



## Mi Via Waiver Renewal

Human Services Department (HSD) with the Department of Health (DOH) is renewing the Mi Via waiver with the Centers for Medicare and Medicaid Services (CMS). A public comment period will begin in November 2019. Prior to the public comment period an announcement will be mailed outlining how and where you can receive a copy of the proposed waiver renewal, how to leave comment, and the date, time and location of the public hearing. The draft waiver renewal application will be available, beginning in November, on the HSD webpage at <https://www.hsd.state.nm.us/2017-comment-period-open.aspx>.

Please contact Kresta Opperman-Snow at 505-827-7776 or by email at [kresta.opperman@state.nm.us](mailto:kresta.opperman@state.nm.us) with any questions.

## Electronic Visit Verification (EVV)

EVV is a telephone and computer-based system that electronically verifies that caregiver visits occur and documents the time the service begins and ends. EVV is a requirement of the 21<sup>st</sup> Century Cures Act, a United States law enacted by Congress in December of 2016. The 21<sup>st</sup> Century Cures Act requires EVV for all Medicaid financed Personal Care Services. Personal Care Services are defined as those services which provide assistance with Activities of Daily Living (ADLs) and Instrumental Activities of Daily Living (IADLs).

Medical Assistance Division (MAD) and the Developmental Disabilities Supports Division (DDSD) are working collaboratively to ensure New Mexico meets this federal requirement and implements EVV in a manner that supports self-direction. We envision an EVV system that is flexible and adaptable to changes in employee schedules, accommodates limited internet access, is mobile, and is user-friendly and intuitive to use. As MAD and DDSD move forward in implementation of EVV additional information including timelines, training opportunities, and implementation date will be shared in the Mi Via Newsletter and in direct mailings to participants.

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## Developmental Disabilities Supports Division Hosts Delegation of Disability Advocates from Thailand

Jen Rodriguez, DDSD Community Programs Bureau Chief

On June 17, the Developmental Disabilities Supports Division (DDSD) hosted a delegation of educators and disability advocates from Thailand, participating in the State Department's diplomacy program on Disability Services in the U.S. The roundtable discussion fostered interesting dialogue related to topics such as policy making, governmental and cultural differences, service provision, community education and inclusion, and financing accessibility initiatives. With vast geographical, political and cultural differences between our countries, disability advocacy aligns us as we face similar challenges, while being able to celebrate successes in other areas.

The Council on International Relations (CIR), and DDSD have partnered for two years to host foreign disability advocacy leaders from around the world.

## FMA-Conduent

### Contact Information:

**Phone:** 1-866-916-0310

8:00 am to 5:00 pm Monday,  
Tuesday, Thursday, and Friday  
8:00 am to 4:00 pm Wednesday

**Toll-free Fax:** 1-866-302-6787

**E-mail:** [mi.via@conduent.com](mailto:mi.via@conduent.com)  
(Do not email forms to Conduent)

### Physical Address:

1720-A Randolph Rd SE  
Albuquerque, NM 87106

### Note:

The Mi Via Advisory Committee works with the State to share information and help with communication among all Mi Via Participants.

Comagine Health is the Third Party Assessor (TPA) for Mi Via. They are responsible for reviewing and approving the Service and Support Plans (SSP).

## You're Invited

The Mi Via Advisory Committee (MVAC) will be accepting nominations for membership until October 15, 2019. Mi Via Participants, family members and other stake holders are encouraged to apply. If you are interested in becoming an MVAC member please contact Elaine Hill, Mi Via Program Coordinator at 505-841-5510.

## Records Retention Requirements

Employees and vendors who provide goods and services to Mi Via participants must keep records that show that services have been provided as outlined in the Service and Support Plan (SSP) and Budget. The Mi Via rule 8.314.6.14C NMAC and the Mi Via Service Standards require that records be kept for a minimum of six (6) years from the first date of service. Service providers and vendors who provide goods and services to Mi Via participants must comply with record keeping and documentation requirements outlined in 8.302.1.17NMAC. This includes but is no limited to:

- Ensuring records are detailed enough to substantiate the date, time, eligible recipient name, rendering, attending, ordering or prescribing provider; level and quantity of services; length of a session of service billed, diagnosis and medical necessity of any service;
- Include procedures or progress following therapy or treatment; and
- Services billed on the basis of time units spent with an eligible recipient must be sufficiently detailed to document the actual time spent with the eligible recipient and the services provided during that time unit.

Service providers and vendors are subject to random and targeted audits conducted by MAD and DOH or their audit agents. MAD or its designee will seek recoupment of funds from service providers when audits show inappropriate billing for services.

