



MINUTES
of the meeting of the
Nevada Commission on Autism Spectrum Disorders
December 7, 2021

The Commission on Autism Spectrum Disorders held a public meeting on December 7, 2021, beginning at 3:45 p.m. at the following locations:

3811 W. Charleston Blvd. Suite 209 Las Vegas, Nevada
Teleconference meeting was conducted via Microsoft Teams Meeting

1. Call to Order:

The meeting for the Nevada Commission on Autism Spectrum Disorders was called to order at by Commissioner Lozano at 3:47pm.

2. Roll Call:

Members Present were Commissioners Trisha Lozano, Ritzie Gratrix, James Howells, Korri Ward, Lenise Kryk, Julie Ostrovsky

A quorum was declared.

3. Public Comment:

There was no public comment.

4. For Possible Action: Approval of Meeting Minutes from the Previous Meeting held October 26, 2021

On motion by Commissioner Ward, seconded by Commissioner Gratrix, and approved with a unanimous vote, the minutes of the October 26 meeting was approved.

5. For Information: Autism Treatment Assistance Program (ATAP) Updates

Ms. Jayme advised that the Autism Treatment Assistance Program (ATAP) has posted an updated presentation on the ADSD website. Also, ATAP's Clinical Program Planner, Ms. Garner, will be presenting on ATAP's Special Consideration for Insurance Assistance Plans.

Ms. Garner shared and presented on ATAP's Special Consideration for Insurance Assistance Plans. This presentation can be found on the ADSD website.

Commissioner Kryk sent out examples of Special Consideration to the commission members, but the commission members still have not had a chance to review or discuss this. Commissioner Kryk would like to ask questions, but she thinks it would be more beneficial to the commission members if they reviewed and discussed the examples prior to asking questions for a better understanding.

Ms. Chalupnik re-emailed out Commissioner Kryk's examples to the commission members.

Ms. Jayme stated that both presentations are posted online, so the commission members can review and gather any questions they may have to email ATAP prior to their next meeting.

6. For Information: Discuss ATAP Budget and the Commissions Objectives as it Relates to Insurance Assistance Distribution, Policy on Supervision, and Impacts of SB96, – (An Act Relating to Disability Services; Requiring the Department of Health and Human Services to Seek an Increase to Certain Reimbursement Rates Under the Medicaid Program and the Autism Treatment Assistance Program for a registered behavior technician; and providing other matters properly relating thereto), to the ATAP budget

Commissioner Kryk put together an ABA guideline/amount of supervision to RBT requirements to be emailed out to the commission members early October. She asked to see if the commission members had a chance to review as she thinks it is important for commissioners to have this information. Commissioner Kryk would like to discuss this with the commission members before going into a meeting with ATAP.

Commissioner Kryk gave a quick summary. With ABA there is direct service therapy that happens on a day to day/weekly basis and children receive a minimum of 10 hours all the way up to 40 hours a week, with majority averaging 25 hours. The ratio is 2 to 10, so for every 10 hours of one-to-one direct service received it would be 2 hours of supervision. Supervision includes a variety of activities, as listed on the guidelines sheet direct and indirect activities that are required for supervision. This allows the BCBA to see the program and create a training mechanism for the technicians to implement. The 2 to 10 is the typical ratio that is used and that allows for BCBA's to provide the most ethical supervision to ensure that direct service providers can efficiently and effectively implement all the treatment that is being funded, which is important. The one-to-one hours are important but if you don't have the supervision and training to do it efficiently, it does reduce the effectiveness of one-to-one hours.

Since there are no questions, commissioner Kryk thinks the next part would be to figure how to move about with the ATAP budget as mentioned several months ago, since they're working on it, and it's getting close to the end of the year. Having discussions with ATAP about this impacts their budget because more supervision means that those plan types would cost more money, so commissioner Kryk would like to see if the commission would like to try to work with ATAP to see what the possibilities are.

Ms. Frischmann asked commissioner Kryk what she would like specifically from ATAP?

Commissioner Kryk answered that right now ATAP funds a certain amount of supervision per direct service. So, 18 hours a week of direct service of ABA receives X amount of supervision, that is done monthly typically. Commissioner Kryk knows a lot of providers that struggle with taking straight ATAP plans and unfortunately those kids sometimes do not end up getting services because the providers aren't picking up those plans, or if they are it is very challenging to provide the quality of service that we want for all kids, which is why ABA is being funded. Commissioner Kryk believes it would be important for ABA services to be the quality kind of standard and now is trying to see if the Commission would like to either continue discussions with ATAP or dig more into to figure out how we can get the supervision ratio to one-to-one hours for those straight ATAP plans to be more in line with the guidelines for ABA.

