DCS, Residential & ESC Monthly Meeting - 9/7/2023

Work Standard Letter –

This is a letter that DCS sends out to a provider stating an employee has been identified who had some type of behavior or situation that DCS is requesting staff is no longer working under the contract. They don’t have to be fired. The behavior may not have risen to the level of substantiation. The letter is a safeguard in situations when a staff may not be suited to working with youth in facilities. Crystal will reach out to facilities that have already been issued a letter to obtain feedback on the process and experience to continue working collaboratively.

Questions:

* Clarification, did everyone get a letter? Have heard of agencies getting one.
	+ Answer – very few have been issued. Not everyone has received one. These are specific letters that can be issued when DCS wants to inform a person is no longer qualified to work under the contract.
	+ Maxine Russell – there is a provision in DCS contract, Section 50 Work Standard – DCS has the right to ask for removal of a person to work under the contract. May be a behavior in the facility or outside. May ask a facility to look into the issues to assist in determining if the allegations are true. Sometimes this requires a facility to do an investigation. If you do get a letter, it will list DCS legal contacts. Can reach out and will give further details.
* If doing a background check, if a staff have been determined to not be qualified. Would this show up in a background check?
	+ It would not show up in a background check. If a person behaved in a manner that a letter was issued and they go to work somewhere else and DCS finds out, we might issue another letter that the person can’t work under the contract. Would not hold the agency responsible.
* If it was something that was outside of work, we have to look into it?
	+ If someone had a DWI, DCS might send a letter stating that person can’t drive under the contract or transport children. If there is an allegation that a person breached confidentiality, we might have you look into that issue. We ask to do a further investigation maybe 30-40% of the time.
* Is there any room or consideration for a call to hotline, if the agency handles things in house before or during when the letter is issued?
	+ The letter will say until some training has occurred, DCS may say staff can’t work until training is done. Unless it is something to aggressive we may ask staff to not work. The contract gives DCS ability to ask that a person can’t work under the contract.
* What is challenging, when letters come out after a report has been unsubstantiated. It feels arbitrary when there is an unsubstantiated report. If DCS is contemplating a letter, it would be great to have a conversation on what other options maybe be acceptable. In some instances agencies feel that is drastic and other actions could be discussed. Would ask that is not a due process for the agency or employee. Would feel better if have an opportunity to make their case.
	+ It is going to depend, i.e.. if staff are punching children, we won’t be reaching out to discuss.
	+ Youth advisory board brought this to our attention of knowing of a staff who was inappropriate and ended up going to another facility. The letter is DCS recourse to keep a person from working in a facility. Based on knowing individuals we know should not be working in a facility.
	+ There is a bar to consideration of substantiating on a report. But the bar is a preponderance of evidence that isn’t met but that individual should not be around kids. If reference or false information on applications could allow someone to go to work someplace else.
	+ From conversation that DCS has had with some providers and hope DCS works as a team so that an agency is not surprised. The collaboration and letting agency know we are looking at this and want to hear your thoughts and your internal investigation in the process. In all of the actions taken the hope is the provider is not surprised.
* Is there a way when hiring someone that got a letter at another agency that can that attached to a background check? An agency will be spending a lot of money hiring and training and potential litigation, then terminate and pay unemployment.
	+ For these types of questions would refer to DCS legal contracts. But DCS wants to share that we want to have a discussion when these situations are being considered.

State Hospital: The Neuro-Diagnostic Institute: Dr. Andre Miller -

DCS State Hospital Liaison Position & Process

o Haley Cawthon: EPCC  Haley.Cawthon@dcs.in.gov

o Lyon Mercaeant-Koohns: NDI  lyon.mercaeant-koohns@dcs.in.gov

* Crytal -
	+ Trying to streamline process when youth are being admitted to state hospitalization.
	+ DCS does have 2 clinical consultants identified to take on questions and issues with state hospital. Haley and Lyon are available moving forward working with DCS kids, if anyone on the youth’s team think a youth may need hospitalization. Now have a process to get that to the team and the state hospital liaison to set up a staffing.
* Dr. Miller – the benefits of the liaison practice has been very helpful. Noticed ability to have more reliable communication and keep everyone informed. From state hospital perspective we are grateful to DCS to establish this.
	+ What’s new at NDI -
		- Have a new superintendent – John Reynolds – trying to break down barriers to getting services to youth who are needing treatment. Has been a positive change at NDI. Everything else is status quo.
	+ Questions? – no questions.

