

Analysis

Item 10: Oregon Health Authority

Ombuds Program for Individuals Eligible for Medical Assistance Programs

Analyst: Kim To

Request: Allocate \$430,776 from the Emergency Fund, increase the Federal Funds expenditure limitation by \$135,612, and authorize the establishment of six new full-time positions (2.28 FTE) to support ombuds services for individuals eligible for medical assistance programs, including the Oregon Health Plan (OHP) and Non-Medicaid Behavioral Health.

Analysis: State law requires the Oregon Health Authority (OHA) to provide ombuds services to individuals eligible for medical assistance programs when these individuals are unable to resolve their issues through the Community Care Organization (CCO) resolution process. In addition to working collaboratively with external and internal stakeholders to provide direct client services and advocacy to resolve concerns, complaints, and grievances from, or on behalf of, individuals eligible for, or receiving, publicly supported health services, the ombudsperson is required to track and report on patterns, trends, performance issues, and potential improvements to the Governor and the Oregon Health Policy Board. Since 2010, OHA has managed these duties with one dedicated ombudsperson. However, both the volume and acuity of client calls have significantly increased within the last two years. Call volume has more than doubled from 2016 to 2018 with monthly call totals reaching over 200. Calls to the ombudsperson include clients seeking assistance with: (1) concerns related to continuity of pain medication; (2) transitioning from OHP to Medicare; (3) loss of OHP as caregiver hours are reduced or eliminated; (4) challenges with non-emergency medical transportation; and (5) bills from providers. The most challenging calls are related to mental health and substance abuse addiction, including a growing number from parents of children with developmental and physical disabilities. The agency anticipates the volume and acuity of calls to continue increasing. In order to improve responsiveness to client needs as well as to effectively monitor and evaluate trends to effectively improve outcomes for clients, the agency requests six new full-time positions to fully staff the ombuds program: one Principal Executive Manager (PEM F) position, three Program Analyst (PA) 3 positions, and two PA 2 positions. The PEM F would serve as the manager for the existing ombudsperson position and the requested PA positions.

Since submitting the Emergency Board letter, OHA Human Resources has determined that the three PA 3 positions should be classified as PA 4 positions. The agency also believes it can pursue a higher federal Medicaid match to reflect the call volume from OHP members. With these adjustments, the agency's request is revised to: allocate \$260,949 from the Emergency Fund, increase the Other Funds expenditure limitation by \$32,282, increase the Federal Funds expenditure limitation by \$180,359, and authorize the establishment of six new full-time positions (1.76 FTE) to fund the ombuds program for the remainder of the 2017-19 biennium. With this pricing, the 2019-21 cost of the ombuds program is projected to be \$1,528,700 total funds (\$838,494 General Fund, \$102,390 Other Funds, \$587,816 Federal Funds, 6 positions, and 6.00 FTE).

Legislative Fiscal Office Recommendation: Defer the request until the 2019 legislative session to allow for a holistic discussion of the agency's staffing and funding needs in conjunction with other agency priorities.

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Oregon Health Authority
MacDonald

Request: Allocate \$430,776 from the State Emergency Fund and increase Federal Funds expenditure limitation by \$135,612 to establish six positions (2.25 FTE) to support ombudsperson services for individuals eligible for medical assistance programs.

Recommendation: Approve the request with the following modification: allocate \$260,949 General Fund from the State Emergency Fund, increase Other Funds expenditure limitation by \$32,282 and Federal Funds expenditure limitation by \$180,359 and establish six positions (1.76 FTE).

Discussion: State law requires the Oregon Health Authority (OHA) to provide ombudsman services to individuals eligible for medical assistance services, including the Oregon Health Plan (OHP) and Non-Medicaid Behavioral Health. Coordinated care organizations (CCOs) are the required first step for OHP members to communicate concerns and raise complaints. When individuals are unable to resolve their issues through the CCO resolution process, an OHA ombudsperson is expected to provide independent customer service. Many of the requests for this level of service deal with challenging circumstances, such as concerns related to the continuity of pain medication, non-emergency medical transportation, and bills from providers. OHA currently does this with just one ombudsperson position.

Since 2016, the monthly call volume for ombudsperson services has more than doubled and currently total more than 200. The agency also indicates the number of calls related to behavioral health services are the most complicated to address and are also increasing. The requested additional positions would effectively create a new program within the agency's External Relations Division to address the demand for these services. The request includes a Principal Executive Management (PEM F) position, three Program Analyst (PA) 3 positions, and two PA 2 positions. The PEM F would serve as the manager for the other ombudsperson positions and the existing six Innovator Agent positions.

Subsequent to OHA's Emergency Board letter, the agency determined the three PA 3 positions should be classified as PA 4 positions. OHA also intends to pursue a higher federal Medicaid match to reflect the amount of work done on behalf of OHP members. Overall, this results in a net decrease in total costs and reduced General Fund need for 2017-19 compared to the original request. The Chief Financial Office recommendation reflects this revised pricing. The 2019-21 Governor's Recommended Budget supports the six ombudsperson positions according to the higher federal match, but at the original position pricing. Should the positions be approved in 2017-19 as currently recommended, the 2019-21 budget would need to either account for the slight increase in costs for the PA 4 positions or the agency would need to absorb the full biennium cost difference within its existing resources.

