



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

**Policy Council for Children and Families
Meeting #4
Meeting Minutes
Friday, November 17, 2017
10:00 a.m.**

**Brown-Heatly Building
Public Hearing Room
4900 North Lamar Blvd.
Austin, Texas 78751**

Table 1: Policy Council for Children and Families member attendance at the November 17, 2017, council meeting.

Family Representatives	YES	NO	Professional Representatives	YES	NO
Brodie, Lisa	X		Daugherty-Pineda, Sara MSN	P	
Dilts, Nicole PhD	P		Ivey-Hatz, Julie PhD, LSSP	X	
Guiton, Cynthia		X	Klentzman, Mary		X
Masey, Chris	X		Saxton, Josette	X	
McLean, Margaret MSN	X		Tapia, Carl MD	X	
Rummel, Leah	X		Tucker, Elizabeth	X	
Sonnenberg, Lee MA	X		Warren, Laura		X
Townsend, Janis MA		X			
Vargas, Silvia		X	Youth Representative		
			Morales, Nicolas	P	

"Yes" indicates attended the meeting. "P" indicates participation by phone.
"No" indicates did not attend the meeting.

Agenda Item 1: Welcome and Introductions

The Policy Council for Children and Families (PCCF) meeting convened at 10:01 a.m., with Council Chair Leah Rummel and Mr. Jimmy Blanton, Director of the Quality Institute, HHSC, welcoming participants to the meeting. Table 1 notes council member attendance at the meeting; it was noted a quorum was not present until 10:10 a.m.

Mr. Blanton noted the meeting was Ms. Rummel's last meeting as the PCCF chairperson, and expressed gratitude for her navigating the PCCF through a challenging time in its first year of work as a new council.

Agenda Item 2: Update from the Chair

Ms. Rummel advised the meeting is an important one as PCCF members will identify the issues to move forward for the future of children in Texas, and on which the PCCF can impact. Ms. Rummel noted that members will work through the steps to develop a thoughtful legislative

report that includes enough information and context to enable people to understand the identified issues and recommendations.

Agenda Item 3: Review and approval of meeting minutes from October 2, 2017

Ms. Rummel referred members to the minutes from the October 2, 2017, meeting.

Motion:

Dr. Nicole Dilts moved to approve the minutes. Dr. Julie Ivey Hatz seconded the motion. The minutes were unanimously approved by roll call vote with no nays nor abstentions.

Agenda Item 4: Legislative update: interim charges

Mr. Blanton noted legislative interim charges that relate to the work of the PCCF:

- The Texas Senate Health and Human Services Committee is charged with making additional recommendations to ensure that children with high levels of medical and mental health needs receive timely access to services in the least restrictive settings.
- The Texas House of Representatives Human Services Committee is charged with reviewing the history of Medicaid Managed care in Texas and determine the impact on quality and cost, and to review initiatives Managed Care Organizations (MCOs) have implemented to improve the quality of care.
- The Texas House of Representatives Human Services Committee is charged with following the work of the Supreme Court of Texas Children's Commission Statewide Collaborative of Trauma Informed Care, to determine how trauma-informed care impacts outcomes for children.
- The Public Education Committee is charged with examining programs in public schools that have proven results in meeting the needs of and improving student achievement for students with disabilities.
- The Texas House of Representatives Public Health Committee is charged with studying and making recommendations to improve services available for identifying and treating children with mental illness, including the application of trauma and grief-informed practices.

Ms. Josette Saxton noted the Texas House of Representatives House Appropriations Committee is charged with looking at the Early Childhood Intervention (ECI) program.

Agenda Item 5: Follow-up from meeting on October 2, 2017:

a. Vocational rehabilitation services for students who are blind or visually impaired. Ms. Keisha Rowe, Director's Office, Blind and Independent Services, HHSC, and Ms. Gay Speake, Field Manager, Blind Children's Program (BCP), HHSC, provided an update on BCP services. Ms. Speake delivered a Power Point presentation, "Blind Children's Vocational Discovery and Development Program (BCP)." Highlights included:

- Description of the BCP and eligibility criteria;
- Areas of service, including core service areas;
- Texas Workforce Commission's (TWC) Transition Program;
- Rider 178/Funding for the BCP's Vocational Discovery and Development program and services;
- Age breakdown of BCP Children based on fiscal year (FY) 2017 data; and,
- FY 2018 budget.

Mr. Lee Sonnenberg opened the discussion concerning the funding mistakenly removed from the BCP; members determined the issue would be highlighted in the legislative report under the "Special Education and Schools" section, and will draft a letter to the HHSC Executive Commissioner, the Governor's Office, and other

interested parties to restore the BCP funding in the current biennium. Ms. Rummel called for a motion.

