

Conflict-Free Access and Planning

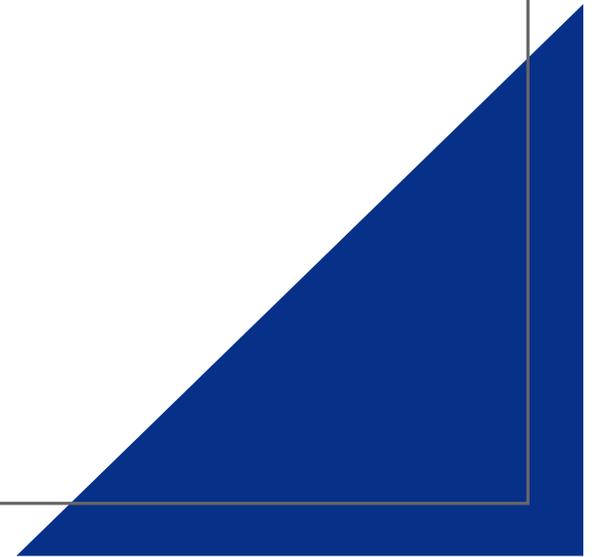
(Previously named Conflict-Free Case
Management)



Context and Introductory Information



Introduction



Solutions should...

Prioritize the Experiences of People Served

- *"Making sure the needs of the consumer are primary."*
- *"Improve lives..."*
- *"For consumers—efficiencies have pros and cons."*
- *"Ensuring integrity of PCP."*

Have Clear and Consistent Policy Direction

- *"Common statewide policy and approach."*
- *"Clear and consistent direction from MDHHS."*
- *"Need clarity and integrity."*
- *"Needs to apply to all funding sources and populations..."*
- *"System stands up to external review."*

Limit Conflict

- *"Separating authority from responsibility/who controls the checkbook?"*
- *"Case manager cannot be focused on financial issues."*
- *"Need to have robust grievance and appeals process and watchdog organization."*

Thoughtfully Consider Implementation

- *"Making sure that the rules work for small rural entities."*
- *"The costs and benefits of changes."*
- *"Require proof that an agency is the only willing provider."*
- *"Concern about duplication of efforts..."*



All quotes are from Conflict-of-Interest Workgroup,
January 27, 2015



Solutions should...

Prioritize the Experiences of People Served

- *"Making sure the needs of the consumer are primary."*
- *"Improve lives..."*
- *"For consumers—efficiencies have pros and cons."*
- *"Ensuring integrity of PCP."*

Have Clear and Consistent Policy Direction

- *"Common statewide policy and approach."*
- *"Clear and consistent direction from MDHHS."*
- *"Need clarity and integrity."*
- *"Needs to apply to all funding sources and populations..."*
- *"System stands up to external review."*

Limit Conflict

- *"Separating authority from responsibility/who controls the checkbook?"*
- *"Case manager cannot be focused on financial issues."*
- *"Need to have robust grievance and appeals process and watchdog organization."*

