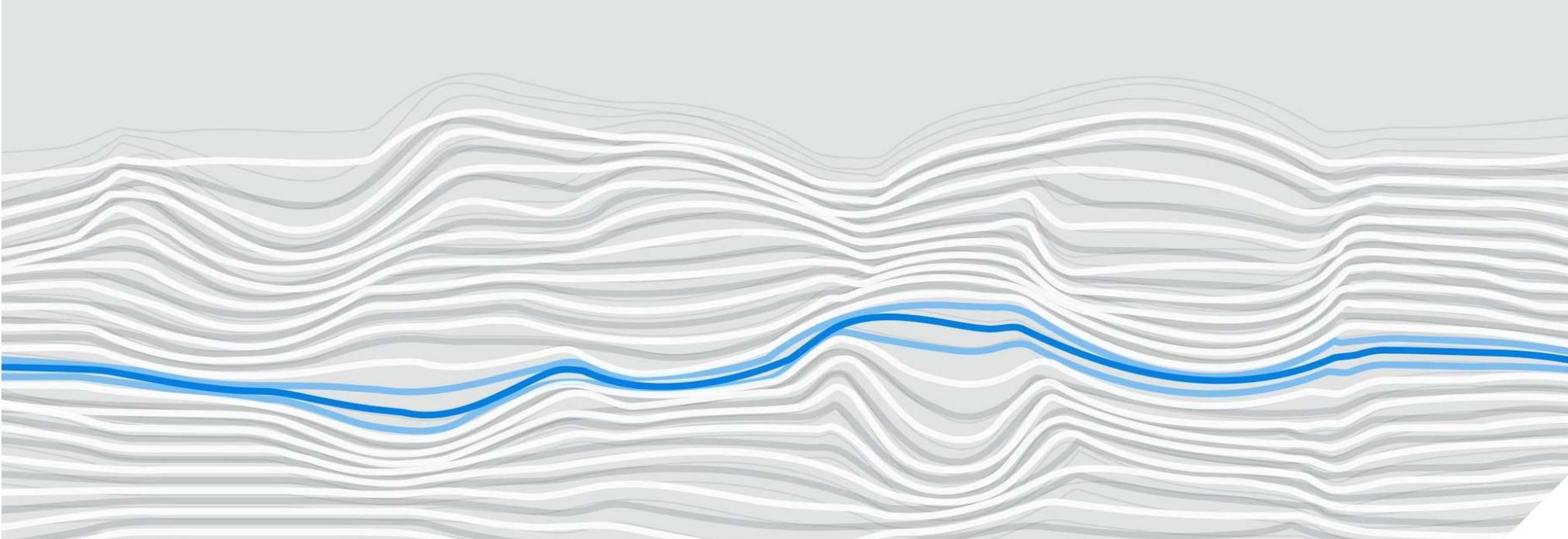


Administrative Code Assessment Oral Presentation

RFP 22-70333

JULY 20, 2022



Agenda

- 1** Introductions and Background
- 2 Proposed Team and Roles
- 3** Proposed Approach
- 4** Experience
- 5 Discussion



Introduction and Background

Presenters



**Paul Houchens,
FSA, MAAA**

Principal, Consulting
Actuary

Engagement Principal



**Amanda Schipp,
JD**

Senior Healthcare
Management Consultant

Project Director



**Brandon Shirley,
JD**

Senior Counsel (Krieg
Devault LLP, through
Axon Advisors)

Subject Matter Expert



**Jeremy Hoffman,
JD**

Healthcare Consultant

Drafting Workstream Lead

Introduction

About Milliman

- Milliman is a **national leader in healthcare consulting** with 25+ years of experience supporting health and human services agencies in over 20 states on a wide range of projects spanning healthcare policy, financing, operations, and actuarial services.
- Full-service firm with a **highly qualified team**. Our team's intimate familiarity with the Indiana administrative rule making process enables us to deliver effective, cost-efficient, and desired results that will work for Indiana.
- A **multi-disciplinary approach** with attorneys, policy consultants, and clinicians who understand the dynamic environments and processes involved in behavioral health and substance abuse treatment.

