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CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID
CONSUMER RIGHTS AND CLIENT NEEDS
TECHNICAL ADVISORY COMMITTEE MEETING

Via Videoconference
January 10, 2025
Commencing at 10:03 a.m.

Shana W. Spencer, RPR, CRR
Court Reporter

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APPEARANCES

BOARD MEMBERS:

Emily Beauregard, TAC Chair

Miranda Brown

Arthur Campbell, Jr. (not present)

Brenda Mannino (not present)

Melanie Tyner-Wilson

Christy Hardin (not present)

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P R O C E E D I N G S

CHAIR BEAUREGARD: I appreciate everyone joining us today. This is a special called meeting of the Consumer Rights and Client Needs TAC. And it's specifically to discuss the Beneficiary Advisory Council, the development of that council, the design of the Beneficiary Advisory Council, and what kind of recommendations we wanted to put forward.

So I will go ahead and -- Miranda, unless you have something else that you'd like to also raise for the meeting, I can go ahead and share the recommendations that I came up with after our last conversation.

I thought we had a good presentation and discussion -- a good presentation from the Department for Medicaid Services, a good discussion about, you know, the relationship of the Consumer TAC to the BAC.

And, you know, with the experience that we have as a Consumer TAC working with people who have lived experience as well as with advocates, I think we have a lot of good experience to draw on as we think about how

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the BAC should be designed and supported by Medicaid. So I took all of that kind of into consideration as I was putting together recommendations.

The first recommendation would be that the BAC conduct meetings that are open to the public at least four times a year but not be required to follow public meeting laws to allow flexibility for planning meetings and technical assistance.

And I'm proposing that recommendation because we've had the experience of being told that, you know, the Consumer TAC members cannot meet and have discussions that are not public in essentially, you know, the format that we are now.

And I think for beneficiaries and family members, there will be times that they want to have, you know, discussions offline and be able to just, you know, really learn about an issue before they conduct a meeting. So that's my first recommendation.

The second recommendation would be that the BAC and MAC should adopt a formal policy on accessibility and accommodations to

1 support meaningful participation. And these
2 accommodations should include but not be
3 limited to language services, personal
4 assistance. And I was going to actually ask
5 other members of the TAC if we should include
6 anything else there or just say "and other
7 types of supports."

8 So, Miranda, you may have thoughts
9 there. I know language services and personal
10 assistance have come up quite a bit.

11 MS. BROWN: Right.

12 Hi, Melanie.

13 CHAIR BEAUREGARD: We could say
14 "and other types of supports as needed," or
15 we could be -- oh, hey, Melanie. Good to see
16 you here.

17 MS. BROWN: Sorry, Emily. I was,
18 like, sending the link to the email because I
19 saw Melanie had responded asking for it.

20 CHAIR BEAUREGARD: Oh, okay.

21 MS. TYNER-WILSON: I was madly
22 searching, trying to find the link, so I
23 found it. Thank you, though. I appreciate
24 that.

25 CHAIR BEAUREGARD: At this point,

1 we need one more TAC member to join us. And
2 if Brenda is, you know, just working on
3 getting the link straightened out, do you
4 think that we should wait, Erin?

5 MS. BICKERS: She just emailed me
6 back, and she's saying without a meeting ID
7 on her app, she can't attend. And I've sent
8 her everything that I have, so I'm not -- I'm
9 not sure. But I will keep trying to assist
10 her and get her -- and get her into the
11 meeting.

12 MS. TYNER-WILSON: Awe. Thank you.

13 CHAIR BEAUREGARD: Okay. Yeah. I
14 was just looking at the invite that you sent.
15 I don't see an ID, but I do see a password.
16 Do you think that's what she needs?

17 MS. BICKERS: I'm not positive. I
18 forwarded her the link and copied and pasted
19 everything I have.

20 MS. FITZPATRICK: It might be the
21 conference code.

22 MS. BICKERS: I may have to get
23 into the Zoom link, maybe, which screen
24 sharing I currently can't do. So I'm not
25 positive. I know she's had some issues in

1 the past and -- but has been able to join
2 recently. So I'll keep working on it.