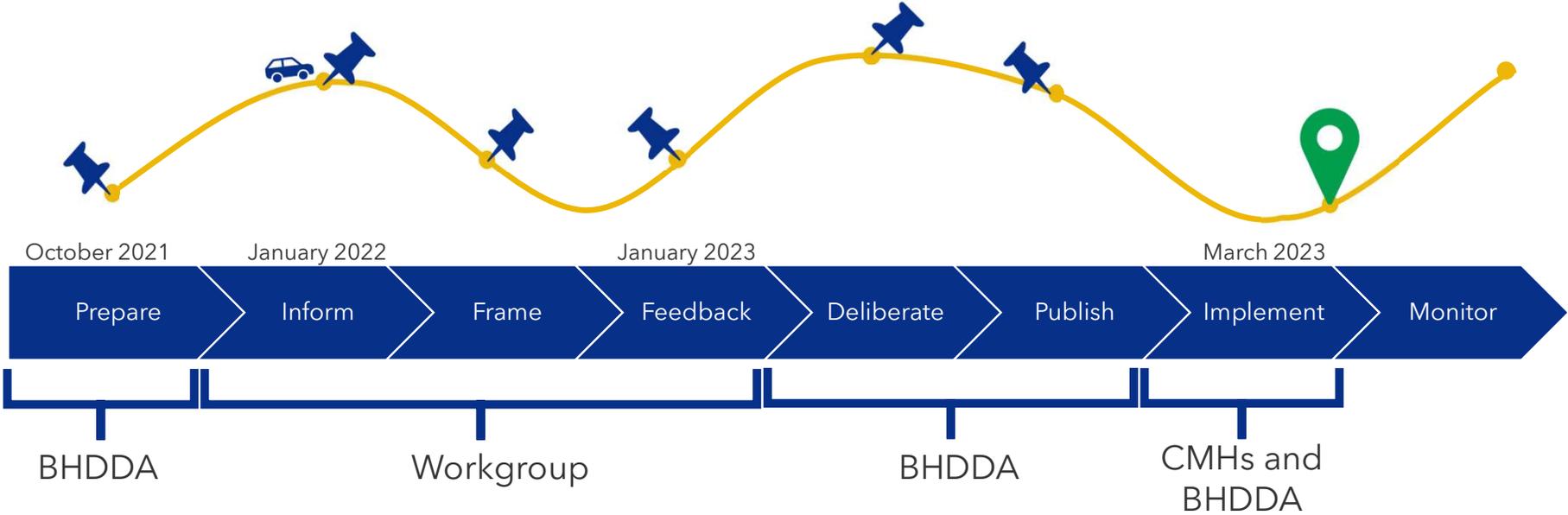
Thoughtfully Consider Implementation

- *"Making sure that the rules work for small rural entities."*
- *"The costs and benefits of changes."*
- *"Require proof that an agency is the only willing provider."*
- *"Concern about duplication of efforts..."*

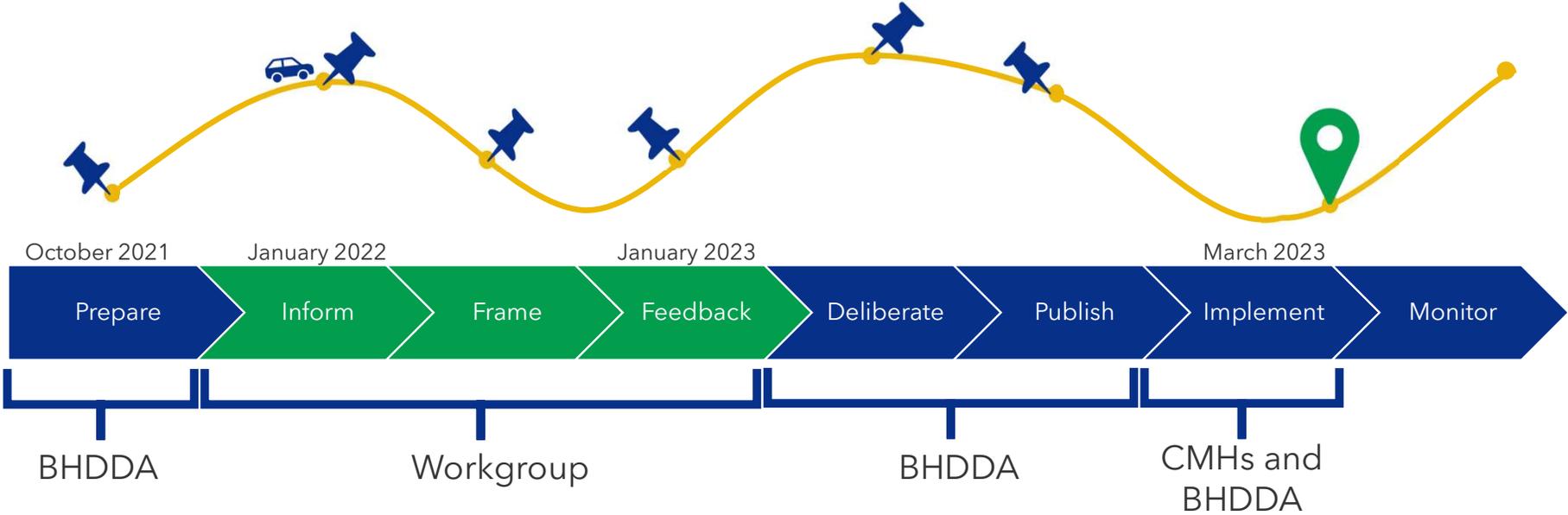
What is missing from these considerations?



Journey



Journey



Decision-Support Journey

Inform

Frame

Feedback

Membership Role:

To convene and connect.
To represent urban and rural.
To offer broad view of system.
To include beneficiaries and advocates.

In-Workgroup Tasks:

To understand and learn federal policy and implications.
To learn of options.

Out-of-Workgroup Tasks:

To share information with colleagues.
To document concerns/opportunities for Frame.

Membership Role:

To convene and connect.
To represent urban and rural.
To offer broad view of system.
To include beneficiaries and advocates.

In-Workgroup Tasks:

To define scope and categories of potential impacts.

Out-of-Workgroup Tasks:

To share information with colleagues.
To invite SME's based on scope and categories of potential impacts.

Membership (+SME's) Role:

To convene and connect.
To represent urban and rural.
To offer broad view of system.
To include beneficiaries and advocates.

In-Workgroup Tasks:

To identify potential impacts of options.
To support BHDDA decision-making.

Outside-of-Workgroup Tasks:

To share information with colleagues.

Decision-Support Journey

Inform



What is the process for decision-making?

What policies are involved?

