

# **West Virginia Medicaid Traumatic Brain Injury (TBI) Waiver Quality Improvement Advisory Council Procedures Handbook**



## **Introduction**

The West Virginia Medicaid Traumatic Brain Injury (TBI) Waiver Program provides home and community-based services to individuals with traumatic brain injury. These services are provided in conjunction with the support and assistance of family members, friends and other supports. All services provided by the TBI Waiver Program are intended to promote choice, independence, participant-direction, respect, dignity and community integration.

## **Council Purpose**

The purpose of the TBI Waiver Quality Improvement Advisory (QIA) Council (hereafter known as the Council) is to provide guidance and feedback to the Department of Health and Human Resources Bureau for Medical Services (BMS) and its contracted Operating Agency in the development of an ongoing quality assurance and improvement system for the TBI Waiver Program. To this end, the Council's charge is to work with staff to develop and strengthen the TBI Waiver program's ability to:

- Collect data and assess member experiences in order to assess the ongoing implementation of the program, identifying strengths and opportunities for quality improvement,
- Act in a timely manner to remedy specific problems or concerns as they arise and

- Use data and quality information to engage in actions that lead to continuous improvement in the TBI Waiver program.

The Council will work with BMS and the Operating Agency to ensure that the TBI Waiver supports the desired outcomes outlined in the six (6) focus areas of the Quality Framework developed by the Centers for Medicare and Medicaid Services (CMS). These focus areas include:

### **§1915(c) CMS Quality Assurances**

- **Waiver Administration and Operation:** The State Medicaid agency is actively involved in the oversight of the waiver, and is ultimately responsible for all facets of the waiver program.
- **Level of Care:** Persons enrolled in the waiver have needs consistent with an institutional level of care.
- **Provider Qualifications:** Waiver providers are qualified to deliver services/supports.
- **Service Plan:** Participants have a service plan that is appropriate to their needs and preference and receive the services/supports specified in the service plan.
- **Health and Welfare:** Participants' health and welfare are safeguarded.
- **Financial Accountability:** Claims for waiver services are paid according to state payment methodologies specified in the approved waiver.

## The Advisory Role

Advisory groups are formed, as the name implies, to give advice and counsel. Such groups can provide invaluable information, guidance, advice and support to organizations as they develop and administer programs and services. While advisory groups are sometimes referred to as advisory boards, they are best referred to as councils or committees to avoid confusing their role with the activities and duties of governing boards or boards of trustees.

The role of the Council is advisory in nature and therefore, it has no authority in administering the TBI Waiver Program. Its function is to advise and assist BMS in program planning, development, and evaluation consistent with its stated purpose. In this role, the Council shall:

- Review findings from evidence-based discovery activities,
- Recommend program priorities and quality initiatives,
- Recommend policy changes,
- Monitor and evaluate the implementation of TBI Waiver priorities and quality initiatives,
- Monitor and evaluate policy changes,
- Serve as a liaison between the TBI Waiver program and its stakeholders and
- Establish committees and work groups consistent with its purpose and guidelines.

## **Council Membership**

### **Voting Council Members**

The Council will consist of nine (9) members. At least three (3) will be current or former members (or their legal representatives/family member) of TBI Waiver services, with the remaining members representing other stakeholders such as service providers, direct care workers, family members, and other advocates and allies of people with TBI.

To the extent possible, the Council will represent all regions of the state. Voting Council members may not be direct employees of the State of West Virginia Department of Health and Human Resources. This is in effect to reduce the potential conflict of interest of Council members working for the state and providing feedback to the state.

### **Membership Appointments**

The Council shall form a membership committee. This committee will be charged with the responsibility to develop procedures for:

- Assisting in identifying and recruiting potential Council members,
- Nominating members for appointments,
- Appointing new members,
- Filling vacancies and
- Training and orienting new members.

## **Membership Terms**

Initially, members will be appointed to serve on the Council by the Director of Medicaid Operations for a single term of up to three (3) years. After a leave of one (1) year, an individual can re-apply for Council membership. If vacancies occur, replacements will be chosen from the list of alternate applicants. If no alternative applicant exists, the Director of Medicaid Operations will appoint a replacement. Replacements may finish the existing term and will have the option to apply for the next full term. New members begin serving their terms in November. Council member applications are solicited year round by the Membership Committee.

## **Staggering of Membership Terms**

Whenever possible, there should always be seasoned members to participate on the Council. This will ensure consistent flow of information and knowledge, and understanding of the challenges and accomplishments of the Council.

- Current members as of August 2012 will serve a three year term for purposes of consistency in getting the Council established. Thereafter, terms will be randomly assigned a 1, 2, or 3 year term. Type of membership (member/legal representative/family, provider, and stakeholder) will be taken into consideration to ensure representatives from each category are dispersed across the 1, 2, or 3 year term.

