



Detroit
Long
Term
Care
System
Change
Task
Force



Meeting Minutes

Detroit Long Term Care System Change Task Force Legislation & Regulations Subcommittee Policy Review Session I Meeting Minutes

Date: Thursday, February 12, 2009

Time: 10:30 a.m.

Place: Detroit Area Agency on Aging
Hildred Drew Dale Conference Center
1333 Brewery Park Boulevard, 1st Floor
Detroit, Michigan 48207

MEMBERS PRESENT

Eric Foster, Co-Chair
Jerry Gumbleton, Co-Chair
Wanda Bailey Jenkins
Olivia Boykins
Kendra Howard
Marilyn Lawson
Tom Rau
Laurie Solotorow
Brenda Sowash
Margie Young

MEMBERS EXCUSED

Kay Andrzejak
Dorothy Stone Montgomery
Avis Holmes
Martha Little

MEMBERS ABSENT

Bob Allison
Patricia Anderson
Beverly Hamlar
Melissa Samuel
Mildred Madison
David Stobb

STAFF/ GUESTS

Gloria Hicks Long, Faciliator
Arthur Caldwell, Access Subcommittee
Marian Banks-Nickleberry, Access Subcommittee
Earlene Traylor Neal, Access Subcommittee
Anne Holmes Davis, Independent Living Services Subcommittee
Karen Watson, Independent Living Services Subcommittee
Faiza Najar, Quality Subcommittee

RECORDER

Leah Pippen

I. CALL TO ORDER/ WELCOME & INTRODUCTIONS

Jerry Gumbleton called the meeting to order at 10:50 a.m.

II. REVIEW AND APPROVAL OF MEETING MINUTES OF FEBRUARY 12, 2009

Mr. Gumbleton asked subcommittee members to review for approval, the meeting minutes of February 12, 2009. Wanda Bailey Jenkins made a motion to approve; seconded by Tom Rau.

Motion carried.

III. **MEDICAID ELIGIBILITY WORKGROUP FEEDBACK**

Laurie Solotorow reported that the Medicaid Workgroup met yesterday, February 11, 2009. They developed a list of recommendations to be presented before the subcommittee today. The subcommittee and its guests reviewed the document packet titled *Policy Changes Recommended by the Medicaid Eligibility Work Group*. The recommendations listed were:

1. **Governance of Guardianship Companies**

Kendra Howard suggested that the subcommittee add, that as a way of financing the Governance of Guardianship recommendation the guardianship companies would pay for their own regulations through fees. Ms. Solotorow will email Kendra an electronic version of the proposed Governance of Guardianship Companies recommendation for altering.

2. **No Unfunded Mandates**

The subcommittee agreed to re-word this proposed recommendation more positively **so that when a regulation is proposed that will cause additional capital expenditures or operating expenses outside of the normal realm of business, that funding would be available; co-funding.** (Illegible)

3. **Medicaid Asset Limit and Personal Spending Limit**

The subcommittee agreed to remove the word "current" from the first recommendation under Medicaid Asset Limit to read: "...align with national poverty standards."

The subcommittee agreed to change the language of the personal spending limit recommendation to ask for cost of living adjustments reflecting back to the last time received to prevent limiting the request to a specific dollar amount.

4. **Short-Term Medicaid Program and Medical Review Process**

The subcommittee agreed to add that this recommendation applies to people who would need to be placed in a nursing facility or receive services.

5. **Medicaid Re-Determination Process**

The subcommittee agreed to indicate the estimated cost for the shortened re-determination period.

Mr. Gumbleton stressed the importance of these recommendations and said that if nothing else comes out of this project, Eligibility and Determination issues have to be fixed.

IV. **POLICY RECOMMENDATIONS REVIEW**

A. **ACCESS SUBCOMMITTEE**

Mr. Foster called for the proposed policy recommendations from the Access Subcommittee. Marian Banks-Nickleberry presented the Access Subcommittee's proposed recommendation to develop or adopt a single comprehensive, standardized Resource Information Database which can be easily accessed by Information and Assistance Specialists and consumers free of charge or at a minimal cost. Mr. Foster asked what would be the funding stream that would pay for collection, compiling, access and updating the proposed database. He also asked under which department the Access Subcommittee would house the recommended database (community health, human services, etc.) Ms. Banks-Nickleberry stated that the Access Subcommittee was not sure and that they were extending their recommendations in hopes of finding those answers. It was suggested that in order to move forward, the Legislation & Regulations Subcommittee adopt the Access Subcommittee's recommendation as a task to move forward with, while searching for a funding mechanism and housing department. Mr. Foster and Mr. Gumbleton said that the Access Subcommittee will need to address questions in terms of

population, category and funding. Mr. Foster called for a motion to adopt the Access Subcommittee's proposed recommendation with the notation that the additional policy research would come from the Access Subcommittee on this recommendation. Tom Rau made a motion to adopt the recommendation; seconded by Brenda Sowash. **Motion carried.** Mr. Gumbleton dismissed the members of the Access Subcommittee.

