

TPA Annual Meeting & Membership Meeting

June 24, 2022





Meeting Materials

1. Meeting Agenda
2. Annual Meeting Minutes from June 25, 2021
3. Disability Leaders Guest Editorial
4. Pittsburgh Post-Gazette Editorial Board
5. ID/A DSP Support Letter from Rep. Natalie Mihalek
6. ODP Announcements: New Waiver Services, Fees

DISABILITY LEADERS LOOK TO GENERAL ASSEMBLY WITH OPTIMISM

🕒 JUNE 16, 2022 📍 THE VALLEY LEDGER

- Sue Steege, Access Services
- Stephen Surovec, Achieva
- Tonja Smith, Allegheny Community Home Care
- Ed Picchiarini, Arc Human Services/Arc of Washington County
- John Link, Arc of Butler County
- Rebekah Cunningham, Arc of Centre County
- Mark Weindorf, Arc of Crawford County
- Katherine Reim, Arc of Erie County
- Nancy Murray, Arc of Greater PGH
- Diane O'Rourke, Arc of Mercer County
- Maryclaire Kretsch, Arc of Northeastern PA
- Shane Janick, Arc of Philadelphia
- Paulette Miller, Beaver County Rehabilitation Center
- Sharon Roskovich, Community Living Care
- Susan Blue, Community Services Group
- Amy Nielsen, Croyle-Nielsen Therapeutic Associates
- Karen Jacobsen, Emmaus Community of PGH
- Charles Walczak, Erie Homes for Children and Adults
- Jodi Lamer and Nichole Trump, Family Ties
- Mary Ellen Farber, Friendship Community
- Lannette Lateef, Global Adult Care Services
- Cynthia Dias, Greene Arc
- Kim Love, InVision Customized Services
- Judy Duxbury, Kiski Valley Opportunities Unlimited
- Dr. Susan Latenbacher, Lark Enterprises
- Susan Leyburn, LifePath
- Kim Sonafelt, Mainstay Life Services
- Marisol Valentin, McAuley Ministries
- Christopher Shay, McGuire Memorial
- Rita Gardner, Melmark of PA, New England, and Carolinas
- Rick Senft, Passavant Memorial Homes Family of Services
- Marco Giordana, Resources for Human Development
- Eric Lindey, Step by Step
- Cynthia Pasquinelli, Strawberry Fields
- Peggy Vitale, SunCom Industries
- Zach Wray, Sunrise Community of PA
- Janeen Latin, UCP Central PA
- Bill Harriger, Verland Foundation
- Rich Johnson, ViaQuest
- Will Stennett, Voices of Independence
- Richard Douglas, Weiblinger's Residential Care
- Tine Hansen-Turton, Woods Services



Annual Meeting Agenda

1. Call to Order –
 - a. Recognition of Presiding Officer Diane O'Rourke
 - b. Declaration of Quorum
 - c. Modern Rules of Order
2. Annual Meeting Minutes from June 25, 2021
3. New Business Item
 - a. Board of Directors Slate for Fiscal Year 2022-23
4. Adjournment



New Business Item: Approval of FY 2022-23 Board Slate & Terms

1. Ruth Siegfried, President (2025)
2. Diane O'Rourke, Vice President (2025)
3. William Stennett, Treasurer (2024)
4. Susan Lautenbacher, Secretary (2023)
5. Marisol Valentin (2022)
6. Patrick Barber (New)
7. Tonja Smith (New)
8. Kim Sonafelt (New)

Motion to Renew Marisol Valentin and approve Patrick Barber, Tonja Smith, and Kim Sonafelt to four-year terms through June 30, 2026

Spending Plan for the American Rescue Plan Act of 2021



- Support provider workforce expansion with funding to issue **sign-on and retention bonuses** for nurses, direct care workers, and other home and community-based service providers.
- **Refresh data** for Office of Developmental Programs services and **adjust rates** if necessary.
- Fund the purchase of personal protective equipment and testing supplies for HCBS providers.
- Enhance quality of service provision for individuals with intellectual disabilities/autism, provider training and credentialing.
- Develop a registry of direct care workers that allows participants to locate, review and contact direct care workers who will best meet their care needs.
- Provide **funding for assistive and remote support technology** to enhance service delivery.
- Issue one-time grants to HCBS providers that have innovative ideas that will address social determinants of health.



