

REPORT TO THE LEGISLATURE

Community Clients' Access to Facility-Based Professionals

Engrossed Substitute Senate Bill 5092
Part II Community Services
Section 203(k) Page 134

December 1, 2021

Developmental Disabilities Administration
Office of the Assistant Secretary
PO Box 45310
Olympia, WA 98504-5310
360.407.1500
www.dshs.wa.gov/dda

Transforming Lives

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EXECUTIVE SUMMARY

The 2021-2023 biennial budget directs the DSHS Developmental Disabilities Administration (DDA) to work with the Health Care Authority (HCA) and Managed Care Organizations (MCO's) to establish recommendations for clients who live in the community, to access DDA's facility-based professionals for services covered under the Medicaid State Plan. DDA and HCA recognize that the Residential Habilitation Center (RHC) facility-based professionals have important skills, abilities, and experience related to effectively caring for individuals with intellectual and developmental disabilities. Optimizing this resource with qualified professionals who employ unique and specialized skills specifically for individuals with intellectual and developmental disabilities, will be a benefit to those individuals who live in the community.

DSHS DDA requests an extension, in collaboration with HCA, to postpone these recommendations to the Legislature until 12/1/2022. This additional time will allow strategic development of a workgroup, with the subject matter experts necessary to provide thorough and comprehensive recommendations, as outlined in ESSB 5092.

The nationwide staffing crisis in long-term care facilities caused by the pandemic and other labor factors, has resulted in a high vacancy rate for professional positions at the RHCs. DDA recommends that the criteria outlined below be considered before expanding community clients' access to facility-based professionals. Additional considerations that will be included in the report to the Legislature will include, but are not limited to, defining the scope of professionals, HCA, and Managed Care Organizations (MCO) provider enrollment processes, union and collective bargaining impacts, incorporation of telehealth, third party payer implications, and services and benefits available under the Medicaid State Plan.

BACKGROUND

In 2019, a stakeholder workgroup facilitated by the William D. Ruckelshaus Center produced a report to the Legislature entitled [Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers, and Improve Services](#). The report recognizes the expertise of the professional staff at DDA's RHCs and recommends expanding access to these professionals. In 2021, the Legislature passed ESSB 5092¹, which directs the Developmental Disabilities Administration to establish recommendations for clients who live in the community to access DDA's facility-based professionals.

Currently, these professionals work in long-term care facilities and provide services to the residents of those facilities. The 2019 recommendation to give clients who live in the community direct access to these professionals, was based upon the assumption that there was a surplus of facility-based professionals who were available to serve additional clients.

¹ Section 203(k), page 137

This was a reasonable assumption in the pre-Covid environment; however, the nationwide staffing crisis in long-term care facilities caused by the pandemic has resulted in a high vacancy rate for professional positions at the RHCs. From July 1, 2016 – June 30th, 2021, the average vacancy rate across all professional services at the RHC's was 21%. Currently, the vacancy rate is much higher. The data in Table 1 shows the statewide number of funded and vacant full-time employees among professional positions at the RHCs as of December 1, 2021.

Table 1 – Statewide RHC Professional Staff²

Job Class	Current FTE's	# Of Vacancies
Physician	11	5
Physician Assistant (PA)	4	2
Advanced Registered Nurse Practitioner (ARNP)	5	0
Psychologist	9	2
Psych Associate	19	6
Dentist	3	0
Occupational Therapist	16	6
Physical Therapist	9	1
Speech Pathologist/Audiologist	14	2

CONSIDERATIONS AND CRITERIA

Due to the high vacancy rate among RHC professional staff and the importance of maintaining certification, DDA recommends the following criteria be considered before expanding community clients’ access to facility-based professionals.

DDA should expand access to a specific facility when:

1. The facility has no current findings of immediate jeopardy related to healthcare services or facility staffing.
2. The facility has no current condition-level regulatory deficiencies related to healthcare services or facility staffing.
3. The vacancy rate in each professional job class falls below 25 % across the RHC system.

CONCLUSION

DDA and HCA recognize that the RHC facility-based professionals have important skills, abilities, and experience related to effectively caring for individuals with intellectual and developmental disabilities. DDA is committed to identifying ways to improve cross-system coordination that will capitalize on the expertise of RHC staff. DDA will work closely with HCA and the MCOs to outline recommendations for operationalizing the intent of ESSB 5092 and will provide those recommendations to the Legislature no later than December 1st, 2022.

² HRIS Data Warehouse, Position Details Report. As of 12/1/21