

Administrative/Regulatory Relief Work Group Minutes

December 7, 2010

Opening Remarks

Steve Hanson began the meeting by welcoming everyone and thanking them for their continued participation in this work group. Alexis Gadsden reminded those providers in attendance that although this is a very busy time for all of us with the holidays approaching, it is our responsibility to get the message out to the field. She indicated it is better to be at the table talking and hammering out the issues (APGs, Scorecards, Healthcare Reform, etc.) than to be on the sidelines kvetching! Alexis also personally thanked Chuck and OASAS work group members for staying connected.

Chuck Monson mentioned that several Upstate providers will be unable to make the meeting due to weather conditions. He also updated the work group in regard to subcommittee work in progress previously co-chaired by Joe Chelales by introducing Rick Vedder and Laura Higgins from the OASAS Technical Assistance Unit. They will be working with subcommittee members to complete Smart Records, Patient Handbook, Proposed Part 822 Resources and Regulation changes.

Chuck began the meeting by discussing a process issue. Lately, it appears that once a document has been brought to the work group in its final form by a subcommittee, the work group will request additional changes/edits to the document. This has proven to be very time-consuming for subcommittee members; therefore, unless a document contains inaccurate information that must be corrected, the final documents submitted to the work group will remain final. All members in attendance were in agreement.

Work Group Status Reports

Unified Reporting

As indicated above, a "final" Unified Reporting form was brought to the work group at the last meeting. However, members requested several additional changes/tweaks to the document and OASAS staff are currently in the process of completing the changes. It is anticipated that a "final" Unified Reporting form will be submitted to the work group for the next meeting for approval to move forward.

Smart Records (Laura Higgins)

Laura has taken over the responsibility of completing the Smart Records Guidance Document. Generally, a Smart Records review resulted in a 30% reduction in unnecessary paper in a patient record. Joe Chelales was in the process of preparing a guidance document to assist providers in conducting their own internal Smart Records review. Laura would like to reach out to those providers on the Administrative/Regulatory Relief Work Group that have already gone through a SMART Records review for assistance in making the current guidance document universal for the field and more user friendly. A sign-up sheet was distributed during the meeting; Laura will reach out to those members who have gone through the process but were unable to attend today's meeting due to the weather. It is anticipated that there will be one or two meetings (via conference call) to discuss the process, experiences and results.

Update: In December, Laura contacted the six providers that agreed to assist her in updating the document and asked them to complete a short questionnaire. If you are one of the providers she contacted, but has not as yet submitted the questionnaire, please do so immediately so that she may continue with the process. If Laura has not contacted you, and you have previously gone through the Smart Records review with Joe Chelales and would like to participate in this process, please contact Laura via the Technical Assistance mailbox at: technicalassist@oasas.ny.gov.

Patient Handbook (Rick Vedder)

Rick has taken over the responsibility of completing the Patient Handbook. Rick revised the current document by removing unnecessary sections/pages and made it more individualized for providers (the document now includes sections for providers to “insert” applicable program information, e.g. program rules, patient rights, voluntary participation statement, hours of operation, etc.). In addition, the attestation page has been modified to be a “one-shot deal” wherein the attestation page is removed from the handbook upon securing all required signatures and placed in the patient record.

Members asked that Part 815 and 836 requirements be added to the handbook. Additionally, it was recommended that a date be added to the document and copies of “older” documents/handbooks be maintained on site for reference, if necessary. Rick agreed to make these changes. Any additional changes should be e-mailed to Rick via the Technical Assistance mailbox at: technicalassist@oasas.ny.gov. within the next thirty days. If no additional changes are received, the handbook will be considered “final” and submitted to the work group at the next meeting.

Part 822 Resources (Laura Higgins)

- **APG/Part 822 Crosswalk**

A side-by-side APG/Part 822 crosswalk was developed and submitted to the work group for review. This document assists providers with paralleling regulatory requirements with APG requirements.

- **Part 822 Site Review Instrument Side-By-Side**

Based on the anticipated promulgation of revised Part 822 regulations, OASAS staff developed a document comparing the current OASAS Outpatient Services Site Review Instrument (SRI) questions with anticipated changes based on the new regulations.

- **APG Clinical Guidance Document**

This document incorporates both APGs and the Proposed Part 822 Outpatient Services regulations and, in most cases, includes clinical guidance examples.

- **Part 822/Proposed Part 822 Side-By Side**

As OASAS has done in the past, Technical Assistance staff have prepared a side-by-side comparison of the current Part 822 Outpatient Services regulations with the “proposed” Part 822 Outpatient Services regulations.

