



**Friday, September 11, 2020
ZOOM Meeting Platform**

Public Meeting 11:00 a.m. to 1:00 p.m.

A regular public meeting of the New Jersey State Interagency Coordinating Council (SICC) was held on Friday, September 11, 2020. Due to COVID-19 pandemic, the meeting was held via ZOOM meeting platform. The meeting was called to order at 11:01 a.m. by Joyce Salzberg, Acting Chair. A quorum was declared.

Attendance – Maintained by the Department of Health

Welcome – Joyce Salzberg welcomed attendees. Due to COVID-19, the public meeting was held via ZOOM conference call. Joyce read the Welcome Statement and asked for a moment of silence in honor and remembrance of those that passed on 9/11/.

Introductions – A roll call of SICC members, REIC Directors, DOH representatives and public members.

Approval of Minutes – Motion from Joyce Salzberg to approve May 15, 2020 meeting minutes; meeting minutes approved.

SICC Member Updates:

- No updates from SICC members.
- Susan Evans reported that they have not yet heard from the Governor’s office on new SICC member appointees. The Governor’s office is currently working on the budget and COVID-19 matters. However, she noticed that the Department is beginning to discuss things other than COVID-19, which is a good thing, meaning that things are getting better.

SICC Standing & Ad Hoc Committees:

1. **Administrative/Policy** – Chanell McDevitt, Chair was not available, however, Susan Marcario provided the updates. At the last meeting, the draft budget for the first quarter 2020-2021 had been provided to the SICC members. The Council requested that funding be added to the budget for an administrative assistant. The budget now includes \$20/hour for an administrative assistant for 10 hours/month or \$600 for three months. The budget for the first quarter remains at \$5,000.

Joyce is recommending a Zoom Contract for the SICC because the Council is using the Department's account. Susan Marcario stated that the SICC is utilizing Family Link's Zoom account. The account will allow up to 500 people to participate.

The Council voted and accepted the current SICC budget.

Action: The budget for the remainder of 2020-2021 (Quarters 2, 3 and 4 will be presented at the next SICC meeting, 11/20/20.

- 2. State Systemic Improvement Plan (SSIP)/Assessment** – Susan Evans presented. She stated the SSIP [SICC] Committee has not met and not sure if a committee with SICC members is needed at this time. The Department's current SSIP had received good feedback from OSEP sometime after the July retreat. The OSEP project directors were thrilled with what had been put into the SSIP. OSEP is planning to do a few things with the SSIP one of which is to figure out how to add some type of scoring to plans that would affect the determination. It still needs to gain some traction. Technically the SSIP expires at the end of April 2021 and there is one item left to be added. Then DOH will need to create a new plan, however, DOH will need to wait for OSEP's instructions. At that point, the SICC will need to reconvene to get a new subcommittee to look at the plan, get a stakeholders group together and use their feedback to plan for the next 5 years.

Joyce Salzberg asked if OSEP would consider Telehealth Services.

Susan Evans responded that OSEP does look at each component while at the same time they switched and updated and differentiated their monitoring support process. New Jersey has been in a corrective action plan for the fiscal plan and FCP. OSEP, though, is forging ahead with the new process beginning in October. New Jersey does not know if they fall into that cohort or not, therefore DOH will have to wait and see. OSEP is moving forward regardless of COVID-19.

ACTION: Remove SSIP [SICC] Committee from the agenda until further notice. Discuss further at the November 11, 2020 meeting.

- 3. Service Delivery** – Joyce Salzberg, Chair, thanked her committee and commented on their hard work and loyalty to the group. There are extensive minutes, however, Joyce will share the highlights. Their last meeting was on August 28th via Zoom. The group got into a quagmire; they were unsure in what direction to go in. They initially wanted to integrate Telehealth into the current Self-Assessment Standards (on the DOH website). It became a difficult decision. The group was unsure whether to add telehealth into the current standards or develop telehealth standards on its own. They needed some clarification and Joyce contacted Susan Evans and left a voice message for her asking if the telehealth standards should be directed to practitioners or provider agencies or both?

