

**RESOLUTION TO REQUEST WAIVER OF HEALTH AND REHABILITATION
SERVICES MEDICAID AUDIT TAKEBACK**

AUGUST 21, 2019

Introduced by the Health and Human Services Committee

Commissioner Pearl-Wright moved for the approval of the following resolution. Seconded by Commissioner Haskell.

WHEREAS, Eaton County Health and Rehabilitation Services (ECHRS) has received citations and fines from the Department of Licensing and Regulatory Affairs Licensing Division related to failure to provide frequent and adequate monitoring for residents with specific behaviors (i.e. repeat falls and improper touching of others) and medical conditions; and

WHEREAS, long-term care regulations require ECHRS provide all necessary services to its residents; and

WHEREAS, to comply with these regulations and in response to these prior citations ECHRS created the Safety Sitter Program; and

WHEREAS, this program provides one-to-one oversight for residents that have been assessed and identified as needing close monitoring because of their medical conditions and behaviors; and

WHEREAS, the need for additional oversight and care for this specific vulnerable population is essential in order to prevent falls, elopements, abuse of other residents, hospital readmissions, and reduce healthcare spending overall; and

WHEREAS, The Department of Health and Human Services contends that since one safety sitter is assigned to one resident at a time it would be considered Private Duty staff which Medicaid does not pay for and has removed the safety sitter labor costs from the Medicaid Cost report (FY 13,14,15,16), as it would be considered an unallowable cost; and

WHEREAS, ECHRS received reimbursement for these expenses and would have to repay \$191,548 to the Department.

NOW, THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners requests the Department of Health and Human Services to change its administrative interpretation of the regulations to allow for the reimbursement of its Safety Sitter Program for it to adequately meet its long-term care requirements; and

BE IT FURTHER RESOLVED, that reimbursement of the costs determined to be ineligible for FY 13,14,15,16 be waived; and

BE IT FURTHER RESOLVED, that copies of this resolution be provided to Governor Gretchen Whitmer, Senator Thomas Barrett, Representative Angela Witwer, Representative Sarah Lightner, Michigan Department of Health and Human Services Director Robert Gordon, Michigan Department of Licensing and Regulatory Affairs Director Orlene Hawks, the Michigan Association of Counties, the Michigan Association of County Medical Care Facilities and the other 82 Michigan counties. Carried.