

FAMILY CARE COUNCIL FLORIDA
Frank Carroll, Chairperson
Sheraton Suites, Orlando Airport
Orlando, Florida
March 19, 2011

MEMBERS PRESENT:

Frank Carroll, Chairperson (Area 3)
Phil Pearson, Vice Chairperson (Area 12)
Pauline Lipps, Treasurer, (SunCoast Region East)
Patty Houghland, Secretary (Area 1)
Betty Kay Clements, Past FCCF Chairperson (Area 13)
Beth Burr (Area 2)
Melinda Willaford (Area 4)
Chris Dugan (Area 7)
Mary Pringle (Area 8)
Veronica Pappas (Area 9)
Jean Sherman (Area 10)
Paul Bell (Area 11)
Isabel S DeMartinez (Area 13)
Lisa McGlone (Area 15)

GUEST:

Cathy Allore
Darlene Foster
Christina DeCaso

I. CALL TO ORDER

Chair Carroll called the meeting to order at 8:30 a.m. and welcomed everyone. The contents of the information packet were reviewed and include the following:

- FCCF Agenda
- FCCF January Minutes
- Financial overview of the councils
- Disabilities Rights Florida brochure
- FCCF newsletter
- DD Day Awareness Agenda
- Family Care Council Liaisons Conference Call Agenda
- Information sheet on Pen Pals
- Letter concerning a stolen computer
- Florida Chain information sheet "Still too Risky"
- Information sheet about eQHealth Solutions, Inc.
- Q&A: House, Senate differ on Medicaid overhaul

II. BUSINESS

Review of Minutes—Phil Pearson made motion to accept the minutes as submitted, Pauline Lipps seconded the motion. The minutes were approved by consensus.

III. Budget Report—Pauline Lipps, treasurer reviewed the budget report. The process for getting spending was discussed. Jennifer Hart sent the budget statements. The treasurer will prepare a budget for next year.

IV. Legislative Strategy – Phil Pearson gave the update on the legislative plans. FCCF's legislative platform is on the web for all to use. The issue of getting the study of the waitlist as an amendment to another bill is being worked on. Phil also discussed the CAFÉ presentation.

V. APD UPDATE BY DAVE ROBINSON- Dave's information:

Dave explained that Jim left and it was a political decision and Carl Littlefield came in for a short period. The difficulty with Carl's appointment was the perception that there was a particular provider situation in the SunCoast Region that was not dealt with effectively. Brian Vaughan was appointed as the chief of staff by the Governor. Unfortunately, with Carl leaving Mr. Vaughan had to step up and be the acting director. There is hope that the Agency will have a director by the end of the legislative session. Mr. Moreno left the agency and he was the Deputy Director. The CFO Karen and the budget director also left. There is an interim management team and Dave is on the team and he manages the day to day operation of the office under the direction of Mr. Vaughan. Dave is spending some time in the Governor's office and the legislature.

There is a lot of discussion from the Governor's office, through the legislature, about a long term care agency. That would put APD into a long term care agency. The possible players with the long term care agency would include the Elder Affairs, Mental health, parts of Health, long term parts, that are appropriate out of AHCA and APD (It would be the waivers under this agency that would come all together under one big agency). It would be like a DCF for long term care. The legislature response to it is let's study it, and therefore Dave does not believe it will go forward at this time. The large agency, super agency, would place APD like it was when it was under DCF. The legislature is looking at the privatization of the 2 state institutions and maybe MRDP. Dave's sense is that folks in the legislature are reluctant to create the super agency. The belief at this point is that they will keep APD.

Starting with Governor Crist, Jim's job was structured around working with the legislature. APD is an executive agency of the Governor. APD works for the Governor. Governor Crist trusted APD leadership and allowed them to go to the legislature. However this Governor is Chief Financial Officer/Chief Executive Officer and the difference that makes is APD can not go to the legislature unless the Governor personally clears the issue. APD does not even supply numbers to the legislature unless the governor tells APD to do so. FCC should influence the legislature, but it is equally important to develop a relationship with the Governor's office. APD has spent hours in the Governor's office and just a little time in the legislature. Question was asked that since APD has knowledge of how harmful some of the possibilities could be to the population served by APD, who can APD give that knowledge too? Dave's response was to the Governor's office and to staffers. Question was asked, "Who in the Governor's office would be a good person to talk to about APD issues?" Dave recommended Jane Johnson in the office of policy and budget. Dave explained that the Governor before he took office gathered a group of really sharp accountants in Sarasota and they went through every agency's budget. APD was projecting a deficit in the range of 33 to 58 million dollars for this year. APD

