

**Mi Via Advisory Committee (MVAC) Quarterly Meeting Minutes  
April 25th, 2024 from 12:30-3:30  
Meeting Location: Teleconference**

**1-Attendance and Introductions, Chair 12:30 -12:35**

- ◆ Members are asked to state their name and role in Mi Via. Keep in mind each person will only have approximately 20 seconds to do this.

Member	State Staff	Absent
Judy Sena	Jen Rodriguez, DDS Interim Director	Brad Hill
Tim Gardner	Vangie Yanez, DDS Community Programs Bureau Chief	Yvette Griego
Patricia Gull	Elaine Hill, DDS Mi Via Waiver Program Manager	Margaret Keane-excused
Margaret Keane-excused	Krystal Armijo, DDS Mi Via Coordinator	
Shannon Eckert	Melanie Buenviaje, HSD, Medical Assistance Division Community Programs Bureau Chief	
Chinda Lucoski	Deanna DeHerrera, HSD Mi Via Coordinator	
Allison Salazar	Claudia Rice, DDS Research & Policy Analyst	
Stevie Bass	Alicia Otoló, DDS Mi Via Coordinator	
Donna Brooks		
Althea McLuckie		
Denise Balderas		
Joyce Munoz		
Charles Clayton		
Jacob Patterson attending on behalf of Sandy Skaar		

**2-Review Agenda & Previous Meeting Minutes, Chair 12:35-12:40**

- ◆ **Members will amend or approve agenda as needed and vote.**

Denise B. motioned to approve the 4.25.24 agenda as written.  
Trish G. seconded.  
No discussion or opposition.  
Motion passed.

- ◆ **Members will amend meeting minutes as previously submitted prior to meeting as needed and vote on changes.**

The Committee recommended the following amendments to the minutes of 1/25/24:

- Remove the apostrophe in the spelling of Deanna DeHerrera's name under the attendance list.
- Under the first bullet point in item #4, change "voice-chair" to "vice-chair."
- Under item #9, in the second bullet, spell out the acronym for COE, Category of Eligibility.

Charles C. motioned to approve the minutes with the changes above.  
Trish G. seconded.  
No discussion or opposition.  
Motion passed.

### **3-Housekeeping, Chair 12:40-12:45**

- ◆ **Public comment sign up**

### **4-Membership/Bylaws Committees Updates, Chair 12:45-1:00**

- ◆ **Brainstorming solutions to challenges**
  - The next MVAC meeting will be Althea M.'s last as chair. We need a new chair.
  - Leadership roles are missing for many key positions such as vice-chair, leader for the bylaws committee, and a functioning orientation committee. These roles must be filled.
  - Applications for renewing members must be submitted.
  - MVAC discussed ways to create a participant directed approach and involved more people in leadership roles.
    - Break-out groups were suggested.

- It's hoped that a Chair will be elected at the July meeting who can then take over in October.
  - Descriptions/definitions for the roles of the chair, co-chair, and group leaders are listed in the bylaws and should be discussed at interim meetings along with the expectations for these roles.
  - Patricia G. volunteered to head the committee for membership, under the direction of Althea M. and Stevie B.
  - People should contact membership to make recommendations for the chair and co-chair roles and copy Althea M.
  - Allison S. suggested that the lack of leadership support is due in part to not coming together outside of the usual MVAC meeting schedule. She recommends that the group meets more frequently at interim meetings with the intention of getting to know each other better.
  - Allison S. will send out "meet and greet" meeting invitations for the interim.
  - It's suggested that the committee have a preparation meeting prior to the next MVAC meeting.
  - Review of membership terms limits. Denise B., Donna B., Joyce M., Laura M., and Sandy S. are not currently members.
  - Donna B. proposed that one of the four MVAC meetings be held in-person in Albuquerque or Santa Fe.
  - Distribute an updated list of the eligible board members who could serve as Chair or vice-Chair.
    - Any member of MVAC can be considered for these roles, with preference given to those having served at least one year previously.
    - This topic will be discussed again at the next interim meeting.
- ◆ **Vote on proposed changes to by-laws**
- A copy of the bylaws with proposed changes was provided to all.
  - Recommendation for review of the bylaws be changed to every three years or as needed, however, this change had been made previously and is currently in the bylaws.
  - Althea M. will distribute a copy of the bylaws with the recommended changes .

- Jen R. recommended that changes be completed and in place by July 1<sup>st</sup> and to change DOH to HCA (Health Care Authority). No objection to timeline.

Charles C. motioned to approve the bylaws with the additional suggestions listed in the document.

Patricia G. seconded.

No discussion or opposition.

Motion passed.