Rate “Refresh”

Patrick DeMico

From: Patrick DeMico
Sent: Tuesday, September 28, 2021 2:24 PM
To: Smith, Rick
Cc: Ahrens, Kristin
Subject: RE: Rate "Refresh"

Hi Rick,
Just following up on this topic from Friday. If “refresh” is being defined or interpreted with a minimum threshold of updating the prevailing BLS data, that alone does not meet chapter 6100.571 criteria. The term “refresh” does not exist in current regulation. I recommend that it not be used going forward and that ODP defer to the regulation and its requirements to “update the data used in subsection (b) [the complete list of factors required to establish fee schedule rates] at least every 3 years.”



Rate “Refresh”

Brief history:

Proposed Rulemaking: November 5, 2016

6100.571(b) The Department will refresh the market-based data used in subsection (a) to establish fee schedule rates at least every 3 years.

Advanced Notice of Final Rulemaking: August 19, 2017

Subsection (b) is revised to delete "refresh" as it is not a commonly understood term for the purposes of rate setting. This subsection now clarifies that the Department will examine and use the data sources in subsection (a) to establish fee schedule rates at least every 3 years.

PA Regulatory Review Act, Final-Form Regulation #14-540 –55 Pa. Code Chapters 51, 2380, 2390, 6100, 6200, 6400 and 6500: August 23, 2018

Page 202, Section 6100.571(c) mandates that the market-based data be updated every 3 years.

Page 216, The section is simplified to use the term “update” rather than “refresh” or “rebase.” The term “update” is the appropriate term, as it requires the Department to revise, examine and use the data in the rate setting process.



Rate “Refresh”

Final Published Version: October 5, 2019

§ 6100.571. Fee schedule rates.

(a) The Department will establish fee schedule rates, based on the factors in subsection (b), using a market-based approach so that payments are consistent with efficiency, economy and quality of care and sufficient to enlist enough providers so that services are available to at least the extent that such services are available to the general population in the geographic area.

(b) In establishing the fee schedule rates in subsection (a), the Department will examine and use data relating to the following factors:

- (1) The service needs of the individuals.
- (2) Staff wages, including education, experience, licensure requirements and certification requirements.
- (3) Staff-related expenses, including benefits, training, recruitment and supervision.
- (4) *Productivity*. Productivity is the amount of service delivered relative to the level of staffing provided.
- (5) *Occupancy*. Occupancy is the cost related to occupying a space, including rent, taxes, insurance, depreciation and amortization expenses.