What is currently happening in the state?

What are the options for implementation?

Frame



What are the impacts of the options?

How might we categorize those impacts?

Who are the subject matter experts in these areas?

Feedback

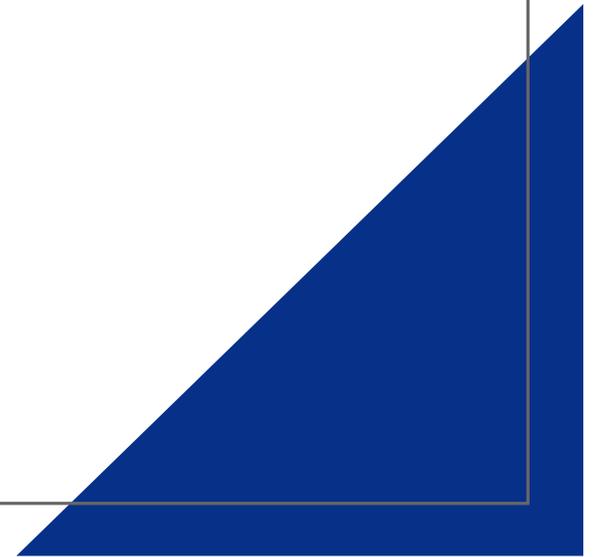


What are the specific impacts of each option?

How will impacts affect people served?

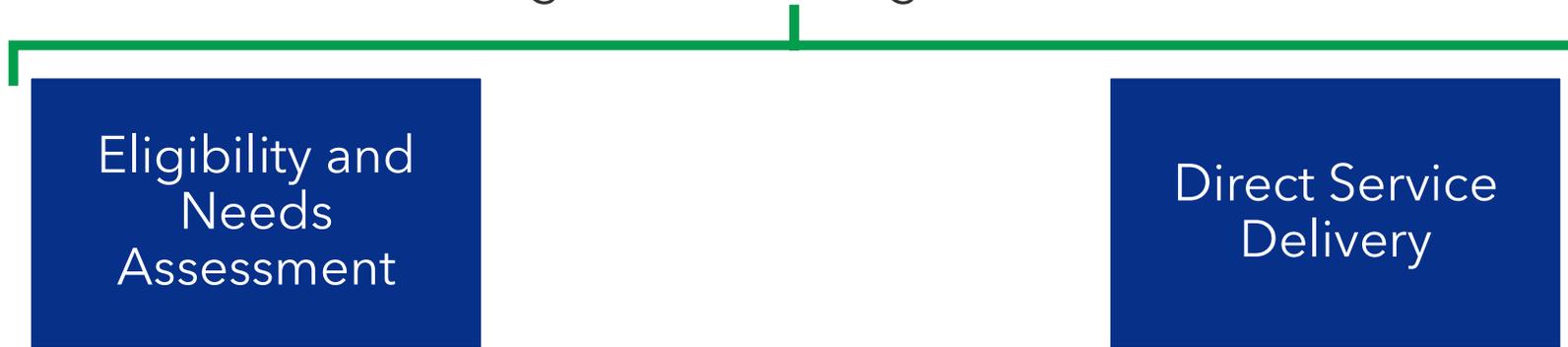
What are the strengths and weaknesses of each option across categories?

Definitions

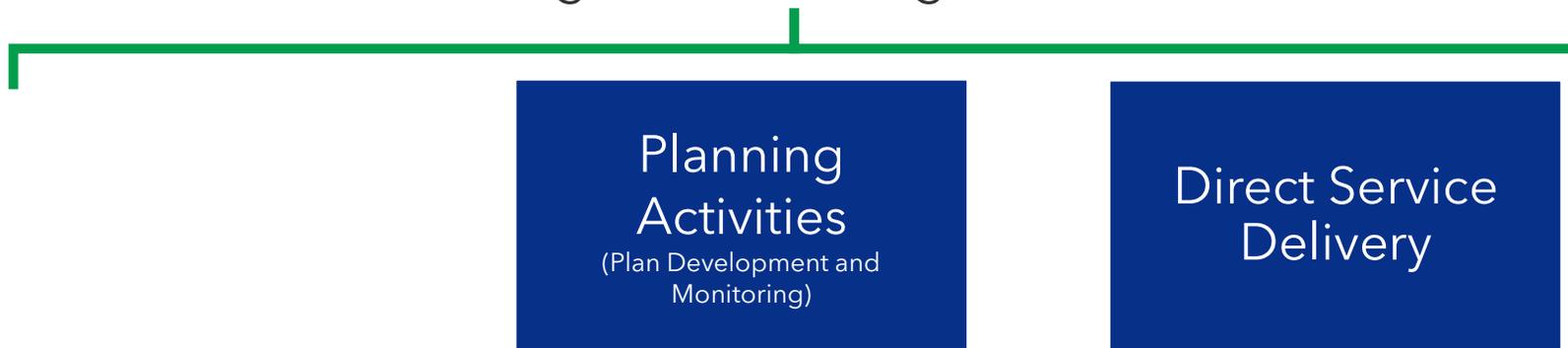


What is Conflict?