Commissioner Lozano suggested taking this to one of the subcommittees.

Ms. Chalupnik suggested to reach out to ATAP, since this agenda item is for discussion only, and ask them for some specifics.

The commission members agreed.

7. For Information: Discussion regarding the Letter Drafted on Behalf of the Commission Regarding the Rate Study to the Governor's Office, to Include Information Regarding DHCFF/ARPA funds, and Rate Setting Rules for Medicaid

Ms. Frischmann, with Aging and Disability Services, gave an update on the letter. This letter got drafted, finalized and sent over to the governor's office but got to LCB. LCB reached out to Aging and Disability Services and stated that this is not how they set rates. They appreciate the Commission's interest in this and support of the rate study and increasing rates, but rates do not get set through an interim Finance Committee. Therefore, it will not be heard on Thursday but there are some other things that are in the works before any permanent rate increases can go into effect.

Ms. Coulombe, the Social Service Chief for Long Term Services and Support, shared some of the things Medicaid is doing right now to help providers. The American Rescue Plan Act did a lot of great things, and it is being used in a variety of ways specific to home and community-based services, section 9817. That is where it is giving an opportunity to have an additional increase to money through the F map, the percentage that they get for those services that they render, so it's a 10% increase and an amazing opportunity. There is a time frame available, it started in April of this year, and it will go through March of next year, but have up until 2024 to spend the money, so this can be a little confusing.

Ms. Coulombe stated that a public listening session was held on June 4th, and they took the feedback from all the stakeholders that attended and used the information that was developed and created a 4-point spending plan that addresses enhancing the services that they have for HCBS, supporting the workforce and creating an infrastructure. They submitted that initial spending plan to CMS on July 13th and just received it back on September 30th with partial approval.

Opportunities available through the American Medical Plan Act is quite different than what traditionally Medicaid is allowed to do. A big initiative that they are doing right now is trying to work on a supplemental payment to the actual workers, for \$500.00 payment, as a 'thank you' for battling the covid lines, because without our providers and employees of the providers, we would have no Medicaid Services.

Ms. Coulombe shared the website, www.dhcfp.nv.gov, under American Rescue Plan. This takes you to the home page. On this page you will find a contact email, all initiatives, FAQs, meetings, documents, and timelines.

Commissioner Ward asked for more information on the supplemental payments to providers.

Ms. Coulombe stated that in the normal Medicaid world we would probably say rate increase, but the reason they are using the term supplemental payment is because it is a different path than how the funds are going to be utilized, so it will be for the providers through the ID waiver and based on the services that were identified in the ID cost study that would be eligible for those supplemental payments. They are still working out the details. The supplemental payment will be rendered quarterly/issue to the provider quarterly after those services have been rendered so they would know the percentage to issue to the provider the supplemental payment.

Ms. Frischmann stated that they are hoping the first supplemental payments go out to providers sometime in January of 2022. What will happen is all providers have to get in their billing and we will then retro back and ask for their billing for October, November, and December. For example, the provider billed a total of \$100,000.00 to Medicaid, their supplemental payment would be 26,900 and that would be the payment that they would get in January. Then January, February and March would be submitted in April for that subsequent time-period.

Ms. Frischmann continued, that they are leaving it up to the providers to decide how to operate their businesses.

Commissioner Ward asked about the \$500 for the Supported Living Assistance and wants to make sure one of her staff gets it.

Ms. Coulombe brought back up their home page on the web. Under Initiatives – 1. Strengthening the HCBS Workforce * \$500 payments to healthcare workers, there is a FAQs link to click on which brings you to all the qualifications and all information about this. Ms. Coulombe stated that it is voluntary for each provider to apply, not all have to do so for their workers. Again, it is a business decision for each provider and can not be forced. The application can be accessed on the same page as well.

Ms. Frischmann stated as they get closer into our next session, they will have more updates about what initiatives they will be moving forward with.

Commissioner Ward asked what the commission needs to do now so things can be budgeted for next session?

Ms. Frischmann stated that this is something that is happening now between Aging and DHCFF. They are currently looking at what the financial impact would be, some of the rates that are proposed, go over the Medicaid maximum, a whole other process, approval from the feds to increase that rate, and to provide them all this justification for those rates that are proposed that don't go over the Medicaid maximum allowable. They are looking to do those in the interim since they have that flexibility. They are doing the fiscal analysis: If we accepted all these rates, how much would it cost? These are the things that are going on right now and should be included in next legislative session.

