

Mi Via Advisory Committee (MVAC) Quarterly Meeting Agenda
April 23, 2026, 12:30-3:30 PM
Meeting Location: Teleconference

1-Attendance and Introductions, Donna Brooks 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.
 - The meeting was officially brought to attention by Committee Chair Donna B. at 12:31 p.m.

Member	State Staff	Absent	Presenter/Guest
Judy Sena	Selina Leyba, DDSD Community Programs Bureau Chief	Shannon Eckert	Cristalina Ford, CNRAG
Yvette Griego	Elaine Hill, DDSD Mi Via Waiver Program Manager	Denise Balderas	Johanna Armendariz, CNRAG
Patricia “Trish” Gull	Krystal Armijo, DDSD Mi Via Program Coordinator	Tim Garner	Cassandra DeCamp, UNM-CDD
Chinda Lucoski	Alicia Otoló, DDSD Mi Via Program Coordinator	Manuel Lardizabal	
Stevie Bass	Inez Dominguez, DDSD Mi Via Program Coordinator		
Donna Brooks	Ana Orona, DDSD Mi Via Program Coordinator		
Elaine Palma	Rachel Gonzales, DDSD Billing Specialist		
Leon Revel	Amanda Veracka, DDSD Statewide Case Management Coordinator		
Charles Clayton	Claudia Rice, DDSD Constituent Support Manager		

2-Review Agenda & Previous Meeting Minutes, Donna B. 12:35-12:40

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

Charles C. motioned to approve the 4/23/26 agenda as written.
Stevie B. seconded.
All voted in favor.
No further discussion or opposition.
Motion passed.

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

The Committee did not recommend any amendments to the 1/22/26 meeting minutes.

- Stevie B. complimented the writer and stated that the meeting minutes were very detailed.
- Stevie B. requested that MVAC meeting minutes be shared at least 10 days prior to the scheduled meeting, in accordance with MVAC bylaws, to allow adequate time for review.
- Elaine H. stated that Alicia O. serves as the MVAC Administrator and is responsible for documenting meeting minutes.
- Elaine H. explained that the meeting minutes and the Health Care Authority/Developmental Disabilities Supports Division (HCA/DDSD) updates are currently distributed together via email and noted that HCA/DDSD updates require review by DDSD leadership to ensure accuracy prior to distribution.

Donna B. motioned to approve the minutes as written.
Charles C. and Stevie B. seconded.
All voted in favor.
No discussion or opposition.
Motion passed.

3-Housekeeping, Elaine Hill 12:40-12:45

- ◆ Public comment sign-up
 - Cassandra DeCamp, UNM-CDD

4-Committee Appointments and Updates, Donna B. 12:45-1:00

- ◆ Membership Committee
 - Donna B. noted that the MVAC spreadsheet currently identifies the Membership Committee as the “Nomination Committee”

and inquired about updating the name to reflect the Membership Committee.

- Donna B. shared that Shannon E. previously resigned from the Membership Committee but wishes to remain an active member of the MVAC.
- Donna B. clarified that MVAC bylaws require the Membership Committee to have no fewer than five members and requested that Elaine P. fill the vacancy.
- Donna B. confirmed that the Membership Committee consists of Stevie B., Patricia G., Judy S., Elaine P., and herself.
 - **Pending membership application**
 - Donna B. reported that one membership application was received for the consultant agency vacancy.
 - Donna B. stated that the Membership Committee reviewed the application and approved it unanimously.
 - Donna B. called for an MVAC vote on the application submitted by Cristalina Ford, representing Care Network Resource Action Group (CNRAG).
 - Charles C. made a motion to approve the application for a two-year term; the motion was seconded by Trish G.
 - Leon R. requested clarification on how membership applications are shared with MVAC members and reviewed.
 - Stevie B. clarified that MVAC members interested in recruiting new members must request to join the Membership Committee.
 - The MVAC unanimously motioned to approve the application for Cristalina F. with no discussion or opposition.
 - Stevie B. requested that Cristalina F. provide an introduction.
 - Cristalina F. shared that she has participated in the Mi Via Waiver program for approximately five years and noted that CNRAG employs eight consultants who primarily serve participants in the southeast and southwest regions of the state.