Susan Evans responded that the biggest piece the Department is looking for is a structural component that the system needs to put into place from a policy/procedural standpoint.

Initially information was needed on how families were responding to telehealth. From an EIP/provider standpoint you all understood which piece is working and not working (electronically, like signatures). It is infrastructure that the Department needs based on the experiences of the past several months that there would be more clarity over the things that a year ago did not work well in practicality.

Joyce Salzberg restated the Department's request. That is, the Department would want the group to work on policies, procedures, and all other aspects regarding telehealth.

Susan Evans responded "yes." It was reported to her that it is helpful and important that the system should not be able to mandate a platform for telehealth because not all families or EIPs have access to all platforms. It is policy that the Department can take under consideration on how telehealth can work.

Joyce Salzberg stated that with the information Susan Evans shared, her group will now have better direction. The Service Delivery committee also discussed a certificate program for the provision of telehealth services for practitioners. She asked Susan Evans if this was an initiative she would like to see the group address.

Susan Evans responded that the Department needs, regarding telehealth (at this time), is policy. Legislatures are looking for that. She suggested to break the task down. Telehealth has been implemented for about six months. What are the things you want to keep, adjust, what are the things you want to jettison. Before training, look at the infrastructure first. If a new EIP joined, what would they need to know in order to provide telehealth? The challenge for the group is that they are taking big pieces rather than one piece at a time. Her suggestion for the group is to look at the structure in terms of where the system is now, what is working and what needs to be tweaked and what needs to be jettisoned.

Joyce Salzberg stated she understood the request, but she is also interested in the quality of telehealth services, a certificate program may be one of those ways to ensure quality.

Susan Evans stated [a certificate] may be a part of it, but you need compliance before quality. In other words, the system needs to know and understand the compliance part in addition to the quality. One does not necessarily preclude the other however, both parts need to be considered.

Joyce Salzberg stated that their next meeting is scheduled for September 24th and they will focus on the policy and procedure aspect of telehealth.

Joyce Salzberg addressed the SICC members about an email each one received regarding the Service Delivery Committee's recommendations to DOH for their vote. Two individuals did not respond (Steve Weiss and Kim Peto). Everyone agreed to the recommendations, but a few had questions regarding the first one (an increase of \$10/telehealth services). Initially, the state of Colorado provided an extra \$10 to their

practitioners to provide telehealth as an incentive. However, Joyce no longer believes practitioners need an incentive to provide telehealth services and therefore no longer sees the relevance for it.

Steve Weiss commented that he had reviewed all the recommendations and was ok with all but the first one. His only comment is that before increasing any rate, that a rate study was needed first before deciding. He stated that if the first one (increase of \$10/session for telehealth) is being removed, then his vote would be “yes” for the remainder.

Kate Colucci stated that each recommendation submitted by the Service Delivery Committee to vote on was discussed at length during the SICC retreat in July. The committee agreed that the first one (increase of \$10/session for telehealth) was not needed.

Steve Weiss commented that the question on the ballot had two parts. 1) a general rate increase for services and 2) rate increase for telehealth. Steve remembered that he discussed he did not have enough information about the general rate increase to decide.

Kate Colucci reminded everyone that Susan Evans discussed that the Department will be conducting a rate study and provided them information about the State’s budget. At this time, the Department will not provide a rate increase for this year.

Joyce Salzberg and Steve Weiss recalled the conversation.

Joyce Salzberg asked the SICC members if they would vote on the recommendations for the Department.

Steve Weiss stated he approved all except the first one (rate increase), which has been removed anyway.

Michele Safrin had a question on Recommendation # 7 regarding reimbursement for [family] cancellations. She is concerned if a parent provides notice of the cancellation, why should the system provide reimbursement. If a family provides enough notice for the cancellation, why would there be reimbursement.

Kate Colucci stated that # 7 was referring to those families that are a “no show”, in other words, families that do not cancel a session.

Michele Safrin said if that was the case, the recommendation needs to be reworded.

Kate Colucci explained it is referring to a situation whereby the session was confirmed with the family and when the practitioner arrived to provide the session, the family was a “no-show” or a family cancelled with an hour or two before the session. She agreed that the wording needs to be reframed.

