

Board of Community Health
Meeting
March 14, 2024

Members Present

Norman Boyd
Roger Folsom
David Crews
Anthony Williamson (delayed)
Nelva Lee
Cynthia Rucker
Shane Mobley (delayed)
Robert Cowles
Tommy Hopkins

Members Absent

The Board of Community Health held its meeting via Zoom teleconference. (An agenda and a List of Attendees are attached hereto and made an official part of these Minutes as Attachments #1 and #2). Chairman Norman Boyd presided and called the meeting to order at 10:30 a.m.

Minutes

The Minutes of the February 8, 2024 meeting were unanimously approved.

Opening Comments

Melanie Simon, DCH General Counsel, presented information on the revised By-Laws. Section 7 of Article V of the By-Laws has been revised to grant the Board the authority to conduct virtual meetings. This revision is consistent with state law under the Georgia Administrative Procedure Act, O.C.G.A. §§ 50-1-5(a) and 50-14-1(f).

Article VI of the By-Laws authorizes the Board to amend the By-Laws by vote provided they have been submitted in writing to the Board at the previous meeting. These revised By-Laws were presented at the February meeting; therefore, the Board is within its authority to adopt the amended By-Laws by quorum vote at the March meeting.

David Crews MADE a MOTION to approve the revised By-Laws. Roger Folsom SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

Georgia Board of Dentistry and Georgia Board of Pharmacy Executive Director appointment and compensation:

26-4-20. Georgia State Board of Pharmacy; powers and duties.

(d) The board shall appoint and fix the compensation, which shall be approved by the Board of Community Health, of an executive director of such board who shall serve at the pleasure of the board.

Roger Folsom MADE a MOTION to approve the appointment and compensation for James Clint Joiner, Georgia Board of Dentistry and Georgia Board of Pharmacy Executive Director. Tommy Hopkins SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

Chairman Boyd shared with the Board a years of service recognition plaque for former Board member Dr. Russell Crutchfield who now serves as Chief Operating Officer for Governor Brian P. Kemp.

Committee Reports

David Crews, Audit Committee Chairman provided the following updates to the Board:

- Sonya Allen-Smith, Inspector General gave a high-level report:
 - Introduction of three new team members on the audit team.
 - Active external audits:
 - Three from the Centers for Medicare and Medicaid Services (CMS) and four from the Department of Audits and Accounts (DOAA).
 - 11 audit findings from the 2022 DOAA Statewide Single Audit (5 of the 11 findings are resolved). The Department is working to resolve the outstanding findings.

Commissioner's Report

Commissioner Carlson thanked the Board, members of the public, and staff for their participation via Zoom.

The following updates were provided to the Board:

- Session updates:
 - Today marks day 35 and day 40 sine die is set to take place on March 28th.
 - AFY 2024 budgets have been signed into law, and the FY 2025 budget is now with the Senate.
- Commissioner Carlson thanked the following:
 - Appropriation chairs, committee members, and budget staff at the Office of Planning and Budget (OPB),
 - DCH team members Brandy Sylvan and Kaitlin Ward for their continued help navigating through the legislative session.
 - Our sister agencies, partners, and other team members as we all navigate to provide services intended to benefit families and providers.

- Medicaid Redeterminations:
 - Grateful to several community partners led by Senator Sonia Halpern and DFCS case managers' assistance with this effort.
 - Upcoming event on March 16 in Union City from 9 a.m. to 2 p.m.
- Recognition for employees' years of service milestones.
- Staff Announcements:
 - Formally introduced Stuart Portman, Executive Director, Medical Assistance Plans.

Mr. Portman expressed that he is looking forward to diving into the operations and mechanics of Georgia Medicaid to ensure its continued success.

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, Independent Care Waiver Program (ICWP) Amendment Public Notice.