◆ **Bylaws Committee**

- Donna B. confirmed that the Bylaws Committee members include Patricia G., Stevie B., Elaine P., Leon R., and herself.
- Donna B. noted that the Bylaws Committee has been working to locate the revised and approved 2024 Bylaws.
- Donna B. shared that Stevie B. has developed a draft, which the Bylaws Committee will use as a foundation for updates.

- Donna B. inquired about how the MVAC maintains state and HCA oversight as the Committee considers bylaw amendments.
- Elaine H. stated she will follow up with DDSD leadership to identify appropriate support for the Bylaws Committee and noted that she has not previously been involved in Bylaws Committee meetings.
- Leon R. noted that state oversight would support guidance, transparency, and clarity of roles and responsibilities, and help ensure meetings remain productive.
- Stevie B. acknowledged Donna B.'s efforts on behalf of the MVAC and Mi Via Waiver program and encouraged member participation and support.
- Donna B. expressed her commitment to serving effectively in her role and welcomed assistance from members.
- Donna B. requested that the Bylaws Committee review and confirm whether, in accordance with the Bylaws, the MVAC is required to hold elections in January 2027 for the Vice Chair and potentially the Chair.
- Leon R. requested that membership nominations be shared with the MVAC in a timely manner to allow for adequate review and consideration.
- Elaine H. clarified that membership applications are distributed to the MVAC by the Membership Committee and noted that HCA/DDSD has a limited role in the review process.
- Leon R. requested to meet with Donna B. at a later time to further discuss the application review process.
- Donna B. noted that it may not be in the best interest of the MVAC to implement an overly complex review process.

5-Presentation on Special Needs Trusts, Marcy Baysinger 1:00-1:30

- Marcy Baysinger, of Pregenzer, Baysinger, Wideman & Sale Law, presented a PowerPoint on special needs trusts.
- Marcy B. explained that special needs trusts are designed to enhance an individual's quality of life by allowing funds to be set aside for expenses not covered by Medicaid or Supplemental Security Income (SSI).
- Marcy B. stated that assets held within a special needs trust are protected and are not counted toward Medicaid income eligibility requirements.
- Marcy B. outlined the differences between third-party special needs trusts (commonly established by family members), first-party or self-settled trusts (established by individuals under age 65 with disabilities), and pooled trusts (managed by a nonprofit trustee).

- Marcy B. explained that beneficiaries cannot demand distributions from a trust, and trust terms cannot require mandatory distributions.
- Marcy B. stated that a beneficiary cannot serve as the trustee and that distributions must be for items or services not covered by Medicaid or SSI.
- Charles C. inquired about the timeline and cost associated with establishing a trust.
- Marcy B. indicated that trusts can be established relatively quickly, with typical costs ranging from \$500 to \$1,000, depending on individual circumstances.
- Leon R. asked about differences between individual trusts and family or corporate trusts.
- Marcy B. explained that an inter vivos third-party (living) trusts may be funded during the grantor's lifetime or upon their death and may be funded by multiple contributors with various types of assets.

6-Member Response to Updates from the Health Care Authority/Developmental Disabilities Supports Division (HCA/DDSD), Donna B. 1:30-2:00

- ◆ Members will have a chance to provide their feedback on prepared summaries sent by HCA/DDSD
 - Elaine H. reviewed the HCA/DDSD PowerPoint presentation that was distributed to MVAC on 4/21/26.
 - Stevie B. requested clarification regarding the Access Rule.
 - Elaine H. explained that the Access Rule is a requirement established by the Centers for Medicare and Medicaid Services (CMS).
 - Selina L. offered to coordinate a presentation on the Access Rule by Christina Hill, DDSD Deputy Bureau Chief, at a future MVAC meeting; MVAC members expressed interest.
 - Leon R. requested clarification regarding the new Level of Care (LOC) process.
 - Elaine H. indicated that the PowerPoint presentation includes details on the process and will be reviewed.
 - Elaine P. inquired about the anticipated release date of the Mi Via Waiver Service Standards.
 - Elaine H. shared that the Service Standards are currently in final review and are expected to be released in Spring 2026.
 - Chinda L. asked which trainings are required under the Mi Via Waiver program.
 - Elaine H. explained that all required trainings are available through the UNM-CDD Training Hub and noted that no new or