Motion:

Mr. Chris Masey moved for the Council subcommittee on education to explore this issue further, and to draft a letter requesting all interested parties that could potentially fix this, including the Governor's office, to try and restore funding. Mr. Sonnenberg seconded the motion. The motion unanimously passed by roll call vote with no nays nor abstentions.

- b. STAR Kids.** Ms. Jennie Costilow, Policy and Program Development, Medicaid/CHIP Department, HHSC, advised members the agency response to the PCCF letter on STAR Kids was not yet ready but will be sent before Thanksgiving. Ms. Costilow added the HHSC staff was working hard on the issues contained in the letter. Members expressed concern for families and children who continue to lose coverage and are giving up on the appeal process, discussed responding to the agency's letter soon after it is received. Ms. Rummel called for a motion.

Motion:

Dr. Carl Tapia moved to set a meeting to convene as soon as possible after receiving the letter with the agenda to provide feedback and to craft a letter based upon the response of the state. Ms. Sara Daugherty-Pineda seconded the motion. The motion unanimously approved by roll call vote with no nays nor abstentions.

- c. Pediatric therapy services.** Mr. Blanton opened the floor to discussion regarding the motion made at the October 2, 2017, PCCF meeting for members to develop a letter addressing pediatric therapy services, and noted the topic is also included in one of the legislative recommendations workgroups. Ms. Lisa Brodie advised the Access to Healthcare Services Workgroup will be addressing the subject.

Agenda Item 6: Update on Navigate Life Texas website

Ms. Debbie Bridge, Children with Special Needs, HHSC, provided a high level overview of the Navigate Life Texas initiative, including historical background. Ms. Bridge noted the website, which launched in June 2015 and will be observe its third anniversary in 2018, was built by and for parents, and receives over 30,000 hits per month. Ms. Bridge advised that she is currently developing a scope of work for an assessment contract; redesigning the email campaign; and, revising the website's content.

Agenda Item 7: Public comment

Ms. Alexandra Noble, Policy Fellow, Every Child, Inc., addressed the Council on the importance of the Home and Community-based Services (HCS) waiver host homes for children with disabilities. Ms. Noble noted that growing up in a family is critical to a child's social-emotional, physical, and developmental well-being.

Ms. Vicki Gilani, Speech Language Pathologist, Houston, addressed the Council on concerns regarding the September 1, 2017, therapy rates and policies, and issues Ms. Gilani experienced when filing complaints with the HHSC Office of the Ombudsman.

Action Item:

Ms. Costilow will follow-up on the issues Ms. Gilani noted with the HHSC Office of the Ombudsman.

Dr. Candice Enecio-Hinton, CEO/Executive Director and Licensed Child Care Placement Administrator, Children of Diversity Foster Adoption Agency, Houston, shared with the Council recommendations on training programs to assist foster children transitioning to adulthood, and the need for funding to help this population.

Action Item:

The PCCF legislative recommendations workgroup, Access to Support Services/Promoting Independence/Transition to Adulthood, will discuss Dr. Enecio-Hinton's recommendations.

Mr. Blanton entered into the record written public comment submitted by Julie Ross, which described her experiences as a parent interacting with the STAR Kids program, including data and issues of network adequacy.

Action Item:

The PCCF legislative recommendations workgroup, Access to Healthcare Services, will review Ms. Ross' written testimony.

Agenda Item 8: Workgroup breakout sessions

Ms. Rummel announced that members will be developing legislative topics and recommendations in three different workgroups for the next 60 minutes until 1:30 p.m., and during that time the audio portion will not be captured during the webcast. Ms. Rummel added that members will be back for Agenda #9 at the end of 60 minutes and will report on the workgroups' work. Ms. Rummel noted each workgroup and its chairpersons:

- a. Access to Healthcare, Dr. Tapia and Ms. Brodie;
- b. Access to Support Services, Promoting Independence, and Transition to Adulthood, Ms. Laura Warren and Ms. Rummel; and,
- c. Special Education and Schools, Ms. Josette Saxton.

