



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Estelle Clemons
Interim Director, Human
Services

SUBJECT: Multipurpose Senior Service Program
FY 2022-2023 Standard Agreement

DATE: June 21, 2022

City Administrator Approval

Date: Jun 23, 2022

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution:

1. **Authorizing The City Administrator To Apply For And Accept A State Of California Standard Agreement In The Amount Of \$1,976,364 And Enter Into Agreement Number Ms-2223-01 With The State Of California Department Of Aging (CDA) For The Multipurpose Senior Services Program (MSSP) For Fiscal Year (FY) 2022-2023; And**
2. **Waiving The City's Competitive Procurement Process And Authorizing The City Administrator To Procure MSSP Related Goods And Award Professional Services Agreements To Private Entities For FY 2022- 2023; And**
3. **Adding 1.00 Full Time Equivalent (FTE) Case Manager I, Increasing From 0.50 FTE To 1.00 FTE Administrative Assistant I, And Increasing From 0.80 FTE To 1.00 FTE Case Management Supervisor In The Human Services Department To Meet CDA Requirements; And**
4. **Authorizing A Contribution From The General Purpose Fund In An Estimated Amount Of \$509,601 For Central Services Overhead Charges; And**
5. **Authorizing The City Administrator To Accept And Appropriate Any Additional Funds That Become Available From CDA Within The Agreement Terms Of July 1, 2022 Through June 30, 2023, For The Same Purposes, And Amend The Standard Agreement With CDA To Increase The Amount**

EXECUTIVE SUMMARY

Adoption of the proposed resolution will allow the City Administrator to apply for and accept funds from the State of California, Department of Aging for the Multipurpose Senior Service Program (MSSP) in the amount of \$1,976,364 for Fiscal Year (FY) 2022-2023. MSSP provides in-home supportive services to over 369 frail, low-income elderly individuals who are at-risk of nursing home placement. Services include case management, the purchase of professional

City Council
July 5, 2022

services, such as emergency response system installation and monitoring and respite for caregivers, goods including non-durable medical devices, and home accommodations necessary for health and safety, among others. The resolution also authorizes, a contribution from the General Purpose Fund in the amount equivalent to the Central Services Overhead Charges estimated at \$509,601.

BACKGROUND / LEGISLATIVE HISTORY

The City of Oakland's Human Services Department, (HSD) Aging and Adult Service Division, empowers seniors and adults with disabilities through life-enriching and life-sustaining programs and services such as MSSP. Oakland frail elders (age 65 and over) have multiple chronic disabilities that put them at risk of early death or institutionalization. MSSP provides culturally appropriate comprehensive case management services to keep Medicare eligible frail elders out of nursing homes, safe and independent in their own homes, increasing their quality of life when they are most vulnerable.

On June 27, 2012, the California Legislature passed, and the Governor signed, two pieces of legislation creating the California Coordinated Care Initiative (CCI): Senate Bill (SB) 1008 (Chapter 33, Statutes of 2012) and SB 1036 (Chapter 45, Statutes of 2012). On March 27, 2013, the Department of Health Care Services (DHCS) and the Federal Centers for Medicare and Medicaid Services (CMS) reached an agreement to implement a dual eligible demonstration project. Under the agreement, DHCS and CMS are contracting with managed care plans (called "Participating Plans") to provide Medicare and Medi-Cal services. The demonstration, known as Cal MediConnect, is a key part of the CCI, and integrates funding streams, health care, and long-term services and support. City of Oakland MSSP was originally selected to be a part of the demonstration, but in November 2014, the California DHCS announced that the CCI would not move forward in Alameda County. As a result, the City of Oakland MSSP maintains the Standard Agreement with the CDA to provide care management services to frail elderly citizens.

In 2021 the Department of Health Care Services (DHCS) and the California Department of Aging (CDA) have submitted an amendment of the Multipurpose Senior Services Program (MSSP) Waiver to the Centers for Medicare & Medicaid Services (CMS) for approval. Major changes to the MSSP Waiver include:

- Adding participant slots and corresponding funding effective January 1, 2022, due to changes in the State Governor's 2021-22 Budget. Effective July 1, 2022, the three-year appropriation that allowed for a rate increase for care management and care management support for the first three years of the Waiver cycle will be made permanent, which results in this update to MSSP's total annual funding.
- Carving the MSSP program out of the 1115 Bridge to Reform Demonstration Waiver known as the Coordinated Care Initiative (CCI). Effective January 1, 2022, all MSSP sites operate under the Fee-For-Service (FFS) methodology.