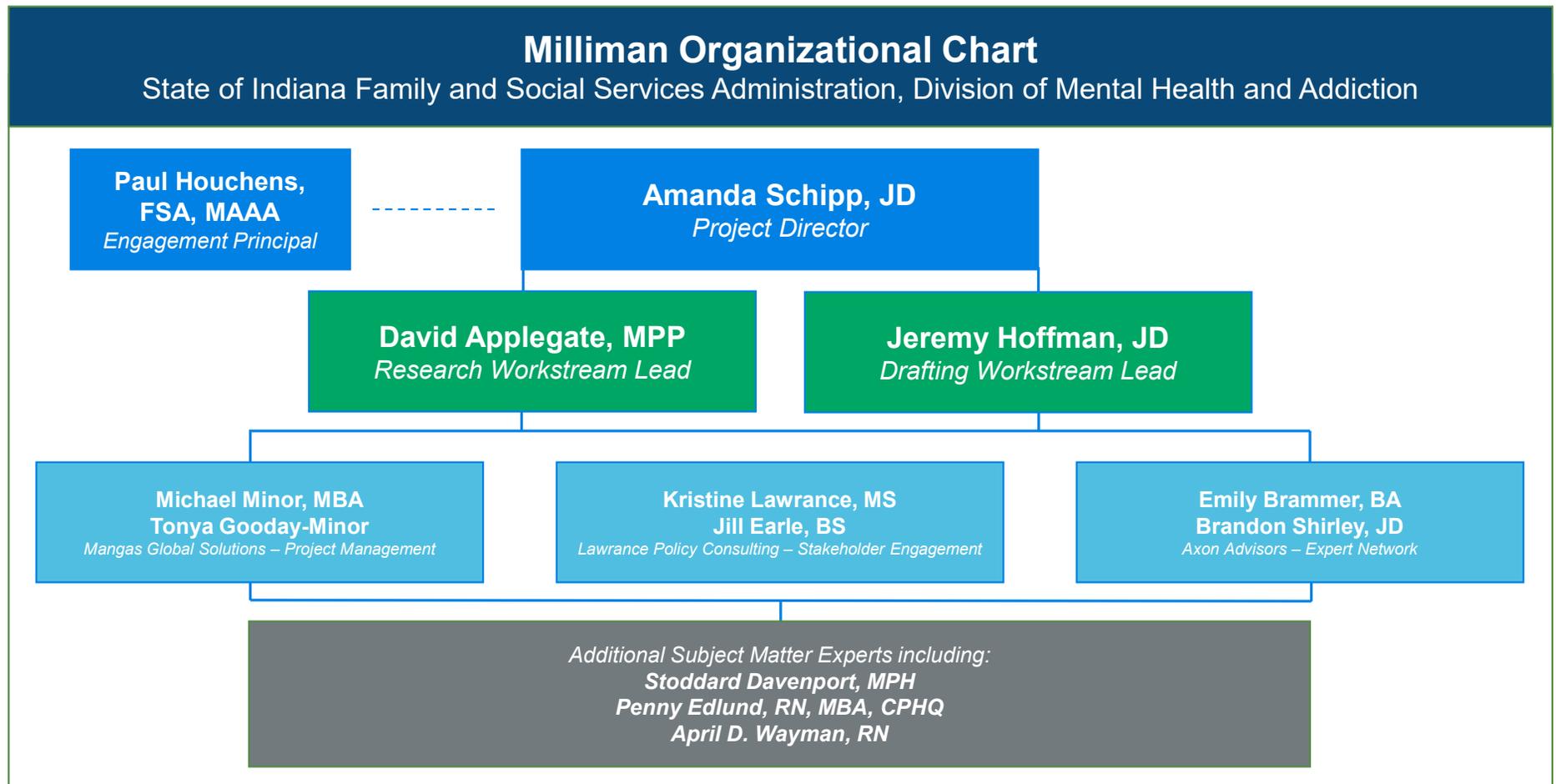
Deep Indiana Expertise

Milliman has served as a trusted advisor to the State of Indiana and FSSA since 1994. We know Indiana's healthcare programs and stakeholders, and our team members have direct experience promulgating dozens of rules under the Indiana Administrative Code. We are pleased that our M/WBE subcontractors provide additional deep Indiana experience to augment this background.



