June 25, 2018

The Honorable Thomas M. Middleton, Chair
Senate Finance Committee
3 East Miller Senate Office Bldg.
Annapolis, MD 21401-1991

The Honorable Shane E. Pendergrass, Chair
House Health and Government Operations
Committee
241 House Office Bldg.
Annapolis, MD 21401-1991

The Honorable Edward J. Kasemeyer, Chair
Senate Budget and Taxation Committee
3 West Miller Senate Office Bldg.
Annapolis, MD 21401-1991

The Honorable Maggie McIntosh, Chair
House Appropriations Committee
121 House Office Bldg.
Annapolis, MD 21401-1991

Re: **HB 1181 (Chapter 303 of the Acts of 2016) – Report on the State's Progress in Determining the Eligibility of Applicants for Long-Term Care Services Under the Medical Assistance Program Within 30 Days**

Dear Chairs Middleton, Kasemeyer, Pendergrass and McIntosh:

Enclosed please find a report pursuant to HB 1181 – *Maryland Medical Assistance Program – Determinations of Eligibility for Long-Term Care Services – Reports and Meetings* (Ch. 303 of the Acts of 2016). The report addresses the State's progress in determining the eligibility of applicants for long-term care services under the Maryland Medical Assistance program within 30 days after the filing of the applications as required by State law.

Thank you for your consideration of this information. If you have questions or need more information on the subjects included in this report, please contact Webster Ye, Deputy Chief of Staff at (410) 767-6480 or webster.ye@maryland.gov.

Sincerely,

Robert R. Neall
Secretary

Enclosure

cc: Lourdes R. Padilla, Secretary, Department of Human Services
         Debbie Ruppert
         Vesta Kimble
         Sarah Albert, MSAR#10764

Report on the State's Progress
In Determining Long-Term Care Services Eligibility

Maryland Department of Health
Maryland Department of Human Services

House Bill 1181 – Chapter 303 of the Acts of 2016
June 25, 2018

2016 REPORT REQUIREMENT

The Maryland Department of Health (MDH) in consultation with, the Maryland Department of Human Services, is required by HB 1181 (Ch. 303 of the Acts of 2016) to report on the State's progress in determining the eligibility of applicants for long-term care services under the Maryland Medical Assistance Program within 30 days after the filing of the applications as required under State law.

OVERVIEW

Effective July 2016, DHS introduced an initiative to further streamline application processing by developing a tracking system to track the Long-Term Care (LTC) application processing every 15 days. This report shows the progress to date in improving the processing of applications within the 30-day timeframe.

1. **THE NUMBER OF NEW APPLICATIONS FILED EACH MONTH WITH EACH LOCAL DEPARTMENT OF SOCIAL SERVICES (LDSS), THE BUREAU OF LONG-TERM CARE (BLTC) AND THE MARYLAND DEPARTMENT OF HEALTH (MDH) WAIVER UNIT.**

   DHS continues to track the number of new applications filed each month in each LDSS, BLTC and the MDH Waiver Unit. *Table 1* provides the numbers filed for each office.