3 CHAIR BEAUREGARD: Okay. Well, and
4 I know I kind of jumped --

5 MR. VERRY: Would it be
6 acceptable -- sorry, guys. Would it be
7 acceptable to her or you all to have her
8 phone in rather than on the Zoom call itself?

9 CHAIR BEAUREGARD: It's perfectly
10 acceptable to me, but public meeting rules do
11 require that if we are to vote and conduct
12 official --

13 MR. VERRY: Okay. Understand.

14 CHAIR BEAUREGARD: -- business, she
15 has to be on video. We have to be able to
16 see her when we take that vote. But for
17 participation alone, my preference would be
18 that she's at least able to listen in --

19 MR. VERRY: To see.

20 CHAIR BEAUREGARD: -- and speak.
21 Yeah, absolutely. And if we end up not
22 having a quorum, then, you know, the
23 recommendations that we discuss today I
24 believe can still be considered by the
25 Department for Medicaid Services. They just

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won't be official recommendations that go through the MAC.

And maybe rather than reading through what I -- I was, you know, trying to think about how to handle this if we don't have a quorum. But I think we should probably take a step back. We may end up getting a fourth member to join.

And if someone from DMS -- I know that Deputy Commissioner Veronica Judy-Cecil is here and other folks as well. If you all could just maybe give us a little bit of an update on where things are with the development and the design of the BAC, that might be the best thing to do before we proceed to discussing recommendations.

And I know that, you know, there were two public forums. There was a survey that you all put out to stakeholders. It would be great to know, you know, what information you've collected so far, what you're doing with that information, and where you are in the process of actually drafting legislation.

MS. JUDY-CECIL: Good morning.
This is Veronica Judy-Cecil, Senior Deputy

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Commissioner at Medicaid. We are still distilling the information into a format that we could -- we'd like to release publicly. And that is our intent, is we want to provide the key takeaways from the survey and from the findings. We -- but we're not in a position to do that yet.

We did have over 600 -- sorry. I wasn't really prepared with all the information, but we did have over 600 responses. And we appreciated the fact that people were really thoughtful about, you know, giving us specific recommendations. And so we have collected those.

The legislation is in draft and being further revised based on the input. It's not in a -- I'm not in a position to share that yet because it is draft. But I'm certain that, you know, once that's in a good place, we'll certainly want to share those with folks.

All that's kind of happening also, I think, very quickly with the governor's office and making sure that we can find a sponsor and get that filed in the short

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session.

So we'll do our best to try to keep folks updated on that. It may be happening faster than we could do that. But once we get confirmations and a final document, you know, we will get that out to folks.

So I don't -- I don't really have specific, you know, information about that feedback. Our consultant was still sort of putting it in an easy-to-read format for us so that we could go through all of the raw comments. And then they're, you know, trying again to organize those in key takeaways.

CHAIR BEAUREGARD: Okay.

All right. Well, thank you for that update. And, yeah, it would be great to see the draft legislation once it's in a place to share.

Any questions, Miranda or Melanie?

MS. TYNER-WILSON: I was just so -- I mean, 600 people responding --

CHAIR BEAUREGARD: Yeah. That's fantastic.

MS. TYNER-WILSON: -- that is powerful. And I'm so -- I know it's probably a lot to distill and make into some sense of,

1 you know, tabulation and everything. But
2 that just shows me that there's so many
3 people that truly want to have a voice, and I
4 love that. I just think that's so powerful.
5 I sent it out --

6 CHAIR BEAUREGARD: And for that to
7 happen over the holidays.

8 MS. TYNER-WILSON: Yes. And the
9 snow.

10 MS. JUDY-CECIL: Yes. Well, and I
11 should say that we had a really great
12 representation across all the various
13 interested parties. We had really great
14 member input.

15 MS. TYNER-WILSON: Awesome.

16 MS. JUDY-CECIL: And that was
17 exciting for us because, you know, that's
18 really who we are here to serve. And so to
19 see that members actually took the
20 opportunity to provide us that input, I
21 think, will make a more successful framework.

