

# Guardianship Program Annual Contractor's Meeting – January 15, 2016

## MINUTES

**Present:** See sign in sheet

**Welcome:** John Block, III, DDPC Executive Director welcomed everyone to the annual contractor's meeting.

**Introductions:** John introduced the new Manager of the Guardianship Program, Maria Bourassa, and introduced Guardianship staff as follows:

- Joeann Montoya, Compliance Officer
- Marina Cordova [Tapia], Senior Attorney
- Donald Martinez, Compliance Officer
- Mary H. Smith, Staff Attorney
- Jannel Vigil, Intake Coordinator

John introduced the Chief Financial Officer, Kathy Coates and the Deputy Director, Barbara Ibanez [via phone].

**Overview of Agenda:** John reviewed the anticipated outcomes [listed on the agenda].

**FY17 Budget Request:** John thanked those who provided testimony for the Legislative Finance Committee in October. He gave a summary of the legislative hearing earlier this week and provided an overview of the timeline and what's involved in the budget process from start to finish. John shared that the sub-committee of the House Appropriations and Finance Committee (HAFC) recommended approving the Executive Budget Recommendation. He said that it was helpful to have the testimony of the contractors, Representative Christine Trujillo and Representative Sarah Maestas-Baines. John shared that it is not approved until the Governor signs the bill. So hopefully, the contractor rate will be increased.

**Financial Update:** Kathy shared an overview of the contract and finance process. She emphasized that contractors call her if they have suggestions. Kathy provided an overview of submitting invoices and asked that they be submitted by the 5<sup>th</sup> of the month. She stated that the earlier invoices are received, the sooner DDPC and the Department of Finance and Administration (DFA) can process payment so that the checks can be received by the contractors by the end of the month. If corrections are needed for the invoices, Joeann and Donald will let the contractors know. Kathy asked that the contractors make the corrections within two days and get them back to DDPC. Kathy shared that our goal this year is to have the contracts signed by May 2<sup>nd</sup> and ready to go to DFA by June 1<sup>st</sup>. She reminded contractors to be sure to complete the Agency certification form where it says "not for profit" or "for profit" – check off. Also contractors need to complete a new W-9 form for any address or bank changes so DDPC can submit them to DFA to update the DFA vendor list. DFA is currently under-staffed so paperwork is taking a while. Joeann and Donald have the W-9 forms and they need to be emailed to Pearl Guzman to process.

**Guardianship Database/Online Application:** John shared that there's been some problems with the "Filemaker Pro" database system, the system currently used by the Guardianship Program. He stated that the Department of Information Technology (DoIT) was contracted to create a new system and the Guardianship staff have been working hard to get the new system in place. He shared that Mary has taken the lead on the database project with DoIT. Mary H. Smith said she isn't an expert on the database but rather Joeann, Donald and Jannel work more with the "Filemaker Pro" database. She stated that

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they are working with DoIT to streamline the process and that contractors will not be able to invoice through the database. Mary shared that DDPC will be able to retrieve information and update it. It will be released soon as an online application. The Guardianship Program will not do away with the paper applications. Mary shared that the staff have been reviewing what is needed and not needed on the application. There are some items that DoIT will need to do in phase two of the project, such as saving the application before submitting it. As it is now, applicants need to complete the application on-line within one hour. If contractors can't scan the documents, then a paper application is needed. Mary said that the *Welcome* page explains what documents are needed before submission. The identified information is required and needs to be uploaded in order for the application to be complete. There are two separate checklists: Family Guardianship and Corporate Guardianship. For family guardianship, the income of the household is required. The Guardianship staff compiled a listing of definitions on the webpage that will be helpful during the application and legal process. Each page online has the definitions and checklists as separate links. The online application requires the requestor to provide the information to enter into the financial eligibility calculator. If the individual is not financial eligible, the applicant will not be able to continue with the process. If the individual is financially eligible, the system allows the individual to complete and submit the application. Once submitted, an email is electronically sent to Jannel, the intake coordinator, who screens the application and conducts the rating process. Mary explains that the online application will be rolled out soon.

Audience question: Will you be able to print off the online application pages. Answer: No, however, we are in the process of matching the paper application with the online application.

John shared that the DoIT staff have experienced turnover which has slowed the process of completion of the system but DoIT is anticipating a March completion. However, it may be closer to the end of the fiscal year. John reviewed that Jannel Vigil is the new intake coordinator and that she discuss the application screening or review process.

**Guardianship Application Review Process:** Jannel shared that she does the application review process and screens it for required documents. These documents are listed on the application cover sheets. Once the application is complete, she conducts a rating based on the identified needs. Then, she meets with the Guardianship team at an assignments meeting and reviews the rating. The team discusses the application and assigns legal services on a rotating basis with the contractors. Once the assignment is made, Jannel sends an email to the contractors and they have 24 hour to either accept or decline the case. Jannel emphasized the importance of submitting a complete application otherwise there is a lot of follow-up needed. Currently, applications can be mailed, delivered in person, emailed or faxed. John shared that Jannel has a wealth of information and is a great resource. John mentioned that we are fully staffed in the Guardianship Program which is allowing us to do more with the contractors. John asked Donald to share what we will be doing with the contractors this year.