B. INDEPENDENT LIVING SERVICES SUBCOMMITTEE

Mr. Foster called for Independent Living Services (ILS) Subcommittee presentation. Anne Holmes Davis presented five recommendations on behalf of the ILS Subcommittee, as listed below:

1. **Expansion of MI CHOICE Medicaid Waiver & Home and Community-Based Services**
2. **Development of Affordable Assisted Living**
3. **Expansion of the Program for All Inclusive Care (PACE)**
4. **Development of Grand-Family Housing**
5. **Expansion of Home Modification Services**

Mr. Gumbleton commended the ILS Subcommittee on the preparation of their policy recommendations, stating that they are well-thought out and well written. Wanda Bailey Jenkins added that she may have some additional support for the proposed recommendations. Mr. Gumbleton said that if we continue to put it into the context that we are doing the right thing for the individuals and making sure that there are appropriate services available across the continuum, we'd have the ability to sell that scenario. Mr. Foster called for a motion to adopt the recommendations from the ILS Subcommittee. Marilyn Lawson made a motion to adopt; seconded by Brenda Sowash. **Motion carried.**

C. QUALITY SUBCOMMITTEE

Mr. Foster called for the Quality Subcommittee presentation. Faiza Najar presented three recommendations on behalf of the Quality Subcommittee, as listed below:

1. **Encourage the State to take advantage of opportunities related to improving the consistency and accuracy of the survey process.**
2. **Provide financial incentives to Detroit nursing homes to participate in specific quality programs which will impact quality of life and patient care.**
3. **Support the Business & Economic Development Subcommittee recommendation on the "85% occupancy rate and the creation of a Bed Bank"**

Mr. Foster asked in reference to policy recommendation #2, who the entity providing the incentive would be and from a State budgetary stand-point, how is this incentive paid for or how would we want to draw a pool of money to fund that incentive program. Mr. Gumbleton noted that there is opportunity within the system for providers to spend more and have it reimbursed without necessarily providing them separate pool of money to [incentivize](#) them to doing that. Someone would need to have the education to understand their situation relative to Medicaid reimbursement and then have access to some cash flow rather than having to wait two years for the money to come to them, then they could be encouraged to spend the money more currently instead of later. So it may be a matter of education or finding a way to modify the system so that certain facilities that meet certain criteria could get that payment accelerated. Because Quality Subcommittee's recommendations are similar to those of the Business & Economic Development and Nursing Home Management Subcommittees, Mr. Gumbleton suggesting combining them to present to the Legislation & Regulations Subcommittee on February 26, 2009. Mr. Foster stated for the record that Quality will resubmit their policy recommendations along with the Business & Economic Development and Nursing Home Management Subcommittees on February 26, 2009.

D. LEGISLATION & REGULATIONS SUBCOMMITTEE

Mr. Foster called for a motion to present the Legislation & Regulations Subcommittee's additional recommendations on February 26, 2009. Laurie Solotorow made a motion to move the presentation to Session II; seconded by Brenda Sowash. **Motion carried.** The recommendations to be reviewed are:

1. **Increasing nursing facility physical plant improvement Medicaid reimbursement amount from the current 20% of cost for construction to 60% of construction cost**
2. **Allow nursing facilities in undeserved and economically challenged communities to bill a portion (up to 20%) of marketing cost to be reimbursed via Medicaid**
3. **Waive all related criminal background check fees paid by nursing homes administrators for potential and current employees**

V. NEXT STEPS ON THE POLICY RECOMMENDATIONS PROCESS

The Legislation & Regulations Subcommittee will hold Policy Review Session II on Thursday, February 26, 2009 from 10:30 a.m. – 1:00 p.m. to review recommendations from the following subcommittees:

- Business & Economic Development
- Quality
- Nursing Home Management
- Training
- Legislation & Regulations (remaining recommendations)

VI. REVIEW OF THE UPCOMING CALENDAR/ PROCESS TIMELINE

The subcommittee reviewed the distributed Policy Development Process Schedule. Once all of the recommendations have been reviewed and a select number have been adopted they will be presented, for review, to the Co-Chairs of the Full Task Force, Paul Bridgewater, Senator Buzz Thomas and Representative George Cushingberry. The recommendations will be presented at the Policy Forum on March 27, 2009 at Greater Grace Church.

VII. ADJOURNMENT

The meeting was adjourned at 12:50 p.m.

Respectfully Submitted by:

Leah Pippen

GHL/lp

Moving Towards Enhancing the Quality of Care