### **5-Member Response to Updates from HSD/DOH, Chair 1:00- 1:20**

- ◆ **Members will have a chance to provide their feedback on prepared summaries sent by HSD and DOH**
  - Allison S. addressed the cost-of-living adjustments (COLA) and the chance to be reimbursed from October 2023 for Mi Via, just as the Medically Fragile program did.
  - Melanie B. noted the COLA amendment date is the beginning of the annual year, the Centers for Medicare and Medicaid Services (CMS) asked that it be moved to a waiver year (October for Mi Via Waiver). Employer of Record (EOR) and participants must agree to changes moving forward, not retrospectively, due to the nature of vendor and employee agreements and the idea that all parties might not agree or want to make changes to the rate that is being paid. Allison reiterated this demonstrates inequity amongst waivers.
- ◆ **Money Network Card fraud procedure**
  - Deanna D. discussed the process for addressing a lost or stolen Money Network Card. A police report should be filed first, then contact the Money Network on the 1-888 number to have the card and funds locked. 1-888-913-0900
  - This information will be included in the next newsletter.
- ◆ **CCSC call wait time**
  - Wait times continue to be excessively long, according to recent comments. Much of this is due to back logs from COVID, and the super allocation.
  - Melanie B. and Deputy Secretary Ochoa (Income Support Division-ISD) are evaluating the Call Center and wait times.

No specific updates at this time but she will reach out to Angela Medrano for a response and email the information to the group.

- Jen R. acknowledged the frustration with the wait times and process. She advised that people should follow the outlined process and work through the “IC Waiver Unit” for updates on status or paperwork but to follow the process identified by DDSD for Consultants to notify Selina Leyba, DDSD, with Category of Eligibility (COE) issues.
- ◆ **Legally Responsible Individual (LRI) questions**
  - Jen R. discussed the LRI process which allows for the payment of family members and guardians under certain conditions.
  - The suggested changes and guardrails have not been finalized yet.
  - This is only a draft document intended to gather valuable input from stakeholders.
  - MVAC recommended having conversations with them prior to giving them a written format for input.
  - Jen R. invites the MVAC to propose meetings with her, as needed, to discuss any future proposed changes.
  - Goal for publishing LRI allowances and criteria is around May 1, 2024.
  - MVAC and others provided ample input to this process. Thank you!!

## **6-Current/Upcoming Issues facing Mi Via, Chair 1:20-1:35**

- ◆ **Members will have a chance to ask questions and provide feedback**
  - Upcoming Waiver Renewal
  - Potential changes to Service and Support Plan (SSP)
  - Information dissemination-Allison
  - Additional in-person meetings to discuss SSP and waiver changes.
  - All documents will be distributed two weeks prior to meetings.
- ◆ **Orientation Packet**
  - Looked good but suggested the addition of an acronym list.

- Althea M. asked Jen R. to wait until an orientation committee is formed to review the materials.

### **7-Member Recommendations for Mi Via, Chair 1:35-1:45**

- ◆ Members will have the opportunity to share ways they have identified that Mi Via might be improved and/or simplified. Members are asked to make sure their suggestions are framed in a positive way, and to include potential solutions. Members are asked to make sure their improvements address issues affected by multiple participants, and not just one individual.
  - Allison S. recommended incentivized therapist rates in rural areas.
    - Mi Via rates are lower than others by \$50-\$60 which affects services for families. Many therapists won't work at such reduced rates.
  - Jen R. is drafting a request for proposal (RFP) to secure a new contractor for the next comprehensive rate study in calendar year 2025. The scope will include:
    - Review all rates for each service in all four waivers.
    - Establish a baseline for rates for each service our waivers offer.
    - Decide if we keep incentive and standard rates for all waivers or eliminate.
      - Identify differences in scope of work for Mi Via and DD waivers.
    - Include projections for annual cost of living adjustments for all and include in budget every year.
    - House Bill 395 paying direct support professionals 150% of minimum wage.
    - New Department of Labor changes; paid family medical leave, overtime exemptions, using subcontracts vs. employees in collecting data for cost study.
    - Rates for telehealth visits
    - Increase the Individual Budget Allotment, as this goes hand in hand with increased rates.
    - Incentive based rates or value-based payments related to DDSD priority services being considered.