22 MS. TYNER-WILSON: Well, I sent it
23 out on all the groups that I had access to,
24 and I said, you know, please share your
25 thoughts and concerns. This is a wonderful

1 opportunity. So I'm hopeful that you got
2 representation from a wide range of
3 individuals. And, usually, if it's coming
4 from my lens, it's going to probably have a
5 focus on either self-advocates, caregivers of
6 individuals with intellectual and
7 developmental disabilities, or just
8 disabilities in general.

9 So thank you for being so welcoming for
10 receiving those comments. It means a lot.

11 MS. JUDY-CECIL: Well, thank you
12 all for sharing it. It certainly made it a
13 more -- I think a more robust response, so
14 thank you.

15 CHAIR BEAUREGARD: Yeah. And,
16 Melanie, I was saying right before you hopped
17 on that I had emailed -- if you haven't seen
18 your email from just --

19 MS. TYNER-WILSON: Oh, I'm trying
20 to find it now. I just thought I saw --

21 CHAIR BEAUREGARD: Just about 10:00
22 a.m., I had emailed TAC members with my
23 proposed recommendations for today. It was a
24 little lengthy, and I thought it would be
25 easier for you to follow along if it was just

1 in front of you on the screen, especially
2 since this is a short meeting. So just be
3 aware that those are in your email.

4 MS. TYNER-WILSON: Okay.

5 CHAIR BEAUREGARD: And if we're
6 ready at this point, I can talk through those
7 proposed recommendations. Of course, I'd
8 want to hear recommendations that you all
9 would like to bring forward as well.

10 But I was really hoping that Arthur
11 would be able to join us this morning because
12 I know that he wanted to also kind of
13 continue this conversation. I was thinking
14 maybe we could buy some time, and he would
15 hop on here. I don't see him yet.

16 MS. TYNER-WILSON: You're stalling.
17 Is that what you're saying? I love that.

18 MS. BICKERS: Emily, I tried to
19 pull the email up on the screen.

20 CHAIR BEAUREGARD: Oh, great.

21 MS. BICKERS: Can you see it? It's
22 kind of small.

23 CHAIR BEAUREGARD: I can see it.
24 It's very small.

25 MS. BICKERS: Okay.

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CHAIR BEAUREGARD: But yeah,
it's -- and it's absolutely fine for you to
share that. I will still read through them
if that's okay. Does anybody have any other
preference for how we do this?

(No response.)

CHAIR BEAUREGARD: Okay. So I'm
just going to go back to that first
recommendation that you missed, Melanie,
which is that the BAC should conduct meetings
that are open to the public at least four
times a year but not be required to follow
public meeting laws to allow flexibility for
planning meetings and technical assistance.

And today's meeting is actually a really
good example. Public meeting laws means that
people have to be on camera, and we have to
have that quorum in order to conduct
business. Whereas, that wouldn't be a
requirement if we weren't following those
public meeting rules.

My second recommendation is that the BAC
and MAC should adopt a formal policy on
accessibility and accommodations to support
meaningful participation. These

1 accommodations should include, but not be
2 limited to, language services, personal
3 assistance. And I just have a dot, dot, dot
4 here. I wanted to ask for input from you all
5 about any additional accommodations that we
6 should list out. We could also just say "and
7 other supports as needed."

8 MS. TYNER-WILSON: One of the --
9 can I jump in and say something?

10 CHAIR BEAUREGARD: Yes, please.

11 MS. TYNER-WILSON: Those are
12 awesome, and I agree 150 percent with those.
13 I would like to make sure that we also
14 include -- because we have a large group of
15 individuals that are nonverbal or
16 nonspeaking.

17 And so, you know, having a category, a
18 means for them to be -- to be considered, you
19 know. And that would either be through their
20 augmentative assistance technology device or,
21 like, how Arthur has a wonderful staff member
22 that helps to interpret what he is saying.