Legal Reference: Allocation of \$260,949 from the State Emergency Fund to supplement the appropriation made by chapter 545, section 1(2), Oregon Laws 2017, for the Oregon Health Authority for the 2017-19 biennium.

Increase Other Funds expenditure limitation established by chapter 545, section 2(2), Oregon Laws 2017, for the Oregon Health Authority by \$32,282 for the 2017-19 biennium.

Increase Federal Funds expenditure limitation established by chapter 545, section 4(2), Oregon Laws 2017, for the Oregon Health Authority by \$180,359 for the 2017-19 biennium.



Office of the Director

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October 29, 2018

The Honorable Senator Peter Courtney, Co-Chair
The Honorable Representative Tina Kotek, Co-Chair
State Emergency Board
900 Court Street NE
H-178 State Capitol
Salem, OR 97301-4048

Dear Co-Chairpersons:

Nature of the Emergency / Request

As required by ORS 414.712, the Oregon Health Authority (OHA) provides ombudsman services to individuals eligible for medical assistance under the Oregon Health Plan (OHP). Since 2010, OHA has provided these services with just one dedicated staff person. This staff person, however, is overwhelmed by the significant volume of calls and the need to ensure appropriate resolution to many complex issues. The role of OHA's Ombudsperson is not only direct customer service, it also includes assembling and utilizing information about client experience to identify trends that impact care and well-being of members. With OHP covering approximately one million Oregonians, OHA is not meeting the advocacy needs of those asking for help.

In an effort to more adequately meet the need, OHA respectfully requests position authority and funding to increase staffing for this critical program.

Agency Action

The single Ombudsperson has challenges to appropriately and thoroughly address the current volume and acuity of OHP client calls.

Calls related to mental health and substance abuse treatment needs have always been the most challenging and are increasing. Behavioral health related calls include a growing number from parents of children with developmental disabilities, physical disabilities, or both.

Repeated themes in recent OHP related calls include:

- Clients with concerns related to continuity of pain medication;
- Confusion during transition from OHP to Medicare;
- Loss of OHP as caregiver hours are reduced or eliminated;
- Quality of dental and particularly denture related services;
- Challenges with Non-Emergency Medical Transportation;
- Bills from providers;
- Issues related to transitioning from one CCO to another.

Similar programs serving Oregonians with greater resources include:

- Governor's Advocacy Office (Department of Human Services)
 - On average the Governor's Advocacy Office (GAO) Ombudsmen has 40 calls each.
 - There are 7 GAO Ombudsmen.
 - In addition, their office has administrative support who screens calls and assigns appropriately.
 - This Office only supports Department of Human Services programs and services.
- Department of Consumer and Business Services (DCBS) Consumer Advocates
 - Per advocate, there are approximately 26 files assigned monthly and they close (3,285 files YTD 2017) on average in 34 days.
 - The 10.5 full-time consumer advocates serve approximately 1.1 million people in the commercial market.

The table on the following page illustrates the volume of monthly calls from individuals seeking help from OHA's ombuds program.

Oregon Health Plan Ombuds Program
Call Counts, Types and Trends

Month / Year	Total Calls	OHP Calls	Behavioral Health Related
04/16	56	44	NA
05/16	86	68	NA
06/16	105	79	NA
07/16	65	56	NA
08/16	95	82	NA
09/16	114	88	NA
***	***	***	***
04/17	82	72	13
05/17	80	71	28
06/17	104	97	17
07/17	111	91	36
08/17	116	93	18
09/17	143	111	23
***	***	***	***
12/17	132	93	28
01/01 – 01/18 2018	113	69	24
***	***	***	***
04/18	166	114	40
05/18	202	149	70
06/18	156	108	19
07/18	173	116	45
08/18	244	131	63
09/18	231	159	56

Action Requested

Based on the ongoing demand for advocacy services from OHP members, OHA requests position authority and funding to expand the ombuds program as follows:

Total position request: 6 total permanent full-time positions for 9 months (0.38 FTE)

- 1 – Manager (PEM F)
- 3 – Program Analysts 3 (PA 3)
- 2 – Program Analysts 2 (PA 2)

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Total 2017-19 funding request for positions:

- \$566,388 Total Funds (\$430,776 General Fund and \$135,612 Federal Funds)

Legislation Affected

Oregon Laws 2017, chapter 545, section 1, subsection 2.

Oregon Laws 2017, chapter 545, section 4, subsection 2.

For additional information, please call Dawn Jagger, OHA Chief of Staff, at (503) 884-6411.

Sincerely,



Patrick M. Allen
Director

CC: Linda Ames, Legislative Fiscal Office
Tom MacDonald, Department of Administrative Services