Table1. Long-Term Care Applications Filed, by Month, By Jurisdiction

Applications Filed In	Totals	BLTC	Allegany	Calvert	Caroline	Carroll	Cecil	Charles	Dorchester	Frederick	Garrett	Harford	Howard	Kent	Montgomery	Queen Anne's	St. Mary's	Somerset	Talbot	Washington	Wicomico	Worcester	DHMH Waiver Unit
Jun-16	780	416	29	16	6	28	11	11	7	31	3	37	15	2	74	10	13	9	11	33	8	10	0	
Jul-16	725	387	37	4	11	15	15	13	6	41	8	21	7	6	57	3	13	9	7	32	19	12	2	
Aug-16	730	385	27	9	6	18	12	22	3	29	11	27	20	1	75	7	12	9	4	26	17	7	3	
Sep-16	685	351	31	8	4	12	21	13	11	32	10	23	17	5	55	5	8	8	6	36	17	9	3	
Oct-16	604	319	26	7	6	23	12	11	6	15	11	28	16	5	58	2	8	6	2	23	18	2	0	
Nov-16	635	355	13	4	3	14	15	20	8	22	7	23	16	3	65	2	10	7	1	23	13	6	5	
Dec-16	667	382	21	4	6	13	10	13	2	20	7	20	15	7	68	6	15	5	2	28	13	6	4	
Jan-17	661	347	18	16	4	24	20	13	17	31	11	24	12	4	42	6	12	8	3	24	14	11	0	
Feb-17	644	330	27	15	6	23	14	19	12	30	8	18	9	9	52	5	8	6	5	30	12	6	0	
Mar-17	722	398	27	8	3	13	15	12	10	28	15	30	14	4	49	4	20	10	3	32	15	11	1	
Apr-17	633	340	20	11	6	14	9	18	7	19	11	25	18	0	57	5	11	7	2	24	15	11	3	
May-17	706	360	39	4	4	26	25	16	9	30	11	22	19	6	50	6	11	8	7	29	13	9	2	
Jun-17	678	415	49	10	0	12	11	17	5	22	16	26	15	2	3	2	12	1	5	33	15	7	0	
Jul-17	620	382	19	8	3	12	14	13	7	6	4	25	16	5	52	1	4	1	1	24	15	5	3	
Aug-17	750	433	20	6	3	17	13	18	7	22	13	33	20	2	55	3	22	5	4	20	19	10	5	
Sep-17	696	419	19	10	4	24	16	14	13	27	14	11	7	5	39	1	4	11	5	33	7	9	4	
Oct-17	716	426	18	11	6	13	16	15	5	15	13	28	7	0	67	0	11	15	8	24	5	12	1	
Nov-17	636	344	17	12	9	12	11	16	5	31	8	23	18	3	67	0	11	7	3	20	10	9	0	
Dec-17	721	401	30	5	7	12	14	19	9	30	10	14	13	9	60	24	10	4	14	21	6	9	0	
Jan-18	798	430	28	5	3	20	8	15	11	34	5	40	17	5	72	6	13	5	7	31	17	14	12	

a) The totals from July 2017 to October 2017 were adjusted to include the LTC cases reported by the waiver unit included above.
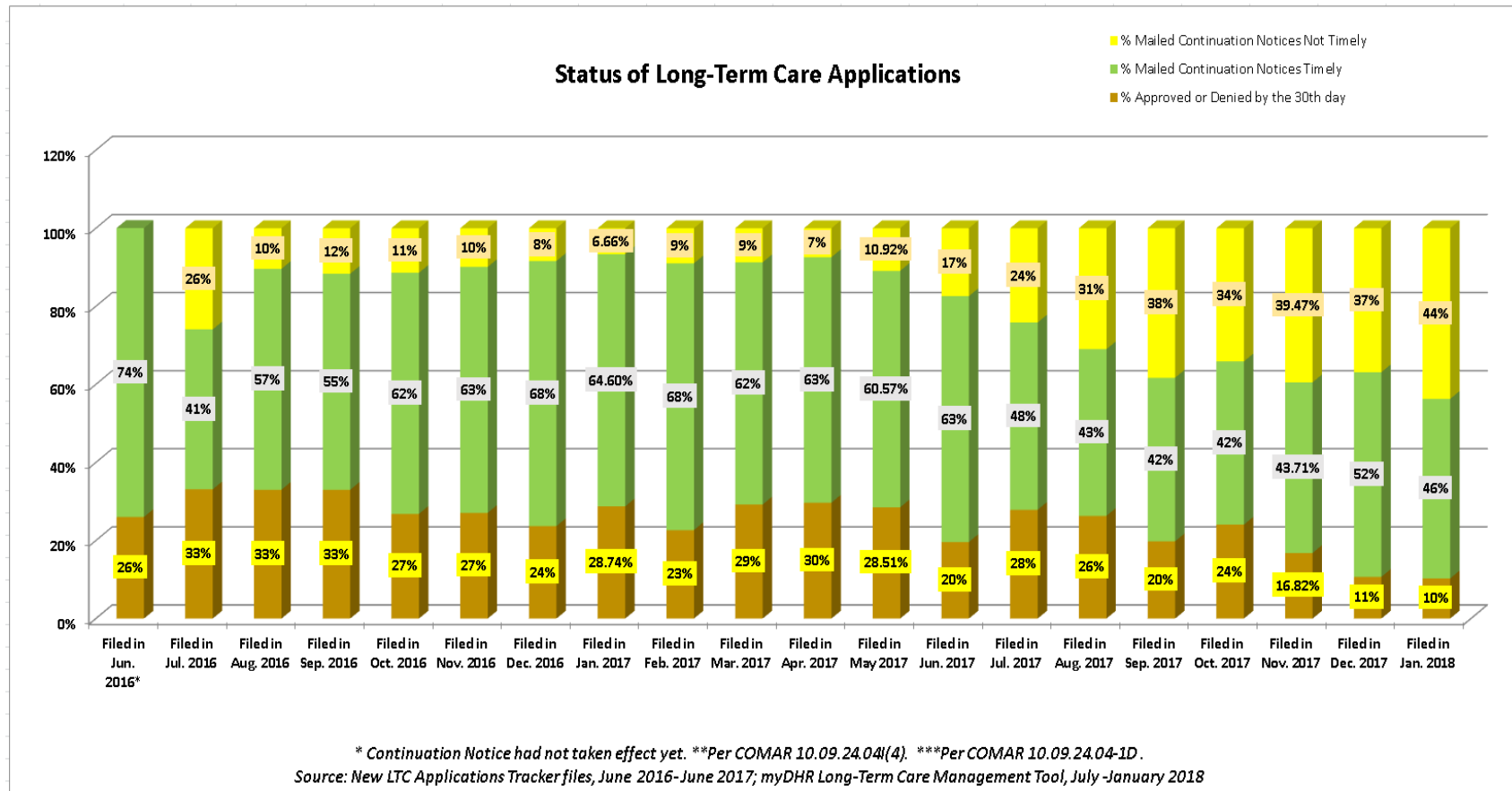b) The complete reconciled November 2017 data was unavailable for the January 1, 2018 report that was submitted.