Single Provider Organization



Single Provider Organization



What is Conflict?

Single Provider Organization

Eligibility and
Needs
Assessment

Planning
Activities
(Plan Development and
Monitoring)

Direct Service
Delivery



What is Conflict?

Single Provider Organization



What is Conflict?

Single Provider Organization

Eligibility and Needs Assessment

42 CFR 441.730(b)

Providers responsible for evaluation of eligibility, assessment, or development of the IPOS cannot have financial interest in any direct provider.

1915(i) Language

Planning Activities

(Plan Development and Monitoring)

42 CFR 441.301(c)(1)(vi)

Providers of direct services must not provide case management or develop the IPOS.

1915(c) Language

Direct Service Delivery



What is "Conflict-Free"?

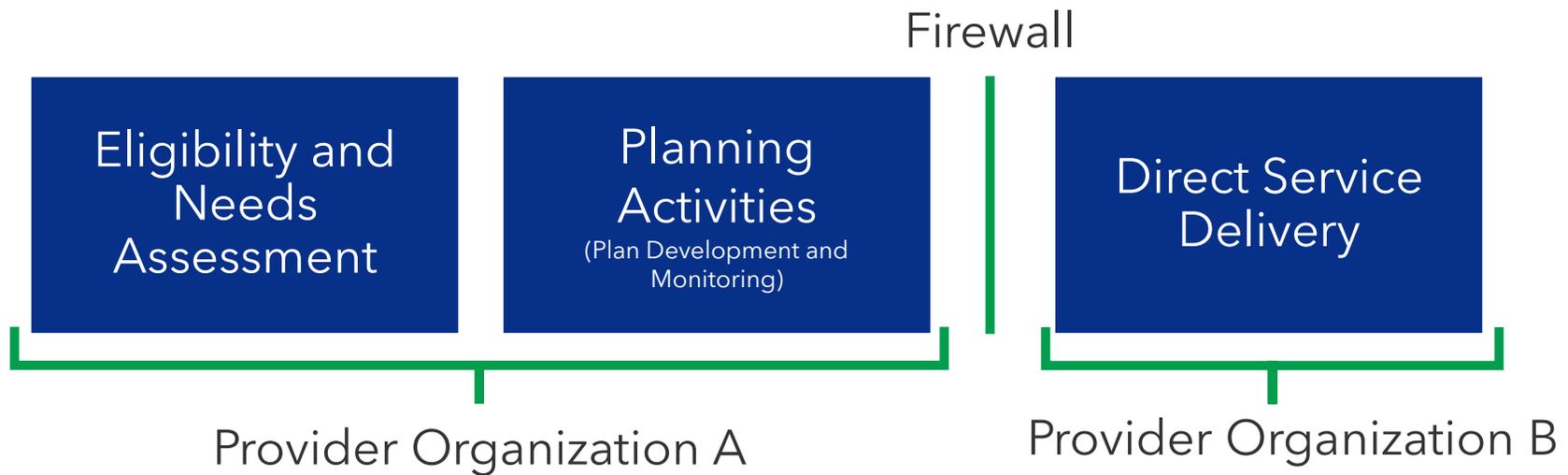
Eligibility and
Needs
Assessment

Planning
Activities
(Plan Development and
Monitoring)

Direct Service
Delivery



What is "Conflict-Free"?



What are exceptions?

Exceptions are regions without sufficient willing and able providers to serve the population, as defined by the state.

The state will determine if exception criteria will be allowed.

Exception regions must implement protections within their organizations.



What are exceptions?

Exceptions are regions without sufficient willing and able providers to serve the population, as defined by the state.

The state will determine if exception criteria will be allowed.

Exception regions must implement protections within their organizations.



What are exceptions?

Exceptions are regions without sufficient willing and able providers to serve the population, as defined by the state.

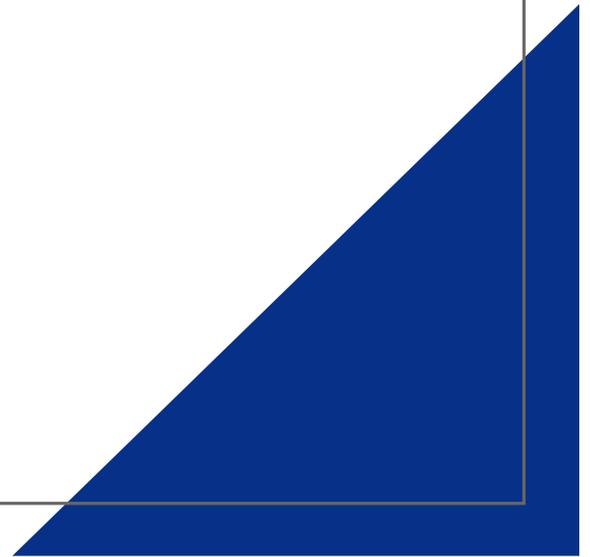
The state will determine if exception criteria will be allowed.