Agenda Item 9: Workgroup Reports

- a. **Access to Healthcare.** Dr. Tapia reported members selected priorities; consolidated some topics (i.e. topics relating to network adequacy for Managed Care Organizations (MCOs); and, identified topics that may be discussed by the other workgroups. Dr. Tapia advised the members decided more information was needed on the Medicaid Eligibility topic, and requested the Council be provided a presentation by Maximus and/or HHSC in the future.
- b. **Access to Support Services, Promoting Independence, and Transition to Adulthood.** Ms. Rummel reported members moved items around in the Access to Support Services area (i.e. ensuring respite is covered), and including distribution of

access to services statewide; funding flexibility for Medicaid; and, research into host home services to the YES waiver. Ms. Rummel advised members will also work on:

- Peer-to-peer supports for persons with disabilities, including those with behavior health and IDD;
- Continue to support and expand Navigate Life Texas;
- A review of safety net funding;
- Living wage and benefits for those workers who support people with disabilities;
- The sub-topics under the Promoting Independence area, and will include family-based alternative practices (i.e. family supports);
- Person-Centered Planning;
- Transition guides in all subject areas for persons over 21 years of age;
- Addition of transition services to STAR+Plus;
- Promotion of employment with companies in the community.
- Creative housing for adults with supports for people to live independently; and,
- Navigating the system.

- c. Special Education and Schools.** Ms. Saxton reported the members combined the topics of (1) fully funding special education services with (6) providing equal education to children in special education. Ms. Saxton advised members decided to shift the focus of the Early Childhood Intervention (ECI) topic to an opportunity to highlight it as an education program, including analysis or consideration for moving the program to the Texas Education Agency (TEA). Ms. Saxton advised members will work on educational recommendations involving the State Supported Living Centers (SSLC), and will include the topic of statewide and uniform implementation of best practices in children's mental health and suicide risk assessment. Ms. Saxton noted members will continue to refine their work in the remaining topics assigned to the workgroup.

Agenda Item 10: Next steps for developing the 2018 legislative report

Mr. Blanton reviewed the Power Point slide, "PCCF Legislative Report 2017/2018 Milestones Legislative Report Timeline," noting the work was on track. Mr. Blanton advised the recommendations should be drafted and will be voted on at the first meeting of 2018, with the report written by the April 2018 meeting.

Agenda Item 11: Action items for staff or member follow-up

Staff will provide members with follow-up on action items noted below:

- Email distribution of Ms. Ross' written public comment to members.
- Distribution to members of the webinar link.
- Setting up calls and the meeting regarding the STAR Kids letter.
- Coordinating with the workgroups' leads on conference calls.
- Sending out the 2018 PCCF meeting dates.
- Announcement of new PCCF parent position member.

Agenda Item 12: Public comment

Dr. Encio-Hinton noted the Council was doing a phenomenal job and that she would be sharing information with other providers and encourage them to attend the next Council meeting. Dr. Encio-Hinton requested the Council to not leave the Texas Department of Family and Protective Services (DFPS) children out of its work.

Agenda Item 13: Adjourn

Ms. Rummel adjourned the meeting at 2:34 p.m.

Attachment: Written public comment submitted through email by Julie Ross.

Hello Mr. Blanton,

I'm writing to provide public testimony for the meeting that will take place Friday, Nov. 17th at HHSC in reference to STARKids and Medicaid Managed Care.

My child with disabilities and complex medical needs received STARKids coverage this year. It was incredibly difficult to find providers within our MCO network that were within a 50 mile radius. Previously with traditional Medicaid, my daughter was seen by specialists at Children's Hospital in Dallas (less than 10 miles from our home). But the closest hospital for children and specialists that were within our MCO network were located 40 miles away in Ft. Worth and Hurst. While I waited to see get in to see the new ENT, I made an appeal for our current ENT at Children's hospital in Dallas whom she had seen for the past five years. We had to wait 45 days before a denial to include in network arrived. Meanwhile, my child had a tumor in her left ear that required removal, was causing conductive hearing loss, and needed to be biopsied to see if cancerous. Our MCO experience with STARKids has been a nightmare: both in terms of repeated delays in receiving care, minimal provider networks within MCO parameters, and interventions being routinely denied (like her surgery to remove the tumor) and appealed before finally being paid.

Our fear now is that LTSS services will be transitioned into MCOs soon. And my child, like approximately 145,000 other individuals with I/DD are on the wait list for Medicaid waiver services, waiting approximately 14-15 years until she can receive support services for long-term care, i.e. personal attendant or home health services. Because the privatization of Medicaid has been a nightmare for STARKids, I have grave concerns for MCOs to take over LTSS. It makes no sense that private insurance company will become the middle man for long term support services. Most insurance companies (MCOs), if not all, don't have experience providing services such as attendant care for bathing, dressing, tube feedings, and catheter draining. Unlike medical costs, LTSS can't be reduced through preventative care. And since these private insurance companies, MCOs get paid in state and federal Medicaid funds what they don't spend on care, it's a formula that incentivizes cuts to attendant care just like they've cut therapies, interventions, and procedures or denied them outright (and in some circumstances denied MDCP to medically-fragile children altogether. Ceding so much to private enterprises without HHSC oversight has been dangerous for people with disabilities. Our children aren't test subjects to be harmed in the process of discovery that privatization doesn't work in the delivery of care for people with disabilities. And to think that LTSS will be

rolled into MCOs without a pilot or a review of current MCO programs for disabled enrollees, is unfathomable.