- additional trainings are being introduced; however, DDSD will be monitoring compliance.
- Charles C. stated that Visions Case Management is interested in supporting the monitoring of training compliance for its Mi Via participants and families.
 - Charles C. expressed concerns that Employers of Record (EORs) may lack adequate tools to monitor training compliance due to limited access to the training portal.
 - Charles C. also shared concerns regarding oversight when it falls under a vendor agency, particularly for individuals receiving services exclusively through a vendor agency, such as In-Home Living Supports (IHLS).
 - Charles C. noted that consultant agencies are able to monitor training compliance for EORs but they are unable to view employee training compliance.
 - Selina L. reported that DDSD is currently collecting data and indicated that approximately 22% of Mi Via participants, EORs, and employees are not compliant with required trainings.
 - Selina L. requested that consultant agencies remind Mi Via participants to complete required trainings and noted that feedback may be directed to Deanna DeHerrera.
 - Charles C. suggested updating the consultant monthly contact form to include a question related to training compliance.
 - Claudia R. reported that the ACQ Policy and Quality Subcommittee has requested to review the revised Mi Via Service and Support Plan (SSP) draft and accompanying instructions.
 - Claudia R. noted that a meeting is scheduled for Thursday, April 30, 2026, to conduct this review.
 - Selina L. confirmed that participants are still required to complete the Long-Term Care Assessment Abstract (MAD 378/LOC) and History and Physical annually with their physician.
 - Selina L. explained that these documents must be submitted to the participant's consultant for recordkeeping, rather than to the Third-Party Assessor (TPA), Comagine Health.
 - Leon R. acknowledged that the information clarified the new Level of Care (LOC) process.
 - Stevie B. inquired whether the Mi Via Circle of Supports includes the participant and their family, and requested clarification on the use of Therap.
 - Elaine H. clarified that the Circle of Supports includes anyone providing support to a Mi Via participant and noted that the information regarding Therap is directed to consultants.

- Charles C. shared that other forums have suggested the home study process is further along than indicated by DDSD and requested clarification.
- Selina L. explained that DDSD is exploring alternative methods for gathering information related to home studies and is evaluating feedback on implementation across waivers; no final decisions have been made.
- Stevie B. noted that the term “recoupment” used in slide 14 may be difficult to understand and suggested the use of simpler language.
- Leon R. asked whether a plain-language explanation of documentation requirements is available and inquired how Mi Via participants, guardians, or parents can access documentation to ensure compliance by employees and service providers.
- Selina L. indicated that documentation may be provided by the EOR, who is responsible for ensuring timely completion, and noted that the question will be sent to DDSD leadership for further guidance.
 - **Additional funding information**
 - Donna B. inquired whether an update is available for additional funding or if the item should be added to the agenda for the next MVAC meeting.
 - Elaine H. requested that additional funding be included as an agenda item for the next meeting.
 - **How is DDSD tracking vendor participation, attrition, and gaps in service across regions?**
 - Elaine H. stated that the question above has been submitted to DDSD leadership for review.

7-Current/Upcoming Issues facing Mi Via, Donna B. 2:00-2:15

- ◆ **Members will have a chance to ask questions and provide feedback**
 - Home Studies for Mi Via participants receiving In-Home Living Supports (IHLS)
 - Rate Study, potential impact upon Mi Via, and timeline
 - Donna B. stated that both items listed above were addressed in the HCA/DDSD PowerPoint presentation provided by Elaine H.

8-Member Recommendations for Mi Via 2:15-2:30

- ◆ **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.