2. **INFORMATION ON PENDING ELIGIBILITY CASES, INCLUDING (TO THE EXTENT AVAILABLE), DETAILED INFORMATION ON THE LENGTH OF TIME BEYOND 30 DAYS IT IS TAKING FOR THE STATE TO COMPLETE ELIGIBILITY DETERMINATIONS. A BREAKDOWN OF THE INFORMATION PRESENTED IN 15-DAY INCREMENTS.**

Within 10 days of the receipt of LTC applications, all applicants or authorized representatives are informed in a written or electronic notice of the required information and verifications needed to determine eligibility, and the applicable pending time limit. On average, 80% of all applications are addressed within 30 days. Of the 80%, one-third are approved or denied, and two-thirds are awaiting documents to validate factors of eligibility. All applications that cannot be decisioned within 30 days are provided a Continuation Notice to the applicant and/or authorized representative informing them that their applications are still pending and awaiting the return of specified required verifications. The average days to address an application (approve, deny or send a Continuation Notice) is 35 days. This is an 8% improvement from the 38 day average in the January report.

During this quarter, DHS continued to track the status of each new long-term care application filed. Table 2 shows the progress, as of January 31, 2018, with all applications filed from June 2016 through January 2018.

Table 2. Status of Long-Term Care Applications, by Month, Filed, Statewide

Status of Long-Term Care Applications

■ % Mailed Continuation Notices Not Timely
■ % Mailed Continuation Notices Timely
■ % Approved or Denied by the 30th day