23 But especially when somebody that has no
24 ability to communicate and is nonspeaking and
25 nonverbal, to make sure that we have a path

1 for them to be able to participate, whether
2 it be through augmentative assistance or a
3 caregiver sharing that information on with
4 the group. Does that make sense?

5 CHAIR BEAUREGARD: Could -- so
6 personal assistance, I think, could address
7 part of that. Would communication supports
8 be --

9 MS. TYNER-WILSON: Yes. Yeah.

10 CHAIR BEAUREGARD: Okay. I will
11 add "communication supports."

12 MS. BROWN: Would it be necessary
13 to add assistive devices or not? Just
14 communication supports is enough?

15 MS. TYNER-WILSON: It's just --
16 that's just, like, a vehicle. Because some
17 people use kind of like what Arthur uses, is,
18 I think, the gentleman writes it out and/or
19 has an alphabet or something there for him to
20 be able to point.

21 And augmentative assistance devices are
22 basically something that follows along those
23 same lines, but they're a little bit more
24 technologically advanced, you know, so --
25 and we're starting to see more individuals

1 have that, use that kind of device to be able
2 to communicate.

3 CHAIR BEAUREGARD: Yeah. This
4 would be a good question, in some ways, for
5 Arthur. I don't -- I don't think that
6 there's necessarily a wrong way to do this.
7 In some ways, you don't want to be too
8 prescriptive.

9 MS. TYNER-WILSON: Yeah.

10 CHAIR BEAUREGARD: You know, I
11 think we could get as specific as we want to.
12 But we could also leave it relatively broad
13 with the expectation that when we say, you
14 know, meaningful assistance and other
15 supports as needed, that it kind of captures
16 those things. But I did -- I did add in
17 communication supports. We could also say
18 "supports and resources as needed" --

19 MS. TYNER-WILSON: Okay.

20 CHAIR BEAUREGARD: -- if that seems
21 like it could capture things like devices.

22 MS. BROWN: I like that.

23 CHAIR BEAUREGARD: Okay.

24 All right. So I've updated that. And I
25 can -- once we've had more of a discussion

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about these, we can read through them again to -- well, we may not vote. We'll see -- but for the record.

The next recommendation is that DMS should work with the Consumer TAC to create a BAC nomination/application form and process for selecting BAC members.

MS. TYNER-WILSON: I think that's an excellent -- that's great.

CHAIR BEAUREGARD: Great.

The fourth is that DMS should provide dedicated staff support with one or more DMS policy staff assigned to support BAC members with individual technical assistance between meetings.

MS. TYNER-WILSON: That's awesome.

CHAIR BEAUREGARD: And you all stop me if you want to discuss any of these.

The fifth is that the BAC should have staggered terms of a minimum of three years and a maximum of six years to allow members to develop and share expertise. For BAC members selected to serve on the MAC, their term should be extended.

The sixth one is that DMS should ensure

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that BAC members are offered reimbursement for expenses and compensation/stipends for their time modeled after standard boards and commissions.

So we know that compensation and stipends are already something that Kentucky does quite regularly in state government, but that is not something that we've done historically with the MAC and TACs.

The seventh one is that the BAC should include a minimum of 25 members with 7 of those members nominated by the existing organizations that make up the Consumer TAC.

And then I listed out those organizations. They're the ones that have nominated us to serve on the TAC at this time. And I won't read them all, but they're there.

The eighth would be that the additional 18 members of the BAC should include a diverse range of representation based on -- and I listed out geography, age, race and ethnicity, sex and gender, LGBTQ+, disability, language, physical, behavioral, and oral health needs.