- Donna B. referenced the Mi Via Waiver fee schedule effective October 1, 2024, and encouraged EORs to become familiar with the range of rates.
- Donna B. noted that participants and families may not be fully aware of their ability to negotiate rates with vendors and service providers.
- Charles C. supported this recommendation and emphasized that consultant agencies can assist families in these discussions and advocate on their behalf when needed.
- Charles C. expressed concern that some vendor agencies seek standardized rates similar to the DD Waiver, noting that decisions should remain guided by EORs, families, and guardians.
- Leon R. requested clarification regarding vendor rates, specifically the difference between set and negotiated rates.
- Charles C. clarified that services have a range of allowable rates, and while vendors may request rates at or near the maximum, rates are negotiable.
- Charles C. further explained that consultant agencies cannot see how vendor agencies distribute payments to families, and can only see the amounts billed to the budget.
- Charles C. noted there is no set standard percentage that vendors keep, and this information is typically known only when families report it.
- Donna B. expressed interest in coordinating training for the MVAC on the Open Meetings Act to address topics such as posting requirements, timelines, and access to meetings.
- Donna B. volunteered to coordinate with the Attorney General's Office to schedule the training.

9-Advisory Council on Quality Supports for People with Intellectual/Developmental Disabilities (ACQ) Liaison Update, Leon Revel 2:30-2:45

- ◆ 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
 - Leon R. reported that two ACQ meetings have occurred since the last MVAC meeting, with several overlapping topics addressed during the current MVAC meeting.

- Leon R. shared that he introduced Donna B. to the ACQ membership, and she has been added to communications to stay informed of upcoming meetings.
 - Leon R. noted that recent ACQ discussions have included Mi Via SSP revisions, system capacity and provider access, ongoing concerns regarding provider availability and service gaps, particularly in rural and tribal areas, delays and errors in NM Turquoise Care claims processing, and information sharing related to privacy concerns.
 - Leon R. reported that the next ACQ listening session is scheduled for May 14, 2026, at 9:00 a.m., and the next ACQ meeting is scheduled for June 11, 2026, at 9:00 a.m.
 - Leon R. acknowledged MVAC and ACQ messaging are aligned and expressed appreciation for the shared priorities.
 - Leon R. suggested that the MVAC consider implementing a working session to allow members to share comments, concerns, and questions.
 - Stevie B. requested clarification regarding the privacy concerns discussed by the ACQ.
 - Leon R. explained that discussions included whether personally identifiable information (PII) can be legally included in meeting minutes.
 - Donna B. noted that the Attorney General's Office could provide guidance on this matter and added that certain information, such as employee home addresses within public entities, may be accessible upon formal request.
- ◆ Leon R. submitted his ACQ to MVAC Liaison notes and comments from the recent Mi Via Vendor Stakeholder Meeting, via email to MVAC Chair Donna B. on April 29, 2026. The notes and comments are included in the box below:

I wanted to share a few practical points from the recent ACQ Mi Via Vendor Stakeholder meeting that may help MVAC discussions, especially from the family and participant side.

1. Turquoise Claims Issues

There are still major concerns with the Turquoise Claims system. Providers are reporting delayed payments, missing claims, processing errors, reversed modifiers, and claims disappearing during submission. Some smaller agencies are struggling to make payroll because payments are delayed.

Why it matters:

When providers are not paid correctly or on time, services for participants are directly affected. Families may not always see the back-end issue until support starts breaking down.

2. 48-Hour Documentation Rule vs 90-Day Billing Window

A major discussion centered around a DDSD memo referencing a 48-hour documentation requirement. Vendors could not find this requirement clearly written in CMS rules or NMAC and asked the State to provide the actual source.

There is still a 90-day billing window for claims, but confusion around documentation timing is creating stress and possible billing denials.

3. GRT and Vendor Packet Confusion

There are still unanswered questions about Gross Receipts Tax (GRT), whether it should be listed separately, included in vendor packets, and who can see GRT budget goals inside the system.

Why it matters:

Families often see approved budgets but not how those numbers break down. Clear information helps avoid confusion and finger pointing between consultants, vendors, and participants.