Ms. Ward asked if they have heard from other states how Medicaid is upping their rates? As she is assuming the reason why you they went up 26% is because that takes us up to the Medicaid allowed rate.

Ms. Frischmann stated when they say F map, it means the federal Medicaid assistance percentage, so when the feds kick in, for every dollar that is billed to Medicaid there is a certain percentage that is F map, which is state general fund, and usually about 60/40. So, 60% the feds pay, 40% is state general fund. With the covid dollars and the American Rescued Plan Act funds, they increased the F map for home and community services and some other long-term services and supports by 10% and so that equated to basically, a 26.9% increase to the providers.

Ms. Coulombe is happy to come back to any commission meetings.

8. For Information: Vocational Rehab Data Updates as it Relates to Access to and Service Utilization for Individuals Diagnosed with Autism Spectrum Disorder (ASD), to Include Information Regarding the Types of Work Programs Available for These Individuals

Ms. Turner stated that programs Vocational Rehab provide for all applicants are varied, for someone who may be on the autism spectrum disorder, they have a program called the Sephora Training Program. This program is for anyone who is interested in working for the Sephora warehouse and is an 8-week training program. The first week involves soft skills, learning the company and then they are paid for the next 7 weeks. This is a full-time position with benefits if they are hired. During the training they do not have benefits, but you are paid \$12.00 an hour. If you are hired, then the pay goes to \$15.00 an hour. Sephora Warehouse is in North Las Vegas.

Commissioner Lozano asked if there is something like this in Northern Nevada?

Ms. Turner answered, no. She thinks there may be a Starbucks warehouse up North but apologizes because she is not that familiar with the programs in the North.

Ms. Turned continued, Vocational Rehab also has a program called Pathway to Work. This program is only for those individuals who also have an open case with Desert Regional Center. This is a 6-month program, and it allows individuals to have the opportunity to participate in different types of work in different casinos. Originally, they had casinos and the Centennial Hills Hospital, but since the pandemic, Pathway to Work has shut down and now restarting. They are only restarting with the Rio Hotel and Casino. The Rio is in partnership with Opportunity Village, Desert Regional Center and Vocational Rehab to provide this work training opportunity.

Commissioner Gratrix asked what types of jobs are offered through the Rio Hotel and Casino?

Ms. Turner said that what happens is that they go through a rotation, so they learn how to be a porter in the hotel, they learn how to work in one of the gift shops, they learn how to work in a portion of housekeeping (giving out the uniforms), they learn how to bus tables and dishwash in some of the restaurants, such as Hash House a Go Go. In the past, they have had people hired into the restaurants, as a porter and in the convenience shop also.

The individual meets monthly with their job coach, their rehab counselor, their Regional Center service coordinator, and any other support persons are invited to attend this monthly meeting to discuss their progress. Also, the job developer from Opportunity Village attends that meeting because as that person is progressing, they begin to discuss the plan towards employment and what type of jobs they are wanting to pursue in the community. The job developer then begins the process of looking for employment. This is held monthly for the entire time of their participating in Pathway to Work, which is usually for 6 months. On average, someone is deemed ready for job search by the 3rd month, and they are usually employed before the 6 month ends.

Commissioner Ostrovsky wanted to confirm that all the programs that were discussed are for people who can work independently and not those who will need a group/more supervision.

Ms. Turner answered, correct. Vocational Rehab only assists with employment for competitive integrated employment. They don't have any actual programs for people who require more direct assistance, as their goal is competitive integrated employment, with the goal of being able to work independently.

Commissioner Ostrovsky asked if an employer steps up and is willing to work with an employee is that still an opportunity or does it have to be an employer registered with the Pathways program?

Ms. Turner answered for that particular program, yes, it must be someone that is in an agreement with Opportunity Village. However, if there is an independent employer that is interested in hiring and working with individuals with disabilities of any type of disability, they can always contact Vocational Rehab as they are always looking for employers that are willing to either provide assessments or just to hire. Vocational Rehab can offer on the job training opportunities and community-based assessment, which is something where Vocational Rehab will pay the wages of that individual for 100 hours, so if working part time 20 hours a week for 5 weeks it allows them the opportunity to learn a job in the community of their choice.

Commissioner Ostrovsky is looking forward to sharing this with more parents in the community.

Ms. Frischmann added that they do have similar programs in the North with Vocational Rehab, so at the next meeting they can have a representative from the North. This extends to all the Regional Centers which have agreements with Vocational Rehab. Ms. Frischmann said to feel free to reach out to both developmental services at any of the Regional Centers and Vocational Rehab if you have any potential employers.