	Filed in Jun. 2016*	Filed in Jul. 2016	Filed in Aug. 2016	Filed in Sep. 2016	Filed in Oct. 2016	Filed in Nov. 2016	Filed in Dec. 2016	Filed in Jan. 2017	Filed in Feb. 2017	Filed in Mar. 2017	Filed in Apr. 2017	Filed in May 2017	Filed in Jun. 2017	Filed in Jul. 2017	Filed in Aug. 2017	Filed in Sep. 2017	Filed in Oct. 2017	Filed in Nov. 2017	Filed in Dec. 2017	Filed in Jan. 2018
Not Timely		26%	10%	12%	11%	10%	8%	6.66%	9%	9%	7%	10.92%	17%	24%	31%	38%	34%	39.47%	37%	44%
Timely	74%	41%	57%	55%	62%	63%	68%	64.60%	68%	62%	63%	60.57%	63%	48%	43%	42%	42%	43.71%	52%	46%
Approved/Denied	26%	33%	33%	33%	27%	27%	24%	28.74%	23%	29%	30%	28.51%	20%	28%	26%	20%	24%	16.82%	11%	10%

* Continuation Notice had not taken effect yet. **Per COMAR 10.09.24.04I(4). ***Per COMAR 10.09.24.04-1D .
Source: New LTC Applications Tracker files, June 2016- June 2017; myDHR Long-Term Care Management Tool, July -January 2018

Trend Analysis for	Jun 16*	Jul 16	Aug 16	Sep 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17	Apr 17	May 17	Jun 17	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Dec 17	Jan 18
Applications Filed	780	725	730	685	604	635	667	661	644	722	633	703	678	620	750	696	716	636	721	798
Decisioned Within 30 Days**	203	240	235	221	162	172	158	190	146	211	188	126	117	172	196	137	172	107	77	82
Incomplete Applications, Continuation Notices Mailed by the 30th Day***		297	413	379	373	400	453	427	440	439	360	427	427	296	318	290	299	278	378	367
Mailed Continuation Notices After the 30th Day		188	82	85	69	63	56	44	58	63	47	77	118	149	231	265	244	251	266	349
Average Days To Decision	71	70	70	67	77	72	73	71	73	70	70	75	100	56	44	38	Applicatioins remain pending for the duration of the consideration period			
Denial Rate	22%	20%	20%	17%	20%	19%	19%	21%	19%	17%	20%	26%	27%	17%	17%	18%				

a) See notes on Table 1, page 3 about total applications filed from July 2017 through November 2017.

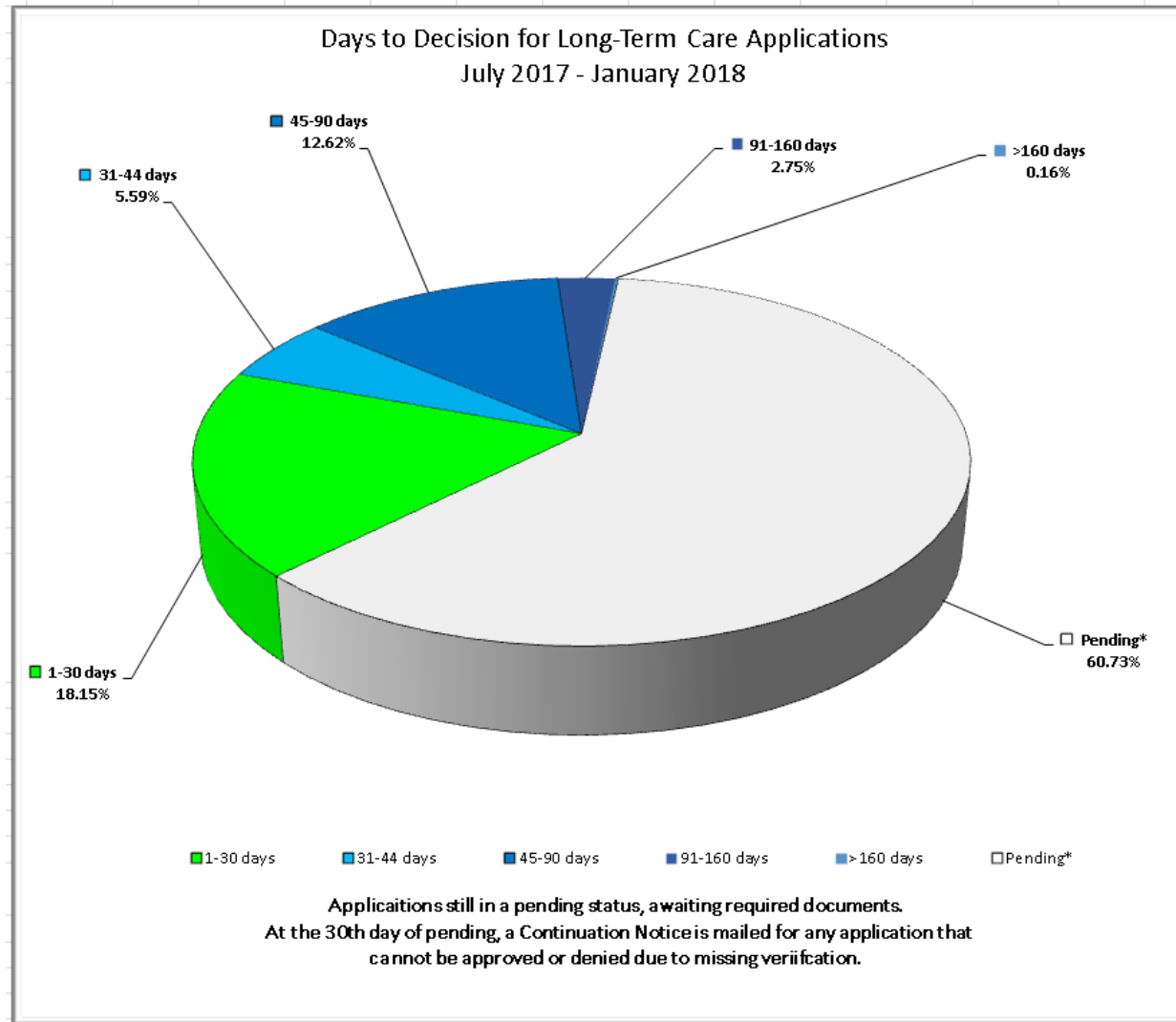*Table 3. Trends in Long-Term Care Applications, June 2016 – January 2018*