Michele Safrin stated that Kate's explanation clarified the recommendation for her.

Joyce Salzberg commented that the suggestion is to get *partial* reimbursement. Practitioners need to be reimbursed especially when they are using their time to prepare for the session. She noticed that "no-shows" occur often.

Michele Safrin has agreed to the recommendation.

Kate Colucci agreed that Recommendation #7 should be reworded. Kate considered the emailed recommendations as a pre-vote and now suggests dropping the first recommendation and reword Recommendation #7.

Joyce Salzberg asked for a vote on all the recommendations as ascribed by Kate Colucci. All agreed.

Sandra Howell announced that the Department is moving forward with the rate study.

ACTION: SERVICE DELIVERY COMMITTEE TO ADDRESS TELEHEALTH POLICY AND PROCEDURE

ACTION: SERVICE DELIVERY COMMITTEE TO REWORD #7 ON THE LIST OF RECOMMENDATIONS FOR THE DEPARTMENT

4. **Higher Education** – Kate Colucci, Chair reported that the committee regrouped on 9/11/20. Nothing had been done since COVID-19 however, the group has developed an agenda from DOH which consists of two items. The first is an infographic which will be sent to universities and colleges and other info that NJEIS wants to send. The first one is to be presented to the SICC at the next meeting on November 20th and it will need to be approved and voted on. Once approved, it will be implemented.

The second is that it is difficult for the system to provide internships currently, but it is valuable for students to learn about telehealth. It is a specialized area for OT and PT though ST would still be a hands-on approach, but this committee can still offer information to colleges, universities about telehealth and offer it as a specialty in the future. The committee is taking small steps, as suggested by Susan Evans, and hopefully the Department will have the deliverables by the end of the year or shortly thereafter.

Joyce Salzberg stated that she had emailed Susan Evans for the possibility of having mentees to join Zoom meetings for families, with consent, as a way for students to learn. Kate Colucci stated it would be very valuable. She remarked that Rowan University has a mentorship program but it is up to other colleges and universities what they include into their curriculum.

Joyce Salzberg reported that many universities are relaxing their rules at this time due to Covid-19. It could be possible.

Lead Agency Report – Susan Evans, Interim Part-C Coordinator

Note: The report from the Department of Health (DOH) will be provided to Joyce Salzberg, as the Acting-Chair, at the end of today’s meeting. Report on file.

1. **Part C Administration – Office on Special Education Programs (OSEP)**

Determinations - Since May 2020, New Jersey received the determination on NJEIS’ Annual Performance Report and they are in the second year of “needs assistance” based on data from Federal FFY2018. A letter to the Commissioner from the Secretary of Education at OSEP. NJEIS had been advised of their *need technical assistance* from Federal partners and they could impose additional monitoring on the program. NJEIS will not be seeing anything in addition to what they are already doing. It is due to results from the Family and Child Outcome data that continue to be a challenge. NJEIS slipped due to the transition to EIMS, not from a data quality perspective but from an operational standpoint.

State Systemic Improvement Plan (SSIP) - The State did receive good feedback from OSEP on the SSIP. OSEP was pleased with the continuation of the NJEIS partnership with Montclair State University (MSU) around the work on infant mental health and the number of practitioners around the State were being connected with MSU programs and the training and pilot work with Monmouth County in addition to other infrastructure building.

Federal Waivers and flexibilities due to COVID-19 - The Federal waivers and flexibilities due to Covid-19 from OSEP have not been great. No new flexibilities or waivers provided to Part C programs specifically around Part C programs providing services to children over the age of 3. The Secretary made the recommendation and Congress did not enact it. Most likely in the Fall, Congress will not address it with the upcoming election.

Early Childhood Technical Assistance Center (ECTA) application: Medicaid and private insurance funding – New Jersey submitted an application to participate in a multi-state cohort aimed at expanding Medicaid and private insurance funding for early intervention. The content will include building a network of relationships establishing state context and conducting relevant data analyses to use in crafting a document demonstrating the need for expansion of Medicaid and/or private insurance. States will be notified by Monday, 9/14 and New Jersey will learn if it has been accepted into that cohort. Susan does not anticipate that New Jersey will not be a part of that cohort and they will meet in the Fall. Alvina Seto put together the application together along with Sharon Walsh.