## Validation Findings

*Jen Rodriguez, DDS Community Programs Bureau Chief*

DDSD contracted with ATA Services, Inc., to complete the second round of Provider Validation Surveys, required to achieve compliance with the CMS Final Rule. All states were required to develop a statewide transition plan (STP) outlining necessary steps to achieve compliance by 2022. New Mexico received an initial approval of the STP on January 13, 2017. As required in the STP, and to obtain final approval from CMS, providers completed a self-assessment (2014) and the state is required to validate those findings from the provider self-assessment.

ATA conducted over 900 provider/vendor validations for the three (3) Home and Community Based Services (HCBS) waiver programs administered by the Department between January and April 2019. This included the Medically Fragile, Mi Via, and Developmental Disabilities Medicaid Waiver Programs. Fifty-three (53) different providers statewide participated in the residential survey and forty (40) different providers statewide participated in the non-residential survey. All settings required some areas to be improved. New Mexico's providers are currently working on remedying identified areas in each setting to assist NM to be fully compliant and meet our timelines. Settings must be compliant by March 2022 across the country. Tribal notification and a formal public comment period will take place this fall, prior to NM submitting it's final STP to CMS.

## Dates to Remember in September

# September 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 <i>Conduent and State Offices Closed</i>	3	4	5	6 <i>Vendor Checks Received or Deposited</i>	7 <i>Deadline to submit PRFs for 9/20/19 payment</i>
8	9	10	11	12	13 <i>Paychecks and Vendor Checks Received or Deposited; end of the pay period</i>	14 <i>Deadline to submit faxed timesheets, Mileage &amp; PRFs for 9/27/19 payment; new pay period begins</i>
15	16	17	18	19	20 <i>Vendor Checks Received or Deposited</i>	21 <i>Deadline to submit PRFs for 10/4/19 payment</i>  <i>August Spending Reports Available to EORs</i>
22	23	24	25	26	27 <i>Paychecks and Vendor Checks Received or Deposited; end of the pay period</i>	28 <i>submit faxed timesheets, Mileage &amp; PRFs for 10/11/19 payment; new pay period begins</i>
29	30	October 1	October 2	October 3	October 4 <i>Vendor Checks Received or Deposited</i>	October 5 <i>Deadline to submit PRFs for 10/18/19 payment</i>

# Mi Via Circle of Support

**Web:** <https://nmhealth.org/about/ddsd/pgsv/sdw>

Agency Name	Contact Name	Phone	E-mail	Region(s)
CNRAG, Inc. (Care Network Resource Assistance Group)	Fallon Vincell	575-621-3645	<a href="mailto:fvincell@cnragusa.com">fvincell@cnragusa.com</a>	Metro, SE and SW
Consumer Direct Personal Care (CDPC)	Sandra Woodward	1-866-786-4999	<a href="mailto:sandraw@consumerdirectcare.com">sandraw@consumerdirectcare.com</a>	All of New Mexico
Excel Case Management, Inc.	Diane Metoyer	505-324-8660	<a href="mailto:Metoyer@excelcasemanagement.com">Metoyer@excelcasemanagement.com</a>	NW and SE Regions
Los Amigos, LLC	Sergio Garcia	505-204-6035	<a href="mailto:Sergio@losamigosbs.com">Sergio@losamigosbs.com</a>	All of New Mexico
Me Town	Kimberly Riebsomer	505-310-9069	<a href="mailto:riebsomer@gmail.com">riebsomer@gmail.com</a>	Metro and NE
Merit Consulting, LLC	Tina Storey	505-507-9995	<a href="mailto:tinas@meritnm.com">tinas@meritnm.com</a>	Metro
Self-Directed Choices	Sandy Skaar Jacob Patterson	505-508-1663	<a href="mailto:Sandy@sdchoices.com">Sandy@sdchoices.com</a> <a href="mailto:Jacob@sdchoices.com">Jacob@sdchoices.com</a>	All of New Mexico
UNM Center for Development and Disability (CDD)	Tanya Baker-McCue Janelle Groover	1-866-383-3820	<a href="mailto:tbaker-mccue@salud.unm.edu">tbaker-mccue@salud.unm.edu</a> <a href="mailto:jtorresgroover@salud.unm.edu">jtorresgroover@salud.unm.edu</a>	All of New Mexico
Visions Case Management	Charles Clayton	575-779-7419 or 1-888-588-9152	<a href="mailto:Charles@visionsnm.com">Charles@visionsnm.com</a>	All of New Mexico

## Human Services Department / Medical Assistance Division – Exempt Services and Program Bureau

PO Box 2348, Santa Fe, NM 87504-2348, Toll-free Phone: 1-888-997-2583, Fax: 505-827-7277