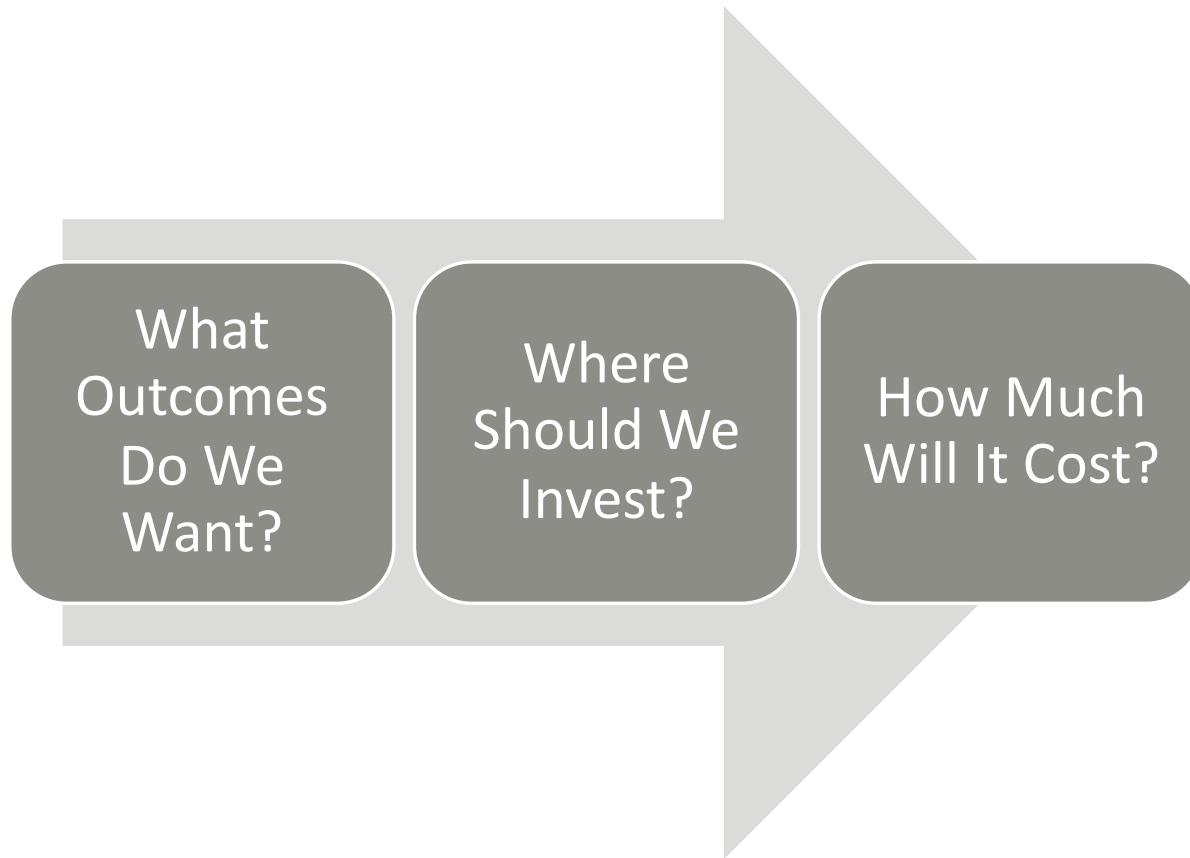


Rate “Refresh”

- (6) Direct and indirect program and administration-related expenses.
- (7) Geographic costs based on the location where the HCBS is provided.
- (8) Federally-approved HCBS definitions in the waiver and determinations made about cost components that reflect reasonable and necessary costs related to the delivery of each HCBS.
- (9) The cost of implementing applicable Federal and State statutes and regulations and local ordinances.
- (10) Other factors that impact costs.
- (c) The Department will update the data used in subsection (b) at least every 3 years.
- (d) The Department will publish a description of its rate setting methodology used in subsection (a) as a notice in the *Pennsylvania Bulletin* for public review and comment. The description will include a discussion of the use of the factors in subsection (b) to establish the fee schedule rates; a discussion of the data and data sources used; and the fee schedule rates.
- (e) The Department will make available to the public a summary of the public comments received in response to the notice in subsection (d) and the Department’s response to the public comments.



TPA ARPA Process





Statewide DSP Workforce Data

Number of Positions/Hours				
	DSPs	Percentage	Hrs/Yr	Total Hrs
Full-Time	44,000	80%	2,080	91,520,000
Part-Time	11,000	20%	1,040	11,440,000
Total	55,000	100%		102,960,000



TPA ARPA Recommendation: Invest \$541M into Fee Schedule

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Part-Time	11,000	20%	1,040	11,440,000
Total	55,000	100%		102,960,000

Living Wage	\$ 18.20	
Average DSP Wage	\$ 14.00	
Hourly Wage Increase	\$ 4.20	
DSP Hours - Statewide	102,960,000	
Additional Wage Cost	\$ 432,432,000	
Benefit Cost/ERE	\$ 64,864,800	
Overtime Cost (Net)	\$ 43,243,200	
Total Cost		\$540,540,000

The Provider Alliance

SHARING IDEAS, RESOURCES, AND PURPOSE

EQUAL PAY FOR EQUAL WORK

WHAT YOU SHOULD KNOW

INVESTMENT NEEDED

\$65M

Families, DSPs, and Providers across the PA have raised their voices, sounding the alarm that the ID/A System is collapsing. We need an additional \$65M in state funds (which will be matched with \$71M) above the governor's proposed budget to establish rates that will increase the average wages of community DSPs to the same level as state-employed aides.