2. **Part C Administration: State**

In-person services - NJEIS returned to in-home services with safety protocols in place on September 1st.

Referral rates - On September 21st, NJEIS had 249 services logged in EIMS then up to 301 by Thursday and then dipped down on that Friday, before the long weekend. Referral rate is steady, in the high 300's, which is up from the Spring. Not as high as it had prior to COVID-19, but it is bouncing back.

New Executive Director at Helpful Hands REIC - Helpful Hands REIC has a new Executive Director, Nancy May who joined the REIC on 8/12/20. The Helpful Hands team had been helping Nancy. Patti Ciccone is still aiding for the transition as well as the other REIC Executive Directors and folks from the Department of Health.

State Budget – The Governor's proposed budget included approximately \$106M to the EI program for SYF2021 (12 months). For SYF2020, the State had appropriated \$115M; there had been a decrease in most programs. The departments leadership was very concerned that the System understood the plan is and was. Susan Evans was able to provide the information to all from the senior staff. There may be a way to get additional funding later in the year, if needed, which is what EI has been done in the past.

Data Vendor - NJEIS is in the third of a five-year contract with Public Consulting Group (PCG). The Department has an option of two, one (1) year extensions. They have completed the new requirements gathering to develop a framework to issue a new request for proposal for a new data system vendor. The Department has had a very different approach this time around because they have someone that has been putting this together and is working much more collaboratively. They let the Commissioner know they are in year three of five. Susan Evans does not expect the process to be quick, but they now have a detailed framework (what is liked, not liked, etc.) put tighter for the next vendor. It will still be two to four years away.

Joyce Salzberg expressed the hardships the EIPs had with PCG. She asked if there is a gathering of stakeholders, to consider those that could help with the structure and assist with a new vendor. In the past some stakeholders were initially involved then left out and it contributed to some of the hardships. There are good people in the system that know a lot about technology and the system that can be of assistance.

Susan Evans responded there has been a group leading the efforts, including Bob DeVivo who has been leading the efforts quietly behind the scenes. If someone has not been asked to participate there will be other opportunities where folks will be asked for their feedback. It is a procurement and a process and there will be options and lessons had been learned and working to avoid similar errors.

EIMS and PCG – There are several enhancements in progress. They include Form13-Progress Summary, Paper-Clip, Re-referral process, Evaluations and Assessments and the Suspension process for Family FCP. The “paperclip” option in EIMS will help Service

Coordinators (SCs) upload documents. There is a rollout with the Unit Coordinators as of September 1st. There are upgrades and enhancements being made to the rereferral process for the System Point of Entry (SPOE) department. Some children that initially came into the system found ineligible, but then returned for another evaluation created a glitch in the system, impacting the evaluation process. Currently, PCG is in the testing stages for Form 25 and figuring out the Progress Summary (Form 13). Suspension for families due to non-payments is in development. The suspension process had not been implemented in several years.

- 3. Procedural Safeguards Office (PSO)** – The PSO continues to be staffed by Barbara King under the Assistant Commissioner. Sharon Walsh is providing consultant services to the PSO office as needed. At this point, the No Practitioner Available (NPA) is almost nonexistence since COVID-19; none had been reported for the months of June, July, or August a few in May. PSO is currently addressing compensatory service requests for missed services due to COVID-19, an existing NPA or an administrative complaint. There are many requests for compensatory service hours due to COVID-19. Many hours have already been awarded and at least 2,000 more hours of compensatory services needed. They have been for children that turned 3 (during COVID-19). It was one of the pieces OSEP was happy to learn about because children were able to get services until Part B kicked in.

Billing complaints which had once consumed PSO had substantially decreased. The office received only two since May. There was one request for formal dispute resolution in August; however, it had been withdrawn and resolved. There was one case of Fraud Waste and Abuse; it was brought to PSO's attention by the EIP. The case was investigated and resolved.

Joyce Salzberg asked about the Family Cost Share (FCP) report.

