



ACQ Executive Committee Listening Session

Meeting Summary Notes

March 13, 2025

ZOOM Meeting

9:00AM to 10:00AM

ACQ Executive Committee Attendees: Tracy Perry, *Co-Chair, ACQ Executive Committee and CEO, Direct Therapy Services*, Siri Guru Nam Khalsa, *Co-Chair, ACQ Executive Committee, Advocate and Nurse Educator*, Lisa Blue, *Special Education Consultant*, Daniel Ekman, *Advocate, Developmental Disabilities Council, Program Manager, Center for Self Advocacy*,

I. Welcome/Introductions

- A. Tracy Perry welcomed participants

II. Open Floor for Comments

A. Tracy Perry opened discussion on the following:

1. How to improve the ACQ
2. Advice for DDSD
3. Other topics or questions

B. Comments:

1. A question was asked in a recent Mi Via Stakeholder Vendor meeting, it was mentioned the Mi Via Program is now under the Developmental Disabilities Support Division (DDSD), and if there was more information on this.
 - a. Another participant answered this question: Mi Via has always been under DDSD. All of the waivers are under them and they work parallel with the Medical Assistance Division (MAD). These two programs were originally under the Human Services Department (HSD), which has not been restructured and called the Health Care Authority (HCA). The change however you're referencing is people at HCA have been moved in location and they are now under the DDSD department. This is to help get immediate action amongst colleagues.
2. A comment was made about issues that are brought to the ACQ Listening Sessions have decreased and have seen an improvement, particularly with DDSD attendance – changes have happened.
3. Announcement made about the new Arc Thrift Store Grand Opening on March 13th, 2025, located at 3301 Coors in the Ladera Shopping Center. It's the first Arc store in New Mexico, with 30 other stores in Colorado. The company is supportive of those who have intellectual and developmental disabilities. This store in particular hired 30 employees with 10 employees who have intellectual and developmental disabilities. Additionally, a portion of the proceeds from this store will go to the Arc of

New Mexico and they plan to support other nonprofit organizations in Albuquerque, NM that provide services to people who are unhoused.

4. A comment from the chat, there have been issues with the Income Support Division (ISD) Automated System Program and Eligibility Network (ASPEN) not working properly and it's hindering the onboarding of new allocations.
 - a. Another participant followed up on this: This is not a new issue and is becoming reoccurring. For reference, to be on the waivers every year, you have to renew your Medicaid eligibility and show your level of care to be eligible for the services on the waiver. The systems used in the process for approvals, it's either human error that someone is not clicking the right button or the system is not uploading it or the system is not transmitting it. The State is aware and confirmed it is a technical glitch with the systems. A workaround for those who are on Mi Via, if you ask your consultant to send a message to Jennifer Romero at the State and include Deanna Herrera, they can help, but there is a delay.
5. A commenter mentioned there is a Legally Responsible Individual (LRI) issue and will also discuss this at the next ACQ Meeting in April 2025. Currently, the State said there is no process to revoke an LRI, which the commenter stressed this is a major concern. We recently found out about this because we had a provider who is an LRI and was negligent in their duties - they are no longer qualified to do that work. A report was filed and the State has no way of revoking them. There should be a process for this.
6. Follow-up question on comment #5: For House Bill 131, the caregiver background checks – does Mi Via require background checks for the people they hire?
 - a. Answer: Yes, there is a background check, followed by fingerprinting and the National Registry. However, Vendor agencies have their requirements to become a Mi Via Vendor. There is still a background check through the hiring process, but if it's a direct hire under an EOR, they have to go through Conduit and an appointment is required for fingerprinting.
7. Additional comment made on comment #5: There needs to be a process for when someone is receiving the program regardless of waiver (since the LRI is available on almost all waivers now) for removal instead of separation of an employee. There needs to be an extra step to make sure this person who is receiving services has that extra layer of protection of being able to say we are removing this person's status as an approved LRI.
8. Comment made about problems with the Income Support Division (ISD). We are seeing across waivers, not specifically to Mi Via, but on traditional development disability waiver, something is going on with Aspen. This