**Onsite Visits by Guardianship Staff:** Donald handed out a draft onsite visit tool to the contractors and mentioned that it has questions listed on it. This questionnaire is like gold as it lists things from your contract on it that we will be reviewing. In addition, financial management staff will be reviewing contractor files. This tool has goals to follow and outlines what the contract scope of work and what is required of the contractors. Donald emphasized that there is room for comments on the tool. This tool will help contractors get things in line with the contract as we are in partnership. If there are corrective

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actions needed, this tool will help with the coordination. Donald shared that there will be an onsite visit schedule. The fall and winter schedule will be closer to Albuquerque, Santa Fe and the southern part of the state and the warmer months will be in Las Vegas and up north.

Audience question: What if the contractor does not have resources to produce policies and procedures?

Answer: The contract requires policies and procedures.

John shared that the complaint process requires that each contractor has a process for the protected person to talk to the guardian to resolve issues. He explained that an attorney is not needed to write policy and procedures. John continued to explain that if the complaint is not resolved between the protected person and the guardian, then it goes to the Office of Guardianship. If not resolved with the Office of Guardianship, then it goes to the Human Services Division. We prefer that the clients (protected persons) work directly with the guardians to resolve any issues.

Audience question: What if our policies are not written. Answer: It is good business practice to have written policies and procedures and for them to be written provides consistency.

John shared that there is more information in the Request for Proposals (RFP) regarding required policies and procedures

Audience question: (inaudible) what about the National Guardianship Association? Answer: This a close community with the contactors and we welcome sharing and helping each other. Perhaps will can put together a workgroup at some point.

Audience question: (inaudible) Answer: This is a draft tool and yes, we will visit with the clients as it is within the scope of the standards. We are still working on the schedule but we plan on visiting all the guardianship contractors within one fiscal year.

John shared that Marina will provide an overview of the Complaint and Grievance Procedures.

**Complaint and Grievance Procedures:** Marina shared that the focus on the most important factor with contractors and that is the need for their own complaint and grievance procedures that are consistent with the Office of Guardianship procedures which all guardianship coordinators need to know and follow. Clients submit complaints in writing with assistance or accommodations, if needed. The biggest problem is communication between the client and the guardian coordinator. That is why it is important the client places the specific issues in a written document and the Office of Guardianship gets a copy. We are a team to work together and give you an opportunity with the client first. Complaints can be submitted by others, such as family members. We ask that the guardian meet in person with the client to work it out. The guardian needs to ensure that the protected person understands the plan to resolve the issues. The Guardianship Program does not get involved unless it is not resolved between the client and guardian. If it not resolved, the Guardianship Program completes an onsite visit to review files and talk with the client. If still not resolved, a corrective action plan may be needed.

Audience question: (inaudible) plan. Answer: The protected person can get a restraining order and get a copy to the Office of Guardianship

Audience question: (inaudible) please spend more time. Answer: You need to file a form to show the judge that a restraining order has been filed.

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Audience question: (inaudible) Answer: Good suggestion, guardians can request the Office of Guardianship to be present. We are to be objective.

Audience question: (inaudible) transfers. Answer: Perhaps we can bring contractors together to provide ideas in a forum.

Audience question: (inaudible) Answer: Contact the Office of Guardianship

Audience question: (inaudible)...get together to meet and discuss real life issues. Answer: Come to us first and we will strategize.

John shared that Medicaid is a part of the Office of Guardianship budget request and have Medicaid reimbursement (\$550K) from the Human Services Department. Joeann will share about Medicaid reporting.

**Medicaid Reporting Requirements:** Joeann said that Medicaid reporting is part of the Office of Guardianship contracts for contractors who serve fifteen or more clients. DDPC needs to receive written reports quarterly. There are eight days randomly selected to report on day and evening sheets. The contractor needs to report the time served with the client unless the client is non-claimable. DDPC needs the first initial, full last names on the reports and on thirty six intervals. DDPC needs contractors to adhere to the deadlines by submitting reports on time. Once DDPC receives them, they are reviewed and combined with a percentage on a spreadsheet. For the last quarter of the year, contractors have half the time to submit the Medicaid report to Human Services Department as the deadlines are brief.

Audience question: (inaudible) Answer: I forgot to attach.

Joeann shared that if contractors want guardianship coordinators to receive emails regarding Medicaid reporting, provide their emails to the Compliance Officers. Remember there are primary and secondary dates.

John thanked the Guardianship Staff for their presentation and stated that we are open for general questions.

#### **Question – Answer Time:**

Audience question: (inaudible) Answer: The Request for Proposals (RFP) Announcement will be at 1:30 pm today. The Council's Program Committee streamline the process while still meeting the requirements of DFA. There will be a process for contracts under \$50K through a bid process.

Barbara shared to see the DDPC website for the actual RFP and other information. John invited contractors to come back at 1:30 pm for the RFP Announcement.

Meeting adjourned.