### **8-ACQ Liaison Update, Denise 1:45-2:00**

- ◆ Members will hear about topics at recent ACQ meetings that are of interest to Mi Via participants
- ◆ Members will have the opportunity to propose topics that the ACQ liaison will share on behalf of the MVAC at the next meeting of the ACQ
  - Althea M. asked that stipends would encourage participation in MVAC. There is currently no direct funding for this so the new administrator would need to request additional funds.
    - Wendy Corey facilitates stipends for Advisory Council on Quality (ACQ) meetings and disperses these funds which come out of the facilitator's contract.
    - To initiate a request for stipends, the group needs to petition for the stipend for MVAC members.
    - MVAC makes a formal request to the ACQ to be considered in future contracts and bring to MVAC membership for consensus.
    - Stevie B. suggests they modify the ACQ bylaws to reflect this change for MVAC as leadership involvement is important.
    - Allison S. requested an administrator to follow the process to formally recommend this. The committee agreed unanimously to move forward with the stipend request.
    - The following members will spearhead the request: Patricia Gull, Allison Salazar, Donna Brooks, Stevie Bass, and Judy Sena.

### **9-Public Comment, Elaine 2:00-2:10**

- Non members who have signed up for comment at the beginning of the meeting will have an opportunity to speak
- Casandra DeCamp expressed concerns about the LRI and guardrails, stating that changes would dismantle everything families have worked so hard to put into place to provide trusted caregivers. She feels she has a voice the way things are now.
- Gina Endledge questioned what will happen in the interim when certain services are maxed out at over \$61.00 per hour. The changes that are



proposed will distress working families and affect quality of life. Trust in the caregiver is vital.

- Jose Guzman discussed how Mi Via has allowed them to create a flexible and unique plan to address the needs of his daughter. This gives them freedom to plan and manage their day and address behavior issues. He feels the proposed draft of changes would strip freedoms, eliminate community support, and risk his daughter's progress.
- Amy Nance discussed her son and her concerns for families living in rural areas where hiring can be difficult.
- Kate and Jessica expressed concerns about the proposal limiting services to being provided to a single family member. They currently have mom and grandmom as caregivers to Jessica.
- Winton Wood expressed cautious optimism and appreciation that their feedback was requested. She expressed concerns about Rideshare and would like to see Mi Via consider the addition of Rideshare expenses to the budget, since Uber can't give invoices in advance.

**10-Presentation by DVR (Department of Vocational Rehabilitation)  
as requested during 10/23 MVAC meeting- 2:10-2:40**

**This agenda item will be tabled until the next quarterly meeting.**

**11-Proposed New Business, Chair 2:40-3:00**

- Members will have an opportunity to suggest topics of interest for future MVAC meetings to include special guests, training, areas of concern or celebration, etc.
- Chinda Lucoski discussed the press release from HSD, regarding workforce strategy for care worker's recognition month activities.
- Chinda L also announced her appointment to a Federal Committee and encouraged MVAC members to contact her with ideas.
- Jen R.– The Center for Health and Human Services has awarded NM a grant and Jen R. to be on the advisory board for direct care workforce strategies representing DDSD. Technical support will be provided for 20 states, to include New Mexico, to recruit and train direct care workforce. This also includes assistance from a technical advisor and on-line training for recruiting respite caregivers.



- A comprehensive worker registry is in the works.
- Denise B. – There are legislative changes to the Able accounts.
- MVAC wants to revisit the shortage of providers that Dr. Acosta discussed in February and understand what DDS is doing to recruit providers and expand the provider network.
- Recommended that victim advocates be assigned when an investigation is conducted on an ANE report to Adult Protective Services.

## **12-Final Comments and meeting adjourned, Chair 3:00-3:30**

- **Members will have an opportunity to say any last comments not already addressed in the meeting**
  - Jen R. announced the passage of the Centers for Medicare and Medicaid Services' final Access Rule today. She will distribute a PowerPoint presentation regarding the premise of this rule.
  - Charles C. states the CMS handout shows that New Mexico has a lot of flexibility for family caregivers for adults related to LRI proposed guardrails.
  - Jen R. provided a summary of the following:
    - LRI, upcoming waiver renewals
    - DDS's commitment for wellness visits with all waiver populations
    - The new Bureau of Individual Safety and Advocacy (BISA) is dedicated to ANE prevention.
    - Mi Via vendors are getting access to focosonline for billing.
    - Advocacy for gross receipt taxes resulted in no longer being part of the participants' budget for Mi Via members. This will be implemented soon.
    - Newly elected co-chairs, Siri and Tracy start June of 2024, with ACQ.
    - Rep. Kathleen Cates- Holmes presented proposed legislation.
      - She talked about gross receipt taxes for home modification services. Standalone bill for all state contractors.
      - Johnson Gyn renovations to increase accessibility.
    - Gross receipt taxes will be removed from the Individual Budget Allotment (IBA) budget, meaning more money will be available for purchasing services.

- Moving forward, reach out to Denise B. or Althea with issue for the ACQ to research or address.
- **Members will vote to adjourn meeting**

**Denise B. motioned to adjourn meeting**  
**No discussion or opposition.**  
**Meeting adjourned at 3:16 pm**