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system the ISD uses to process all public benefits, not just Medicaid, it's also food stamps, and Temporary Assistance for Needy Families, particularly for Medicaid, we are receiving information that people are experiencing problems with the interface level of care between Conduit and ISD. People have an approved level of care, which is required for Medicaid certification, meaning application has been processed and everything is in, but it can't be certified. This means they can't fully say the person has the correct category of eligibility and it's delaying people being able to access the program. This issue has been ongoing for the last 4-5 months and there is no fix. It causes a delay for people to access needed services and support.

- a. A follow-up from the ACQ Executive team suggested we place this on the agenda and request for an ISD attendee.
9. Follow up question on comment #8: Have you seen months for renewal?
 - a. A commenter stated we are experiencing a similar issue and we have received different information. For my program, we have a large number of people waiting to start the program and ISD can see it's been approved, but the software glitches with Aspen, it won't convert on the other side. It's creating issues because services cannot be scheduled because they can't tell if someone has Medicaid, even though the individual may have it. It's creating a bottleneck for new people. For existing people, it is creating an issue because they're having to find different ways to try and make this work. There was an individual who had a Medicaid account that was closed entirely and a new Medicaid number was created to work around this problem. We recently received a message from DDSD stating they are aware of the problem and to not send the names of anyone who has this issue.
 - b. Additional comment made on this from another commenter: People can't bill. That means there is a pause in services, which according to the State and the Medicaid waivers is not allowed. Yet, it's the State's fault.
10. Additional comment made on #8: This issue has happened a lot and I have directly emailed the State and to Deanna Herrera. The response I have received is that ISD knows about the issue and is currently working on it and they do not have a resolution or a workaround for new allocations. As for renewals, we have the same issue and people are going inactive because of this.
11. Request made: The Stakeholder Vendor Subcommittee for the ACQ are trying to get vendors. Currently, there are 350 vendors, but we only got

about 20 of them that come to our meetings. Please spread the word so they have a voice and we can hear more issues.

12. Update announcement: Gina DeBlassie was confirmed as Secretary for the Department of Health on March 12th, 2025.
13. Comment made about a memo that was received back in late January 2025, indicated there was an increased change in the individual budgetary allotment for participants on Mi Via and would be available on March 1st. However, there has been a work stoppage on some of the requests to update these budget allotments for these participants, which has been resolved. The positive news is individuals who are receiving waiver services are able to access and receive additional support and services to meet their needs.
14. Question: Does anyone from the ACQ Executive Committee go to the Advocacy Partner meetings that the Developmental Disability Supports Division holds? The next meeting is on April 1st, 2025, and will be offered as a hybrid (in-person and virtually) with additional meetings held quarterly.
 - a. Answer from ACQ Executive Team: I have not heard about that and would like more information.
 - b. Action item for ACQ Administrator to send out the meeting information to ACQ Distro.
15. The commenter spoke about receiving data they requested from DDSD and stated they were concerned because as of February 17th, 2025, there were 577 people on the waitlist for DD waiver services from all four different waivers. It would be interesting to know how much that waitlist has grown and whether DDSD can provide an age breakdown of that list. This is particularly important because the Legislature should know how many are under the age of 18 to determine allocation and cost(s).

C. Closure of Listening Session, 10AM MST

1. Tracy Perry closed out session and stated transcript was completed

Follow-Up Points:

- Next upcoming ACQ Meeting scheduled for April 10th, 2025 from 9AM to 1PM MST

Zoom Information:

<https://us06web.zoom.us/j/86170551005>

DDSD ACQ website:

- [Advisory Council on Quality - New Mexico Human Services Department \(nm.gov\)](http://Advisory Council on Quality - New Mexico Human Services Department (nm.gov))

ACQ Public Comments:

- <http://www.cdd.unm.edu/other-disability-programs/disability-health-policy/ddsdcourses/quality-public-comments.html>