1 And very open to adding other categories
2 here. Those were the ones that came to my
3 mind.
4 MS. TYNER-WILSON: Those are good.
5 CHAIR BEAUREGARD: Any thoughts on
6 that?
7 MS. TYNER-WILSON: It's a -- I
8 mean, it's so comprehensive, I don't -- just
9 from reading that, I don't see anything --
10 anyone that would have been left out because
11 you've got -- is aging on there, too?
12 CHAIR BEAUREGARD: I have age as a
13 category but not aging, yeah.
14 MS. TYNER-WILSON: Okay. Okay.
15 CHAIR BEAUREGARD: So just
16 diverse -- diversity and age.
17 MS. TYNER-WILSON: Yep. Okay.
18 CHAIR BEAUREGARD: Do you all
19 have --
20 MS. TYNER-WILSON: And just to go
21 back to the other one about -- is there an
22 ability to reimburse -- you know, I'm happy
23 to do things as a volunteer. But is there
24 even anything attached that would allow for
25 individuals to participate and be compensated

1 for their time?

2 CHAIR BEAUREGARD: You know, I
3 think that's a good question for DMS.

4 MS. TYNER-WILSON: Okay.

5 CHAIR BEAUREGARD: I do believe
6 that the State has boards and commissions in
7 which they do compensate -- you know, they
8 reimburse for expenses. They compensate for
9 time, but that's just not been the case in
10 the MAC and TACs.

11 MS. JUDY-CECIL: Yeah. I can't
12 speak to that. We would have to research it.

13 MS. TYNER-WILSON: Yeah.

14 CHAIR BEAUREGARD: Okay. And I
15 think this is a practice that's happening
16 much more -- you know, much more regularly
17 now than it has in the past. There's been, I
18 think, more appreciation and sort of
19 attention to the fact that we need to, you
20 know, value people's time, especially
21 whenever it's someone who may be making
22 trade-offs with their time and, you know,
23 having to decide if they are able to really
24 commit to something like this. And this
25 would be one way to, you know, incentivize

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that but also just really make sure that people feel like their time is valued.

And one thing we don't want to do is make that a mandatory thing, where people are paid, and it could put them over the limit of being eligible for Medicaid or some other program that they're participating in. But to offer compensation or a stipend, I think, would be useful.

And there have been some models even -- I know with the Cabinet for Health and Family Services, maybe not Medicaid specifically, where non-profits have, you know, actually paid the stipend or been the ones to compensate members for their participation.

So -- Miranda, thank you for that. I was just looking in the comments. Okay. I can make that correction there.

MS. BROWN: I thought it would be easier to write it out.

CHAIR BEAUREGARD: Yeah. I took the list directly from our website, though, or the Web page, the Consumer TAC Web page. So it may be that that also needs to be -- I mean, it's not our organizations. It's the

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organization that nominated us.

MS. BROWN: And the networks.
Well, there isn't an organization called
Kentucky Legal Services --

MS. JUDY-CECIL: Yeah. That's the
statute. That's what the statute says, so we
can't change what the statute says without a
statutory change. So we put -- you know, I
think what we tried to do was find the
organization most --

CHAIR BEAUREGARD: That fits that.

MS. JUDY-CECIL: Yep, yep.

CHAIR BEAUREGARD: Yeah. So what I
think I'll do, then, is where it says -- yes.
I'll do just a -- oh, gosh. What did I do
there? I'll just add in, in this case,
office of legal services programs as an
addition maybe in parentheses.

MS. BROWN: It's not a huge change,
but yeah. Just so you have the actual legal
name of the organization for future
incorporation into whatever it needs to be
incorporated into.

CHAIR BEAUREGARD: Okay. Yeah.
But I think -- yeah. It's one of those

1 things that we don't think about very often.
2 And when I revisit it, I'm always a little
3 bit rusty on exactly how some of those
4 decisions were made and how these things were
5 put into statute.

6 So as far as the recommendations go,
7 does this seem like something that we want to
8 put forward even if it's not official through
9 voting? Are these in good shape? Do you all
10 have other thoughts, additional
11 recommendations that you'd like to make?

12 MS. TYNER-WILSON: No. I think
13 these -- they're very comprehensive, and
14 thank you for taking the time for completing
15 that.

16 CHAIR BEAUREGARD: Yeah.
17 Absolutely. You know, between the last
18 meeting and then completing the survey,
19 participating in the public forum, it gave me
20 some time to really think through what our
21 recommendations should be. So it's been a
22 good process.