Days to Decision for Long-Term Care Applications
July 2017 - January 2018

- 45-90 days 12.62%
- 31-44 days 5.59%
- 91-160 days 2.75%
- >160 days 0.16%
- Pending* 60.73%
- 1-30 days 18.15%

Legend: 1-30 days | 31-44 days | 45-90 days | 91-160 days | >160 days | Pending*

Applicaitions still in a pending status, awaiting required documents.
At the 30th day of pending, a Continuation Notice is mailed for any application that cannot be approved or denied due to missing veriifcation.

Table 4. Days to Decision for Long-Term Care Applications

3. **STEPS BEING TAKEN BY THE STATE TO ACHIEVE COMPLIANCE WITH THE REQUIREMENT IN STATE LAW THAT ELIGIBILITY DETERMINATIONS BE COMPLETED WITHIN 30 DAYS AFTER THE FILING OF AN APPLICATION.**

- As of May 1, 2017, the Secretary of the Maryland Department of Human Services and the Secretary of the Department of Health directed the formation of a Joint Strategic Team of Long- Term Care and MD THINK Information Technology experts. The team is currently developing a public, interagency, and industry web-based portal to automate and streamline Long-Term Care eligibility determinations. Many sub-workgroups meet at predetermined days to work on various initiatives. The full team convenes on a weekly basis to track the progress of activities geared towards modernization and 30-day processing.

- **Written Guidance and Training for LTC eligibility processing provided to LTC staff:**
  - ✓ Action Transmittal 18-06 Revised, Asset and Property Verification Procedures, was issued on December 1, 2017 to clarify the allowable time frame for requesting assistance in obtaining verifications of financial and real property assets to support Long-Term Care Medical Assistance applications and reconsiderations. Assistance can be requested at any time throughout the consideration period if, through no fault of their own, the applicant, spouse or authorized representative is unable to obtain financial documentation for the current pending application or redetermination.

  - ✓ A 14-day LTC policy training was provided to new staff from November 13, 2017 to December 4, 2017.

  - ✓ A 14-day LTC policy training was provided to new staff from January 8, 2018 to January 26, 2018.

  - ✓A 14-day LTC policy training was provided to new staff from March 5, 2018 to March 22, 2018.