Exception regions must implement protections within their organizations.



 Additional Protections and Safeguards must be in place.

Scope



Waivers

1915(c) Medicaid Waivers

MI Children's Waiver Program
MI Waiver for Children with SED
MI Habilitation Supports Waiver
MI Choice*
MI Health Link*

1915(i) Medicaid Waivers

BH State Plan Amendment (SPA)

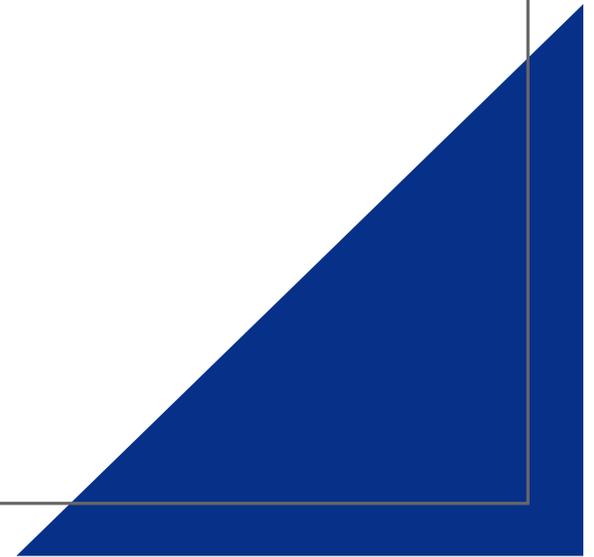
1115 Medicaid Waivers

Healthy Michigan*
Michigan Pathway to Integration

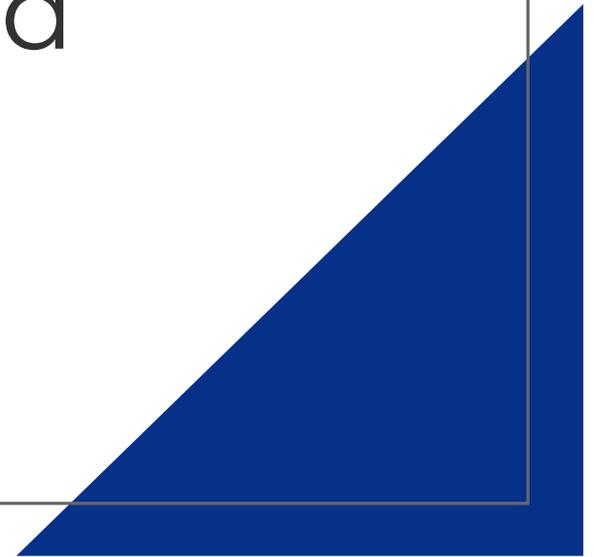
*Waivers that should be considered for initial discussion but are outside of implementation scope of this workgroup.



