

Meeting Date: April 16, 2021

Attendees:

BABH, CEI, CMHCM, GIHN, Huron, LifeWays, MCN, Newaygo, Right Door, Saginaw, Shiawassee and Tuscola

MSHN Staff: Kim Z.

Not Present: All Present

*This meeting was held by zoom only

KEY DISCUSSION TOPICS

- Agenda Review
- Follow Up from Previous Meeting
- FY20-21 Contract Comparison
- Mediation Updates
- Data Mining Activities
- OIG Quarterly Report
- Open Discussion
 - Written signatures on consents
 - 21st Century Cures Act
 - Record retention and electronic health records
- Standing Agenda Items

✓ **KEY DECISIONS**

- Additions to Agenda
 - ✓ Written signatures on consents
 - ✓ 21st Century Cures Act
 - ✓ Record retention and electronic health records
- Follow up from previous meeting – N/A
- FY20-21 Contract Comparison
 - ✓ Reviewed side by side comparison between FY20 & FY21 provided by BABH. Review was focused mainly on clinical, quality and compliance areas.
- Mediation Updates
 - ✓ House Bill 5043 requires offering of mediation as part of dispute resolution.
 - ✓ MDHHS has to offer and arrange for it.
 - ✓ MDHHS has a contractor (Oakland Mediation Center).
 - ✓ Contract language is necessary to affect this effort to indicate obligations and responsibilities.
 - ✓ Implementation date keeps getting pushed out, but it is law.
 - ✓ Many questions on how this works in conjunction with the appeals process with respect to timeframes of existing processes and authority scope.
- Data Mining Activities
 - ✓ Shared a spreadsheet of possible data mining activities that are already being done by PIHP's.
 - ✓ Death/data report is ongoing.
 - ✓ Noted self-determination arrangements. CLS and Adult Home Help Services monitoring discussed.
 - ✓ CMH's don't have access to the AHH data. Kim will discuss further with PIHP compliance officers.
- OIG Quarterly Report
 - ✓ 2nd Quarter report due to MSHN in couple of weeks.
 - ✓ Haven't received any feedback from OIG for prior two quarters.
 - ✓ Encouraging move toward REMI for entry of events, upgrade requests have been made to PCE.
 - ✓ Sixteen open cases with OIG exists but are not being acted on at this point as waiting for direction from the OIG.

- Open Discussion
 - ✓ H2015 memo and preponderance rule
 - PIHP compliance committee has raised concerns of legality on the preponderance rule. Opinion from OIG is being sought.
 - ✓ Written signatures on consents
 - Discussed acceptance of verbal and attempts to get written consents. Need to document good faith effort to obtain written consents. CMH's continue to serve without having written consent. Noted Appendix K extension. No actions with respect to event verifications are occurring.
 - ✓ 21st Century Cares Act items
 - Discussed components of information blocking rule and "Open Notes Rule". CMH's identified processes associated with placing consumer record items in a patient portal upon request, but noted there is no requirement to automatically place records in a portal for instant access. There should be no unreasonable delay in fulfilling the request.
 - ✓ Record Retention in the Electronic Health Record
 - How are people disposing of electronic records? Some don't get rid of them, they are left in the E-H-R.
- Standing Agenda Items
 - ✓ HSAG Review Updates
 - Performance measure validation & PIs: June 22 start date
 - Compliance Review: Utilization management review. Question on scope. HSAG supposed to be monitoring the State. Advocating for a liaison approach to have CMH's show the record via conference platform vs. HSAG accessing the record directly.
 - Performance Improvement Projects
 - ✓ MDHHS Review Update on 90 day review. Still working on some items regarding person-centered planning and use of ranges and placement of amount, scope and duration.

✓ **KEY DATA POINTS/DATES**

- Next Meeting: June 18, 2021 (3rd Friday of every other month from 10:00am – 12:00pm)