

The New Jersey Department of Human Services **Division of Developmental Disabilities**



QUARTERLY DIVISION UPDATE FOR INDIVIDUALS, FAMILIES AND PROVIDERS

Jonathan S. Seifried, MA
Acting Assistant Commissioner

April 26, 2018



Overview

2

- Executive Management Team and Unit Contacts
- Fee-for-Service (FFS) Implementation
- Ombudsman for People with ID/DD
- NJ ABLE Plan Update
- Transportation for SDEs
- Fiscal Intermediary (FI) Update
- The Stephen Komninos' Law



Executive Management as of March 2018

3

Jonathan Seifried	Acting Assistant Commissioner
Carol L. Jones	Chief of Staff
Eric Kaufmann	Assistant CFO, DHS
Charles Naus	Chief Information Officer
Jennifer Joyce	Director, Supports Program and Employment Services
Kelli Rice	Director, Community Care Waiver Unit
Michelle Whitmore	Special Assistant
Diane Flynn	Division Communications



DDD Unit Contacts

4

Unit	Contact Name	Contact Email
Intake	James Schiralli	James.Schiralli@dhs.state.nj.us
Support Coordination	Cheryl Betz	Cheryl.Betz@dhs.state.nj.us
Supports Program	Jennifer Joyce	Jennifer.Joyce@dhs.state.nj.us
Provider Performance & Monitoring	Wendy Yosco	Wendy.Yosco@dhs.state.nj.us
Housing	Eric Kaufmann	Eric.Kaufmann@dhs.state.nj.us
Housing Subsidies	Courtney Davey	Courtney.Davey@dhs.state.nj.us
Case Management	Mariana Pietrunti	Mariana.Pietrunti@dhs.state.nj.us
Contracting	Jose Gonzalez	Jose.Gonzalez@dhs.state.nj.us
Quality Improvement	Heather Ciociola	Heather.Ciociola@dhs.state.nj.us
CCP Fee-For-Service	Michelle Whitmore	Michelle.Whitmore@dhs.state.nj.us



FFS Implementation: Contract Renewals

5

- Agencies not fully converted to FFS by June 30, 2018 will have contracts renewed for those individuals without approved service plans
 - Notices related to renewal to be issued soon
- Respite and Emergency homes will remain in contract at least through December 31, 2018

FFS Implementation: Community Care Program

6

- With the folding of DDD's Community Care Waiver (CCW) into the State's Comprehensive Medicaid Waiver in November 2017, the program name has changed
- Community Care Waiver is now **Community Care Program (CCP)**. We are working to update our website and communication materials to reflect the name change
- CCP Manual will be released in early May



FFS Implementation: Community Care Program

7

- 8500+ Community Care Program (CCP) **Transition Letters** and Support Coordination Agency **Selection Forms** sent to individuals identified for transition from CCP to CCP-FFS
- 6400+ CCP individuals assigned to Support Coordination Agency
- 3900+ CCP individuals with approved Individualized Service Plan (ISP)



FFS Implementation: Supports Program

8

- **Current Supports Program (SP) enrollment: 6700+**
- **Full enrollment of all eligible individuals into SP still on track to be completed June 2018**
- **Review of SP-enrolled individuals who are not accessing services other than Support Coordination**
 - To ensure needs are being appropriately addressed
 - To ensure individuals are aware of available services
 - Identify individuals who may need to be dis-enrolled from SP
- **SP Manual will be released in early May**



FFS Implementation: Support Coordination

9

- **Increased capacity**
 - ✦ Medicaid/DDD approved Support Coordination Agencies: 120
 - ✦ Individuals currently assigned to SCA: 12,219
- **DDD currently developing training curriculum on SC Basics**
 - Training will be incorporated into SC orientation process
 - Curriculum Workgroup includes DDD and SCA representatives
 - Once initial curriculum is identified feedback from Family Advisory Council will be obtained



Ombudsman for People with ID/DD

10

- **Office of the Ombudsman for Individuals with Intellectual or Developmental Disabilities (ID/DD) and Their Families**
 - Paul Aronsohn appointed by Governor Murphy April 2018
 - In, but not of, NJ Department of Treasury
 - Information, support, oversight for New Jersey children and adults with ID/DD
 - ✦ DCF Division of Children's System of Care
 - ✦ DHS Division of Developmental Disabilities



Ombudsman for People with ID/DD

11

- **Duties to include:**

- ✦ Serving as a source of information for individuals and their families, to help them better understand state and federal laws and regulations;
- ✦ Coordinating with the State Council on DD, to provide information and support on navigating and understanding the process for obtaining services from the state Division of Children's System of Care and DDD, including information on transitioning between the two programs;
- ✦ Providing information and communication strategies to individuals and their families for resolving disagreements with various state agencies, as well as education on the dispute resolution;



Ombudsman for People with ID/DD

12

- **Duties to include:**

- ✦ Working with service recipients, families and the departments to facilitate the provision of services and supports;
- ✦ Identifying common concerns for individuals and their families, and making recommendations to the Division of Children's System of Care, DDD, DCF and DHS; and
- ✦ To assist the Division of Children's System of Care and DDD in creating public information programs designed to inform individuals with intellectual or developmental disabilities, their families, and the public about the role of the ombudsman