Proposed Team and Roles

Proposed Team



Workstream Approach

Two dedicated workstreams (research and drafting) to improve efficiency and effectiveness



We propose an iterative process, but with integrated workstreams. We will assign dedicated personnel to each task to keep the process moving for all aspects of the project.

Workstream and Project Management

Ongoing projects require dedicated and intentional project management and communication

- **Well-tested project management**
 - Kickoff and approval of detailed project plan
 - Set due dates for each deliverable Article and Recommendation Report
 - Clarify roles for Milliman workstreams and DMHA oversight functions
 - Establish tracking process for ongoing DMHA feedback and decision logs
- **Effective communication**
 - Regular meeting cadence to discuss progress, changes, questions, seek input, and deliver recommendation
 - Early and ongoing interaction with the FSSA Office of General Counsel (“OGC”)
 - *Milliman may identify legal risks, but the OGC will advise DMHA*

Program Decision Log

Month Day, Year

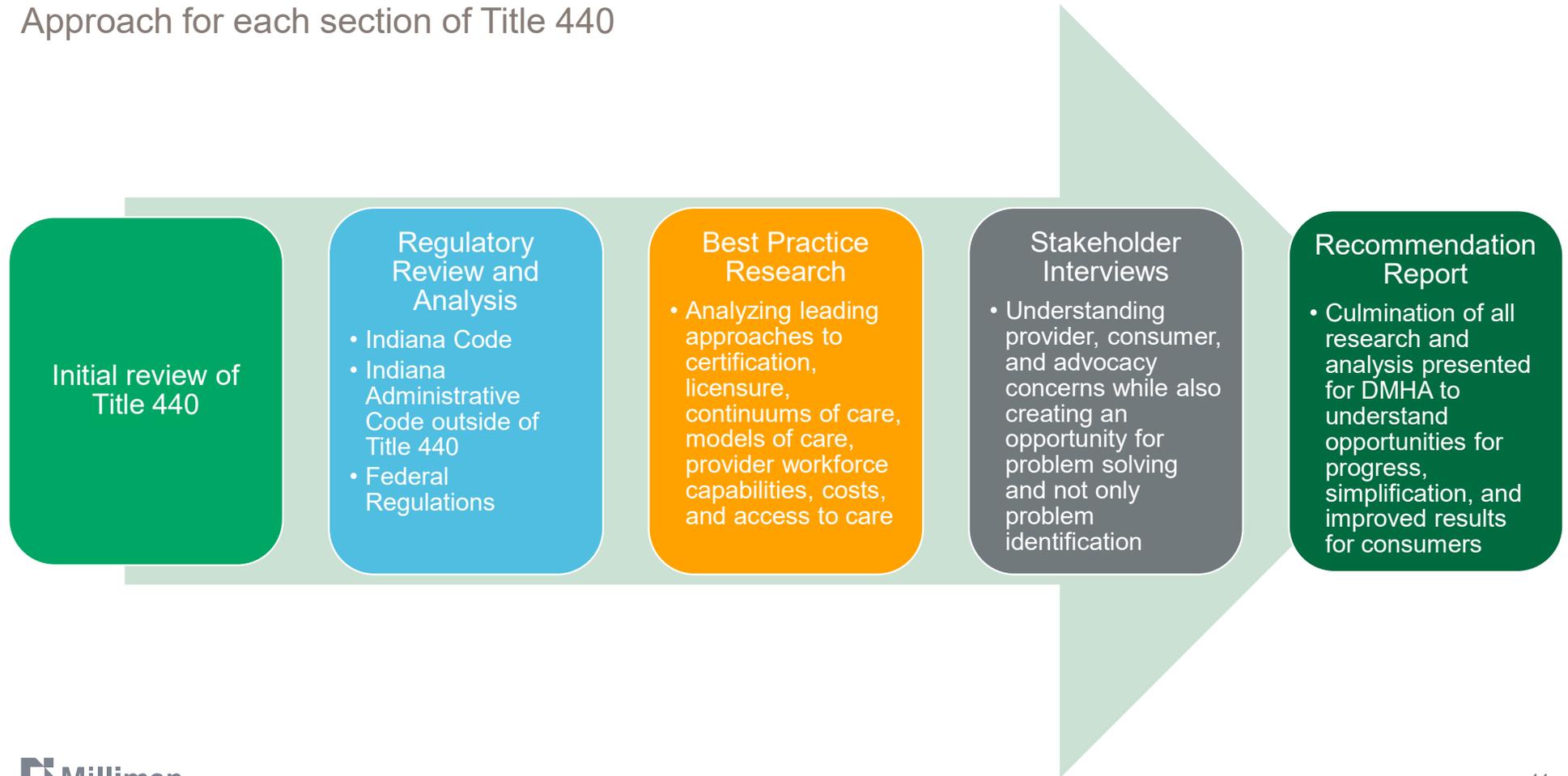
#	Topic	Description	Rationale/alignment with goals	Relevant authorities and regulations	Operational feasibility considerations	Final DMHA decision
1.						
2.						
3.						
4.						
5.						