Manages the FMA/Conduent (formerly Xerox) contract and the TPA/Qualis contract

<b>Kresta Opperman</b>	<b>Mi Via &amp; Medically Fragile Unit Staff Manager</b> Functions: Mi Via & Medically Fragile Waiver oversight, Conduent, Comagine, and Eligibility Issues	505-827-7776	<a href="mailto:Kresta.Opperman@state.nm.us">Kresta.Opperman@state.nm.us</a>
<b>Jessica Velarde</b>	<b>Mi Via Unit Contract Manager</b> Functions: Mi Via Waiver oversight, Conduent issues	505-476-7254	<a href="mailto:Jessica.Velarde@state.nm.us">Jessica.Velarde@state.nm.us</a>
<b>vacant</b>	<b>Mi Via Participant Issues Resolution &amp; Eligibility</b> Functions: Participant Eligibility, Comagine, HSD/ISD Issues and Technical Assistance		

## Department of Health / Developmental Disabilities Supports Division

5301 Central NE, Suite 203, Albuquerque, NM 87108. Phone: 1-800-283-5548

Operates the Mi Via Program for Developmental Disability (DD) and Medically Fragile (MF) Populations

Oversees consultant agency contracts

<b>Jennifer Rodriguez</b>	Functions: Acting Mi Via Waiver Program Manager, Mi Via Oversight and Participant/Consultant Issues and Technical Assistance	505-476-8840	<a href="mailto:jennifer.rodriguez@state.nm.us">jennifer.rodriguez@state.nm.us</a> Fax: 505-476-8894
<b>Elaine Hill</b>	Functions: Mi Via Waiver Program Coordination, Participant/Consultant Issues and Technical Assistance, and statewide MF WCF & MF CACF	505-841-5510	<a href="mailto:elaine.hill@state.nm.us">elaine.hill@state.nm.us</a> Fax: 505-841-6523
<b>Anysia Fernandez</b>	Functions: Mi Via Waiver Program Coordination, Participant/Consultant Issues and Technical Assistance, and NE region DD WCF & DD CACF	575-758-5934	<a href="mailto:anysia.fernandez@state.nm.us">anysia.fernandez@state.nm.us</a> Fax: 575-758-5973
<b>Rudy Aguilera</b>	Functions: Mi Via Waiver Project Coordination, Participant/Consultant Issues and Technical Assistance	505-841-5886	<a href="mailto:rudy.aguilera@state.nm.us">rudy.aguilera@state.nm.us</a> Fax: 505-841-6523

## Comagine Health (formerly Qualis Health)

PO Box 20910, Albuquerque, NM 87154-0190 Phone: 1-866-962-2180

## Care Coordination

<b>Blue Cross Blue Shield</b>	1-877-232-5518, option 3	<a href="http://www.bcbsnm.com/community-centennial">www.bcbsnm.com/community-centennial</a>
<b>Presbyterian</b>	505-923-5200	<a href="http://www.phs.org/centennialcare">www.phs.org/centennialcare</a>
<b>Western Sky</b>	1-844-543-8996	<a href="http://www.westernskycommunitycare.com">www.westernskycommunitycare.com</a>

**EOR**  
**Responsibilities:**

- Review & understand Mi Via Service Standards
- Monitor delivery of services
- Monitor budget
- Hire/ terminate service providers
- Negotiate wages for service providers
- Approve timesheets & vendor payment requests
- Assist service providers and vendors with payment issues
- Respond to RFI's
- Assist with Service and Support Plan
- Train service providers

**What is an Employer of Record (EOR)?**

An Employer of Record or EOR is an individual responsible for directing the work of Mi Via employees for Mi Via participants. The EOR has both employer authority and budget authority in the Mi Via Waiver. Although the EOR is an unpaid role, the EOR plays a vital part in ensuring that the Mi Via participant accesses and receives their services.

**Employer Authority**

The EOR functions as the employer of the Mi Via participant's service providers. The EOR supports the participant to recruit, hire, supervise and direct the service providers (employee/vendor) who render services and supports.

**Budget Authority**

The EOR supports the participant to exercise his/her authority and responsibility to manage the participant-directed budget. The EOR makes decisions about what Mi Via Waiver services are selected and authorized in the person-centered Service and Support Plan (SSP) and manages the dollars authorized in the participant's budget.

**Who can be an EOR?**

- A Mi Via participant may be his or her own EOR unless the participant is a minor or has an authorized representative (i.e. guardian) over financial matters in place.
- A participant may also designate an individual of his or her choice to serve as EOR.
- If a participant is utilizing employees, they must designate an EOR.
- The EOR should be someone who knows the participant and has an interest in ensuring that the participant accesses and receives their services.

**Who supports the EOR?**

- Consultants - guide, assist and educate on the Mi Via Waiver
- The Fiscal Management Agency (FMA) provides supports to the EOR by:
  - Providing training on how to submit and approve timesheets and mileage online, and how to access and understand the FOCOS online system.
  - Conducts background checks on all potential employees
  - Makes payment to employees and vendors as approved by the EOR
  - Provides liability insurance and worker's compensation for the participants' employees

