Performance-Based Contracting Model-Cost Analysis

(FY 2021 Appropriation Act - Public Act 166 of 2020)

March 1, 2021

- **Sec. 503.** (1) In accordance with the final report of the Michigan child welfare performance-based funding task force issued in response to section 503 of article X of 2013 PA 59, the department shall continue to review, update, or develop actuarially sound case rates for necessary child welfare foster care case management services that achieve permanency by the department and private child placing agencies in a prospective payment system under a performance-based funding model.
- (2) From the funds appropriated in part 1, by March 1 of the current fiscal year, the department shall allocate \$250,000.00 to provide to the senate and house appropriations committees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office a report on a full cost analysis to provide annual actuarially sound rates for foster care child placing agency administrative rates and child caring institution residential rates. The report shall include, but not be limited to, all rate factors necessary for consideration and shall give estimates on the cost to implement actuarially sound rates based on actual child welfare data.
- (3) In accordance with the final report of the Michigan child welfare performance-based funding task force issued in response to section 503 of article X of 2013 PA 59, the department shall continue an independent, third-party evaluation of the performance-based funding model.
- (4) The department shall only implement the performance-based funding model into additional counties where the department, private child welfare agencies, the county, and the court operating within that county have signed a memorandum of understanding that incorporates the intentions of the concerned parties in order to implement the performance-based funding model.
- (5) The department, in conjunction with members from both the house of representatives and senate, private child placing agencies, the courts, and counties shall continue to implement the recommendations that are described in the workgroup report that was provided in section 503 of article X of 2013 PA 59 to establish a performance-based funding for public and private child welfare services providers. The department shall provide quarterly reports on the status of the performance-based contracting model to the senate and house appropriations subcommittees on the department budget, the senate and house standing committees on families and human services, and the senate and house fiscal agencies and policy offices.
- (6) From the funds appropriated in part 1 for the performance-based funding model pilot, the department shall continue to work with the West Michigan Partnership for Children Consortium on the implementation of the performance-based funding model pilot. The consortium shall accept and comprehensively assess referred youth, assign cases to members of its continuum or leverage services from other entities, and make appropriate case management decisions during the duration of a case. The consortium shall operate

Performance-Based Contracting Model-Cost Analysis

an integrated continuum of care structure, with services provided by both private and public agencies, based on individual case needs. The consortium shall demonstrate significant organizational capacity and competencies, including experience with managing risk-based contracts, financial strength, experienced staff and leadership, and appropriate governance structure.





Final Report on Section 503 (2) of Children's Services Agency Appropriation for FY2020-21

Full cost analysis to provide annual actuarially sound rates for foster care child placing agency administrative rates and child caring institution residential rates

Public Consulting Group LLC (PCG)

Submitted March 16, 2021 (Revised May 19, 2021)



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BACKGROUND

REQUIREMENTS

The Michigan Department of Health and Human Services (MDHHS) partnered with Public Consulting Group LLC (PCG) to perform a foster care rate assessment in accordance with PA 166 of 2020 for state fiscal year 2021 (SFY 2020-21).¹

"Sec. 503 (2) From the funds appropriated in part 1, by March 1 of the current fiscal year, the department shall allocate \$250,000.00 to provide to the senate and house appropriations committees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office a report on a full cost analysis to provide annual actuarially sound rates for foster care child placing agency administrative rates and child caring institution residential rates. The report shall include, but not be limited to, all rate factors necessary for consideration and shall give estimates on the cost to implement actuarially sound rates based on actual child welfare data."

PCG has partnered with MDHHS throughout the past five years in developing and monitoring per diem rates.

ACTUARIAL SOUNDNESS

Actuarial soundness is a term that has historically been utilized in the insurance industry. For example, Section 1903(m) of the Social Security Act and 42 CFR §438.4 require that Medicaid managed care capitation rates be actuarially sound, meaning that the capitation rates are projected to provide for all reasonable, appropriate, and attainable costs that are required under the terms of the contract and for the operation of the managed care plan for the time period and the population covered under the terms of the contract.²

Utilizing this definition as a starting point, actuarial soundness as it applies to this study can be defined as:

- Rates should be sufficient to cover the services required under the terms of contracts.
- Utilization and cost data should be derived from the applicable population, or if not, are adjusted to make them comparable to the anticipated population.
- Adjustments should be made to account for such factors as trend/inflation, incomplete data, provider-specific data, etc.
- The rates should be developed in accordance with generally accepted actuarial principles and practices.

The rates recommended herein were derived utilizing actuarially sound principles; that is they were calculated based on current contract costs adjusted to account for anticipated program changes and inflation.