9. For Information: Regional Center Updates as it Relates to Service Utilization for Individuals Diagnosed with Autism Spectrum Disorder (ASD), or Multiple / Dually Diagnosed Individuals Accessing Services, to Include Data and Information Regarding the General Population Service Utilization

Desert Regional Center was unable to attend this meeting.

10. For Possible Action: Approve Subcommittee Roles and Responsibilities as it Relates to the Current Community Strategic Plan, Including Approval of Public Entities and/or Members to be Contacted to Participate in Each Subcommittee, in Preparation for Upcoming Strategic Report

Commissioner Kryk was not present at the last meeting, but her subcommittee has not met as she does not have any major clarifications on what to do. She knows she needs to submit an agenda but has tried to email to schedule a meeting but was not able to get any correspondence. Commissioner Kryk has two people that are more than willing to meet as a subcommittee to try and move forward with some of the objectives. She asked if those names need to be approved by the commission before proceeding?

Ms. Chalupnik clarified this agenda item is for all to bring names back of those members you would like to be part of your subcommittee for all the commissioners to vote upon.

Commissioner Kryk stated Melissa Almanza and Jennifer Thomas. They both have been working through legislation and have participated in helping to pass SB96 through advocating and contacting families and providers. They are very committed to the community and want to continue to participate in whatever way they can.

Commissioner Kryk asked that only the members of the subcommittees need to be approved and not the people listening in?

Ms. Chalupnik answered, yes.

On motion by Commissioner Ostrovsky, seconded by Commissioner Ward, and approved with a unanimous vote, Melissa Almanza, and Jennifer Thomas to join the Insurance and Funding Subcommittee was approved.

11. For Information: Workforce Development Subcommittee Updates and Funding and Insurance Subcommittee Updates

This agenda was skipped due to time

12. For Possible Action: Discuss and Approve Agenda Items and Discuss Future Commission Meeting Dates

Commissioner Lozano would like Vocational Rehab to speak about programs in the North and revisit item number 6. For Information: Discuss ATAP Budget and the Commissions Objectives as it Relates to Insurance Assistance Distribution, Policy on Supervision, and Impacts of SB96, – (An Act Relating to Disability Services; Requiring the Department of Health and Human Services to Seek an Increase to Certain Reimbursement Rates Under the Medicaid Program and the Autism Treatment Assistance Program for a registered behavior technician; and providing other matters properly relating thereto), to the ATAP budget

Commissioner Kryk would like Nevada Department of Education to come back with answers from the previous meeting they presented at.

Commissioner Lozano confirmed that Nevada Department of Education recommended that for the ABA questions that they go straight to the districts, so the commission will need to reach out to the districts and ask them more questions about that.

On motion by Commissioner Kryk, seconded by Commissioner Ostrovsky, and approved with a unanimous vote, the next meeting will be January 18th, 2021, at 3:45pm with the following agenda items: 1. Vocational Rehab to speak about programs in the North. 2. Discuss ATAP Budget and the Commissions Objectives as it Relates to Insurance Assistance Distribution, Policy on Supervision, and Impacts of SB96, – (An Act Relating to Disability Services; Requiring the Department of Health and Human Services to Seek an Increase to Certain Reimbursement Rates Under the Medicaid Program and the Autism Treatment Assistance Program for a registered behavior technician; and providing other matters properly relating thereto), to the ATAP budget. 3. The Districts to answer ABA questions from Nevada Department of Education. 4. Standing Subcommittee agenda item.

13. Public Comment:

Commissioner Kryk had some concerns she wanted to share with the Commission. It has been challenging to get updated on the meeting that she was not available for. She emailed several times for the next meeting date as this is information that commissioners should have been able to have. She feels like there are a lot of delays in the Commission and it is something she would like the commission to try to focus on in the future. With 2022 coming it is something important as they are getting close to one year into the next legislation and she wants to make sure that the Commission can accomplish their objectives and in filling the empty seat. She has had numerous people reach out to her multiple times that they are unable to apply. It is nowhere to be available under the governor's list of open seats, which is concerning because there is an empty position that should be getting filled. Also, the Listserv. Commissioner Kryk has been contacted numerous times about not being able to get on the Listserv, so she would love to work together with the Commission or with whomever to get things to run more effectively and organized. There are great members, and she is excited to get as much accomplished as possible, as it just feels like there are a lot of delays in things.

14. Adjourn

Adjournment was unanimously approved at 5:11 p.m.

DRAFT