  - ✓ A Round Table Discussion was held on March 29, 2018. The agenda items were: Overview of AVS, a review of information needed to ensure optimal results from AVS, and a review of policy for providing information.

4. **A TIMELINE FOR ACHIEVING COMPLIANCE WITH THE 30-DAY REQUIREMENT.**

  - ✓ In an effort to increase the ability to approve or deny an application within 30 days, DHS launched an Asset Verification System (AVS) on October 1, 2017. AVS is expected to hasten the processing for the 84% of the applications that required proof of financial and real property assets. Currently, 75% of applications are submitted incomplete and require a continuation notice to be mailed because of missing proof of financial and real property assets. There is quicker availability through AVS and it is expected to significantly reduce the overall percentage of applications that require extensions beyond the 30th day. Public Consulting Group (PCG) is the vendor for AVS.

  - ✓ Although AVS is expected to reduce delays due to missing verification of financial and real property assets, DHS and MDH are complying with the provisions as required by HB 752 (Chapter 203 of the Acts of 2017) to obtain financial records when an applicant indicates that they are unable to obtain the requested documents and provides a consent form to allow DHS to try to obtain the documents.

5. **INFORMATION ON IMPROVEMENTS MADE TO THE TECHNOLOGY SYSTEMS USED TO DETERMINE ELIGIBILITY.**

   ✓ **Core Infrastructure Development (CID)** – This project is currently underway as the first phase of MD THINK. The scope of the proposed solution focuses on 'Eligibility' for several benefit programs including Long-Term Care. Solution delivery is based on agile methodology with the number of concurrent streams (Infrastructure, Application, Security, Data etc.) currently executing in parallel.

   ✓ **myDHR-** Final changes to several forms in order to automate them in the online customer portal, including Form 9709, 9709S and 257. In addition, work was completed on the dashboards for myDHR reporting, including a dashboard that will be helpful for calculations for future editions of this legislative report. An automated Form 1052 pending letter is also now complete.

   ✓ **Asset Verification System** – DHS has contracted with Public Consulting Group (PCG) for an Asset Verification System. AVS is designed to verify assets in all major financial institutions in the continental United States and the U.S. Virgin Islands. In addition to financial assets, AVS can provide verification of real property. The previous challenges of implementing the new AVS system are all resolved and the one listed below has an interim solution.

Technical Issues reported with the Asset Verification System Implementation and resolutions		
Issues	**Impact**	**Status**
Count of Applications sent to AVS (Reconciliation of New and Renewal cases)	A significant number of case records were omitted from the files sent to AVS, and therefore applications and reconsiderations could not be processed.	*In process* Conduent will use existing daily CARES queries for applications and renewals to reconcile with the batch file from CARES to AVS in order to identify exception cases. FIA/LTC staff will examine the exceptions. Interim Solution - the AVS vendor expanded the roles in AVS to allow case managers to manually enter and retrieve financial information for individual cases.

During December, DHS worked closely with its eligibility system vendor (Conduent) to ensure the case information could be submitted successfully to the AVS vendor (PCG). Discussions and plans are currently underway to move from a batch file to a web-based service for transmission.

6. **DHS,** IN COLLABORATION WITH **MDH,** SHALL CONDUCT QUARTERLY MEETINGS WITH INTERESTED STAKEHOLDERS TO DISCUSS THE REPORT AND DEVELOP STRATEGIES TO RESOLVE ONGOING ISSUES WITH AND DELAYS IN ELIGIBILITY DETERMINATIONS FOR LONG-TERM CARE SERVICES UNDER THE MARYLAND MEDICAL ASSISTANCE PROGRAM.

For several years, DHS and MDH have convened quarterly meetings of the Long-Term Care Advisory Workgroup. The latest meeting was held on February 12, 2018. The meetings have a formal agenda, including items that Workgroup members submit in advance, and membership in the workgroup includes key DHS and MDH staff as well as representatives from elder care law firms, Legal Aid Bureau, long-term care facilities and industry groups that represent the interests of long-term care facilities. In order to ensure full representation from the three Maryland industries, Leadingage Maryland was invited to join the Workgroup along with Health Facilities Association of Maryland (HFAM) and LifeSpan.