ICWP is specific to individuals ages 21 to 64 with serious physical disabilities or traumatic brain injury. Mr. Dowd Explained that DCH does not disenroll individuals from ICWP when they turn 65 but you do have to be enrolled before turning 65. Individuals in this waiver must meet a nursing facility or hospital level of care.

Effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposed to amend the ICWP waiver to enact the 2023 DCH rate study.

In calendar year 2023 DCH, in collaboration with the ICWP provider network, underwent a comprehensive rate study process to establish a current cost-based, reimbursement rate across all services. The rate study met the requirements of Senate Bill 610 enacted during the 2022 session requiring a rate study be completed every four years for Home and Community Based Waiver programs. DCH proposed to amend the ICWP Waiver to adjust rates as indicated by the rate study.

The public notice indicates all services within ICWP. Only Specialized Medical Equipment and Supplies did not indicate a need for rate adjustment. Mr. Dowd noted that sometimes when you do a rate study, rates do not indicate a needed change. This is the case with specialized medical equipment and supplies.

The fiscal impact of the proposed rate amendment beginning State Fiscal Year 25 is \$9,734,732 in state funds with a total funds impact of \$28,648,417.

An opportunity for public comment will be held on March 18, 2024 at 11:00 a.m. via Zoom. Written comments are due on or before April 15, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Cynthia Rucker MADE a MOTION to approve the Medical Assistance Plans, Independent Care Waiver Program (ICWP) Amendment Public Notice. Robert Cowles SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, Independent Care Waiver Program (ICWP) Amendment Public Notice is attached hereto and made an official part of these minutes as Attachment #3).

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, Elderly and Disabled Waiver Program (EDWP) Amendment Public Notice.

This waiver is specific to individuals who are either elderly or disabled and who meet a nursing facility level of care.

As with the previous board notice, effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposed to amend the EDWP waiver to enact the 2023 DCH rate study.

In the EDWP waiver, several services did not indicate a needed rate adjustment such as enhanced case management and emergency response installation and monitoring. Those services that did not indicate a needed rate adjustment were not included in the public notice. All other rate adjustments were indicated.

The fiscal impact of the proposed rate amendment beginning State Fiscal Year 25 is \$29,841,786 in state funds with a total funds impact of \$87,821,618.

An opportunity for public comment will be held on March 20, 2024 at 11:30 a.m. via Zoom. Written comments are due on or before April 15, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Tommy Hopkins MADE a MOTION to approve the Medical Assistance Plans, Elderly and Disabled Waiver Program (EDWP) Amendment Public Notice presented to the Board for initial adoption. Roger Folsom SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, Elderly and Disabled Waiver Program (EDWP) Amendment Public Notice is attached hereto and made an official part of these minutes as Attachment #4).

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, New Options Waiver (NOW) Program Amendment Public Notice.

This waiver is specific to individuals who have an intellectual or developmental disability and meet an intermediate care facility for intellectual disability level of care.

As with the previous two board notices, effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposes to amend the NOW waiver to enact the 2022/2023 DCH rate study. This rate study took slightly longer than the EDWP or ICWP. The public notice lists all services that the rate study indicated a needed increase. Those services not listed did not indicate a needed increase.

The NOW waiver is also increasing caps on services as indicated in the public notice. Wage caps on the wages paid to self-directed staff providing Community Living Services, Community Access-Individual, and Respite are included in the waiver amendment effective April 1, 2025. Individuals may negotiate a wage for their staff up to the corresponding agency rate less the cost of payroll taxes.

The fiscal impact of the proposed rate amendment beginning State Fiscal Year 25 is \$3,818,963 in state funds with a total funds impact of \$11,316,283. It is important to note the state funds for the NOW waiver Service are allocated to the Department of Behavioral Health and Developmental Disability budget.