Workgroup Charter



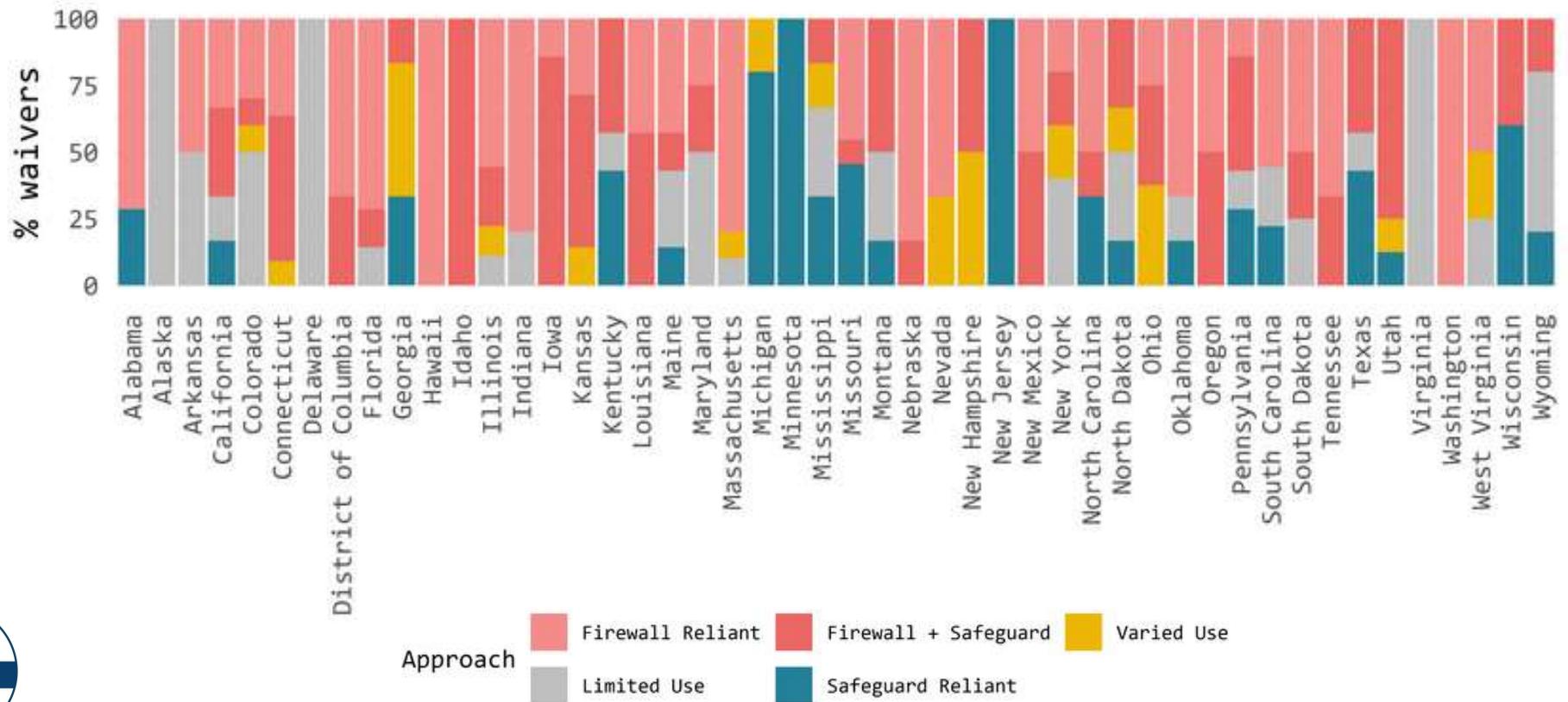
Michigan Approach and Implementation



Varied Approaches Within States

Varied Approaches within States

Which approaches are waivers within each state using?



IPOS Resource Survey

At what points in the process did CMHs use resources?

What was the combined use of safeguards in the process?

How often did CMHs report using resources?