The MD THINK Team is planning a regional training schedule beginning on May 15, 2018 and ending on June 15, 2018. This training will be accommodating to all LTC workers. There will be multiple dates schedule over multiple weeks in each of the training regions, which will allow for extra seat availability for management or other interested stakeholders. This is expected to take place this summer.

DHS and MDH will continue to meet on a monthly basis to develop strategies for resolving ongoing issues in regard to delays in eligibility determinations for long-term care services under the Maryland Medical Assistance Program. In order to improve communication and prevent delays in eligibility processing, DHS, MDH and the full membership of the Long-Term Care Advisory Workgroup have an equal responsibility to share meeting discussions with their respective staff, membership and interested parties that each may represent on an ongoing basis.
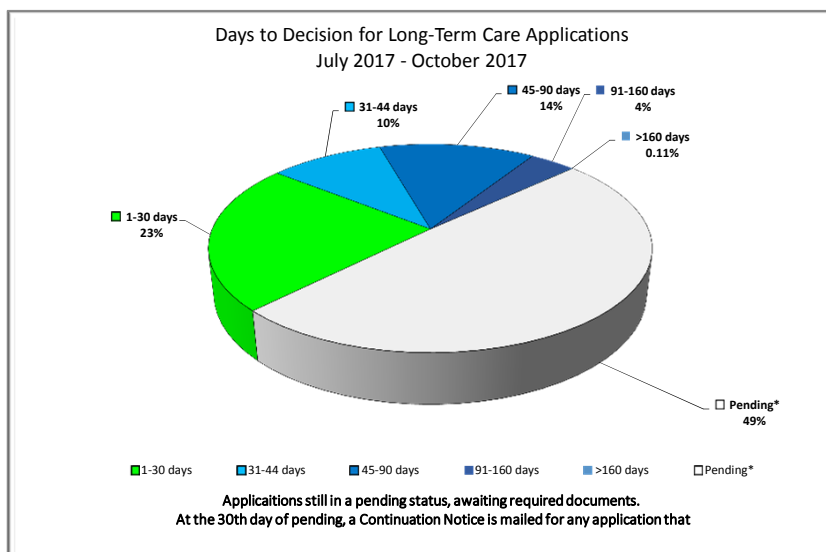
CONCLUSION

Maryland is committed to collaborating with long-term care providers and advocates in developing strategies to hasten the processing of LTC applications and redeterminations. We will continuously evaluate and explore opportunities to streamline processes and improve compliance with application processing.

January Report

July 2017 - October 2017							
Applications decisioned per timeframe	1-30 days	31-44 days	45-90 days	91-160 days	>160 days	Pending*	
Jul-17	165	102	111	81	0		
Aug-17	184	81	121	27	3		
Sep-17	132	59	113	1	0		

Decisioned plus pending 7/17-10/17	Decisioned 7/17-10/17							
		Oct-17	163	34	32	0	0	
2782	1409	Total	644	276	377	109	3	1373

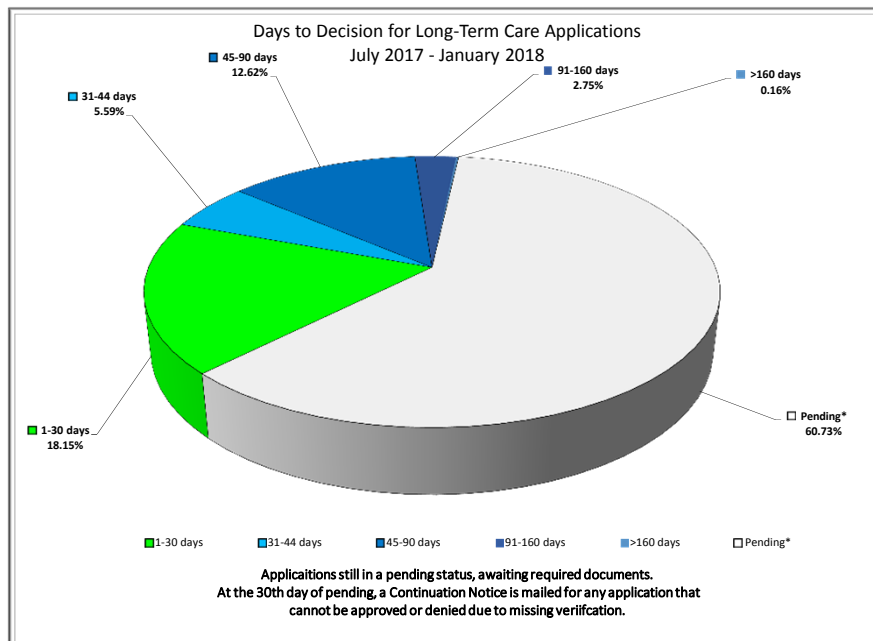| Total application received each month	Totals	% of cases decisioned divided by total for the period		1-30 days	31-44 days	45-90 days	91-160 days	>160 days	Pending*
			100%	23.15%	9.92%	13.55%	3.92%	0.11%	49.35%
Jul-17	620								
Aug-17	750								
Sep-17	696								
Oct-17	716								
Total for the period	2782								