CURRENT METHODOLOGY AND MONITORING

In 2015, PCG was contracted by MDHHS to calculate statewide cost based per diem payment rates for providers that contract with MDHHS to provide foster care and residential services. The proposed rates were based on state fiscal year 2015 (SFY15) cost report and service data with an anticipated

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¹ Michigan Public Act 166 of 2020

 $^{^2\} https://www.medicaid.gov/Medicaid/downloads/2019-2020-medicaid-rate-guide.pdf$

implementation period of SFY18.³ The adopted rates are still in effect as the current provider payment rates.

The primary rate inputs for each service include:

- Program Staff: Staffing levels are based on contracted staffing ratios, provider and MDHHS input.
 Expenses associated with all staff directly involved with the program's services are based on cost report submissions.
- Tax and Fringe: Tax and fringe expenses for all program staff are based on cost report submissions.
- Operating Expenses: Occupancy and other operating expenses are directly tied to the service based on cost report submissions. This does not include expenses that are directly reimbursed by MDHHS or that would be unallowable in the current service contract(s).
- Indirect Expenses: Indirect expenses allocated to the program based on cost report submissions.
- Inflation: Markup factor based on Michigan's gross domestic product (GDP) to adjust the rates based on expected inflation between the base cost data reporting period and anticipated rate implementation.
- Utilization: Standard utilization/capacity benchmark. Does not apply to Placement Agency Foster Care (PAFC), Independent Living Plus (ILP) or Treatment Foster Care (TFC) programs.

Each service rate calculation model used different inputs based on cost report data, provider input and MDHHS guidance. Some of the rate calculations were adjusted to account for changes to foster care worker caseload ratios, and to include a coverage or relief factor for certain staff. The provider community was involved in the development of these rates both through its participation in the cost reporting process and in numerous targeted stakeholder engagement sessions.

Rate Monitoring

Since the implementation of these rates, PCG has assisted MDHHS' Bureau of Audit in the annual cost report monitoring process. Each year reported costs are compared to the rates and model budgets. Significant discrepancies, such as substantial variances in salaries, operating expense benchmarks, or indirect expense budgets are reviewed and reported.

QRTP Rate Models

In December 2020, PCG submitted recommendations for MDHHS to adjust the current CCI rates to implement the new Qualified Residential Treatment Program (QRTP) cost factors. The approved QRTP rates take effect in the second half of FY2021 (April 2021).

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³ Please note that all calculations were completed in Excel, which rounds at 15 significant digits, though figures presented in in this report are rounded to the nearest cent (\$0.01 or second digit) or in some cases whole numbers. This may result in marginal differences for any calculations redone manually using figures presented.

RATE RECOMMENDATIONS

In response to the boilerplate legislation, PCG has updated the rates with cost benchmarks from SFY19 cost reports, the most recently approved dataset.

CCI RATE RECOMMENDATIONS

These proposed CCI rates build off the current QRTP rate models and include the following updates:

- Salary and operating expense data were all updated with SFY19 benchmarks
- The Cost Adjustment Factor (CAF) was updated to account for inflation between the SFY19 reporting period and SFY22; the fiscal year for which these rate recommendations have been calculated.

