MACDS-SA

HJ 24 Study - Proposed legislation for consideration

1. **Reimbursement system and 0208 waiver.** Propose legislation that outlines necessary standards for waiver and rule amendments to move to a daily/monthly rate, provide flexibility in types and numbers of staff, and assure that consumers have access to their full cost plan as determined by appropriate assessments. There should be a date by which the waiver amendment is submitted to the federal government and should include language of a process that involves providers in developing the changes needed to the system.

2. **Workforce.** Propose legislation to address the severe workforce shortage which consists of both direct care worker wage funding and a study of workforce issues related to direct care workers. The legislation would provide funding for increased wages of $1 per hour per year for direct care workers and an appropriation. It would also require DPHHS to conduct a study of work force issues that affect recruitment and retention of direct care workers. Study should include determining the extent and causes of the shortage of direct care workers in Montana's human services programs, whether the shortage is greater among providers who serve a high volume of Medicaid clients, options for alleviating direct care worker shortages, and at what level increasing direct care wages leads to savings based on workers becoming less reliant on other state and federal benefits – food stamps, child care assistance, low income tax credit, Medicaid.

3. **Crisis services and 90 day exit policy.** The issue of crisis services and a provider of last resort must be addressed. The state cannot continue to require providers to take 100% of the responsibility for what happens when a client is no longer appropriate for their services and they are unable to safely provide services. The current policy is that inability to hire staff or the financial stability of the program are not considered as a permissible reason to exit an individual from services at a particular program. Yet, continuing to force providers to serve individuals when they have determined it is not appropriate or safe cannot be Montana's answer to what happens when an individual needs crisis services.

4. **Regulations, duplicative oversight and monitoring and inconsistencies.** Propose legislation that directs DPHHS to review any regulatory and administrative burden not required by the federal government to determine cost/benefit of continuing to impose the regulation; to review oversight and monitoring processes to identify and remove duplication; and to review the consistency of implementation of regulations, payment system and oversight across the regions, staff and contractors. Set out process for systematic review that includes providers and stakeholders in these efforts.

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36 S. Last Chance Gulch, Ste A, Helena, MT 59601
March 16, 2018