An opportunity for public comment will be held on March 20, 2024 at 1:00 p.m. via Zoom. Written comments are due on or before April 15, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Shane Mobley MADE a MOTION to approve the Medical Assistance Plans, New Options Waiver (NOW) Program Amendment Public Notice. Nelva Lee SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, New Options Waiver (NOW) Program Amendment Public Notice is attached hereto and made an official part of these minutes as Attachment #5).

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, Comprehensive Supports Waiver Program (COMP) Amendment Public Notice.

This waiver is also specific to individuals who have an intellectual or developmental disability and meet an intermediate care facility for intellectual disability level of care.

As with the previous three Board notices, effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposes to amend the COMP waiver to enact the 2022/2023 DCH rate study. Like the NOW, this rate study took a bit longer than the EDWP or ICWP. The public notice lists all services that the rate study indicated a needed increase. Those services not listed did not indicate a needed increase.

The COMP waiver is increasing caps on services as indicated in the public notice. Additionally, wage caps on the wages paid to self-directed staff providing Community Living Services, Community Access-Individual, and Respite are included in the waiver amendment effective April 1, 2025. Individuals may negotiate a wage for their staff up to the corresponding agency rate less the cost of payroll taxes. Additionally, the addition of a self-directed model for Supported Employment Services is being added back to the COMP waiver.

The fiscal impact of the proposed rate amendment beginning State Fiscal Year 25 is \$112,658,930 in state funds with a total funds impact of \$333,828,966. It is important to note the state funds for COMP waiver Service are allocated to the Department of Behavioral Health and Developmental Disability (DBHDD) budget.

An opportunity for public comment will be held on March 27, 2024 at 11:00 a.m. via Zoom. Written comments are due on or before April 15, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Shane Mobley MADE a MOTION to approve the Medical Assistance Plans, Comprehensive Supports Waiver Program (COMP) Amendment Public Notice. Nelva Lee SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, Comprehensive Supports Waiver Program (COMP) Amendment Public Notice is attached hereto and made an official part of these minutes as Attachment #6).

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, Comprehensive Supports Waiver (COMP) Amendment-New Services Public Notice.

Effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposes to add three new Community Residential Alternative (CRA) models to the COMP service array: Specialized Transitional CRA, Behavior-Focused CRA, and Intensive CRA.

These models are designed to serve individuals with complex care needs who are currently unable to be supported by traditional CRA models (i.e. individuals who are currently placed out of state or in a DBHDD-funded crisis home).

Although the new CRA models share similar characteristics, each has a different focus:

- Behavior-Focused CRAs are intended to provide short-term placements for individuals with challenging behaviors until they respond to treatment and can be transitioned to another setting.
- Specialized Transitional CRAs are intended to provide short-term placements for individuals being discharged from another setting (such as a DBHDD-funded crisis home) and who have demonstrated significant aggression, self-abuse, and/or dangerous destructive behavior.
- Intensive CRAs are expected to be long-term placements for individuals who cannot be supported in a less-intensive setting.

For the new services:

- Providers must be currently enrolled to deliver CRA services and operate at least two active community living arrangements.
- Homes are limited to no more than four placements.
- Direct support staff must hold a registered behavior technician certification and/or have extensive training in supporting individuals with complex care needs.
- Providers must have 24-hour access to registered nurse and board-certified behavior analyst support.

The payment rates for these services were designed consistent with the provider rate study conducted in 2022-23.

These services will be reimbursed based on fixed monthly rates of \$37,121.50 for Specialized Transitional CRAs and \$34,424.63 for Behavior-Focused CRAs. The rates reflect high staffing patterns and what is expected to be significant turnover. If an individual is in the home for less than 15 days in a calendar month, the provider can only bill one-half of a unit (with the resulting payment equaling half of the totals noted above).

The payment rate for Intensive CRAs will be determined on an individual-by-individual basis. Providers will submit a staffing plan to DBHDD for approval outlining the types of staff to be used to support the individual (e.g., a registered behavior technician, a registered nurse, etc.) and the number of staff hours to be delivered by each position.

