



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes METRO PARATRANSIT MEDICAID WAIVER FUNDING & POLICY REVIEW AD HOC COMMITTEE

Monday, May 8, 2017

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (Clerk's Conference Rm)

1. CALL TO ORDER / ROLL CALL

Staff: Nancy Senn, Ann Schroeder, Crystal Martin

Guest: Doug Hunt

Co-chair Kaysen called the meeting to order at 5:00 PM.

Present: 8 - Rebecca Kemble; Tim Gruber; Margaret Bergamini; Ken Golden; Carl D. DuRocher; Mary E. Jacobs; L. Jesse Kaysen and James D. Cobb

2. APPROVAL OF MINUTES

DuRocher moved approval of the minutes, Cobb seconded. The motion passed by voice vote/other.

3. PUBLIC COMMENT

There was no public comment.

4. DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

5. Report of Members

Cobb said last time he thought scenario B was possible if not probable. Scenario B says the MCO doesn't contract at all with Metro. He has two reasons that are interrelated. First of all, MCOs like control. Dealing with a large, well-staffed city agency is not their idea of being in control. Second, it is easier for them to have control with smaller entities. Those entities might approach the MCOs with a better deal than Metro. The MCO, at least initially, might pick that up. He's not saying it is probable, but he sees it as possible.

6. Family Care RFP for MCOs Q&A

Senn said this just confirms that what she thought she knew before – they didn't really incorporate any significant Dane County information for vendors' use in developing cost and are waiting to see what comes in from vendors

before finalizing capitation rate – is correct. Question 6 asks whether the tax dollars now in Dane County being used for the MA Waiver rolling into the rate; they are not. There is money flowing in now and over the next years will drop what is available for MA Waiver funds. There is nothing here that shows they are factoring in more funds; it's just going to drop. They mention incorporating transportation as an item for the MCOs to contract with, not something the MCOs had to coordinate with state or county run services.

Bergamini said the question this raised for her is that transportation may not be what can be included in a government to government agreement. It is something MCOs have to make arrangements for. However, as part of the standard of care they would have to provide transportation at a minimum for medically necessary transportation. Correct? Cobb said that's about right. He would add that if transportation is included in an individual's service plan, then the MCO must provide it. Martin said for medically necessary trips, would those go to the statewide Medicaid transportation brokerage? Yes, Cobb said, that is a Medicaid covered service. So they could separate out those Medicaid rides vs. outcome-based trips. Golden said we should not say recreation trips are not covered; if a person's outcomes involve recreation and things like that, transportation has to be provided if necessary to achieve that outcome. Bergamini said that's a nice theory, but she sees a diminishment of service over the years. That is the experience now in other counties and people living in adult family homes. Golden said the MO of other MCOs around the state, the transportation wouldn't be eliminated, but if they could achieve the outcome with fewer trips, that would be done. There is a grievance process, an ombudsman, state staff contract managers, that consumers can bring into a situation. But the only way the decision of the MCO could be overturned is a fair hearing.

7. Prioritized Service Levels & Fare Recommendations - Action Item

– Cobb moved to accept the options and the resolution. Gruber seconded.

Senn said she talked to John Strange and there is no need for a resolution. So that can be dropped from the discussion. Gruber said so the motion would forward this report to the TPC with our recommendations. Correct.

Bergamini said both for strategic and political reasons, she recommended this not be sent to the TPC at this time. It is jumping the gun. This is regarding the budget, and it's not time yet. This is advisory to staff. TPC doesn't have input to the budget except fares and secondary things. She appreciates that staff wanted citizen input for how to prioritize things, but hold some of this close until staff sees how this shakes out. This could be forwarded to staff, mayor's office, whatever is appropriate at this time.

Cobb said we can strike the "resolution". Kemble asked if Atty. Strange said whether the proposed resolution is in Legistar yet. It's not. Nothing needs to be put on file. Gruber said his understanding is that the whole point of the committee is to report back to the TPC. He doesn't mean it has to be now. But his understanding is either the committee should send the report back to them with a favorable recommendation or not. Maybe staff could help clarify. Kemble said the committee could send it to TPC but not at this time. After

seeing the capitation rate, proposals that are made, etc. This committee could be left open and once that information is available, meet and send the report to the TPC. Bergamini said that's what she was trying to say – don't fold the committee, but don't have meetings until time of having all the information to bring to the TPC or if it is determined there is no more information, then it's time to give the current recommendation to the TPC.

