

**PERSONAL CARE AGENCIES ADVISORY COUNCIL MEETING  
SUMMARY NOTES**

**Date: September 16, 2014  
Time: 1 PM**

**MEETING LOCATIONS**

Videoconference to:

Division of Public and Behavioral Health  
Health Care Quality & Compliance  
727 Fairview Drive, Suite E  
Carson City, Nevada 89701

Division of Public and Behavioral Health  
Health Care Quality & Compliance  
4220 South Maryland Parkway, Building D, Suite 810  
Las Vegas, Nevada 89119

CALL IN NUMBER: 888-398-2342 ACCESS CODE 1530727

NOTE: SOME ADVISORY COUNCIL MEMBERS MAY ATTEND BY TELECONFERENCE

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER, COMBINED FOR CONSIDERATION, AND/OR  
REMOVED FROM THE AGENDA AT THE CHAIRPERSON'S DISCRETION

Opening Remarks for Personal Care Agencies Advisory Council meeting – *Julie D. Bell, Division of Public and Behavioral Health*

Las Vegas Attendees:

Peter Morris, Bright Star  
Michael DiAsio, Visiting Angels  
Minou Nelson, HCQC  
Julie D. Bell, HCQC

Carson City Attendees:

Tammy Sisson, Lend a Hand  
Laura Coger, Consumer Direct  
Jeanne Hesterlee, HCQC  
Sherry Crance, HCQC  
Kyle Devine, HCQC  
Jacque Kizer  
Lee Persefield, HCQC  
Peter Morris, Bright Star Care

Teleconference:

Sue Cook Homewatch Caregivers  
Tammy Stricker, ADSD

Julie D. Bell welcomed everyone to today's meeting.

**Election of Co-Chairperson;** *M. Jeanne Hesterlee, Health Care Quality and Compliance, Division of Public and Behavioral Health*

This item was deferred to the next meeting.

**Approval of Draft By-Laws; M. Jeanne Hesterlee, Health Care Quality and Compliance, Division of Public and Behavioral Health**

Jeanne Hesterlee explained that there will be no more than eight members and 50 percent will constitute a quorum which would be four. After some discussion, the following was agreed on regarding certain wording in the By-Laws:

- “substantial compliance is to mean that HCQC has no sanctions. Members who have findings that result in sanctions shall be terminated from council membership.”
- Should the need arise, a special meeting may be held with three week notice and there must be a quorum present to conduct the meeting.

**There was a consensus of everyone in attendance that the draft by-laws be approved. At the next meeting the members and co-chairs will be selected.**

**Update on Division of Public Behavioral Health, Health Care Quality and Compliance - Jeanne Hesterlee, and Julie D. Bell, Health Care Quality and Compliance, Division of Public and Behavioral Health**

Julie Bell reviewed some items that the group may want to discuss at the next meeting which included selection of council members, election of co-chairs, inviting someone from the Medical Marijuana Program issues, what is going to impact you and how will you as providers handle it to help raise awareness.

Laura Coger said that the PCAs who are Medicaid providers will be affected by Affordable Care Act mandate which requires providing affordable health benefits to be provided to caregivers but no increase in reimbursement from Medicare. An informal survey showed that most personal care agencies plan to cut caregiver hours to 29 hours and or wages so that they do not have to provide benefits which will affect caregiver workforce in Nevada. Every state is doing something different, increasing Medicaid reimbursement rate, some legislatures increase subsidies to employers who are providing the benefits to the caregivers.

Laura Coger reported that she met with Medicaid to discuss this issue and one solution suggested was to add a fiscal employer to the ISO model, so that for some individuals who want to hire their own caregivers would not be mandatory to have benefits because they are not a large employer. The caregiver would be able to go to the insurance exchange and get benefits.

In response to Peter Morris’ question as to what the benefit is, the benefit to traditional businesses is it would give the opportunity to add the fiscal employer agent (FEA) model which is a go between. You are a payroll service and individual who is hiring their own employee. An intermediary service organization (ISO) has the IE number, the person receiving is doing the hiring, firing so there is a shared employer relationship, the new model basically for people to hire their own staff and hire out for a fiscal agent to deal with the Internal Revenue Service and payroll on their behalf. All PCAs should be thinking about what they are doing to be able implement the Affordable Care Act.

A question was asked if a personal care agency has to pay fees again if a personal care agency moves to another location.

- Allan Ward said it would be interesting to see if you change a Suite number versus an address down the street, how much the fee would be.
- Jeanne explained that everything that has an address tied to it including a lease agreement – there are many applications that are submitted that are incomplete –so there is a lot of follow up, and the state fire marshal must inspect the new location. She explained that 98 percent of applications are submitted

incomplete which includes change of location and change of name and those come in incomplete. The bureau is now moving towards not accepting applications that are incomplete.

- Pete Morris said if an application is returned, it would be helpful if there was a list of what was needed so it would be complete. He also asked if there is a checklist for every facility. Jeanne Hesterlee responded there are checklists.
- Kyle Devine said that they could update frequently asked questions on the state web site.

Jeanne Hesterlee that the bureau does remind people that if they are considering moving within the next six months that that is another full fee.

### **Industry Updates and Issues** (All participating agencies)

#### **Unlicensed operator complaints** (Tammy Sisson)

Kyle Devine commented that HCQC is looking at this issue very closely. There has been some discussion on fines but that would require a statutory change. He noted that as an industry, the pca can contact their legislators and explain the issues that they are currently experiencing and what needs to be done to solve it. As an agency, we are passed the deadline to make that kind of change.

Continuing, Kyle Devine stated that something that the bureau is looking into is more collaborative relationships with the business agencies such as the Secretary of State's office. He commented if there is a substantiated unlicensed agency, the bureau should be able to give that information to the Secretary of State's office and business license office so that action can be taken. Currently, the Bureau does not have the authority to do anything punitive.

There was a round table discussion as to the benefits of using a provider that is licensed. A comment was made that law enforcement needs to be involved so that unlicensed providers are stopped from operating illegally. Another comment was that some kind of public education campaign may be helpful to get the message out to use a licensed provider so you do not put yourself at risk.

#### **Future meeting dates for 2014 and 2015 include: 12/16/2014; 3/17/2015; 6/16/2014; 9/16/2015; 12/15/2015**

No comment was made under this item.

#### **Public Comment (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)**

No public comment was made under this item.

### **Adjournment.**

The meeting adjourned at approximately 2:30 p.m.