



May 20, 2015

In-Home Providers and CDS Vendors:

The mandate for all Medicaid In-Home providers and all Medicaid CDS vendors to utilize a Telephony Employee Tracking System goes into effect on July 1, 2015 (6 weeks from now). The purpose of this email is to provide you with as much information possible at this point.

Law for In-Home:

<http://www.moga.mo.gov/mostatutes/stathtml/66000000231.html?&me=660.023>

Law for CDS:

<http://www.moga.mo.gov/mostatutes/stathtml/20800009091.html?&me=208.909>

And another for CDS

<http://www.moga.mo.gov/mostatutes/stathtml/20800009181.html?&me=208.918>

The Missouri Alliance for Home Care (MAHC), has been working with the Division of Senior and Disability Services (DSDS), specifically Bobbi Jo Garber, and the Missouri Medicaid Audit and Compliance (MMAC) office, specifically Jessie Dresner, on the short and long term implementation of this law. Before going into specifics known today let me say that MAHC and other home care associations and providers attempted to change the language of “telephony” to “Electronic Visit Verification (EVV)” and to delay the implementation of this law for one year. However those efforts failed in the MO General Assembly. We will be attempting to change the law again next year, but in the meantime July 1st is technically the deadline.

Providers and Vendors can expect the following:

1. **Memo/Hot Tip** (due next week): DSDS and MMAC will be sending out a memo and “Hot Tip” to you next week. We worked with them today on the language to be included in the memo and Hot Tip. These documents will not spell out the details of compliance that many of you would like to see. The details will be included in the Rule that DSDS is writing.

Some highlights of the memo will include:

- a. No longer will MMAC “approve” Telephony products. You are free to select a Telephony provider or develop your own product as long as it can meet all of the requirements in the law. The last list of Telephony providers maintained by MMAC is available here: <http://mmac.mo.gov/files/Telephony-Vendors-3-23-15.pdf>
- b. Providers and Vendors will not need an addendum to their contracts.
- c. The next Provider Agreement will have specific reference to the requirement to have a Telephony product.

2. **The Rule** (due to be filed in a few months and final within 9 months): DSDS and MMAC are working on the language for the Rule. MAHC and others will be reviewing their draft language prior to its publication. The Rule will provide additional guidance and will answer

some of your many questions about what is expected and what MMAC will look for when auditing. Getting a Rule published and enacted is not a fast process. In most cases it takes six to nine months.

3. **Telephony Check List:** Two MAHC committees worked to develop a checklist of questions vendors and providers may want to use when discussing Telephony with a potential provider. This list was developed by providers and vendors that have gone through the process of securing a Telephony system. It outlines many of the problems and lessons learned through trial and error on their part. It is my observation that great care needs to be taken when interviewing potential Telephony providers. The MO Medicaid/DSDS/MMAC requirements are unique to MO. Just because a Telephony provider has a product working in another state does not automatically mean it will work here. MAHC cannot tell you to not proceed with securing a Telephony provider. However, based on conversations with MMAC and DSDS, I believe it is wise to use common sense and good judgment in your decision making. Finding the product that is best for your organization will take some investigation. You probably need to get started on this effort. Keep tuned to MAHC and the state agencies (DSDS and MMAC) as things progress. If you have legal counsel, take their advice.

Here is the link to the Checklist of Questions for Telephony Providers:

<http://homecaremissouri.org/documents/QuestionsforTelephonyVendorsasofMarch2015.pdf>

4. **MAHC Membership – Reasons To Be A Member:** Many of you are not a member of The Missouri Alliance for Home Care (MAHC). Many providers and vendors are new or were not aware that MAHC existed. I understand that membership in an association is expensive and often the decision is made to not be a member to save scarce resources. I hope you will consider all of the critical issues that are facing In-Home providers and CDS vendors at this time, and rethink becoming a member. Not only is Telephony now a reality, but the MO Quality Home Care/Union wage issue is pending, including an expanded effort to include all In-Home aides, as well as CDS workers, in the wage agreement. At the Federal level, the U.S. Dept of Labor's (DoL) elimination of the companionship exemption that will impact all providers and vendors in the area of overtime and wage and hour issues should be decided soon. This is not the time to be on the outside of your industry's voice on these issues.

MAHC's membership year begins July 1st. If your organization has never been a member take advantage of a first-time member rate of \$500 for the entire year (through June of 2016). If you were a member in the past, consider coming back. Home care's voice can be strong and proud – you can make a difference.

If you want to take advantage of this First-Time Member offer simply reply to this email saying "yes" and we will contact you to get you started as a member, even before July 1st!

For more information about MAHC visit: www.homecaremissouri.org

Thank you.

Mary

Mary Schantz
Ex. Director



Missouri Department of Health and Senior Services

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Gail Vasterling
Director

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Governor

PM-15-08
VM-15-09

May 26, 2015

MEMORANDUM FOR ALL HOME AND COMMUNITY BASED CARE PROVIDERS

FROM: Celesta Hartgraves, Director *Celesta Hartgraves*
Division of Senior and Disability Services

SUBJECT: Telephone Tracking System (Telephony)

Effective July 1, 2015, pursuant to Sections 660.023 and 208.909, RSMo, all In-Home Services and Consumer Directed Services providers are required to have, maintain, and use a telephone tracking system for the purpose of reporting and verifying the delivery of all In-Home and Consumer Directed Services as authorized by the Department of Health and Senior Services (DHSS). The telephone tracking system must meet the applicable requirements of Sections 660.023 and 208.909, RSMo.

The telephony pilot project ended when the completed report was provided to the general assembly in 2013. Therefore, Missouri Medicaid Audit and Compliance (MMAC) will no longer provide a list of telephony vendors who were approved for participation in the pilot project. Home and Community Based Services (HCBS) providers are no longer required to complete an addendum when they begin telephony. MMAC will add an attestation statement to the provider agreements beginning July 1, 2015.

Pursuant to Sections 660.023.3 and 208.909.5(4), RSMo, DHSS will be drafting a regulation regarding telephony. DHSS will be working closely with MMAC and the HCBS provider associations to gather input and feedback. After the rule is drafted, there will be a public comment period.

Additionally, if you are looking for information regarding telephony vendors that others in your industry are using, the associations will be able to assist you.

The statutory requirement for using telephony does not apply to Residential Care Facility Personal Care providers, Adult Day Care Centers, or Home Health providers.

Any questions regarding this memorandum should be directed to the Bureau of Program Integrity via e-mail at programintegrity@health.mo.gov or by phone at 573-526-8557.

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CC: Distribution Lists 3 & 4

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