TABLE 1. SFY22 RECOMMENDED ABUSE/NEGLECT CCI RATES

Abuse/Neglect Child Caring Institution (CCI) Rate Type	Qualified Residential Treatment Program (QRTP)?	Approved QRTP FY21 Rate	SFY22 Recommended Rates
Gen. Res. (Tier I, 10:1 Staffing)	Yes	\$254.09	\$277.87
Gen. Res. (Tier II, 9:1 Staffing)	Yes	\$261.09	\$286.54
Gen. Res. (Tier III, 8:1 Staffing)	Yes	\$267.02	\$294.12
Gen. Res. (Tier IV, 7:1 Staffing)	Yes	\$273.12	\$301.88
Gen. Res. (Tier V, 6:1 Staffing)	Yes	\$283.28	\$314.90
Gen. Res. (Tier VI, 5:1 Staffing)	Yes	\$297.36	\$332.38
Gen. Res. (Tier VII, 4:1 Staffing)	Yes	\$326.45	\$368.06
Gen. Res. (Tier VIII, 3:1 Staffing)	Yes	\$380.83	\$435.38
Gen. Res. (Tier VIII, 2:1 Staffing)	Yes	\$506.98	\$591.13
Mental Health & Behavioral Stabilization (5:1)	Yes	\$368.47	\$388.52
Mental Health & Behavioral Stabilization (4:1)	Yes	\$401.94	\$424.73
Mental Health & Behavioral Stabilization (3:1)	Yes	\$465.76	\$494.53
Mental Health & Behavioral Stabilization (2:1)	Yes	\$558.77	\$597.35
Youth with Problematic Sexual Behavior (6:1)	Yes	\$346.30	\$364.98
Youth with Problematic Sexual Behavior (5:1)	Yes	\$377.80	\$400.76
Youth with Problematic Sexual Behavior (4:1)	Yes	\$425.04	\$454.44
Cognitively Impaired & Developmentally Disabled (Treatment 5:1)	Yes	\$352.55	\$368.97
Cognitively Impaired & Developmentally Disabled (Treatment 4:1)	Yes	\$379.03	\$397.62
Cognitively Impaired & Developmentally Disabled (Treatment 3:1)	Yes	\$441.93	\$467.40
Cognitively Impaired & Developmentally Disabled (High Needs 2:1)	Yes	\$570.98	\$610.59
Substance Abuse Rehabilitation (Tier I, 6:1 Staffing)	Yes	\$335.31	\$350.24
Substance Abuse Rehabilitation (Tier II, 5:1 Staffing)	Yes	\$353.37	\$371.29
Substance Abuse Rehabilitation (Tier III, 4:1 Staffing)	Yes	\$380.47	\$402.87
Substance Abuse Rehabilitation (Tier IV, 3:1 Staffing)	Yes	\$425.64	\$455.49
Substance Abuse Rehabilitation (Tier V, 2:1 Staffing)	Yes	\$515.97	\$560.75
Mother Baby (8:1)	No	\$327.17	\$327.17
Intensive Stabilization	Yes	\$689.07	\$689.07
Specialized Developmental Disability Unit	Yes	\$636.36	\$636.36
Shelter Foster Care (4:1)	No	N/A	\$359.13

Shelter Foster Care (1:1)	No	N/A	\$855.96
Human Trafficking - Stabilization 4:1	No	\$519.80	\$519.80
Human Trafficking - Reintegration 4:1	No	\$485.95	\$485.95
Human Trafficking - Stabilization 3:1	No	\$628.86	\$628.86
Human Trafficking - Reintegration 3:1	No	\$613.27	\$613.27
Unaccompanied Refugee Minors	No	\$357.63	\$357.63
Aftercare Tier 1	No	\$27.35	\$27.35
Aftercare Tier 2	No	\$50.98	\$50.98

PCG does not recommend a rate update for the Mother Baby and Unaccompanied Refugee Minor programs, as SFY19 data decreased the QRTP rate. Additionally, PCG and MDHHS are currently working with the Mother Baby provider community to create a new rate model in support of the infants and babies in their care. Further, PCG does not recommend a rate update for Intensive Stabilization or Specialized Developmental Disability Unit because these programs were new in FY2020 and built using FY19 benchmarks.

JUVENILE JUSTICE RATE RECOMMENDATIONS

PCG and MDHHS spoke with Juvenile Justice (JJ) residential providers several times throughout the past 12 months. The workgroup talked extensively about the differences between abuse/neglect and JJ programs and the cost differences within the JJ provider population. While there are differences in contract requirements the current rates do not reflect those differences. The current JJ rates are missing two required program elements:

- Staffing time needed to comply with the PREA audit
- Facility expenses for secure facilities

The calculations are based on a foundation of the CCI rates developed in this memo with additional addons for PREA and secure facility considerations as indicated below.

TABLE 2. JUVENILE JUSTICE PREA RATE APPLICATION FOR PREA PERSONNEL

Expense	FTE	Salary	Source	Application
PREA Coordinator	0.15	\$58,642	Second-line Supervisor FY19 Monitoring	Add uniformly within each staffing section of each model such that every program receives the FTE and salary regardless of program size.
Compliance Manager	0.15	\$35,589	Administrative Support FY19 Monitoring	Add uniformly within each staffing section of each model such that every program receives the FTE and salary regardless of program size.

TABLE 3. JUVENILE JUSTICE PREA RATE APPLICATION FOR PREA TRAINING

Add-On	Hours	Source	Application
Training Hours	5.00	FY20 Provider PREA Survey and MDHHS Recommendation	Additional 5 hours added to the Direct Care Relief coverage factor for PREA training

TABLE 4. JUVENILE JUSTICE SECURE FACILITY RATE APPLICATION

Facility Type	SFY19 Expenses/Days of Care	Difference \$	Difference %	Source	Application
Non-Secure	\$224.83	N/A	N/A	FY19 total non-secure JJ expenses divided by total days (4 programs)	N/A

