



**EDMONDS' DISABILITY BOARD**  
**Meeting Minutes**  
**Regularly Called Meeting**  
**4/20/18**

**MEMBERS PRESENT:**

Ken Jones, Chair  
 Gary McComas, Board Member  
 Dave Teitzel, Council Member  
 Diane Buckshnis, Council Member  
 Jim Distelhorst, Citizen-At-Large

**STAFF PRESENT:**

Mary Ann Hardie, Human Resources Director  
 Emily Wagener, Human Resources Analyst

**MEMBERS OF THE PUBLIC PRESENT:**

None

**CALL TO ORDER:**

Chair Ken Jones called the meeting to order at 9:32 am.

**APPROVAL OF MINUTES:**

**Council Member Dave Teitzel made a motion to approve the 3/5/18 (specially called) meeting minutes, Council Member Diane Buckshnis seconded the motion. The motion carried.**

**DISCUSS AND APPROVE CLAIMS SUMMARY REPORT**

Chair Jones asked HR staff for any particular insight to the claims summary report for the period. HR Analyst Emily Wagener explained that the costs are very similar to what the Board has been seeing for the last several meetings with increased long term care costs. Aside from that, the costs look similar to the expenses incurred for the same period in 2017, with reductions in costs in some areas.

Summary of Current Costs	01/01/2018 - 03/31/2018	
	Number of Claims	Total Paid for Service
Board Approval	1	\$ 39.06
Deductible	1	\$ 183.00
Dental Expenses	7	\$ 1,037.00
Eyeglasses	1	\$ 150.00
Hearing Aid Batteries	1	\$ 25.00
Long Term Care	7	\$ 58,060.50
Medical Services	12	\$ 1,935.64
Medicare Premium	18	\$ 22,920.00
Prescription	17	\$ 4,207.16
<b>Grand Total</b>	<b>65</b>	<b>\$ 88,557.36</b>

Council Member Buckshnis stated that she would like to get the agenda packets prior to the meetings. Ms. Hardie explained that there are items that do not come to the City for the Board's attention at the meetings in a timely fashion. Barring that, Ms. Hardie stated she will send the information that is available prior to the meetings going forward.

HR Director Mary Ann Hardie reminded the Board that there was a budget amendment approved by council for the 4<sup>th</sup> quarter of 2017 due to the increase in Long Term Care costs and future amendments. There may be a need to adjust this and add funds with another budget amendment, dependent on the Board's future decisions regarding Long Term Care reimbursements. Ms. Hardie indicated that the budget would be reviewed following the second quarter in case additional adjustments are needed.

There was a short discussion that followed by the Board regarding the ongoing long term care costs specific to the two LEOFF 1 members.

**Chair Jones made a motion to approve the claims summary in the amount of \$88,557.36 for the period 1/1/18 – 3/31/18. Board Member Gary McComas seconded the motion. The motion carried.**

**CONTINUED DISCUSSION OF THE ASSISTED LIVING/NURSING CARE SITUATION FROM THE MARCH 2018 SPECIALLY CALLED MEETING (Patient Care Advocate recommendations)**

Ms. Hardie explained that, unfortunately, from what was communicated from the patient advocate, it became challenging for the patient advocate to work with the LEOFF 1 retiree of discussion. There was some discussion that followed about the information that was provided to the Board including 2-person transfer requirements and the LEOFF 1 retiree's disinterest in looking at one of the facilities that the patient care advocate recommended as he did not prefer the location. Citizen-At-Large Jim Distelhorst clarified that the LEOFF 1 retiree was only eligible for placement in facilities that allowed for a 2-person transfer. Ms. Hardie confirmed that was her understanding based on the written communications. Council Member Teitzel pointed out that while the non-preference for the location of the facility (in Everett) was unfortunate, he did not feel this was the focus of consideration for the Board if the facility was an appropriate facility and suited for the LEOFF 1 retiree. Council Member Buckshnis agreed.

