

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

May 1, 2018

2. Department

Social Services

3. Organizational Placement (Division/Branch/Office Name)

Adult Programs Division/Case Management Information & Payrolling System and Systems Enhancement Branch

4. CEA Position Title

CMIPS and SE Branch Chief

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The Adult Programs Division, Case Management Information and Payrolling System (CMIPS) and System Enhancements (SE) Branch Chief is responsible for all aspects of policy development, implementation, monitoring and oversight for program and system functions related to CMIPS and the new federal mandated Electronic Visit Verification (EVV) system requirements. In December 2016, the 21st Century Cures Act was enacted into federal law. This law requires states to use an EVV system for Medicaid personal care services by January 1, 2019, and for home health care services by January 1, 2023. Failure to comply with EVV system requirements will result in significant federal penalties.

6. Reports to: (Class Title/Level)

Deputy Director-Exempt position

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): The CMIPS and SE Branch Chief advises Executive Management regularly on all CMIPS and EVV policy and system issues.

8. Organizational Level (Select one)

- 1st
- 2nd
- 3rd
- 4th
- 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The Case Management Information and Payrolling System (CMIPS) and System Enhancements (SE) Branch Chief (CEA A) develops and implements statewide policies, internal policies and provides strategic program direction for the In-Home Supportive Services (IHSS) Program as it relates to the system maintenance and operation for the CMIPS and the implementation and operation of the Electronic Visit Verification (EVV) system.

Responsibilities include:

Oversees and directs the development and implementation of statewide policies, regulations, processes and procedures based on statutes enacted through federal and state legislation for IHSS related to automated systems.

Oversees and directs statewide policy development, implementation, processes, procedures and regulations enacted through federal legislation of the 21st Century Cures Act for all personal care service providers to utilize an EVV system for the IHSS program. Implementation includes coordination with multiple state agencies; an extensive stakeholder process; the procurement, design, development and ongoing maintenance and operation of an EVV system.

Oversees and directs statewide policy, design and implementation on the processes and procedures of the EVV interfacing with the CMIPS for payrolling 470,000 IHSS providers as well as capturing and reporting time and service data. These policies will ensure both systems interact to prevent waste, fraud and abuse.

Responsible for all EVV system associated policies for extensive outreach, education and training for all program recipients and providers to transition from paper to an electronic time reporting system. Oversees ongoing support to recipients and providers utilizing the new EVV system.

Ensures all IHSS program policies are implemented accurately and timely into the automated systems to support the assessment and authorization of services to more than 550,000 program recipients. Oversees the processing of time sheets and issuing payments to over 470,000 providers as well as all program reporting.

Develops and provides communication on systems policy and operation to all 58 counties, public authorities, stakeholders and over 50 system interface partners.

Represents the Department in meetings with local, state and federal government representatives, advocacy groups and stakeholder groups, which includes: IHSS provider unions, Disability Rights Organizations, California Welfare Directors Association, California Association of Public Authorities and legal advocates on program policies related to automated systems.

Oversees the training of county and public authority staff, recipients and providers in various modalities including in person, webinars and web-casts.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The Case Management Information and Payrolling System (CMIPS) and System Enhancements (SE) Branch is critical to the CDSS mission to serve, aid and protect needy and vulnerable children and adults.

The CMIPS is the fifth largest electronic payroll system in California; exceeding the payroll of the State Controller's Office. CMIPS tracks assessment and authorization case information for over 550,000 aged, blind, and disabled recipients in California and processes over 1,000,000 paychecks timely and accurately each month for IHSS providers. IHSS recipients receive an average of 106 hours of service a month. IHSS providers are responsible for providing these services, so that recipients remain safely in their homes and prevent the need for out-of-home care.

The Electronic Visit Verification (EVV) system is mandated by the 21st Century CURES Act, enacted by the federal government in December 2016. It requires all personal care service providers in California to utilize an EVV system by January 2019, in order to avoid major fiscal penalties. For fiscal year 2018-19, the estimated total cost of IHSS is \$11.2 billion in which over half is federally funded. If California does not implement an EVV system, the state will receive escalating penalties of up to 1% of federal program funding. The EVV system requires capturing the following data:

1. Date of service.
2. Location of service.
3. Individual providing service.
4. Type of service.
5. Individual receiving service
6. Time the service begins and ends.

Implementation of the EVV system will require extensive policy analysis, procurement, design, development, ongoing maintenance and operation, outreach, training and education of all recipients and providers, a substantial stakeholder process, and coordination with other personal care service programs including Department of Public Health, Department of Health Care Services and Department of Developmental Services. In addition, the EVV system must be able to interface with CMIPS to generate payroll for IHSS providers.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The Adult Programs Division is reorganizing its structure due to continued legislative changes. The legislative changes necessitating this reorganization include: the change in the funding structure for the IHSS program that was implemented as a part of Senate Bill (SB) 90, the new State Administrative Review for IHSS providers associated with SB 89, which affects the exemptions from the weekly overtime caps and the 2016 - 21st Century Cures Act which created a new federal mandate for all personal care service providers to utilize an Electronic Visit Verification (EVV) system by January 2019.