The fiscal impact of the proposed rate amendment beginning State Fiscal Year 25 is \$7,892,915 in state funds with a total funds impact of \$23,388,147. It is important to note the state funds for COMP waiver Service are allocated to the DBHDD budget.

An opportunity for public comment will be held on March 27, 2024 at 12:00 p.m. via Zoom. Written comments are due on or before April 15, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Anthony Williamson MADE a MOTION to approve the Medical Assistance Plans, Comprehensive Supports Waiver (COMP) Amendment-New Services Public Notice. David Crews SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, Comprehensive Supports Waiver (COMP) Amendment-New Services Public Notice is attached hereto and made an official part of these minutes as Attachment #7).

Brian Dowd, Deputy Executive Director, Policy, Compliance and Operations, Medical Assistance Plans presented to the Board for initial adoption the Medical Assistance Plans, State Plan Amendment (SPA): Community Behavioral Health Rehabilitation Services (CBHRS) Medicaid Rehabilitation Option Public Notice.

CBHRS comprises the majority of community-based mental health and substance use disorder treatment services within Medicaid.

Effective July 1, 2024, pending approval by the Centers for Medicare and Medicaid Services (CMS) and Department of Community Health (DCH) Board approval, DCH proposes to amend the Medicaid State Plan to enact the 2022/2023 DCH rate study of CBHRS services.

Additionally, the State Plan in the CBHRS section will be amended to update accreditation language for its Administrative Services Organization and add Community Health Workers to the list of accepted practitioners who provide rehabilitation and skills training services under the qualified agency structure.

The fiscal impact of the proposed State Plan Amendment beginning State Fiscal year 25 is \$54,773,792 in state funds with a total funds impact of \$161,289,141. It is important to note the state funds for CBHRS are allocated to the DBHDD budget.

An opportunity for public comment will be held on March 20, 2024 at 10:30 a.m. via Zoom. Written comments are due on or before March 27, 2024.

Mr. Dowd respectfully asked for the Board's favorable consideration of initial adoption.

Roger Folsom MADE a MOTION to approve the Medical Assistance Plans, State Plan Amendment (SPA): Community Behavioral Health Rehabilitation Services (CBHRS) Medicaid Rehabilitation Option Public Notice presented to the Board for initial adoption. Tommy Hopkins SECONDED THE MOTION. ON THE MOTION, the yeas were 9, nays 0, abstained 0, and the MOTION was APPROVED.

(A copy of the Medical Assistance Plans, State Plan Amendment (SPA): Community Behavioral Health Rehabilitation Services (CBHRS) Medicaid Rehabilitation Option Public Notice is attached hereto and made an official part of these minutes as Attachment #8).


New Business/Closing Comments


Chairman Boyd also thanked the information technology (IT) staff for their assistance during this meeting.

Adjournment

There being no further business to be brought before the Board, Chairman Norman Boyd adjourned the meeting at 11:13 a.m.

THESE MINUTES ARE HEREBY APPROVED AND ADOPTED THIS THE 12th DAY OF March, 2024.


Cynthia Rucker
Secretary


Norman Boyd
Chairman

Official Attachments:

- #1 Agenda
- #2 List of Attendees
- #3 Medical Assistance Plans, Independent Care Waiver Program (ICWP) Amendment Public Notice
- #4 Medical Assistance Plans, Elderly and Disabled Waiver Program (EDWP) Amendment Public Notice
- #5 Medical Assistance Plans, New Options Waiver (NOW) Program Amendment Public Notice
- #6 Medical Assistance Plans, Comprehensive Supports Waiver Program (COMP) Amendment Public Notice
- #7 Medical Assistance Plans, Comprehensive Supports Waiver (COMP) Amendment-New Services Public Notice

#8 Medical Assistance Plans, State Plan Amendment (SPA): Community Behavioral Health Rehabilitation Services (CBHRS) Medicaid Rehabilitation Option Public Notice