PAY GAP

30%

Based on average wages, PA pays community DSPs 30% less: \$18.66 at state centers vs. \$14.38 in the community.

TURNOVER RATE

60%

PA reports community DSP turnover at 60% vs. 13.9% at state centers paying higher wages.

VACANCY RATE

27%

PA reports community DSP vacancy rate of 27% vs. 16.8% at state centers.

SERVICE GAP

6,500

More than 6,500 Pennsylvanians lost ID/A services during the pandemic.

NATALIE MIHALEK, MEMBER
40th LEGISLATIVE DISTRICT

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Room 143B, East Wing
P.O. Box 202040
Harrisburg, PA 17120-2040
Phone: (717) 783-1522
Fax: (717) 783-8332

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3515 Washington Road, Suite 540
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Phone: (724) 942-2045
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House of Representatives
Commonwealth of Pennsylvania
Harrisburg

COMMITTEES:
Children and Youth
Judiciary
Human Services
Veterans Affairs & Emergency Preparedness
Liquor Control

CONTACTS:
Website: RepMihalek.com
Facebook.com RepMihalek
Twitter.com RepMihalek
E-mail: nmihalek@pahousegop.com

rates, that will increase the average wage of community DSPs to the same average wage paid at State Centers.

Thank you for your attention to this critical matter.

Sincerely,


Natalie Mihalek
State Representative
40th Legislative District


Eric Nelson
State Representative
57th Legislative District

June 20, 2022

The Honorable Stanley Saylor
House Appropriations Chairman
Room 245, Main Capitol Building
Harrisburg, PA 17120-2094

RE: \$65 MILLION IN ADDITIONAL STATE FUNDING FOR DIRECT SUPPORT PROFESSIONALS

Dear Leader or Chairperson,

We are writing to you to urge for the inclusion of an additional \$65 million in state general funds to the FY 2022/23 Pennsylvania Budget to increase rates for the Intellectual Disabilities & Autism (ID/A) Home and Community Based Services (HCBS) waiver programs. These funds are urgently needed to increase Direct Support Professional (DSP) wages to serve our most vulnerable citizens.


Our concerns include:

- Community DSPs are being paid 30% less than the Commonwealth pays State Center workers performing equivalent duties serving the same populations from the same Medicaid funding source.
- The Community ID/A system is not sustainable with excessive DSP staff vacancy (27%) and turnover rates (60%) in community programs compared to State Centers with recently reported vacancy and turnover rates of 17% and 14%, respectively.
- 6,500 people with ID/A lost day supports and employment services during the pandemic due to providers and families being unable to hire DSPs.

We support the addition of \$65 million of state general funds that will be matched by the federal government to provide total additional funding of \$136 million to community waiver



Valerie Gaydos
State Representative
44th Legislative District


Jim Marshall
State Representative
14th Legislative District


Jason Silvis
State Representative
55th Legislative District


Marci Mustella
State Representative
11th Legislative District


Abby Major
State Representative
60th Legislative District


Robert Mercuri
State Representative
28th Legislative District


Jim Struzzi
State Representative
62nd Legislative District


Lori Mizgorski
State Representative
30th Legislative District


Carrie Lewis DelRosso
State Representative
33rd Legislative District


Jason Ortity
State Representative
46th Legislative District

NM/lm



Pennsylvania Budget Update

Pugliese Associates

LOU BIACCHI
SCOTT BISHOP



ODP Policy Discussion

MICHELE O'TOOLE

REGIONAL PROGRAM MANAGER

ODP Discussions Items from Meeting Agenda



- Waiver Amendments, New Rates and Services
- Online Residential Vacancy Management Tool
- PA START Program Pilot
- State Center Closures of Polk and Whitehaven
- ODP American Rescue Plan Act (ARPA) Initiatives
- Upcoming Fiscal Year, Planning, Renewal & Initiatives
- ODP Participation in NCI Staff Stability Survey



Thank You!

Visit the Action Center to
Contact Your Legislator
Today!