Susan Evans stated it was not available at this time.

Joyce Salzberg asked if the billing is going out to families on a regular basis.

Susan Evans remarked that billing process is working as intended. There are still challenges (to billing). What is difficult for families is that practitioners' late billing, errors needing correction, etc. that messes up a family's invoice. The 90-day billing cycle presents a challenge. The field will see in the next few weeks is the realization from the Department because of the technology side of COVID they had discovered gaps in the technological savviness of practitioners and families. Many practitioners using phones (business or personal) has a propensity to making errors impacting families' invoices. The Department plans to discuss technology requirements this Fall because the Department realizes that the system needs to up their technology game for practitioners and to help families.

Joyce Salzberg asked if Sandra Howell would discuss the budget.

Sandra Howell responded that the system is in a pickle with the NJ budget. The Division and Early Intervention budgets had been cut. Cuts were made but with considerations on how it would impact families, practitioners, and grantee agencies. These are “back-end” cuts, but not changing anything at this point until the end of the fiscal year. Things that the Department had been working on are still moving forward such as the enhancements to EIMS and the rate study. The rate study will be conducted by a vendor. Four vendors have been identified, through an RFP, and one will be selected. Once contracted with a vendor, it can take between six to nine months for the results of the rate study. The goal is to get it by Fiscal Year 2022 budget. It does take time. Not sure how quick the procurement process will take. Hopefully, this will be a quick process.

Susan Evans echoed that since they already have a list of approved vendors, all the Department needs to do is provide the scope of work to the vendors, then they can select one of them. They do not need to go out for bid, which can be a nightmare process. There is a draft of the scope of work that is ready and it will include telehealth practices as part of the rate study. It will also look at board certified analysts, evaluations, and the evaluation process. We will get answers to the questions soon about telehealth, BCBA and children with Autism and other rates listed under IDEA. The Department has available the rate study process that was conducted many years ago as well as other state’s scope of work that will be used to develop the scope of work in New Jersey.

Sandra Howell reported that it could take time for the RFP process for the data vendors. Due to the experience with PCG, huge lessons were learned. They want to be methodical and take their time to not repeat what had happened years ago. The State may not have an approved vendor list which means they may need to do the RFP. It may be complicated and take a longer process.

Sandra Howell asked if anyone had questions about the budget. She mentioned that there had been budget cuts to programs for children with specialized health care needs. She stated that it was very upsetting because they are children with special child health care needs.

Joyce Salzberg agreed with Sandra Howell’s sentiments and acknowledged that the Department was doing their best. Joyce stated that in March 2020, there was a two-week period that NJEIS was shutdown. Once it reopened, most programs were operating at a 60-70% capacity due to COVID-19. She asked what happened to that money and if it went back to treasury.

Sandra Howell responded that different funds have different closing dates. NJEIS did not lose the money, it can be brought forward. That is probably why the State reduced the budget by \$7M because [NJEIS] had the savings and that money was brought forward. It did seem scary when hearing how the money was decreased, but since [NJEIS] was closed for those two weeks in March, there probably will not be a total impact on [NJEIS] budget which she stated is good; the system will be able to provide the services.

They had already been in the conversation about the reversal of the 5% rollback – not related to available funds due to COVID-19 [closure], but they did see that there was money in the budget to be able to do that. Sandra stated that it was considered the rainy-day money, but now it is taxing that money in terms of what is left over to be able to say to go ahead to rollback that money. That was their position in January; the intention was to reverse the rollback. She stated the Department was aware that folks were going to their legislature. The Department's intention was not only to roll back the 5% but to increase another 5%, bringing the total increase to 10%. Then COVID-19 hit, and all the budgets went out the window. They [State] took that money.

Joyce Salzberg referred back to the Service Delivery Committee's recommendation that the council voted on in regard to how EIMS rounded down instead of up [time entered for services] and many EIPs lost a lot of money due to that and want to see that pushed forward. Joyce also discussed how many EIPS experienced damages, due to the glitches in EIMS, and want to be reimburse for it.