## **Involuntary Membership Term Expiration**

In the event that a voting Council member's contribution becomes so disruptive to the overarching intent of the Council, the voting Council members have the option to expire that member's term. Members wishing to pursue this option will contact the Operating Agency to begin the process of establishing a voting forum. All voting Council members will receive a ballot outlining the involuntary membership expiration details. A majority vote is required to remove an existing Council member.

## **Membership Involvement**

In order for a council to be successful, members must attend and participate. Upon the second consecutive Council meeting missed, the Operating Agency will contact the individual to notify them that if the next scheduled meeting is missed, they will be vacating their position. After the third consecutive absence, the vacancy will be replaced due to inactivity. This protocol will be followed regardless of the notification provided for absences. It is understood that life brings about unexpected occurrences, but a council can only be as effective as the members attending and participating.

## **Officers**

At the November meeting, Council officers (Chairperson and Vice-Chairperson) will be elected to serve a two year's term. The initial term will be from November 2012 through February 2014. The officers will be elected by a

majority vote of members present. The duties of these offices are:

- **Chairperson**: Work with BMS and the Operating Agency to plan Council meetings; act as a Chairperson for the meetings, and; appoint ad-hoc and standing committee chairs.
- **Vice-Chairperson**: Chair meetings when the Chairperson is unavailable; fill the Chairperson position should that individual leave the Council in mid-term, and; complete the term until elections.

### **Meetings**

The Council will meet four times each year, on the third Wednesday in August, November, February and May. Meetings will typically be scheduled for 10:00 am– 3:00 pm. The February meeting will serve as the annual Council meeting. Each meeting will contain the agenda item “public comment” to solicit feedback from members and their advocates and allies on the performance of TBI Waiver services. All meetings will be open to the public. Members of the public may only provide comment during the time designated as “public comment.”

The Operating Agency will assume the responsibility for preparing, distributing, and maintaining meeting minutes of all Council meetings. Minutes will be distributed to Council members within one (1) month following the meeting. At a minimum, the minutes of Council meetings shall include:

- Council members present/absent,

- Discussions and recommendations made by the Council,
- Responses to any questions or recommendations made at the previous Council meetings,
- Specific assignments to be carried out following the meeting including what is to be done, who is responsible and date of completion and
- Items to be addressed at the next Council meeting.

### **Decision –Making Process**

Other than election of officers, all decisions made by the Council will be made by consensus. This will ensure that all issues are thoroughly discussed, that all minority views are heard and that Council recommendations are generally agreed upon. If it becomes evident that consensus is not possible on an issue that requires action, the Council shall vote and a decision made based on a simple majority vote of those present. A Quorum of at least five (5) Council members must be present at meetings in order to conduct business.

### **Responsibilities and Expectations**

It will be the responsibility of the Operating Agency staff and the Council Chairperson to plan and conduct all Council meetings. Staff will provide Council members with the information they need in accessible and appropriate formats. The BMS will assist and support Operating Agency staff in all necessary aspects of planning, preparing for, and conducting Council meetings. It will be the responsibility of the Council members to:

WV Medicaid TBI QIA Council

- Have knowledge of the TBI Waiver program and the services it provides,
- Become familiar with the TBI Waiver program's quality management system and initiatives,
- Study any problems or issues brought to the Council,
- Prepare for, attend, and fully participate in Council meetings,
- Confirm their attendance at Council or Work Group meetings no later than two (2) days prior to each scheduled meeting.

### **Membership Committee Protocol**

#### **Selection, Nomination and Appointment of New Members**

1. BMS will indicate notification on the WV/BMS website notifying the public of the opportunity to attend meetings and present information during the public comment period. Notification will also be distributed at statewide training forums. This notification will also include solicitation for new members, when vacancies arise.
2. Those interested in being a voting Council member should complete the TBI Waiver QIA Council Membership Application. The Membership Application must include the interested parties' experience/relevance with the TBI Waiver program, category of membership and

availability to attend meetings on at least a quarterly basis.

3. All applications will be forwarded to the Membership Committee. In the event that there are not a significant number of applicants, applications will be forwarded by the Operating Agency to all Council members for review either prior to or at the next Council meeting.
4. Voting on applicants may take place either prior to or during the next scheduled Council meeting. A simple majority vote is required to establish an applicant as a new voting member.
5. In the event there is an overwhelming amount of applicants, the membership Committee will review all applications and prepare a ballot of those applicants they wish to nominate for membership.
  - a. The Membership Committee should make contact with those they wish to nominate to ensure nominees are still interested in Council membership.
  - b. The Membership Committee's final ballot must list nominees, category to represent and brief description of the individual's experience in the field. The ballot will be forwarded by email to voting members of the Council to be returned within 10 calendar days.
6. Results of email balloting will be reviewed/presented at the subsequent meeting (sooner if necessary to fill a vacancy more quickly).

7. New Council members will be notified of their appointment to the Council by the Operating Agency.
8. The Membership Committee and Operating Agency will serve as a resource to train and orient new members including sharing membership documents, expectations and previous meeting minutes to ensure the new member is properly prepared to fulfill his or her QIA Council obligations.