

Administrative/Regulatory Relief Workgroup Minutes

March 16, 2010

Chuck Monson began the meeting by introducing his co-chair for the day, Jeff Savoy. Jeff graciously agreed to assist Chuck with co-chair duties for Alexis Gadsden, who was unable to attend the meeting.

Chuck thanked everyone for another great turnout and spoke of spring as being a time of reflection and renewal. He reiterated Commissioner Carpenter-Palumbo's pledge of OASAS partnering with the field. He indicated that it has been an uphill battle but together we have been able to reduce some administrative burdens while increasing patient care. He congratulated the group on many of its accomplishments since its inception over two years ago – regulatory relief in the Part 822 Outpatient regulations, development of site review instruments and development of various guidance documents.

Chuck also emphasized that in order to keep our partnership strong, we need to keep an open dialogue, but then quickly reminded everyone that this is a group that does not have a problem expressing their concerns or issues! To which Jeff quickly added, however, we can't be rabble rousers!

Chuck also thanked Steve Hanson for facilitating the meeting and turned it over to him. Steve then proceeded with the Report-Outs.

Unified Reporting

In Alexis' and Sandra Schleicher's absence, Chuck gave a brief update based on his telephone conversation with Alexis. The subcommittee members met with HRA staff to explore the potential for expanding the STARS web-based data collection and reporting system. Overall, HRA is open and willing to explore expansion of its current system, which could ultimately include the entire OASAS network. The subcommittee will continue to work with HRA to see if this expansion can be realized.

SMART Records

Joe Chelales informed the workgroup that he was in the process of developing a "How To" guidance document for providers to follow in conducting their own on-site patient case record review. The guidance document will also contain a sample Patient Handbook which should assist providers in eliminating and reducing redundancy in the patient case records while continuing to inform the patients of the requirements/rules for participation in the program.

Part 814 General Facility Requirements

Joe Chelales reviewed the Part 814 Subcommittee's recommended changes with the workgroup. The recommended changes all revolved around the issue of maintaining regulatory documents on site (i.e., floor plans, safety and fire precaution requirements, fire alarm testing, etc.). The recommendation was to be able to maintain all of the documents at the administrative offices. Joe followed up on this question during the lunch break and found that all of the regulatory documents ***must be maintained on site***. As a result, there were no remaining recommendations to be brought forward.

Part 815 – Patient Rights

Joe Chelales reviewed the Part 815 Subcommittee's recommended changes with the workgroup and it was agreed that the Subcommittee's recommendations would be submitted to OASAS Counsel for further action.

Part 818 – Inpatient Rehabilitation Services

Joe Chelales provided the workgroup with the Part 818 Subcommittee's recommendations. Based on numerous comments from the workgroup in reference to changing the group size from 12 to 15 patients, revising the physician's signature requirement from 7 to 8 days, and revising the treatment plan completion date from 7 to 8 days, the Subcommittee will meet again in April to review their comments and finalize the Subcommittee's recommendations.

Part 819 – Intensive Residential Services

While the workgroup agreed with many of the Part 819 recommendations brought forth by the Subcommittee, there were some areas of concern, such as: amending the group size from 12 to 15 patients (not clinically beneficial, too many patients in the group, skill of counseling staff to engage all participants, etc.); using days vs. months; and issues surrounding progress notes. As Joe indicated he would do in the meeting, he has posted these 3 issues on Yahoo Groups for further discussion and has asked that your input be posted no later than April 15th. [If you need assistance in joining the Administrative/Regulatory Relief Yahoo Group, please contact Janet Paloski or Barbara Vuolo for assistance.]

Update: Comments on the Part 815 and Part 819 regulations were reviewed and approved during this meeting. Part 818 comments submitted to Joe Chelales are under final subcommittee review with an expected completion date of May 10th. It is our intent to batch all three together in a "request for consideration" by Counsel's office.

Part 828 – Opioid Treatment for Addiction

Bill Lachanski provided an update on the Part 828 Opioid Treatment for Addiction regulations which were promulgated by "emergency adoption" on February 28, 2010. They are currently going through a public comment period and incorporate many of the recommendations brought forth by methadone providers.

Bill also informed everyone that the Program Review Unit has suspended all reviews for this service type pending development of a site review instrument and corresponding guidance documents. If warranted, OASAS staff will provide training across the state in regard to the new regulations.

Part 836 – Incident Reporting

Joe Chelales informed the workgroup that he is currently reviewing the comments received from the field regarding recommended revision changes to the regulations and to the corresponding reporting form.