Please take into consideration my remarks and include them as a matter of public record for this meeting.

Best regards,
Julie Ross

p.s. Here are two recent, relevant articles about MCOs and Medicaid. One from Texas parents whose children are suffering under MCO and coverage denials with STARKids: <http://specials.mystatesman.com/medicaid-cuts/>

and another story, from Kansas that warns of a rollout to MCOs for LTSS and more: <http://www.kansascity.com/news/politics-government/article184167411.html>



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

**Policy Council for Children and Families
Meeting #6
Meeting Minutes
Monday, December 18, 2017
8:30 a.m.**

**Department of State Health Services
Moreton Building
Public Hearing Room M-100
1100 West 49th Street
Austin, Texas 78751**

Table 1: Policy Council for Children and Families member attendance at the December 18, 2017, council meeting.

Family Representatives	YES	NO	Professional Representatives	YES	NO
Brodie, Lisa	P		Daugherty-Pineda, Sara MSN	P	
Dilts, Nicole PhD		X	Ivey-Hatz, Julie PhD, LSSP		X
Guiton, Cynthia	P		Klentzman, Mary	P	
Masey, Chris	P		Saxton, Josette	P	
McLean, Margaret MSN		X	Tapia, Carl MD	P	
Rummel, Leah	X		Tucker, Elizabeth	X	
Sonnenberg, Lee MA	P		Warren, Laura	P	
Townsend, Janis MA		X	Youth Representative		
Vargas, Silvia		X	Morales, Nicolas		X

"Yes" indicates attended the meeting. "P" indicates participation by phone.

"No" indicates did not attend the meeting.

Agenda Item 1: Welcome and Introductions

The Policy Council for Children and Families (PCCF) meeting convened at 8:32 a.m., with Council Chair Leah Rummel welcoming participants to the meeting. Table 1 notes council member attendance at the meeting; it was noted a quorum was present as of 8:43 a.m.

Agenda Item 2: Update from the Chair

Ms. Rummel advised all in attendance the meeting consisted of a single topic, and public comment would be taken in Agenda item 5. Ms. Rummel noted members decided at the November 17, 2017, meeting of the PCCF to present a response letter to the Texas Health and Human Services Executive Commissioner regarding the agency's response to the PCCF letter of July 11, 2017, regarding the implementation of the STAR Kids managed care program with recommendations for improvement.

Agenda Item 3: Discussion and possible recommendations and letters on (vote required):

a. STAR Kids. Ms. Lisa Brodie, PCCF member, reviewed each section of the draft response letter, followed by discussion by PCCF members. Areas covered in response letter included:

- i. Medically Dependent Children Program (MDCP) Medical Necessity (MN) Denials;
- ii. Appeals of Denials for Medicaid Benefits;
- iii. Uniform Authorization and Prior Authorization;
- iv. Other Provider Network Issues; and,
- v. Individual Service Plan and STAR Kids Screening and Assessment Instrument.

b. Pediatric therapy services. Ms. Lisa Brodie, PCCF member, reviewed each section of the draft response letter, followed by discussion by PCCF members. Areas covered in response letter included:

- i. Pediatric Therapy Rate Reductions;
- ii. HHSC Therapy Policy Changes;
- iii. Adjustment to Billing for Therapy; and,
- iv. Access to Therapy Delays Due to Prior Authorization and Administrative Burdens.

Ms. Rummel called for a motion to accept the changes discussed and to move forward with the letter.

Motion:

Dr. Carl Tapia moved to move forward with voting on the recommendations with the additions discussed. Mr. Lee Sonnenberg seconded the motion. The motion was unanimously approved by roll call vote with no nays nor abstentions.

Agenda Item 4: Action Items for staff or member follow-up

Mr. Blanton advised of the five changes to the letter, and that he will work with Ms. Rummel to make the changes, noting Ms. Rummel will forward the finalized letter to HHSC.

Agenda Item 5: Public Comment

No public comment was offered.

Agenda Item 6: Adjourn

Ms. Rummel adjourned the meeting at 9:37 a.m.