4. FOCoS and Access Problems

Some vendors have difficulty getting FOCoS access, while others were able to obtain it by contacting the portal directly. Notification emails to EORs are also sometimes going to spam, which delays approvals and payments.

5. Training Compliance

Mi Via was reported as 22% non-compliant on required trainings. DDSD is working on how to better monitor vendor and provider training requirements.

6. Speech, Services, and Leaving Money on the Table

One thing I continue to look at personally is approved services that remain unused, like speech therapy. Many families struggle to find adult providers, especially for long-term consistent services.

Why it matters:

Approved services on paper do not always mean accessible services

in real life. We should keep asking whether services are truly available and if unused funding can be better addressed.

Final Thought

As liaison between MVAC and ACQ, I keep coming back to the importance of clarity and consistency.

Families, participants, consultants, vendors, and providers are all trying to work within the same system but often from very different perspectives. When communication is unclear, it can create confusion, delays, and unnecessary frustration.

I do not believe most issues come from bad intent but more often from people trying to navigate rules that are not always explained the same way across the board.

That is why the role of the State is so important, not simply to respond when problems happen but to help create consistency, clear expectations and shared understanding from the beginning. It is also important to remember that committees and workgroups help develop recommendations and bring forward concerns, but they do not replace the full advisory body or the responsibility of the State. MVAC can help identify issues, reflect participant experience, and raise practical concerns, while HCA and DDSD hold the authority for policy decisions, implementation, and formal guidance.

ACQ and MVAC can raise questions, share lived experience and help identify gaps but lasting solutions come from building a system people can trust and understand before problems turn into crises.

9-Public Comment, Elaine H. 2:45-3:00

- ◆ Nonmembers who have signed up for comment at the beginning of the meeting will have an opportunity to speak
 - Chinda L. referenced recent public comments made by Robert F. Kennedy (RFK) Jr. regarding family members being paid for caregiving and inquired whether providers under the Mi Via Waiver program may be impacted.
 - Elaine H. stated that she did not have additional information to share at this time and will submit the question to DDSD leadership for further guidance.

- Chinda L. also expressed interest in increased training and workshop opportunities for Mi Via participants to promote community inclusion and engagement.
- Cassandra DeCamp of UNM-CDD acknowledged the referenced comments made by RFK and noted broader concerns that such perspectives may devalue the work of direct support professionals.
- Cassandra D. expressed concerns about HCA/DDSD communication guidance, specifically limitations related to text messaging, social media, and instant messaging without clear alternative communication options.
- Cassandra D. requested an update on the Mi Via Waiver amendment, particularly regarding the implementation of the EOR as a paid service.
- Selina L. responded that DDSD continues to review the Waiver Amendment and has requested an additional technical assistance call with CMS to obtain guidance on how to get the EOR role as a paid waiver service.

11-Unfinished Business, Donna B. 3:00-3:15

◆ PALCO pay issues

- Improve PALCO pay stubs to provide required payroll information to employees
- Outline the formal process for addressing payroll errors with expected timelines for resolution and communication back to families and vendors
 - Donna B. inquired whether a PALCO representative was in attendance at the meeting.
 - Elaine H. reported that no PALCO representative was present but confirmed that a formal request had been submitted for PALCO to attend.
 - Elaine H. requested that specific questions for PALCO be forwarded to her.
 - Stevie B. expressed ongoing concerns and frustrations regarding the absence of PALCO representatives at the past four MVAC meetings.
 - Stevie B. outlined her prior efforts and recommendations to improve PALCO paystub formatting, which have been submitted to Selina L.
 - Stevie B. strongly requested that a PALCO representative attend the next MVAC meeting to discuss whether proposed changes can be implemented.
 - Stevie B. emphasized the need for clearer, more detailed paystub information to better support employees.
 - Donna B. referenced a question submitted in the meeting chat regarding updated forms on the PALCO website.