Sandra Howell responded that what Joyce Salzberg brought up were two separate issues. In terms of the money due to the COVID-19 shutdown, the Department was clear that they would not be issuing any advanced payments. The Department believed that the EIPS could apply for the Federal PPP money if they needed help with their businesses. The second part is about the damages, it was already supplied to the Department of the Treasury as a complaint due to PCG and their system's failures. Once the Department initiated the complaint process that goes to the Treasury then they become the arbitrators of the complaint. The complaints the Department received was forwarded to the Treasury and they conduct the process and become the determinants. PCG then responds to the complaint, then the Department responds, PCG responds again, then Treasury makes the decision.

Joyce Salzberg restated for the record, that the recommendation for getting reimbursed for the rounding down, which occurred before COVID-19.

Susan Evans responded the Department will review it. It was not something the Department implemented, but it is something the Department can review.

Joyce Salzberg again restated that it happened before COVID-19.

Susan Evans concurred with Joyce Salzberg; the Department will review the recommendations. Susan needed to leave the meeting.

New Business – REICs:

1. Carmela Balacco, current Administrative Assistant to the SICC has resigned. Joyce inquired how to find a replacement.

Susan Marcario stated that in the past, they had advertised, but it was not successful. She stated that it would probably be more effective to try to find someone internally. It is intermittent work, maybe about 10 hours a week. Perhaps consider getting someone skilled in notetaking. If anyone knows of anyone who might be interested, to send her an email with the recommendation.

Joyce Salzberg asked who does that person report to or interface with at the REIC. In the past, Carmela Balacco would correspond with Patti Ciccone for REIC agenda items, but she is no longer working in for NJEIS.

Susan Marcario replied that she would work that out with Jennifer Buzby.

Old Business:

1. Joyce Salzberg stated that there is nothing to report at this time on any of the SICC appointed members.
2. Joyce Salzberg stated that the meetings will continue via ZOOM.

Joyce Salzberg read the Public Comments notice, then opened it up for public comments.

Public Comments:

1. David Holmes, ABCD, commented that ABCD received a letter from Susan Evans regarding the budget and it was the first time that they had been acknowledged by the Department of Health for years and was thankful to the group that put the comments together. The \$7M take away by the Treasury was extremely disconcerting to the EIPS. ABCD had been recommending ways in which the EIPs can be kept whole or more sustainable, going through this horrible transition due to COVID-19. The EIPs had come from 100% normal funding to 0% during the two weeks of closure due to COVID-19. He suggested that it would behoove the Department to work faster on some of the recommendations regarding funding. He had worked in the Department and understands how the Treasury can come by and do a clean sweep of all the departments on money when there is a problem. However, David is advocating being strategic and not allowing \$7M to sit in an account to be taken. There are damages [to EIPs] that have not yet been paid for numerous amounts of cancelled telehealth sessions, it all seems to be out-of-control. David is glad, however, there is open communication, but believes the Department needs to move faster on some of the described initiatives. He hopes that the SICC raises the flag and gets to meet with the Commissioner to resolve some of these issues.

Joyce Salzberg thanked David Holmes for his comments and asked if anyone else had a comment.

Patti Carlesimo, Ladacin and member of ABCD, stated she agreed with David Holmes in that it was good they [EIPs] included and was very encouraged with Sandra Howell's comments on how the Department was reviewing and seriously considering the 5%

rollback and including another 5%, totaling a potential 10% increase. It shows the Department had been listening to their concerns and their struggles. Hopefully, when things get better [COVID-19], it can be addressed again. She is concerned that the State already has a group of vendors. Many EIPs had been a part of the fee-for-services transition changes under the Division of Developmental Disabilities (DDD) and they conducted a Rate Study, which she was a part of, and she was not particularly pleased with the vendor that was chosen. Patty wondered how others felt and shared her concern should that vendor be selected.

Others agreed with Patti's concerns (names were not given).

Joyce Salzberg stated that there were lots of providers that were not happy with that vendor. She is not sure if that will make a difference, but it would be good for the Department to be aware of it.

Joyce asked if there were any other public comments. No response.

Meeting adjourned at 12:48 p.m.

Next SICC meeting by ZOOM is scheduled for Friday, November 20, 2020.