecting delete will immediately remove the tab, so be aware that there is no warning box to change your selection and selecting rename will highlight the tab for new text. I hope that's helpful.

Slides 42-45

Q & A, Resources, and Tool Guide – No transcript.