Cobb asked given this, would his motion make any sense to vote on right now. It was just to accept the report. Gruber questioned whether more information is likely to come from the state. Is the point at when the MCOs up and running, we'd know more? Senn said the two things staff will look for is knowing who the MCOs are and when the state finalizes the capitation rate. RFPs are due this Thursday. Golden said the names of the proposers become public quickly. Capitation rates are based on those proposers. They are sent to an actuary. There isn't a firm timeline; perhaps two months. Cobb asked after they are sent to an actuary, are they evaluated by a board in house? Golden said two months is optimistic. This committee needs to be aware of how unique Dane County is compared to anywhere else in the state – other counties are 50% or less of the cost in Dane County. Also, somebody said we're not going to get much more from the state. That's not where the information comes from. The value is going to come from the MCOs. He doesn't think this report is ready for advising.

1. It doesn't mention IRIS, which could be about 1/3 of the county.
2. It doesn't mention the fact that there are three other waivers that are being rolled into Dane Co. FC that didn't have the arrangement of CIP I: physical disabilities, elders and the brain injury waiver.

Golden said there are some factual errors to correct, and there is a victim feeling about how the report reads. That Metro is going to be victimized. He didn't see it said that if rides don't happen, costs don't happen either. That needs to be made clear. If Metro is providing 100,000 rides and the new system wants 80,000, Metro is going to have fewer rides and less costs. The interplay between contracted and directly operated services also comes into play. Can Metro just take it all out of the contractors? The contingencies of what Metro will do with less demand in terms of what that does to the cost structure needs to be discussed. He doesn't want to rewrite this here, but it could be greatly improved. The difference between cost and revenue could be relevant in scenarios B and C. Some scenarios did assume 25% rides (and cost) would go away another percentage. So that is in the report.

Bergamini said given that Golden feels the report needs a rewrite, is he suggesting people vote against this? Golden said he didn't make a motion, but if he were to make a motion, he would make a motion to refer the report to a future meeting. Also, there is a significant fact that has been glossed over. The MCOs likely to respond to this RFP are already dealing with Metro on a much smaller scale. The fact that they have a history not only of working with Metro – which may or may not be important – but they also have a history of how the financial arrangement is. The idea of showing Metro's hand in the report is a concern. But the fact that there is an arrangement already, so that MCO hopefully is already paying for those rides.

Bergamini said regarding some of the lack of detail – one point she wanted to bring forward from a previous meeting is that whatever the changes are will be phased in. Not everyone will be switched over January 1st and not all agreements will be made that day. It's not realistic that Metro will lose \$4 million January 1st. But given delays on the bids, analysis that has to be done, etc., her understanding is one reason the committee is doing this early on is to inform the 2018 budget. It's reasonable to say this committee is comfortable talking about fare increases being valuable for the General manager and Mayor to have to formulate the budget. She would suggest referring this report to a future meeting with the understanding to staff that if members have questions or things that need to be addressed, they can say this. It's a good draft and doesn't need to be finalized now.

Cobb said Kamp knows about this already but the Mayor needs something pretty soon for the budget. Members keep talking about this getting outside Metro, but inside city government maybe it is needed. Senn said the budget is due in early July, so that is a key date. Martin said staff is already starting on the operating budget and by mid-June we need to know where it's going. But there doesn't need to be an official piece of paper from this committee.

Golden said reports of this kind often, even typically, have a format. They begin with why the report is being done. The resolution creating the committee would be in the appendix. So readers start out knowing what the committee is supposed to do. A productive discussion would be the best things to do right now. What product is this committee trying to produce? It can include a recommendation that the report should not be a public report and that the committee should be empowered to advise the mayor on contract negotiations. That's more important than the content of the report.

Kemble said this report is already public and Kamp likes to err on the side of more transparency. When staff gets to the contract negotiations, that's another thing. There is no need to refer it if Cobb retracts his motion. It's just there and the committee can continue to work on it.