The 21st Century Cures Act was passed as part of the Affordable Care Act, under H.R. 34 and signed into law on December 13, 2016. It is designed to help accelerate medical product development and bring new innovations and advances to patients who need them faster and more efficiently. With this bill came one key component mandating the use of an EVV system that must be implemented by January 2019. The EVV is a system that requires providers to confirm that services were actually delivered and to do so through a variety of electronic methods for each service, such as a phone call, electronic signature and so forth. The EVV system must be able to capture the following:

1. Date of service.
2. Location of service.
3. Individual providing service.
4. Type of service.
5. Individual receiving service
6. Time the service begins and ends.

Section 12006 of the 21st Century Cures Act imposes a reduction in the Federal Medical Assistance Percentage for states that do not implement an EVV solution for personal and/or home health care services that require an in-home visit and are paid for using state-plan Medicaid funds or Medicaid waiver funds. The newly enacted 21st Century Cures Act will penalize states that have not implemented an EVV system by January 2019 and the penalty increases up to 1% of federal program funding over time.

California views the EVV service as an opportunity to improve the quality of recipient care and expedite payments to providers, with the outset of preventing waste, fraud and abuse while improving overall program performance and integrity. The EVV system will eliminate time consuming paper time sheets, reduce time sheet errors and support travel and sick leave claims. The vision for the EVV system is to also be able to reduce violations through real time warnings, if hours exceed maximum weekly hours of work allowed, and facilitate enrollment into direct deposit with overall system efficiencies through the electronic submission and approval of time sheets.

The 21st Century Cures Act also mandates stakeholder engagement as systems are created. There are numerous stakeholders who have a vested interest in the success of the EVV system. Stakeholders include, but are not limited to: the Service Employees International Union, United Domestic Workers Union, Disability Advocates Rights, County Welfare Directors Association, California Association of Public Authorities, all 58 counties, recipients, providers, public authorities, federal government, state government and the legislature.

In addition, the EVV system must interface with the current Case Management Information and Payrolling System (CMIPS). The CMIPS is the fifth largest electronic payroll system in California, exceeding the payroll of the State Controller's Office. The CMIPS tracks case information for over 550,000 aged, blind, and disabled recipients in California and processes over 1,000,000 paychecks timely and accurately each month for IHSS providers.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

The CMIPS and SE Branch Chief must develop and maintain policies and procedures that reflect the system implementation needs of the EVV system and ongoing maintenance of the CMIPS, while reflecting the programmatic regulations of the federal and state legislation for IHSS recipients and providers.

Develop policy to create and implement the new federal mandated EVV system. Failure to properly implement the EVV system may result in an increase of fraudulent claims for services not rendered to recipients, fraudulent time reporting and severe penalties escalating up to 1% of federal program funding, which could potentially be in the millions of dollars.

Develop policy to interface the new EVV system with the current CMIPS in order to continue to pay providers timely for services rendered to California's most vulnerable population. The IHSS providers are responsible for providing services to the aged, blind and disabled recipients so they may remain safely in their homes. Failure to properly implement these policies, may result in loss of available providers, delay in payment to providers whose livelihood depends on receiving accurate and timely paychecks and increased program costs to the state.

Develop policy to train over 550,000 providers and over 470,000 recipients on the new federal mandated EVV system to transition from paper to an electronic time reporting system. Training and educating providers and recipients will reduce waste, fraud and abuse and save the state millions of dollars. Failure to properly provide training on these significant program changes may result in inaccurate time reporting, inaccurate reporting of services to recipients and risk of losing billions of federal dollars and state funding.

Develop policy, processes and procedures to implement a different Maintenance of Effort (MOE) for all 58 counties. The state must approve and oversee each county's MOE in order to prevent counties from going over their allotted funding caps. Failure could lead to public backlash, delays in services for recipients in order to remain safely in their homes and loss of federal program funding which would be detrimental to the program.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The CMIPS and SE Branch Chief develops and implements policies, solicits and facilitates stakeholder input and addresses the promulgation of regulations. The Branch Chief advocates and negotiates with local, state and federal government representatives, advocacy groups and stakeholder groups, which includes IHSS provider unions, Disability Rights Organizations, California Welfare Directors Association, California Association of Public Authorities, legal advocates and CDSS management to ensure the successful implementation of the EVV system and how it interacts with CMIPS. The Branch Chief will provide recommendations to the Deputy, Chief Deputy, and Director on the most sensitive issues. The Branch Chief will be expected to testify before the Legislature and other private and public stakeholders on sensitive and/or controversial policies and procedures as it relates to IHSS automated systems.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

Both. The Branch Chief must ensure the CMIPS adheres to current IHSS policies, regulations and statutes and develop, implement and provide direction and oversight to the federally mandated EVV system. California must implement an EVV system by January 2019 or face major federal penalties.