received a call while Mr. Littlefield was the director saying there was a deficit no less than \$120 million dollars and here is what we are going to do. APD was told that some people from the Inspector General's office were going to come and help. APD has been working with a team head Inspector General from AHCA, head Inspector General from DCF, head Inspector General from Health, and new Inspector General Marvin (APD) and a forensic CPA and couple of other helpful folks. They have made an interim report to the Governor and formula report at the end of the month. Basically the agreed upon number is \$169 million dollars. The first number is the sum of the authorized cost plans in the Waiver, and not in any of other programs \$1.175 billion dollars. In business that would be your exposure, but we know that comes in at 86 or 87 percent utilization, but it is approved. So in business you do not allow your liabilities to exceed your income. The next number to know is \$930 million. \$930 million is our spending rate today with no changes or interventions or correction action. The next number is \$45 million. That is the deficit from last year carried forward. Add the \$930 million and the \$45 million you come out with \$975 million. That is what we are spending this year. Now the controversial number is \$805 million as a budget for APD. These are the numbers in the Governor's hands today.

There is the sacred cow numbers that say the greedy parents caused the deficit by Tier jumping. This is what people have said. However, the reality is that the persons in the worst crisis coming off the waitlist pouring into Tier one were the major drivers of cost and there are about 4 to 5 hundred a year. We have some soft persons there like aging out of foster care.

They, APD, went back 6 years and looked at the history of how they got here. That is where we are today. The Governor's office has these numbers and we will know their position on this about Tuesday. One number being discussed is how much it costs to bring this in by June 30th. At a very simple math level it would be a 20% cut to rates. APD's negotiation is a 5% provider cut and carry forward a deficit and over 18 month period eliminate the deficit. The reality is that APD is an Agency of the Governor and will do exactly what he says.

The \$150,000 TIER cap which affects about 2,000 (?) individuals according to CMS is a waiver within a waiver with the exception that were in the legislation, and that cannot be done. Then they considered writing a new waiver with extraordinary needs. That waiver would be built around the cost of care in a medical environment as opposed to an ICF. So iBudget would catch the rest. APD is going forward with the iBudget.

The Governor wants no growth in the waiver. He wants dependability. He will not tolerate a deficit. In APD there are reductions in personnel, cancelling contracts, (PSA contract with a 30 day notice, CAFÉ contract and contract with the Outdoors Sports Association.) Presently all travel is going to the Governor's office for approval. 198 employees are in the office in Tallahassee and that does not count OPS positions or contract people. Dave agreed to send out the Governor's transition plan.

The next year is another issue and where we, FCC, may have some influence with the legislature. There was a question and answer period. If anyone has a question they may call Dave at 850-293-4639.

Dave reported that the 2 and half percent reduction of the TIER Cap had not been approved and yet families are stating that the services have been reduced for their individual. The approval that CMS gave was for the iBudget according to the way the letter reads.

VI. iBudget FLORIDA UPDATE BY HILARY BRAZZELL

Hilary reported that the project is on target and they will have the first families enrolled the beginning of May. Therefore the first step is to transition the providers that will be serving the families. The providers must be aware of the requirements of iBudget and the on line system. Also the WSC will be given some training on the requirements of iBudget. The challenge that APD had to work with is the fact that the Governor had stopped all rule making. They do not have approval to move forward on the rules for iBudget. Hilary gave an update on how the House and Senate are treating the iBudget and at this time both have the iBudget in their plans. They have worked on a draft handbook and will deliver to AHCA before long. Hilary took questions from the membership and reminded all to check the website: <http://apd.myflorida.com/ibudget/> where there is additional information.

VII. CAPITOL UPDATES BY DEBORAH LINTON

Most likely the most immediate problem we all are going to face is that the Governor will likely sign an executive order reducing funding to APD based on the IG report of a \$170 million deficit. There may be serious implication with us recommending cuts and it needs to be thought out carefully. Deborah gave an update of the status of the waitlist bill. Deborah explained that the bill Senator Storm has dealing with sexual issues has the Family Care Council named as part of that task force. The Senate budget proposal will be out on Monday. The tracking sheet of bills dealing with DD issues will be out on Monday and we may share it with others. Deborah reviewed what will happen at DD day. They expect 800 people at the meeting. Another concern is the adults with disability funding that may be on the chopping block. FCC should contact the legislature on this program. There was a discussion around the "Money Follows the Person Grant" and the fact that people with DD will not be included in it this first year.

VIII OLD BUSINESS

Patty gave a report on the HHS committee on managed care and did testify on behalf of FCCF.

Meeting adjourned at 3:15

Respectfully submitted,
Patty Houghland, FCCF Secretary
The next meeting is: May 21, 2011
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