Chair Jones stated that he wondered if there was some resistance to change the LEOFF 1 member was expressing, and that he was likely comfortable at the facility he was at. Ms. Hardie pointed out to the Board, that, as they have done in the past, the Board could consider if they wanted to set a cap for the cost of services of what the Board may be willing to pay for services. Ms. Wagener further opined that if the LEOFF 1 member wanted to stay at the facility they were currently at, he could do so, but that, should the Board decide to set a cap, the LEOFF 1 member would be responsible for paying any amount over the cap (out-of-pocket). There was further discussion that followed by the Board about this. Council Member Teitzel stated that the Board has a responsibility and obligation to make a determination based on medical necessity, and that there are items on the quotes (including senior TV cable TV services and laundry services) that did not seem to be medically necessary. Additionally, one of the quotes noted that the LEOFF 1 retiree refused to take meals in the main dining area and this would result in an extra charge to have the meals delivered to his room. Council Member Teitzel stated that it appeared to cross a line of medical necessity versus convenience and preference.

Ms. Hardie pointed out that, in the past, there had been a situation brought before the Board in which a member requested laundry and other miscellaneous services at the long term care facility he was at be reimbursed by the Board. She explained that the Board had made it very clear and determined at that time that the services were not considered medically necessary and were not eligible for reimbursement by the Board.

Council Member Teitzel stated that Ms. Wagener [Ms. Hardie] had made a good point about capping the cost for services if there was an appropriate place that provided the medically necessary services [and was suitable] for the LEOFF 1 member's needs. Chair Jones stated that the patient care advocate (through First Choice Advisory) was an excellent choice and that the Board really needs to depend on their recommendations as they have the expertise. He expressed concern that things don't seem to be "clicking" in terms of being able to coordinate with the LEOFF 1 member to view the facilities (as there are still a few facilities that have not yet been viewed by the LEOFF 1 member) in order for the Board to make a decision [as to the approval of expenses for reimbursement for facility costs] that may be ongoing.

Board Member McComas stated that this is a "slippery slope" in that he could find "a place in Arkansas" and that the Board may like to cap the costs for reimbursement at \$1500 per month. Both Council Member Buckshnis and Council Member Teitzel disagreed. Board Member McComas opined that he believed this is the "direction" the Board may be going in and that the Board better "specify" that. Council Member Buckshnis stated that, when she

went through this situation with her own family member, the cost differs greatly depending upon things like location, how nice it is, and other things of that nature and that it is the greater Edmonds area being considered (all the facilities that are being shown to the LEOFF 1 retiree). Ms. Hardie pointed out that the Board's policy on Assisted Living/Long Term Care (#08-11) notes that *"Any request for LTC costs shall be submitted in writing by the LEOFF 1 member's physician to the Disability Board for approval. The maximum monthly benefit amount for any long term care services shall be based on the average cost of three (3) private nursing facilities within the LEOFF 1 member's living area at the 24 hour a day, semi-private room rate."* Board Member McComas stated that there are some LEOFF 1 members living out of state when they required long term care. Ms. Hardie confirmed that the cost (through quotes) would apply to the area the LEOFF 1 member was living in. Board Member McComas inquired as to how big the living area was specific to the LEOFF 1 retiree's house. Board Member McComas stated the Board needed more specifics. Ms. Hardie responded that it was certainly up to the Board to make that determination and/or change policy.

Chair Jones opined that the LEOFF 1 member's home has been in Lynnwood for the last year and a half and that he would think that the Edmonds/Lynnwood area would fit the appropriate "living area" under the policy. The Board discussed using a 20 mile radius. Ms. Hardie stated that, in the past, when this issue came up at looking at having a LEOFF 1 retiree provide long term care quotes (and they were living in Snohomish County), the Board determined in that situation that using Snohomish County was appropriate. Board Member McComas pointed out that the patient advocate had not completed their recommendations. Ms. Hardie confirmed the assessment has not been completed. Board Member McComas stated that this was then an update for the Board and that no action needed to be taken on this item.