Deputy Chief Financial Officer: Missy Deeg -

* Public hearing for the rates on September 21st from 10-12 https://events.in.gov/event/dcs\_notice\_of\_public\_comment\_period\_and\_public\_hearing
* Rates are scheduled to be out in October.
* The operating margin rates are out
	+ Missy Deeg is over rate setting unit for DCS.
	+ Should have received a notice of public hearing for 9/22/2023, 10am-noon, is in the notice and how to register and send public comments to the mailbox. Looking forward to seeing people at the hearing. If have questions please reach out, include DCS rate setting mailbox and an approved mailbox to submit. Have got bounce back on emails sent to some contacts. May be getting a phone call to verify information so have the right individuals. Will work to keep that list updated.
	+ When are rates coming out – set to release October 31st. in years past, need cost reports to establish rate parameters. Have to have a certain percentage of reports. If there are questions sent out, please respond to those. Are working diligently to work the process to get questions out to providers, and then get answers to those rate setting questions.
	+ If have questions out, please respond asap, it is important that the information is returned to the rate setting process.
	+ Have heard from many on the hearing process and the study by Maximus to make process quicker. We are going to look at things next year to incorporate in the processing the rates out quicker. Look for more transparency on how rates are calculated, in the next year will see changes. Please reach out with any questions comments or concerns. Want to be collaborative.
	+ There is an operating margin approved in the budge 3.2 %. Have sent almost all of those operating margins. Everyone should have received their margin rates in the notification letter and the rate you can bill. Goes back to 7/1/2023. If have a bill after that date, only have to bill for the difference in the higher rate. Whether or not you’ve received payment yet, bill for the difference. If have questions reach out to Missy or DCS rate stetting mailbox.

Questions:

* + - If billing for July and August, will it allow you to bill the rate?
			* KT will allow you to lower rate.
		- A provider got a letter that was accounting to inflation in July, since their rate changed in July are the 1:1 rate changing?
			* Will be having an internal conversation on what DCS will need to do. Don’t have a clear answer yet, but will have one shortly, hopefully by next month’s meeting. Since Andrea Hoffman left, we are trying to have an automated process for request on 1:1 to eliminate lag time. Hopefully by the end of the year will have something set up.

Uploading of the Psychotropic Medication Forms: Crystal Byrne -

* + Residential Licensing Specialist (RLS) sent out information on invoices that were denied. Team got a lot of questions on reports uploaded and denied. Had referred to DCS research and payment.

Questions:

* + - Is it required for ESC placement? Was told to rebill it. Had someone switch from ESC to LTC with 4 days in the months that was denied when only had been with us for about 10 days. Is there any guidance on time frames when a youth is within a month?
			* Working on guidance to send out and working to add a third option. For now, go ahead and upload a form and state in the form the situations, i.e. youth just moved into the unit and haven’t had opportunity to see doctor, but is scheduled. If have a kid not receiving psychotropic drugs, make that statement on the form. The issue is when nothing is there, those processing the invoice don’t know.
		- Can this process include the case of a monthly progress report?
			* Yes, will need to upload but need to have the report in for payment. Can report the information for the situation i.e., the child was admitted on the 30th of October.

Residential Licensing: Ashlee Prewitt –

- Status of Audits

* Trends of Audit Findings
* Staffing Updates
	+ Thank you for your hospitality for working with us and making the process good.
	+ 60 audits completed, by end of year will have about 118.
	+ Trends -
		- Medication reports being completed at 30/90, justification, authorizations that need to be competed prior to med being started.
		- Treatment plans and making sure there is an actual signature and or documenting the collaboration of the team, therapist, placing agency, parent/guardian, education,etc. to get the holistic picture.
		- Ensuring for risk assessment documents that is competed before admission to Sexually Harmful Behavior programs, if not done before admission, must have done w/in 14 days of admission and every 6 months.

Questions get with Ashlee, Rick, Blake or residential licensing email.

Updates: Crystal –

* Abuse/ Neglect Policy Updates :Thank you for your help in working through this
* Visits to DCS-Licensed Residential Facilities
* Increased Supervision Notifications
	+ Thank you for working with us on updating abuse and neglect policies.
	+ There was an update to policy effective February 2023, that Residential Licensing team would visit facilities a minimum of 4 times a year unannounced. In the policy it talks about we may increase the quarterly visit to monthly or weekly depending on escalation of concerns. It was brought up it would be helpful if Residential Licensing team would notify the facility if they are on an increased visitation plan. Have developed a letter to notify the facility if there is an increase in visitation “Increased in visitation”. Will be sending when the supervision is returning to quarterly or reduced.