23 Erin, would it be helpful for you or for
24 the court reporter for me to repeat these
25 again? Or can I just take the edits that

1 I've made and put them in another email so
2 that you have the final recommendations?

3 MS. BICKERS: Veronica, I'm going
4 to defer to you on that one.

5 MS. JUDY-CECIL: Sorry. I was
6 trying to get (inaudible) going and audio
7 back on.

8 We can note in the record that you're
9 going to be sending the recommendations.
10 That's why people can't --

11 CHAIR BEAUREGARD: Just so that I
12 don't have to put people through that again.

13 MS. JUDY-CECIL: You can't vote on
14 them. Yeah. I mean, you can't vote on them
15 so --

16 CHAIR BEAUREGARD: Exactly.

17 MS. JUDY-CECIL: But we still would
18 like to get that feedback as part of our
19 collection of feedback for the new BAC.

20 CHAIR BEAUREGARD: Okay. That's
21 great. That's what I'll plan for, then.

22 MS. BICKERS: Thank you, Veronica.

23 MS. JUDY-CECIL: Thank you.

24 CHAIR BEAUREGARD: And as far as
25 our representation at the next MAC meeting, I

1 actually don't have that meeting date in
2 front of me. Erin, do you know when it is?

3 MS. BICKERS: It's the 23rd.

4 CHAIR BEAUREGARD: The 23rd of
5 January; is that right?

6 MS. BICKERS: Yes, ma'am.

7 CHAIR BEAUREGARD: I will be
8 traveling out of the country at that time.
9 Miranda, I should have asked you this in
10 advance. I just hadn't thought of it. But I
11 think you are technically vice-chair. Would
12 you be able to attend that meeting and take
13 the recommendations from our December meeting
14 to the January MAC meeting?

15 MS. BROWN: Remind me. Is it at
16 10:00 in the morning? What's the time?

17 MS. BICKERS: 9:30 to 12:30.

18 MS. BROWN: 9:30 to 12:30. Yes. I
19 can do that.

20 CHAIR BEAUREGARD: And, generally,
21 the TACs report out around 11:00 or after.

22 Would you say that's about right, Erin?

23 MS. BICKERS: Ish. Depending on
24 how quickly we move through some of the
25 topics at the top. I was going to say about

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mid-meeting so --

CHAIR BEAUREGARD: But not for the first hour and a half at the very least.

MS. BICKERS: Not typically.

CHAIR BEAUREGARD: I would really appreciate it if you could do that, Miranda, and I apologize that I didn't think about that sooner.

MS. BROWN: Yeah. I can do it.

CHAIR BEAUREGARD: Thank you.

MS. BICKERS: Miranda, I will get you the invite, so it's on your calendar.

MS. BROWN: Thank you, Erin.

CHAIR BEAUREGARD: The meeting schedule that we have for 2025 is here on the agenda, and I think everyone has the calendar invites from Erin.

I will say that depending on decisions made about the BAC, it could be that this changes if the BAC ends up kind of assuming what the TAC has been doing and replacing that.

And it may be that as, you know, current Consumer TAC members, we end up participating in the BAC either officially or unofficially

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on their meeting schedule. So just keep that in mind.

But for now, I would say keep these dates on your calendar until we know more about what the BAC is going to look like and when those meetings will be happening.

All right. Well, I appreciate everyone's time. I haven't looked outside to see if the snow has started here yet, but please stay safe and warm and have a good weekend. Bye, everyone.

(Meeting concluded at 10:32 a.m.)

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C E R T I F I C A T E

I, SHANA SPENCER, Certified
Realtime Reporter and Registered Professional
Reporter, do hereby certify that the foregoing
typewritten pages are a true and accurate transcript
of the proceedings to the best of my ability.

I further certify that I am not employed
by, related to, nor of counsel for any of the parties
herein, nor otherwise interested in the outcome of
this action.

Dated this 13th day of January, 2025.

/s/ Shana W. Spencer

Shana Spencer, RPR, CRR