Data carried over for PIE Chart							
	1-30 days	31-44 days	45-90 days	91-160 days	>160 days	Pending*	
100%	23%	10%	14%	4%	0.11%	49%	

Days to Decision for Long-Term Care Applications
July 2017 - October 2017

31-44 days 10%
45-90 days 14%
91-160 days 4%
>160 days 0.11%
1-30 days 23%
Pending* 49%

■ 1-30 days ■ 31-44 days ■ 45-90 days ■ 91-160 days ■ >160 days □ Pending*

Applicaitions still in a pending status, awaiting required documents.
At the 30th day of pending, a Continuation Notice is mailed for any application that

April Report

July 2017 - January 2018							
	Applications decisioned per timeframe	1-30 days	31-44 days	45-90 days	91-160 days	>160 days	Pending*
	Jul-17	165	102	111	81	0	
	Aug-17	184	81	121	27	3	
	Sep-17	132	59	113	1	0	
	Oct-17	163	34	32	0	0	
	Nov-17	103	0	141	22	0	
	Dec-17	74	0	90	5	2	
Decisioned plus pending 7/17-1/18	Decisioned 7/17-1/18						
		Jan-18	75	0	15	0	3	
4937	1939	Total	896	276	623	136	8	2998

Total application received each month		% of cases decisioned divided by total for the period						
		100%	18.15%	5.59%	12.62%	2.75%	0.16%	60.73%
Jul-17	620							
Aug-17	750							
Sep-17	696							
Oct-17	716							
Nov-17	636							
Dec-17	721							
Jan-18	798							
Total for the period	4937							

Data carried over for PIE Chart						
	1-30 days	31-44 days	45-90 days	91-160 days	>160 days	Pending*
100%	18.15%	5.59%	12.62%	2.75%	0.16%	60.73%

Days to Decision for Long-Term Care Applications
July 2017 - January 2018

45-90 days 12.62%
31-44 days 5.59%
91-160 days 2.75%
>160 days 0.16%
1-30 days 18.15%
Pending* 60.73%

1-30 days   31-44 days   45-90 days   91-160 days   >160 days   Pending*

Applicaitions still in a pending status, awaiting required documents.
At the 30th day of pending, a Continuation Notice is mailed for any application that
cannot be approved or denied due to missing veriifcation.

Response to Comments on HB1181 Report

All comments were addressed.

1. Added training and Roundtable even though roundtable occurred after the report was submitted.
2. Updated table #3 with denial rate and average days for decision for June 2017 to September 2017 since they are beyond the six month consideration period.
3. Information on Action Transmittal on annuity collection was removed.
4. Stats were corrected in table #2 and table #3, to capture all the data on decisioned cases. The totals and the analysis remain the same.
5. Fonts in the table now match the document.
6. Removed the response to the October 2017 workgroup meeting
7. MD Think training schedule for LTC will remain because DHS included some updated information.
8. Pie Chart discrepancy- The formula for April report was updated and the current Pie Chart reflects the correct data. This is consistent with the January submission (See attached).