***To facilitate a united provider voice for best practices, advocacy, partnerships and networking.***

January 12, 2022

Jetta Whittaker

P.O. 110680

Juneau, AK 99811

Re: Proposed Regulations Amendments to Home and Community Based Services on COVID Flexibilities To Be Made Permanent

Dear Jetta Whittaker:

AADD is very grateful to see the recognition by the Department of the value of many of the flexibilities initially offered through Appendix K. These changes serve to both ease the work load and offer greater person centered choices in alignment with our Shared Vision. Thank you.

In an era of workforce shortages, the ability to allow staff to obtain the necessary training for CPR and First Aid on line, as opposed to in person, is a significant help. Additionally allowing electronic signatures eases the burden on providers and families allowing for more options for submitting documentation and saving time from either required trips in person.

AADD strongly supports the incorporation of distance delivery in a variety of services including employment. Thank you for hearing that the work that went into the development of distance delivery programs, systems and equipment for COVID will not go to waste in the future.

Allowing day habilitation (as limited as that option is) to be offered in residential settings (if approved in the Support Plan) does provide some greater person centered choices. Thank you for recognizing that value.

Care Coordination services struggle with staff shortages and the remote visits allowed care coordinators to carry significantly higher caseloads. AADD is so grateful to see the face to face visit requirements reduced to two visits per year, allowing care coordinators to continue their current caseloads.

During the period of COVID, with so many more employees now working from home it makes sense to allow respite care to be utilized when the primary caregiver needs to be at work. Thank you for this on-going flexibility.

AADD recognizes and appreciates the amount of work these regulations required on the part of SDS staff.

In reviewing the COPS we want to take this opportunity to address some significant issues that have arisen concerning the Employment Services Conditions of Participation. (7 AAC 130.270). Please see our comments and recommendations below:

**7 AAC 130.270** **Employment services.** (a) The department will pay for employment services if they are (9) provided in decreasing amounts over time, as the recipient meets the specific service outcomes and employment-related goals identified in the person-centered support plan;

AS 23.15.095 (c) (2) assist the recipient to accomplish work-related goals identified in a person-centered support plan, and decrease over time as goals are achieved;

SDS recognizes that the goal of providers is to always encourage and work toward decreasing and fading Employment Services, however, there are recipients of service that cannot maintain their employment without ongoing support. Providers offering Employment Services have multiple examples of individuals that need ongoing support. Decreasing/fading Employment Services for some individuals would mean the end of the individual’s employment

**Recommendation: Provide technical assistance to Care Coordinators and ES Providers to be able to maintain supports at a level that will not jeopardize recipients of service employment.**

**AS 23.15.095** (d) The department will not pay for (7) transportation for a recipient, unless it is to or from an employment site, and no other transportation is available for the recipient;

Recipients of service currently living in a Group Home or Family Habilitation home do not have the option of transportation as part of their Employment Service. To be equitable in the authorization of ES units, all recipients of service should be allocated units for transportation. As individuals are typically not the only person living in the home, requiring the staff or family habilitation provider to transport individuals to and from work, or develop a central pickup/drop off point during non-business hours is hard on other recipients of service also living in the home. An example is having to get all the individuals in the home up at 11:00 pm to pick up another recipient of service from work. These COPS make it the provider’s responsibility to provide transportation without the ability to be reimbursed for the associated costs.

**Recommendation: Transportation for all recipients of Employment Services should be allowed regardless of their living arrangements.**

**Employment Services Conditions of Participation**

The requirement for the Employment Services program administrator and the Employment Services Specialist to receive and maintain National Certificationis supported by AADD. However, there are grave concerns about this being required of all DSP’s providing Employment Services. The National Certification requirement for ALL staff performing Employment Services is unwarranted for the service to be delivered in an effective and efficient manner. Requiring the Administrator and Employment Specialists that supervise DSP’s is sufficient and appropriate to ensure quality service delivery.

In today’s IDD service delivery system, DSPs work with many individuals and provide a variety of services with multiple goals and objectives. Some specific trainings for Employment Services would benefit all when it comes to Employment Services. However, 40 hours for the National Certification training is excessive. When there are staff constraints due to illness or living situations emergencies Employment Services are not considered crisis services and staff might be pulled into mandated services. The ability for providers to have an available pool of DSPs as back up to provide Employment Services is necessary for the survival of this service.  If the requirement of the National Certification includes ALL of those providing Employment Services stands, Employment Services as it is currently being delivered will cease to exist.  The National Certification training includes multiple sections such as Vocational Rehabilitation paperwork that supervisors need to know but are not necessary for DSP's supporting recipients on the job itself.  Training all DSPs that provide ES for 40 (non-billable) hours is cost prohibitive for provider agencies, along with the capacity limitations of the training institution of the Center for Human Development.

**Recommendation**

1. **Create a workgroup of provider agencies, CHD, and SDS to implement the following recommendations:**
	1. **Add a third Personnel category of DSP/Job Coach to the COPs. This position would be supervised by an Employment Services Specialist and/or the Program Administrator who is Nationally Certified.**
	2. **Create a shortened/condensed version of some of the Certification modules for this new Personnel category.**
	3. **Allow one year from date of first service of ES to complete the above shortened/condensed newly created course.**

Thank you for extending several of the flexibilities contained in Appendix K. It is deeply appreciated. We look forward to hearing from you on our recommendations.

Sincerely,



Lizette Stiehr

Executive Director

AADD