NJ ABLE Plan

13

- **Achieving a Better Life Experience (ABLE) Act – federal legislation signed into law in 2014 establishing tax-free savings account for eligible individuals with disabilities**
- **Signed into law in NJ in 2016**
- **NJ ABLE Plan and website set to launch April/May 2018**



NJ ABLE Plan

14

- Enables eligible individuals with disabilities to establish ABLE savings accounts that will not affect their eligibility for public benefits such as SSI and Medicaid
 - Earned income on an ABLE account is not taxed
 - Withdrawals used for qualified disability-related expenses for/on behalf of the beneficiary
 - ✦ “Funding...that will supplement, but not supplant, benefits provided through private insurance, Medicaid, SSI, the beneficiary's employment and other sources.”

Transportation for SDEs

15

- New mandatory code for transportation provided by a self-directed employee – effective March 2018
 - Reasonable & Customary hourly wage
 - 15-minute unit increments
 - Employer/employee enrollment, employee hourly wage, employee timesheet submission and payment all handled the same as with other SDE-provided services
 - Support Coordination Agencies notified in March
 - New and renewed plans **must use** the new code for SDE-provided transportation

Fiscal Intermediary Update

16

- **DDD contract with Easterseals NJ (ESNJ) extended through June 30, 2019 – DHS/DDD continuing to review options to address EIN issue**
 - Information will be distributed as it becomes available – until then, “business as usual”
 - PPP/DDD SDE Option dual enrollees continue with ESNJ
 - ✦ Dual enrollees able and willing to identify someone other than the individual to act as Employer of Record can transition to PPL

Fiscal Intermediary Update

17

- PCG Public Partnerships, LLC (PPL)
 - Customer Service phone line
 - ✦ Available Monday – Friday, 8am – 5pm: 844.842.5891
 - Website: www.publicpartnerships.com
 - Online Employer/Employee Enrollment: www.pplenroll.com

Fiscal Intermediary Update

18

- **PPL walk-in office hours**

- **Princeton Office**

619 Alexander Road, Princeton, NJ 08540

MON, TUE, WED: 12pm – 4pm; THU, FRI: 9am – 12pm

- **Newark Office**

24 Commerce Street, 7th Floor, Newark , NJ 07102

TUE: 9am – 12pm; THU: 12pm – 4pm

- **If individuals prefer to schedule an office appointment, call 609.945.6420**

- **Special Saturday hours held 2/24/18 at The Arc Mercer**



Fiscal Intermediary Update

19

- Escalating issues to Public Partnerships:
 - For all stakeholders: NJDDD-CS@pcgus.com | 844.842.5891
 - For qualified providers: NJDDD-QP@pcgus.com
 - For Support Coordinators: NJDDD-SC@pcgus.com
 - After allowing at least one business day, all stakeholders may escalate unresolved issues to: NJDDD-ADMIN@pcgus.com
- Escalating issues to DDD:
 - For all stakeholders: DDD.FeeForService@dhs.state.nj.us
 - For Support Coordinators: SC Agency's Quality Assurance Specialist ("DDD Mentor")



QUESTIONS

New Jersey Department of Human Services



LEGISLATIVE UPDATE

OFFICE OF PROGRAM INTEGRITY AND ACCOUNTABILITY AND DIVISION OF DEVELOPMENTAL DISABILITIES

APRIL, 2018



AGENDA

22

- **Introduction**

- **Updated Statutory Requirements**
 - The Stephen Komninos' Law – Public Law 2017, Chapter 238
 - Criminal History Record Information – Public Law 2017, Chapter 328
 - Child Abuse Record Information – Public Law 2017, Chapter 213

- **Questions**

Office of Program Integrity and Accountability (OPIA)

23

- OPIA is an administrative office within the DHS Office of Management and Budget
- Unique role within DHS
- OPIA works collaboratively to strengthen and integrate best practices in DHS operations
- Independently verifies and validates DHS activities and operations
- Certifies DHS compliance with various state and federal regulations

OPIA

24

- **OPIA has direct responsibility for:**
 - Licensing of human services programs
 - Investigations in DHS/DDD facilities and in identified DHS community settings
 - Incident reporting and follow-up
 - Fingerprinting operations for DHS and the Department of Children and Families (DCF)
 - Nutritional services in DHS facilities/hospitals

The Stephen Komninos' Law - Overview

25

- Signed into law October 6, 2017
- Effective May 1, 2018
- Named after Mr. Stephen Komninos, an individual with a developmental disability who resided in a New Jersey group home
- Strengthens protections for adults with developmental disabilities
- Creates new processes and requirements for provider agencies, the Division of Developmental Disabilities (DDD) and units within the Office of Program Integrity and Accountability (OPIA) within the Department of Human Services (DHS)

The Stephen Komninos' Law - Overview

26

- **Key Provisions Include:**

- Unannounced site visits to community residential settings twice per year
- Two-hour timeframe for reporting injury to guardians/family
- Verification of identified injuries within 48 hours
- Expanded inclusion of guardians/family members in multiple practice areas
- Exchange of guardian/parent contact information
- Penalties for failing to report abuse, neglect and exploitation
- Drug testing direct care staff