Proposed Approach

Research Workstream

Approach for each section of Title 440



Initial review of Title 440

Regulatory Review and Analysis

- Indiana Code
- Indiana Administrative Code outside of Title 440
- Federal Regulations

Best Practice Research

- Analyzing leading approaches to certification, licensure, continuums of care, models of care, provider workforce capabilities, costs, and access to care

Stakeholder Interviews

- Understanding provider, consumer, and advocacy concerns while also creating an opportunity for problem solving and not only problem identification

Recommendation Report

- Culmination of all research and analysis presented for DMHA to understand opportunities for progress, simplification, and improved results for consumers

Drafting Workstream

Suggested approach

- Drafting the proposed rule for each Article in a phased approach
 - Phase 1: Technical changes
 - Phase 2: Substantive changes chosen from the Recommendation Report
- Creation of fiscal analysis documents
 - Cost-benefit analysis
 - Fiscal impact statement
 - Small business economic impact statement

Key Strategies for Promulgation Assistance

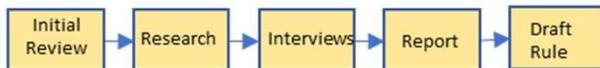
- Building early contacts with the Governor's office and State Budget Agency
- Meeting with the Office of Attorney General to preview rule
- Available to draft rulemaking documents (e.g., authorization to proceed, notice of intent to adopt a rule, and public notice) and compiling the binder for regulatory sign-off

Proposed Approach

Two dedicated workstreams to improve efficiency and effectiveness

Proposed Phased Project Management Approach

Phase 1: Technical Updates (Est. 4-6 months to draft*)



Phase 2: Substantive Updates and New Sections (Est. 18-24 months to draft*)



Etc. (Rolling process for each Article)

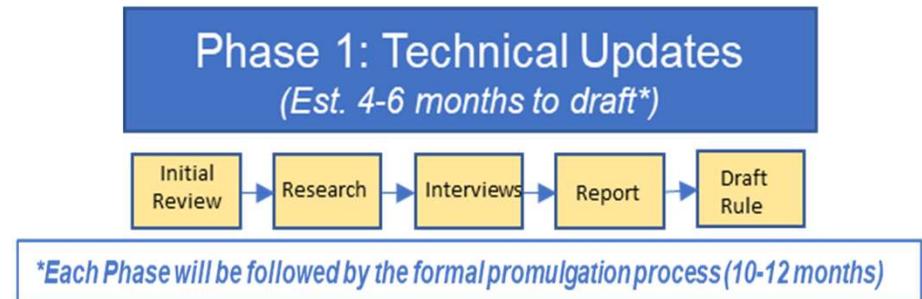
Each draft rule to be combined into one formal promulgation process for all changes in Phase 2

**Each Phase will be followed by the formal promulgation process (10-12 months)*

Proposed Approach – Phase 1

Key elements for this phase

- Update terms and terminology
- Consolidate sections
- Remove language duplicative of state laws, federal or state manuals, waivers, or other provisions of administrative code
- Update provisions inconsistent with State law
- Streamline existing processes and procedures
- Draft efficient language consistent with the Rule Drafting Manual