Ms. Hardie stated that there were still some items for action for the Board as it related to this matter in terms of the current costs until the next Board meeting. Council Member Teitzel pointed out that the patient care advocate, as he understood, was unable to come to the meeting. Ms. Hardie stated that was correct, but that she was certainly open to coming to another [future] meeting. Citizen-At-Large Distelhorst stated that it would be very helpful for her to attend the meeting and have the quote information (that was not able to be provided) along with her recommendations. Ms. Hardie confirmed she would reach out to the patient care advocate about this. Board Member McComas inquired as to whether or not any facilities has been removed from consideration or eliminated based on the patient care advocate's work. Ms. Hardie stated that her understanding is that the patient care advocate does not simply direct the LEOFF 1 member to only facilities of her choosing, as she does take into consideration [to the extent she is able to] his needs, interest and considerations. Additionally, the LEOFF 1 member has wanted to have his friend there when he tours the facilities (which has caused additional schedule conflicts based on his facilities).

Council Member Teitzel stated that for this situation, it seemed to make sense to use a 25 mile radius from the LEOFF 1 member's current location (for quotes). Council Member Buckshnis inquired as to whether that was for all situations going forward or only currently. Council Member Teitzel stated it was only for this situation.

There was further discussion that followed by the Board. Chair Jones stated that, going forward, the patient care advocate would continue to work with the LEOFF 1 member. Council Member Teitzel expressed concern that, given the challenges the patient care advocate has had working with the LEOFF 1 member, whether or not she would be able to complete her assessment for the Board's process. Ms. Hardie stated she was not sure and that she would talk to the patient care advocate, but that she was not sure that a 25 miles range would not necessarily be within her area and how many more places she will be able to find. She explained that she had initially reached out to the LEOFF 1 member and that he was excited, but that as time went on, given the communications with the patient care advocate, that she wasn't sure. Ms. Hardie asked the Board if the patient care advocate received additional information before the next scheduled meeting in July, whether or not the Board would like an interim meeting (another specially called meeting). Chair Jones stated that the Board would need to. Ms. Hardie pointed out that she would need information from the Board on dates for the meeting so she could find a time that works for the patient advocate to attend the meeting as well.

Council Member Buckshnis inquired as to why this [situation] has taken over a year to be resolved at this point. Ms. Hardie stated that it has been a challenge getting the information from the LEOFF 1 member. Board Member McComas stated that the member never came to the Board until after he had been at the long term care facility for

over 6 months. There was further discussion that followed by the Board about this situation, including the second medical evaluation opinion that the Board sought and obtained in this situation.

Council Member Teitzel asked whether or not it was true that the patient care advocate would not receive a “dime” [from the facility] if the LEOFF 1 member does not move to another facility (within her recommendations that she is contracted with). Ms. Hardie confirmed this was correct.

Ms. Hardie asked the Board what they would like to do [as in next steps]. Chair Jones stated that the Board would have to wait to make a decision without further information. There was further discussion that followed by the Board. Ms. Hardie stated that, if she understood what the Board had discussed the Board wanted her to reach out to the patient care advocate and request that she provide 3 recommendations of quotes for facilities to the Board that could be provided by her (in person) at the next Board meeting. Ms. Hardie clarified that it wasn't a “deal breaker” if the patient care advocate's recommendations included facilities that the LEOFF 1 member may not have visited. The Board seemed to be in agreement that this was not an issue.

The Board look at possible dates for the specially called Board meeting for June 2018. Ms. Hardie requested that the Board also make a motion (if they were included) to approve the June 2018 costs at the long term care costs (which are paid at the beginning of the month) for \$10,912 per month based on medical necessity. Ms. Wagener pointed out that, even with a specially called meeting in June, if the LEOFF 1 member was moving to another facility, there would be overlap and he would likely not be moved from the facility [by the end of] June.

**Council Member Buckshnis made a motion to approve the facility charge for the LEOFF 1 member of discussion in the amount of \$10,912 for the month of June 2018. Council Member Teitzel seconded the motion. The motion carried.**

Ms. Hardie stated she would notify the Board members of the June specially called meeting date once she had a date that worked for the meeting also based on the schedules of the Board members.