If have questions regarding any of the above documents, please direct them to:

- **Regulatory Questions**

- e-mail Trisha Schell-Guy at: trishaguy@oasas.ny.gov

- **APG/Clinical Questions**

- e-mail the APG mailbox at: apg@oasas.ny.gov

- **Part 822 Outpatient Documents**

- e-mail the Technical Assistance mailbox at: technicalassist@oasas.ny.gov

Note: members were concerned about the possibility of OMIG audits after the “usual” grace period for implementation of new regulations. Chuck/Bill Lachanski indicated that OMIG generally follows OASAS regulatory interpretations during their audits and they did not anticipate any problems. Additionally, members were concerned about getting changes (regulatory, APG, etc.) to counselors/line staff. Bill offered to send out a PowerPoint that he developed entitled, “ABC’s of APG’s One Outpatient System of Care”, that he uses in trainings/presentations. **NOTE:** The PowerPoint has been sent out with these meeting minutes.

Parts 815, 818 and 819 (Bill Lachanski)

Bill indicated that the recommendations from this group were reviewed internally one more time and additional recommendations/comments had been made. They are:

- Part 815
 - no change
- Part 818
 - 818.8(o) - added language to mimic other regulations in regard to CASAC-T
 - 818.8(b) and (c) – General Staffing – has been changed to coincide with proposed Part 822 regulations.
 - An omission from the document was the QHP issue – a recommendation that the QHP counter-signature requirement be deleted will be added to the document.
- Part 819
 - 819.4(l)(1) - The previous recommendation regarding progress notes has been amended.
 - 819.7(b)(1-7) General Staffing – has been changed to coincide with proposed regulations.

These changes have been submitted by Chuck to OASAS Counsel for discussion/processing.

Part 816 Review

OASAS Division of Treatment staff, under the direction of Associate Commissioner Tom Nightingale, met with Part 816 providers to review newly promulgated Part 816 Chemical Dependence Withdrawal and Stabilization Services regulations. As Tom Nightingale was scheduled to present this work group’s recommendations to the Commissioner in the next few days, a general overview was provided to the Administrative/Regulatory Relief Work Group by Rob Piculell and Alyssa Lamson-Reiners. This work group will be recommending proposed changes to the medically monitored requirements. The current regulatory language, in places, may not functionally reflect the purpose of the modality as seen by the field or this Office.

Their goal is to define/develop how this service type operates and to narrow the activities to three:

- **Safety** – to ensure the patient is stabilized safely
- **Motivate** – once the patient is stabilized, engage them in thinking about “where they go from here”
- **Referral** – once a connection is made with the patient, link the patient with the referral and confirm.

It is expected that the recommendations put forth by the 816 work group will be presented to the Administrative/Regulatory Relief work group for review, possible additional recommendations and approval.

Regulations Update and Federal Health Care/State Medicaid Discussion (Rob Kent)

Rob stated that more than half of the current Chemical Dependence regulations have either been amended or created over the last four years. He reported that the Part 836 - Incident Reporting Regulations and the Part 853 – Credentialing of Addictions Professionals Regulations have recently been completed, He also mentioned that the Part 822/841 outpatient regulations were currently at GORR and expected them to be promulgated shortly.

Next in the queue for Rob and his staff is to work with Chuck and his staff on revising Parts 815, 818 and 819 based on the recommendations submitted by this work group. After that, he anticipates receiving recommendation/comments in regard to Part 816 – Chemical Dependence Withdrawal and Stabilization Services.

Rob informed the group that he is the OASAS lead in regard to Health Care Reform (HCR). As Rob promised in the meeting, he sent Chuck a PowerPoint detailing the impact of Federal Health Care Reform on Substance Use Disorder (SUD) treatment in New York. Please refer to the PowerPoint for additional information.

Major policy decisions concerning whether SUD ambulatory services will be carved in or out of Medicaid Managed Care will be made by the new Governor and his administration and that OASAS will be involved in any policy recommendations to be made to the new Governor for his consideration.

Rob agreed to keep the work group informed as Health Care Reform starts to move forward.

In regard to Part 836 – Incident Reporting, Rob indicated that his staff was working on a Frequently Asked Questions document to assist providers in meeting regulatory requirements.

Update: This document has since been posted to the OASAS web site and can be found at: <http://www.oasas.ny.gov/regs/documents/FAQIR.pdf>.

Clinical Records Initiative (Pat Hartley)

Pat informed the work group that the New York State Clinical Records Initiative (NYSCRI) web site was now on line and can be found at: http://www.mtmervices.org/NYSCRI_2010F/2010-Forms.html. She briefly reviewed a Training PowerPoint that can be found on the NYSCRI web site and described the benefits of the system (reduces redundancy and duplication, affordability). She indicated that the software package can be tweaked to your needs upon purchase and that you would have the ability to update the software package once a year if necessary.

Open Dialogue

Where are we? Where do we want to go? These questions were again presented to the work group. After a brief discussion, it was decided that we still have a lot of work to do and will tackle each issue as it comes along.

Adjourn

Chuck and Alexis thanked everyone again for a great meeting. The next meeting is scheduled for Tuesday, March 15, 2011.