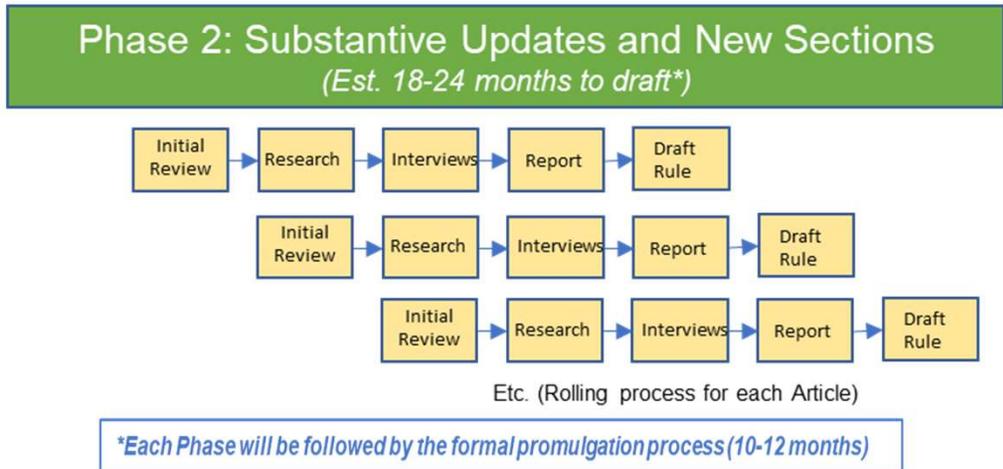


No substantive additions during Phase 1 and no federal discussions required

Proposed Approach – Phase 2

Separate process for substantive changes

- The stakeholder outreach and research collected during Phase 1 would help to inform Phase 2
- Findings from Recommendation Reports and decisions from DMHA would guide the Phase 2 rulemaking



Phase 2 would include substantive changes or new regulations, where required

Proposed Approach – Justification

- Combining technical and substantive changes may create significant risk of delays with State Budget Agency approval, fiscal analysis and approval, and public comments
- **In contrast, under a phased approach:**
 - Technical updates and research can be completed more quickly, while substantive research and stakeholder engagement are conducted over a longer time period
 - A rolling approach gives DMHA the ability to space out its time commitment for review and decision making about Recommendations Reports while the project team continues our work
 - Creating two public comment periods allows for more focused stakeholder input on each type of changes (technical vs. substantive)
 - There is no need for federal interactions during the technical update process

Dedicated workstreams offer the potential, with active project management, to shorten the project from what could take 4 to 6 years down to a **manageable 2-year process**



Experience

Project Sample: Obtaining Stakeholder Input

State Medicaid client sought Milliman's help to gather stakeholder feedback about the program supports that would be most critical to help enhance the Medicaid HCBS workforce.



Who Provided Input

- Individual providers
- Provider associations
- Provider agencies (employers)
 - Assisted Living Residences
 - Community Advocates
 - Health Plans
 - Home Health Agencies
 - Hospitals
 - Nursing Facilities
 - Service Advisors
 - Shared Living Agencies
- Executive branch agencies
- Medicaid members
- Total Participants: 600



Methods of Input

- Public survey
- Stakeholder meetings
- Public Q&A sessions
- Stakeholder engagement and feedback during the program guidance drafting process



Findings and Recommendations

- Details around the current level of need
- Types of providers to target
- Operational processes to not create administrative burdens
- Details for hiring bonuses to attract new staff
- Details for retention bonuses for the current staff

Broad Stakeholding Expertise Paired with Local Stakeholder Knowledge:

Our project team staff also brings longstanding experience with and knowledge of **Indiana** behavioral health providers, advocates, and other stakeholders

Behavioral Health Experience

Milliman expertise advising states across the behavioral health landscape



Regulatory and Program Knowledge

Unmatched familiarity with the Indiana rule promulgation process

Statutory and Regulatory Review

- Understanding of Indiana Code and Indiana Administrative Code Titles affecting FSSA offices and divisions
- Extensive knowledge of FSSA/DMHA leadership, operations, and workflows to support development of feasible options and effective rule drafting

Program Analysis

- Behavioral health integration
- Regulatory compliance

Indiana-Specific Promulgation Experience

- Drafted and shepherded dozens of rules through the Indiana rule promulgation process
- Thorough and practical knowledge of the Indiana Administrative Rules and Procedures Act and Rule Drafting Manual
 - Identifying opportunities and creating relationships to facilitate processes outside of DMHA's control
 - Improving interactions with regulated entities to minimize confusion and maximize cooperation and understanding of the rule changes



Discussion



Thank You