Secure	\$280.17	\$55.34	24.61%	FY19 total secure JJ expenses divided by total days (7 programs)	Non-secure rate times 1 plus the difference percent between secure and non-secure.
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TABLE 5. CALCULATED JUVENILE JUSTICE CCI RATES

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JJ Child Caring Institution (CCI) Rate Type	QRTP?	Recommended Rate	Recommended Rate
	· ·	Non-Secure	Secure
Gen. Res. (Tier I, 10:1 Staffing)	Yes	\$266.15	\$331.66
Gen. Res. (Tier II, 9:1 Staffing)	Yes	\$274.73	\$342.35
Gen. Res. (Tier III, 8:1 Staffing)	Yes	\$282.37	\$351.87
Gen. Res. (Tier IV, 7:1 Staffing)	Yes	\$290.31	\$361.77
Gen. Res. (Tier V, 6:1 Staffing)	Yes	\$303.43	\$378.12
Gen. Res. (Tier VI, 5:1 Staffing)	Yes	\$321.10	\$400.14
Gen. Res. (Tier VII, 4:1 Staffing)	Yes	\$356.53	\$444.29
Gen. Res. (Tier VIII, 3:1 Staffing)	Yes	\$423.05	\$527.18
Gen. Res. (Tier VIII, 2:1 Staffing)	Yes	\$576.03	\$717.82
Mental Health & Behavioral Stabilization (5:1)	Yes	\$374.11	\$466.19
Mental Health & Behavioral Stabilization (4:1)	Yes	\$410.07	\$511.01
Mental Health & Behavioral Stabilization (3:1)	Yes	\$478.93	\$596.81
Mental Health & Behavioral Stabilization (2:1)	Yes	\$581.88	\$725.10
Youth with Problematic Sexual Behavior (6:1)	Yes	\$350.71	\$437.03
Youth with Problematic Sexual Behavior (5:1)	Yes	\$385.68	\$480.62
Youth with Problematic Sexual Behavior (4:1)	Yes	\$438.15	\$546.00
Cognitively Impaired & Developmentally Disabled (Treatment 5:1)	Yes	\$355.64	\$443.18
Cognitively Impaired & Developmentally Disabled (Treatment 4:1)	Yes	\$384.44	\$479.07
Cognitively Impaired & Developmentally Disabled (Treatment 3:1)	Yes	\$453.28	\$564.86
Cognitively Impaired & Developmentally Disabled (High Needs 2:1)	Yes	\$594.39	\$740.69
Substance Abuse Rehabilitation (Tier I, 6:1 Staffing)	Yes	\$333.65	\$415.78
Substance Abuse Rehabilitation (Tier II, 5:1 Staffing)	Yes	\$353.59	\$440.62
Substance Abuse Rehabilitation (Tier III, 4:1 Staffing)	Yes	\$383.49	\$477.88
Substance Abuse Rehabilitation (Tier IV, 3:1 Staffing)	Yes	\$433.33	\$539.99
Substance Abuse Rehabilitation (Tier V, 2:1 Staffing)	Yes	\$533.00	\$664.20
Mother Baby (8:1)	Yes	\$327.17	\$327.17
Intensive Stabilization	Yes	\$703.21	\$876.30
Specialized Developmental Disability Unit	Yes	\$644.69	\$803.37
Human Trafficking - Stabilization 4:1	No	\$528.43	\$658.50
Human Trafficking - Reintegration 4:1	No	\$494.28	\$615.94
Human Trafficking - Stabilization 3:1	No	\$640.37	\$798.00
Human Trafficking - Reintegration 3:1	No	\$624.38	\$778.06

CHILD PLACING AGENCY RATE RECOMMENDATIONS

PCG recommends the following rates for the Placing Agency Foster Care (PAFC) and Unaccompanied Refugee Minor PAFC programs. The updated rates include:

Salary and operating expense data with SFY19 benchmarks

 The Cost Adjustment Factor (CAF) was updated to account for inflation between the SFY19 reporting period and SFY22; the fiscal year for which these rate recommendations have been calculated.

TABLE 6. CALCULATED CPA RATES

CPA Rate Type	Current Rate	SFY22 Recommended Rate
Placing Agency Foster Care	\$46.20	\$55.27
Unaccompanied Refugee Minors	\$57.91	\$61.14
Treatment Foster Care (TFC)	\$102.35	\$102.35
Independent Living Plus: Host-Home	\$88.58	\$88.58
Independent Living Plus: Staff-Supported	\$187.72	\$187.72

FISCAL IMPACT

As part of this cost exercise, PCG updated the fiscal impact submitted earlier this year. MDHHS provided PCG with SFY19 CCI and JJ placement and utilization data. PCG used SFY19 provider submitted cost reports for CPA placement data. Reductions related to QRTP implementation have not been taken into consideration in this analysis.