## **REQUESTS FOR REIMBURSEMENT**

### **Assisted Living/Nursing Care expenses for a current LEOFF 1 member using (additional expenses as part of the monthly bill) - \$682.50 per month**

Ms. Wagener explained that this expense has not been authorized by the Board (since October 2017) and is for additional costs (such as a mattress, incontinence supplies and nutritional supplements) for the LEOFF 1 retiree of the previous discussion who is at a long term care facility. The costs are approximately \$682.50 per month (depending on the amount used per month) which is in addition to the facility charge of \$10,912 per month.

As directed by the Board at the 3/5/18 specially called meeting, Ms. Wagener explained that she had talked to the friend authorized to help the LEOFF 1 retiree and informed him of the specific additional information requested by the Board including medical necessity from the LEOFF 1 retirees' attending physician indicating: 1) whether or not the particular mattress was needed (or if there were other mattress options that could also be used and what the cost would be) and, 2) the need for the nutritional supplements. The additional information provided to the Board for review at the meeting may not be sufficient for the Board's review as it does not contain information about the mattress (as requested by the Board) and Ms. Wagener stated that she had notified the LEOFF 1 retiree's friend that this may not be sufficient. It should be noted that there has been a continuous pattern of the Board needing additional information of medical necessity of the LEOFF 1 retiree and HR staff requesting this specific information in writing and over the phone (including with the authorized LEOFF 1 retiree and/or friend) with the resulting requested information not being submitted (which has repeatedly delayed the reimbursement consideration process for the Board).

Ms. Wagener indicated that there may be enough medical information that has been provided for the Board to consider reimbursement approval of the nutritional supplement cost and that this expense is no longer being charged as it is no longer being used by the LEOFF 1 retiree.

There was further discussion that followed by the Board about this issue. Citizen-At-Large Distelhorst inquired as to whether or not there was a cost comparison of other available mattresses that had been provided. Ms. Wagener stated that this is part of the information that has not been provided that was specifically requested of the LEOFF 1 retiree and/or authorized friend. There was a question that was raised about HR communicating with the medical care provider about the medical necessity of the mattress. Ms. Hardie stated that this has been a “gray” area for the City and that there is limited information that can and may be provided based on HIPAA laws. This is why HR communicates directly with the LEOFF 1 member (and any legally authorized individuals- as authorized by the LEOFF 1 retiree) for the requested medical information. Ms. Hardie clarified that we have a signed authorization by the LEOFF 1 retiree that allows the HR staff to communicate about this with the friend who his assisting him.

**Council Member Teitzel made a motion to approve the costs for the nutritional supplement for the period October 2017 through the ending period that the supplement was used for the LEOFF 1 member of discussion based on medical necessity.** Ms. Hardie clarified that there was also hair and beauty costs which the Board has not approved reimbursement for in the past and the incontinence supplies in addition to the mattress monthly charge. **Chair Jones seconded the motion. The motion carried.**

Ms. Hardie stated that HR staff would again follow up with the LEOFF 1 retiree and authorized friend and remind them about submitting the information on the mattress as requested by the Board.

The Board expressed concern that the information requested of the Board does not appear to be submitted in order for proper consideration of reimbursement.

#### **Pre-authorization for Hearing Aids purchase - \$4,900.00**

Citizen-At-Large Distelhorst stated that he had read the letter of 3/28/18 from the Everett Clinic submitted with this request and that he understood that this hearing aid had connectivity capability with TV and blue tooth which seemed to be above the level of medical necessity for reimbursement purposes for the LEOFF 1 member of discussion. Council Member Buckshnis stated that she thought that as well. Ms. Hardie asked Ms. Wagener if the last request for purchase of hearing aids that came to the Board also had similar features such as a remote. Ms. Wagener stated that the remote was not built into the price quote provided by that LEOFF 1 member for that reimbursement request and the Board determined it was not eligible for pre-authorization approval without further information provided for the Board to consider specific to medical necessity. The LEOFF 1 member was contacted about providing additional information for the Board to further consider for reimbursement purposes, but it was not provided.

Ms. Hardie stated that it appeared, based on the information, that Costco has a model [that may be viable], but not the prescribed model that the LEOFF 1 retiree of discussion is requesting pre-authorization of reimbursement for purchase of by the Board. Council Member Buckshnis stated that Costco does not necessarily provide a “Cadillac” version. Ms. Hardie further explained that a copy of the Board’s Hearing Aid policy was also attached for the Board’s reference.