Resources and Safeguards

Case Manager/
Supports
Coordinator

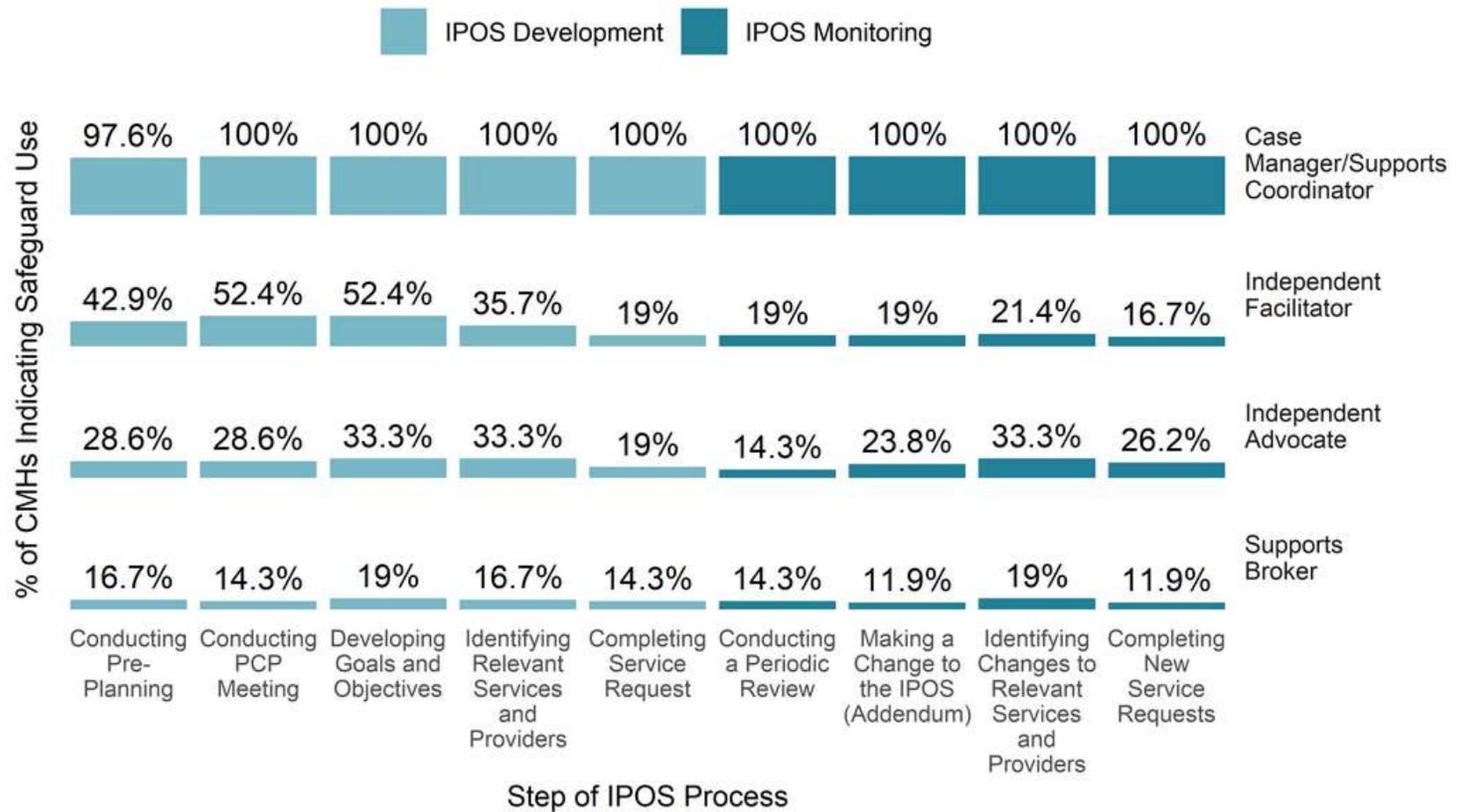
Independent
Advocate

Supports Broker

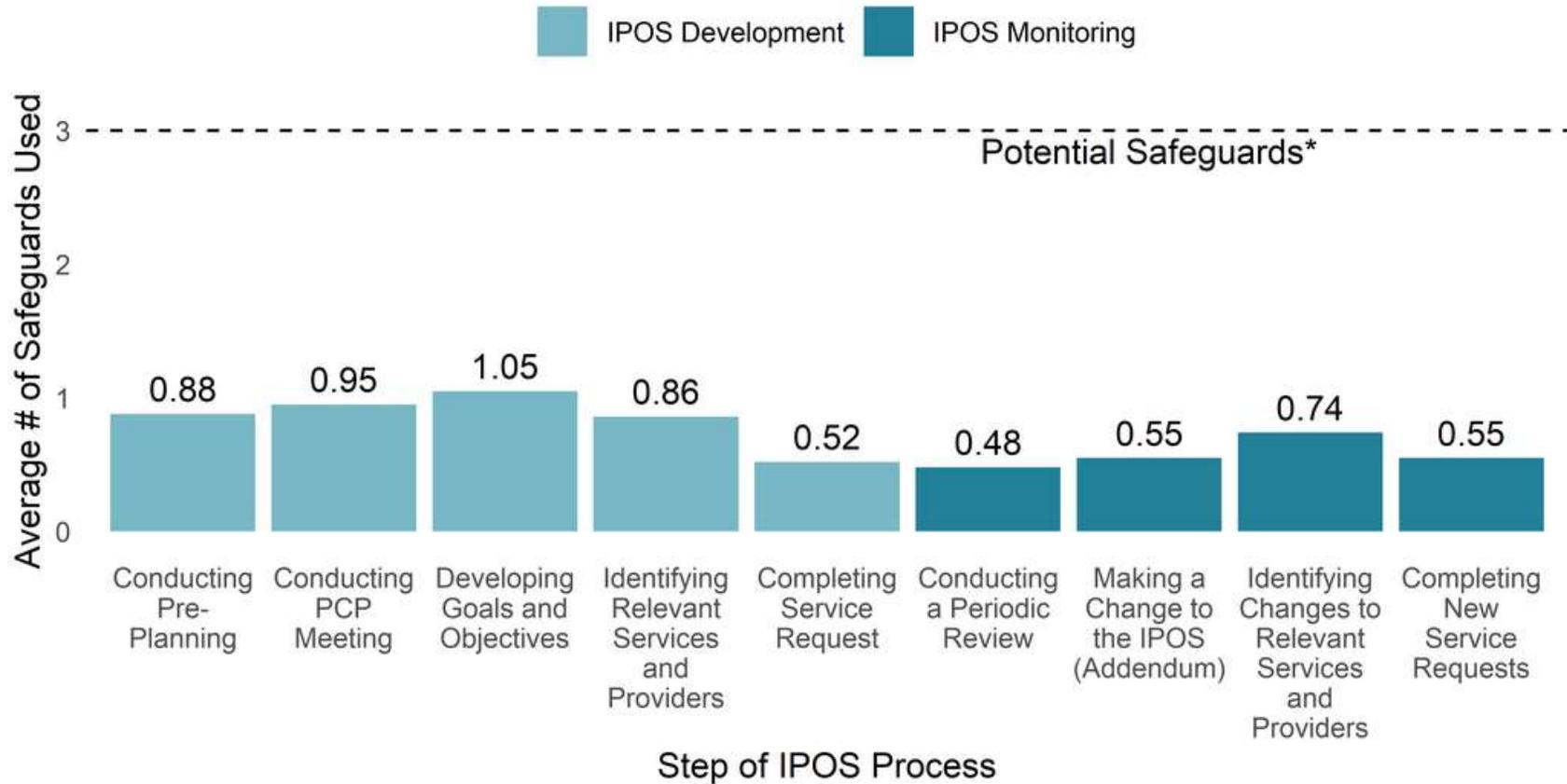
Independent
Facilitation



At what points in the Planning Process do CMHs use resources?



