



Date: 8/24/2011

To: The Honorable Rick Scott, Governor of the State of Florida
The Honorable Mike Haridopolos, President, Florida State Senate
The Honorable Dean Cannon, Speaker, Florida House of Representatives
The Honorable J.D. Alexander, Chair, Senate Budget Committee
The Honorable Joe Negron, Chair Senate Budget Subcommittee on Health and Human Services Appropriations
The Honorable Denise Grimsley, Chair, House Appropriation Committee
The Honorable Matt Hudson, Chair, House Health Care Appropriations Subcommittee
Mr. Michael Hansen, Director of APD

From: FABA Executive Committee

Re: Draft plan for HCBS Waiver Expenditure Reductions

FABA has grave concerns about APD's Draft Plan for HCBS Waiver Expenditure Reductions. We understand the need to reduce and contain costs. We met with APD in June to provide recommendations on how this could be done without reducing the availability of skilled behavioral services to individuals who need these services.

FABA is particularly concerned about the following initiatives:

10 Behavior Analyst collapse rate from level 1 to level 2. This, along with reduction in the provider agency rate will reimburse Behavior Analysts, even those with doctoral degrees and/or 20 years experience, less than providers of other professional services (Physical, Occupational and Speech Therapies) who do not have the significant unbillable expenses required of behavior analysts. Behavior Analysts with doctoral degrees and those most experienced will seek other work either outside the state or in institutions, ICF/DD's, school systems or private insurance cases, all of which reimburse at a higher rate and do not have the burdensome bureaucratic requirements of the Medicaid waiver system, leaving those in private and group homes without services or with behavioral service providers who are less educated or have less experience.

Florida Administrative Code, the Waiver Handbook and ethical standards for Board Certified Behavior Analysts requires that appropriately trained and experienced staff supervise services

for individuals with the most challenging behaviors. Eliminating funding for these professionals will increase the risk of harm to the individuals served by APD, their peers and members of the community.

FABA recommends that APD work with the behavioral community to cut the cost of behavioral services by decreasing overutilization.

9 Agency Rate premium set to a maximum of 20% above solo rates for all services with agency rates. This should only be done when the APD/ACHA imposed additional requirements (personnel, accounting, liability, policy and procedures, self-assessments, additional Delmarva and AHCA audits) for agency providers are discontinued. To do otherwise will force agencies to terminate services to individuals, especially those who live in more rural settings. AHCA has also recommended as part of the I-Budget conversion that agencies use exclusively employees and not subcontractors. This adds further costs to Agency providers. **FABA recommends that APD eliminate all additional requirements for agency providers, allow agencies to hire subcontractors and address the issue of costs associated with serving individuals in outlying areas before reduction of agency rates.**

8 Eliminate Behavior Assistant Services with ResHab and ADT. FABA does not agree that these services are always “duplicative”. The purpose and qualifications of the staff are different. In many cases, behavior assistant services are provided to assist the individual in transitioning to a new setting (e.g., from school to an Adult Day Training (ADT), from an Intensive Behavior Residential Habilitation group home to a less costly, less restrictive residential alternative). Behavior assistant services can be used as a cost efficient way of training ResHab and ADT staff. There are also a small number of individuals who may periodically require Behavior Assistant services to safely restore management of severe behavioral outbursts. **As an alternative, FABA suggests that a cap be set on the maximum allowable hours per year for this service. Exceptions should be allowed but only after review and approval by APD headquarters.**

#15 Publish Standardized IB rates for future with lower rates retained – It is difficult to comment on #15 because the actual rates have not yet been made public. However, once these rates are announced, providers of IB services will have to review them on a case-by-case basis and determine if they can safely and effectively serve their clients at these new rates (whatever they are). Consumers who cannot be safely served at their new rates may not be able to be served, at all, causing them to be discharged. **FABA recommends that these rates be published to allow an analysis be done on their effect.**

Thank you for the opportunity to give comment. FABA would be willing to assist the Agency further.