Council Member Buckshnis requested clarification as to what the Board was determining with this situation; the policy for hearing aids or pre-authorization for purchase of hearing aids for the LEOFF 1 member of discussion. Ms. Hardie stated that she brought up the policy because the policy states,

- *The reimbursement cost for the purchase of hearing aids will be based on the current rates charged by Costco. The purchase of hearing aid insurance and/or a warranty at time of purchase is also required and will be reimbursed by the Board. Additionally, if any member does not have a Costco membership and a membership is required to purchase the hearing aids (which have been approved for purchase by the Board), the Board will provide a reimbursement for the cost of the annual membership for the LEOFF 1 retiree.*
- *HR staff has the authority to process Board pre-approved hearing aid purchase requests for reimbursement with the appropriate supporting documentation from a licensed physician and/or hearing specialist up to the current rate charged by Costco for hearing aids.*

Ms. Hardie stated that the information provided may be outside the policy as no information was provided as to the Costco price, which is why it was brought before the Board. Council Member Buckshnis stated she would treat this reimbursement consistent with the Board policy (up to the Costco rate) and anything above that cost such as for connectivity would be paid for by the member. Board Member McComas asked for further clarification as to what that meant. Council Member Buckshnis stated that as time goes by, more individuals would need hearing aids, the policy notes reimbursement based on Costco rates and that she wanted to ensure consistency with policy. Board Member McComas pointed out that Costco does not have the model prescribed and how does the Board handle this. Council Member Teitzel stated that Costco may not carry the particular model but may carry that brand and that his question is that the LEOFF 1 member has been diagnosed with hearing loss and whether or not the Costco model would suffice for the LEOFF 1 member. Ms. Hardie pointed out that with previous requests for reimbursement and/or pre-authorization for the purchase of hearing aids requests that have come before the Board, if they were not the Costco model, information as to the medical necessity has been provided by the LEOFF 1 members. There have also been more than one situation that has occurred that, when the LEOFF 1 member is reminded of the policy and provides this information to their medical care provider (not a Costco hearing aid provider), there has been a reduction in the cost of the hearing aid prices for hearing aid pre-authorization and reimbursement request when resubmitted to the Board. Citizen-At-Large Distelhorst and Council Member Teitzel wondered if a hearing aid model that Costco carries (as they may likely carry this brand) would appropriately (100%) suffice for the purpose of medical necessity for the LEOFF 1 member to use as this information has not been provided. He further stated that the diagnosis provided from the doctor was a common age related hearing loss diagnosis. There was further discussion that followed by the Board.

Ms. Hardie stated that, as she understood based on the Board's discussion, that the Board would like HR staff to: 1) reach out to the LEOFF 1 member and notify the member that the Board would like additional information about whether or not Costco had a viable hearing aid that could be used, and 2) what the cost would be and if not, for the LEOFF 1 member to provide additional information as to the medical necessity (such that a Costco model was not appropriate). Board Member McComas stated that he agreed that the Board should not be purchasing connectivity technology, but the member should provide information as to the medical necessity of the model being requested for reimbursement pre-authorization. Citizen-At-Large Distelhorst stated that if the medical care provider could refer a similar model [that may be available at Costco] that would be helpful to the Board. He would like to see Costco's version of that hearing aid. Board Member McComas stated that they do not carry that model. Citizen-At-Large Distelhorst stated that he wanted to see information on a model that is analogous to what Costco covers.

There was some discussion that followed by the Board and Board Member McComas expressed some frustration that this had "already been discussed" and that the Board was "done discussing this [topic]." Ms. Hardie requested that Chair Jones call a point of order to the meeting to bring back order to the meeting. Chair Jones requested what amount needed to be authorized.