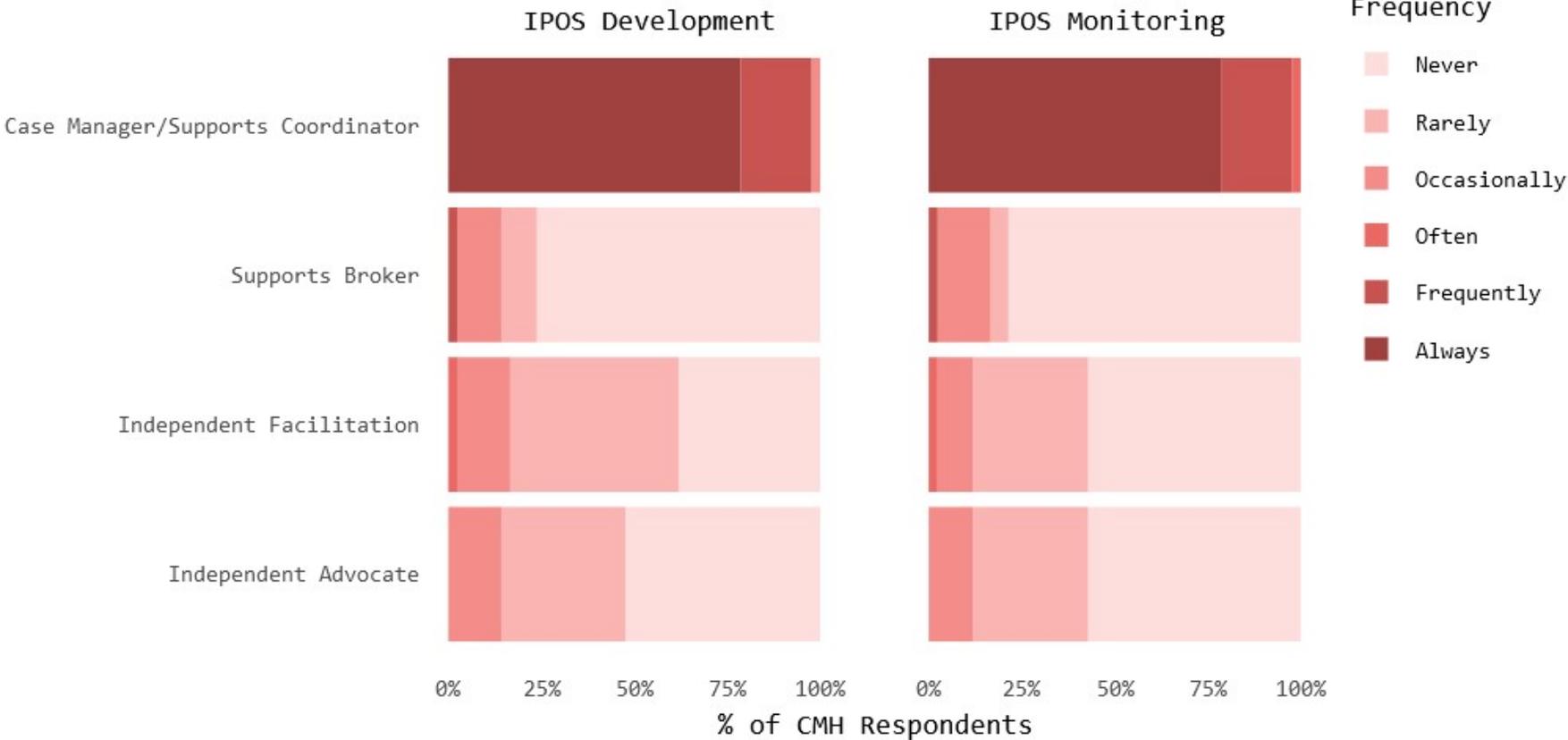
What is the combined use of safeguards in the process?



**Note: Excludes Case Manager/Supports Coordinator*



How often do CMHs use resources?



Summary of Findings

Safeguards were used at a low frequency.

Steps that involved collaboration with the person had more conflict mitigation than administrative steps.

Safeguards were used less during IPOS Monitoring activities.

All respondents had at least one step which was not protected from conflict of interest.



Next Steps