- Elaine H. reported that Deanna D. confirmed that existing forms on the PALCO website remain valid and that notice will be provided when updates are required.
- Stevie B. noted that employees are receiving multiple mailed paystubs, with each page being sent separately instead of in one complete mailing.
- Charles C. expressed concerns regarding PALCO's performance and noted ongoing issues related to its operations.
- Charles C. emphasized the importance of state oversight and accountability for contractors serving waiver participants, families, employees, and providers.

◆ **Vineland Adaptive Behavior Scales discussion**

- Elaine P. referenced the discussion from the previous MVAC meeting regarding concerns with the administration of the Vineland assessment and requested an update on the summary submitted to DDSD.
- Elaine H. reported that the summary was forwarded to DDSD leadership for review.
- Elaine H. shared that a Vineland Summary Overview training was held on Tuesday, April 21, 2026, for consultants and DD Waiver case managers to assist with interpreting assessment scores.
- Elaine P. clarified that the primary concern relates to parents of waiver participants and the lack of understanding of the assessment tool and how it should be administered.
- Elaine P. requested that the summary be made available to parents to help support them during the Vineland assessment process.

◆ **Update Mi Via website information**

- **Locate website using minimal key word searches**
- **Locate and post MVAC orientation packet, Items 1 through 11**
- **Locate and post MVAC minutes prior to 2024 and after 2025**
- **Mi Via newsletter publication schedule and distribution**
 - Donna B. stated that, upon review of the HCA website, it appeared that no MVAC meeting minutes for 2026 had been posted.
 - Elaine H. explained that no 2026 meeting minutes have been posted because the January meeting minutes were approved during the current meeting.
 - Elaine H. further explained that there is a process for posting meeting minutes to the HCA website and reiterated that minutes are posted after formal approval.

- Elaine H. noted that only two sets of meeting minutes from 2023 are available on the HCA website because only two of the four meetings held that year achieved quorum.
- Elaine H. stated that no meeting minutes prior to 2023 could be located due to DDSD's transition from the Department of Health to the HCA.
- Elaine P. inquired whether draft meeting minutes could be posted.
- Elaine H. responded that the decision to post draft meeting minutes would be determined by MVAC.
- Donna B. suggested that draft agendas be posted prior to meetings.
- Alicia O. noted that draft meeting minutes are generally distributed to MVAC members within 10 days following meetings, along with a deadline for edits and feedback; however, feedback is often not received until the next MVAC meeting.
- Stevie B. referenced Article 8, Section 1 of the Bylaws and stated that draft minutes from the previous meeting are required to be distributed 10 days prior to the next scheduled meeting.
- Due to limited time remaining, Donna B. stated that discussion regarding the Mi Via newsletter would be addressed at the next meeting.

12-Proposed New Business, Donna B. 3:15-3:25

- ◆ Members will have an opportunity to suggest topics of interest for future MVAC meetings to include special guests, trainings, areas of concern or celebration, etc.
 - Relationship classes
 - Socialization and Sexuality Education (SSE) to become part of Mi Via services
 - Donna B. stated that both items listed above were addressed in the HCA/DDSD PowerPoint presentation provided by Elaine H.
 - Donna B. stated that she had no additional new business to propose other than the potential presentation by the Attorney General's Office discussed earlier in the meeting.

13-Final Comments and meeting adjourned, Donna B. 3:25-3:30

- ◆ Members will have an opportunity to say any last comments not already addressed in the meeting

- Stevie B. requested Rachel Gonzales's contact information to inquire about being added to the Mi Via newsletter distribution list.
- Rachel G. provided her email address in the meeting chat and requested that interested individuals send her an email with their contact information.
- Donna B. thanked Elaine H. and Alicia O. for their continued support and contributions to the MVAC.
- Rachel G. requested submissions for summer events to be included in the next newsletter.
- Rachel G. also requested photo submissions of Mi Via participants graduating this year for recognition in the newsletter.
- Donna B. requested that the recruitment advertisement for new MVAC members be included in the newsletter.
- Rachel G. confirmed that the advertisement has already been included.

◆ **Members will vote to adjourn meeting**

Donna B. motioned to adjourn the meeting.
Elaine P. seconded the motion.
No discussion or opposition.
Meeting adjourned at 3:30 p.m.