Ms. Hardie stated that, as she understood from the Board, the HR staff (as previously noted, would reach out to the LEOFF 1 member and communicate that the) LEOFF 1 member was going to go back out and find a similar brand (Phonac?) to what the doctor has prescribed available at Costco and find out what the cost is and provide this information to the Board for further reimbursement consideration. If this information is received before the specially called meeting, the Board could reconsider this in June (depending on the immediacy of the need). If there is not a similar model available at Costco, if the LEOFF 1 member provided information from the medical care provider as to the medical necessity (for that make and model), the Board would reconsider the request. The Board stated they would further review the information when received from the LEOFF 1 member.

Board Member McComas expressed further frustration that this was getting "ridiculous" to equate a price as to what has been prescribed by a medical professional and inappropriate in his opinion. Council Member Teitzel stated that he did not believe this was correct and that the medical care provider did not prescribe, but recommended this device and that there are other devices that the medical care provider could recommend. Council Member Buckshnis agreed. Board Member McComas stated that the Board should request that information [of the LEOFF 1 member] and that he should not try to "berate" that member of discussion. Council Member Buckshnis stated that no one [on the Board] was berating the LEOFF 1 member of discussion and that the Board was trying to be consistent the policy in place so that LEOFF 1 members understand what is acceptable for future pre-authorizations

and reimbursements for hearing aids. Board Member McComas stated that he understood this, but that he was “on record” for disagreeing with this “Costco” comparison. Citizen-At-Large Distelhorst inquired as to whether or not Board Member McComas was disagreeing that Costco should be used as a basis for comparison. Board Member McComas confirmed and stated that Costco was a “giant marketing chain.” Council Member Teitzel inquired as to whether or not Board Member McComas was suggesting that the Board revise the policy. Board Member McComas stated that he never agreed with the Costco comparison for analysis. Ms. Hardie again requested that the Chair call a point of order for the Board to move through the rest of the agenda items for the meeting.

Ms. Hardie clarified that, if there is a comparable model at Costco and it is within the policy parameters that the LEOFF 1 member provides before the next Board meeting, that the HR staff could let the LEOFF 1 member know that this was pre-authorized. Board Member McComas stated that the LEOFF 1 member likely was close to 70 and living with hearing aid loss for a long time and this was not urgent. Ms. Hardie stated that she brought this up because there have been times with the LEOFF 1 members simply cannot hear and cannot wait and this was a concern as to the urgency.

#### **Reimbursement for ear mold cost- \$79.98**

Chair Jones inquired as to whether or not this was a different member and Ms. Hardie confirmed that it was. Ms. Wagener stated that additional information has been requested of the LEOFF 1 member but has not yet been received (as to medical necessity). Ms. Hardie explained that, in the past, the Board has approved ear mold reimbursement costs for members, but that it is not included in the policy. There was discussion about batteries being included for reimbursement in the policy. Ms. Hardie stated that ear molds could certainly be included in the policy.

There was further discussion that followed by the Board about the ear molds. Council Member Buckshnis stated that she didn’t see any issue with including ear molds in the policy since every member had different ears and that you would want the best fit and it is an important aspect of hearing. Council Member Buckshnis stated that she thought the policy should be updated as well and Ms. Hardie stated that was next on the agenda. **Chair Jones made a motion to approve the reimbursement cost for the ear molds in the amount of \$79.98 based on medical necessity Council Member Teitzel seconded the motion. The motion carried.**

#### **Update of Hearing Aid Reimbursement Policy**

Chair Jones inquired as to which policies the Board needed to review at this time. Ms. Hardie stated that it was just the Hearing Aid policy, but reminded the Board that all of the policies are to be reviewed annually at (the regularly scheduled meeting). **Council Member made a motion to add the costs of the ear molds reimbursement should be added to the Hearing Aid Policy. Chair Jones seconded the motion. The motion carried.** Ms. Wagener stated that the other changes to the policy were based on the Board’s previous request.

Ms. Hardie stated that she would send the Board another copy of the policies for the July (regularly scheduled) Board meeting.

#### **OTHER**

##### **Shingrix vaccine.**

Ms. Wagener explained that she talked to AMWINS (the City provided LEOFF 1 Medicare supplemental insurance provider) and they confirmed that the new Shingrix vaccination was covered with a \$25 prescription co-pay for each time they receive a vaccination (there are 2).

**Chair Jones adjourned the meeting at 10:35 am.**