Update: Counsel is currently reviewing our comments as well as other comments received from the field and is planning to send out another draft copy of the regulations and accompanying form shortly.

Part 822 – Outpatient Services and APGs

Bill Lachanski advised the workgroup that APG related services and documentation requirements are currently being added to the Part 822 Draft regulations that were put forth by this workgroup.

Part 816 – Chemical Dependence Withdrawal and Stabilization Services

Bill Lachanski announced that the Part 816 Subcommittee (which includes several provider representatives) has completed its final review of the site review instrument and that the Program Review Unit plans to begin recertification reviews of this service type in late spring.

Part 822 Clinical Guidance Document

Pat Lincourt indicated that the Part 822 Clinical Guidance Document was in its final stages and she wanted to give the Administrative/Regulatory Relief Workgroup one more opportunity to provide comments/recommendations. The document was e-mailed to the workgroup on March 24th with a request to send comments/recommendations via e-mail to Barbara Vuolo at barbaravuolo@oasas.ny.gov by March 31st.

Update: No comments received.

Quality Management Planning Subcommittee

- The Quality Management Planning Subcommittee has developed a new OASAS *Medicaid Compliance Cross-Reference Chart* to assist chemical dependence services providers in responding to Medicaid Compliance Program requirements that became effective on July 1, 2009. The chart can be found on the OASAS Website at: <http://www.oasas.ny.gov/admin/hcf/documents/MedicaidCompChart.pdf>.
- The OASAS Internal Control Officer presented an overview of the need for and benefits of establishing an integrated Internal Control framework to the subcommittee members.
- As follow-up to the Quality Management Planning Subcommittee's recommendations, and to help providers better prepare for possible Medicaid audits, OASAS has developed a series of four "Medicaid Mondays" webcasts to be conducted from April through July. Topics to be covered include:
 - Medicaid Compliance Planning (April 19);
 - OMIG Overview of Medicaid Audit Process (May 10th);
 - Medicaid Audits - Provider Perspectives (June 21st); and
 - OASAS Guidance on "Top 10" Medicaid Audit Issues (July 12th).

Additional webcast information and on-line registration information can be found at: <http://www.oasas.ny.gov/admin/hcf/part521/training.cfm>.

Update: The first of four Medicaid Mondays webcasts was held on April 19th with approximately 400 participants.

Administrative and Fiscal Guidelines for OASAS Funded Providers

Douglas Rosenberry, Bureau Director for Talent Management and Fiscal Evaluation, provided the Workgroup with an overview of the newly revised Administrative and Fiscal Guidelines for OASAS Funded Providers which will become effective July 1, 2010. These guidelines will be used as the basis for the conduct of OASAS fiscal reviews and audits from that time going forward.

The Guidelines were developed over several years and involved extensive internal reviews prior to convening a provider-based Fiscal Advisory Panel in 2009 (comprised of Chief Financial Officers and Finance Directors representing both large and small non-profit agencies from all over the state). The new guidelines will offer detailed procedural and documentation requirements with regard to fiscal management to ensure a reasonable standard of accountability and a more viable basis for assessing compliance with fiscal standards. The guidelines can be found on the OASAS Website at:

<http://www.oasas.ny.gov/reggs/documents/AFGuidelines.pdf>. Questions may be sent to: fiscalguidance@oasas.ny.gov.

Integrated Quality System (IQS)

Janet Paloski provided the workgroup with an update on IQS. She indicated that the fiscal viability rating will be incorporated into the current recertification review process for determining the length of an Operating Certificate (recertification review scores and facility inspection rating) some time in October.

The first meeting of the IQS Subcommittee is scheduled for April. The meeting will focus on possible future measures to be added to the recertification process for a broader vision of a program's performance, such as: IPMES measures; client data reporting timeliness and completeness; and substantiated unresolved patient complaints. The subcommittee will also be instrumental in formulating the weighting methodology, time frames for implementation and piloting the project.

She also explained that language has been submitted to the Legislature to amend Mental Hygiene Law to permit up to a 5 year operating certificate. She also gave a brief overview of the role IQS will play in a provider reaching a 5 year operating certificate and becoming a Gold Standard Provider.

Update: The first meeting of the IQS Subcommittee was held on April 22nd. The subcommittee is in the process of defining measures to be incorporated into the Operating Certificate renewal process.

Next Meeting

Chuck and Jeff thanked everyone for their participation and announced that the next meeting will be **June 15th**.