The Stephen Komninos' Law Unannounced Site Visits

27

Two unannounced site visits annually by a DHS representative to all community residential programs (group homes and supervised apartments) to evaluate if individuals residing in these settings are at risk of, or being subjected to, abuse, neglect or exploitation by a caregiver

Guardian Notification of Injury

28

Notification in-person or by phone within two hours must be made to an individual's guardian of all major, moderate and minor physical injuries as defined by DHS regulation

If there is no guardian, a family member who requests notification may be notified, unless the individual prohibits the family member from receiving this information

Guardian Notification of Injury

29

If there is a legitimate reason why a notification was not provided within two hours, notification must be provided within eight hours with a written explanation of the cause for the delay provided to the guardian and to DHS

Follow-up communication with the guardian or family member can be done via email/electronic communication

Injury Verification

30

Verification of a reported injury within 48-hours by a DHS representative, of any moderate or major physical injury or abuse, neglect or exploitation of an individual residing in a developmental center or an individual residing in a community residential program

Guardian/Parent Exchange of Information

31

Developmental centers will schedule meetings twice per year with parents/guardians to provide an opportunity to share experiences

Parents and guardians of individuals residing in a developmental center, a community residential program, or participating in a day program have an opportunity to exchange contact information with other parents and guardians of individuals in the developmental center or program

Guardian Participation

32

A guardian may participate in a DHS Office of Investigations (OI) interview of the individual the guardian represents.

The guardian has the right to terminate the interview; unless termination would impede the investigation

A guardian may provide information to facilitate an investigation

If the individual does not have a guardian, a family member may provide information, unless the individual expressly prohibits the family member from providing information

Guardian Participation

33

The guardian of an individual will be provided with a written summary of the findings of a DHS investigation involving an alleged incident of abuse, neglect or exploitation of the individual

If the individual does not have a guardian, a family member may receive the summary, unless the individual prohibits the family member from receiving information

Providing Information to Guardians

34

The actual reports and records of an investigation may be provided to the guardian or a person responsible for the welfare of an individual – if the information is needed in connection with providing care to, treatment, an assessment, evaluation or supervision of the individual; and DDD determines that providing the information is in the best interest of the individual

Drug Testing Direct Care Staff

35

Drug testing is required of direct care applicants and employees of any DHS-funded, licensed or regulated program for adults with developmental disabilities

Employees of developmental centers are already subject to drug testing

This includes drug testing as a condition of employment, random testing while employed and drug testing for cause based on a concern or suspicion

Drug Testing Direct Care Staff

36

If an applicant refuses the test or tests positive, the person will not be eligible for employment

A current staff member who refuses to undergo testing will be terminated from employment

When a staff member tests positive, at the agency's discretion, they may be referred for treatment or terminated from employment

Reporting Abuse, Neglect and Exploitation

37

The law requires **ALL** persons employed by, or volunteering in, any DHS-funded, licensed or regulated program, or a person providing services with indirect State funding to an individual with a developmental disability to report incidents or suspicions of abuse, neglect or exploitation

The Division of Developmental Disabilities (DDD) also maintains a toll-free number to call to report abuse, neglect or exploitation
That number is **1-800-832-9173**

When in doubt, **REPORT!**



Reporting Abuse, Neglect and Exploitation

38

Consequences for failure to report:

Criminal penalties and a monetary fine for failing to report abuse, neglect or exploitation of an adult with a developmental disability

A person employed or volunteering who fails to report, but has reason to believe such an act has been committed, is a disorderly person under the law

A person convicted of this offense will have to pay a penalty of \$350 for each day that the abuse, neglect or exploitation was not reported

Additional New Legislation

39

- **Expanded employment checks for direct care staff**
 - Criminal History Record Information (CHRI) - fingerprinting
 - Child Abuse Record Information Checks (CARI)

Criminal History Record Checks

40

- Updated legislation for conducting federal and state criminal history record information (CHRI-fingerprinting) checks for:
 - Agency employees and agency heads
 - Community Care Residence (CCR) providers
 - Individuals living in the household of a CCR provider
 - Alternates for CCR providers
- Signed into law on/about January 12, 2018
- Effective immediately

Criminal History Record Checks

41

- Shifts responsibility for conducting fitness for employment determinations from the agency to DHS
- DHS responsible to:
 - Make fitness for employment determination based on federal and state fingerprint results
 - Provide written notification to employee and agency head of qualification/disqualification

Child Abuse Record Information Checks

42

- Signed into law August 7, 2017
- Effective February 1, 2018
- Requires checks of the Department of Children and Families (DCF) child abuse registry for any person seeking employment in:
 - Any facility or program licensed, contracted, regulated or funded by DHS
 - Providing community-based services with indirect funding
- Known as CARI check
- Law also applies to staff employed by DCF provider agencies, DHS developmental centers

Questions

43

Thank you

**Lauri Woodward, Director,
Office of Program Integrity and Accountability
New Jersey
Department of Human Services
(609) 292-1617**