Martin said it's like pulling a thread and things will probably be unraveling until this time next year. The purpose of this committee was to advise the TPC on policy and fare implications of losing the MA Waiver money. The committee has looked at potential fare and service items, and staff looks at our budget to see what is going to get us to a certain dollar amount of loss. She agrees about the report particularly because the resolution is not needed. Some of that can be put into the report along with committee recommendations. Regarding transparency, staff has not only a responsibility to our budget process but also our riders, and they need to plan. As change gets closer, people are going to say what is Metro going to do, how are things going to change. Staff needs to be prepared with some sort of answers so riders can react to that. Toward the end of summer, staff needs time to plan within Metro as well as our contractors, if this is going to be a roll out, how will we have two system at the same time. Those are things staff is just starting to touch on and what is acceptable in those terms. She suggests not letting the meeting time be open ended, but a certain date to come back and review where things are.

Kemble asked if July would feel like an ok time to have a meeting or is that too early. Martin said she is not sure what will be learned from the capitation rate. Over the years, that could be cut back, so this isn't something that happens 1/1/18 – it will be an on-going situation. Kemble said but as far as knowing who the MCOs will be. Senn said when we addressed this issue before about knowing who the MCOs would be, will that information be immediately available? Once we know who they are, do we initiate an approach? Probably. It would be after that initial meeting. Cobb said he doesn't have a good idea when it will be available. One thing that bothers him is people keep talking about MCOs. We are on two separate tracks – one is MCOs and we have to wait to find out about those. The other is the budget and we don't have to wait on that. The reason he is not going to withdraw his motion is that the fare increases and the priorities, it is our job to say are we all right with what is before us or not. We're not doing staff or the city any favors by keeping mum.

Golden said there is merit in what Cobb said. Is the committee keeping this to ourselves by not taking any action? There is a difference between formal and informal in this case. It's not like there isn't staff sitting here. There is some merit in being able to say this committee was favorably disposed to fare increases – Kaysen said fare media change – and formal action isn't required to do that. The budget is a guessing game since there isn't information about how entities will react to that. The state puts out an RFP – it's very different than most RFPs. Most are competitive based on scoring criteria. The major action was making sure that the responders complied with the federal and state requirements of the program. That took a long time. But Golden believes that who responded is public record right away. We might not know how good the responses are, but we will know who they are.

Cobb said another reason he is loath to pull his motion is he is not sure if a majority of the committee agrees with the options in it. Nobody said, other than himself and DuRocher – and they took opposite views. Cobb said he would feel comfortable pulling the motion if there is an informal straw vote if everybody thinks the options in there are all right, meaning the recommended priority changes. If everybody is ok with those, he will pull his motion.

Kemble said there are certain circumstances under which she is ok with the changes. But it's the unknown right now that would make her vote against the motion. It's the unknowns underlying – so she prefers not to vote right now but if so, she would vote against it. Martin said customers need planning time; there is still the report to the TPC and public hearings, so that would be a couple months' time. Staff knows the range of possibilities and that on some level the committee is ok with the recommendations if x, y and z happen. So staff has something – it's not unlimited what could happen, it's limited. They can answer questions if asked. Then there are a number of months with the TPC before action is taken.

Golden said 1) let's say everyone wanted and approved this, it's still incomplete because of IRIS and other waivers. There is a bigger population of people coming into the waiver that aren't on the current waiver. Having said that, he would like to not have these priorities because these are tools to be used under certain circumstances. He wouldn't want to be limited to priorities.

They are good tools. The committee can adopt this and say this is the agreement today, and these are the tools – minus the priorities – drop the whole report and just have a list of tools in no specific order. Cobb said he could live with that.

Cobb wanted to withdraw his motion. Passed with no objection. Motion withdrawn.

DuRocher said he doesn't like a lot of the possible recommendations, but he doesn't have a worthwhile alternative. What he liked about Golden's idea is if a motion is framed with different language, he likes language the state uses for enabling legislation – allowing but not requiring. Language that the committee is intending to give consent to the TPC or Mayor's office to use the tools. It bothers him that right now it sounds like "do this" rather than "can do this."

Bergamini said it would seem unless someone has more specific feedback that people would like to give on these documents, the proper thing would be to set a next meeting and adjourn. Golden said the better way of helping staff would be to let the meeting date be arranged at the call of the chair when ready for a meeting.

8. Other

There were no other items.

9. ADJOURNMENT

Bergamini moved to adjourn; Cobb seconded. The motion passed by voice vote/other. The meeting adjourned at 6:02 PM.