CHILD CARING INSTITUTES AND JUVENILE JUSTICE

The grid below summarizes the actual SFY19 days of care used to calculate the fiscal impact.

TABLE 7. SFY19 CCI AND JJ DAYS OF CARE

Program Type	CCI Units	JJ Non-Secure Units	JJ Secure Units	Total Units
General Residential (GR)	96,803	28,435		125,238
Mental Health & Behavioral Stabilization (MHBS)	141,504	16,517	32,769	190,790
Youth with Problematic Sexual Behaviors (YPSB)	6,054	15,305	2,474	23,833
Cognitively Impaired and Developmentally Disabled (CIDD)	43,943	21	1,201	45,165
Substance Abuse & Recovery (SA)	1,638	2,466	221	4,325
Parent Baby (PB)	4,950	0	0	4,950
Shelter Foster Care	14,099	0	0	14,099
Short Term Assessment	12,902	0	0	12,902
Unaccompanied Refugee Minors (URM)	7,997	0	0	7,997
Unknown	8,782	0	0	8,782
Total Units	338,672	62,744	36,665	438,081

The calculated CCI rates were then applied to the SFY19 data to calculate the fiscal impact. The fiscal impact summarized below assumes that SFY19 service units will be performed similarly in SFY22, and therefore it does not account for any variations in service delivery.

TABLE 8: ESTIMATED FISCAL IMPACT BASED ON SFY19 UTILIZATION

Program	QRTP Rates	Recommended	Recommended	Recommended	Total
Type	QRIP Rates	CCI	JJ Non-Secure	JJ Secure	Recommended
GR	\$38,226,786	\$34,893,288	\$7,567,975	\$0	\$42,461,263
MHBS	\$76,117,624	\$61,255,220	\$6,179,175	\$15,314,229	\$82,748,624
YPSB	\$8,444,069	\$2,426,201	\$5,367,617	\$1,081,212	\$8,875,030
CIDD	\$18,874,738	\$19,456,644	\$7,468	\$532,259	\$19,996,372
SAR	\$1,509,782	\$643,112	\$822,781	\$91,887	\$1,557,780
MB	\$1,392,980	\$1,392,980	\$0	\$0	\$1,392,980
IS	\$0	\$0	\$0	\$0	\$0
SDDU	\$0	\$0	\$0	\$0	\$0
Shelter	\$5,063,374	\$5,063,374	\$0	\$0	\$5,063,374
STA	\$6,215,462	\$6,215,462	\$0	\$0	\$6,215,462
HT	\$0	\$0	\$0	\$0	\$0
URM	\$2,859,967	\$2,859,967	\$0	\$0	\$2,859,967
Aftercare	\$8,249,705	\$6,303,132	\$0	\$0	\$6,303,132
Unknown	\$3,865,215	\$3,865,215	\$0	\$0	\$3,865,215
Total	\$170,819,700	\$144,374,594	\$19,945,016	\$17,019,588	\$181,339,198

CHILD PLACING AGENCIES

The table below includes placement data from the FY2019 provider cost reports. The recommended rates include the recommended rates for Placing Agency Foster Care and Unaccompanied Refugee Minors.

TABLE 10. ESTIMATED CPA FISCAL IMPACT BASED ON SFY19 UTILIZATION

Program Type	Current Rates	Recommended Rates
Placing Agency Foster Care	\$84,543,782	\$101,136,308
Treatment Foster Care	\$1,468,313	\$1,468,313
Host-Home	\$1,196,684	\$1,196,684
Staff-Supported	\$8,785,280	\$8,785,280
Unaccompanied Refugee Minors	\$6,967,152	\$7,356,269
Total	\$102,961,211	\$119,942,854

TOTAL FISCAL IMPACT

The recommended rates would increase the CPA, CCI, and JJ annual spend by 10%. The table below provides the estimated budget increase based on SFY19 utilization.

TABLE 11. ESTIMATED FISCAL IMPACT BASED ON SFY19 UTILIZATION

Program Type	FY22 Approved Funding	Recommended Rate	Total Increase \$	Total Increase %
Child Placing Agency (CPA)	\$102,961,211	\$119,942,854	\$16,981,643	16%
Child Caring Institution (CCI)	\$137,917,462	\$144,374,594	\$6,457,132	5%
Juvenile Justice (JJ)	\$32,902,238	\$36,964,604	\$4,062,366	12%
Total	\$273,780,911	\$301,282,052	\$27,501,141	10%