ANALYSIS AND POLICY ALTERNATIVES

The Citywide priorities advanced by this recommended policy action includes, holistic community safety and housing, economic, and cultural security.

MSSP is funded through a Standard Agreement with the California Department of Aging (CDA), which administers the federal 1915(c) Home & Community-Based Waiver to meet the needs of people who prefer to receive long-term care services and supports in their home or community. The program promotes client self-determination and fosters independent living for frail elders within the least restrictive environment and is a proven, cost-effective alternative to nursing home placement. Using a medical, psychosocial model, the multidisciplinary team of MSSP nurses and social workers ensure seniors who are frail, and disabled are connected to social and health services and other community supports. For 43 consecutive years, the City of Oakland's MSSP has prevented or delayed premature nursing home placement. The goal of MSSP is to prevent or delay nursing placement and provide community support and resources to seniors who are at risk of nursing home care.

MSSP is a Medicaid Waiver, fee-for-service, reimbursement agreement program. To bill MediCal and collect the full \$1,976,364, the City must serve 100 percent of the participant capacity, which is 369 clients per month. This mandate requires adequate staff to meet the caseload ratio of 40 clients to 1 Case Manager. Also, \$158,111 of the funds are designated for the purchase of goods and professional services for the clients.

WAIVER OF ADVERTISING AND BIDDING

Oakland Municipal Code (OMC) sections 2.040.040(B) and 2.04.050 require advertising and competitive bidding for contracts for the purchase of services, supplies, or combinations required by the City. However, OMC section 2.04.050.I provides that City Council may waive advertising and competitive bidding requirements when calling for bids on a competitive basis is impracticable, unavailing, or impossible, or when it is in the best interests of the City.

Oakland Municipal Code (OMC) sections 2.040.040(B) and 2.04.051.A requires the City Administrator to conduct a request for proposals/qualifications ("RFP/Q") process for professional services contracts. However, OMC section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so.

Due to the unique circumstances of this program, obtaining goods and services through the City's normal, competitive process would limit staff's ability to purchase in a cost-effective and timely manner. The CDA funds are used to buy personal care items, appliances, non-medical home equipment, and services such as respite. Due to the specialized nature of what is being purchased, there are a limited number of suppliers, often only a single supplier, who can meet the needs of the clients. The CDA mandates MSSP providers to purchase items in a timely manner *based on client choice*, including brand and vendor. The City bidding process timelines and vendor selection render it challenging to meet the requirements of the CDA Agreement. Therefore, as granted in prior years, staff is requesting a waiver of the advertising and competitive bidding, as well as RFQ/P requirements for the purchase of services or supplies for MSSP participants. This will allow staff to meet the mandate that is both a part of the 1915c Waiver application between CDA, CMS and the City of Oakland's agreement, which states that individuals are given the choice among waiver services and providers. This approach is referred to as Freedom of Choice.

Staff proposes that the City waive the competitive procurement process for purchasing goods and services for MSSP participants and enter into Professional Service Agreements with local

vendors which have a track record that ensures service delivery. This includes the following vendors per service type:

Communication/Emergency Response

Bay Area Vital Link

Lifeline Systems

Chore/Personal Care/Respite

Community Care Services

Home Instead

Communication/Emergency Response maintains and monitors preexisting hardware that has been installed in client homes. It would not be fiscally viable to change these vendors through a Request for Proposals/Qualifications (RFP/Q) process because it would require the purchase and re-installation of equipment that has already been paid for with agreement funds. In addition, the transition period between monitoring and response agencies could potentially put client's health and safety at risk.

Chore/Personal Care/Respite services provided by local agencies deliver a continuum of care for frail seniors, whose in-home workers have established relationships with the clients equivalent to a primary medical care provider/patient relationship. In some instances, the agencies have hired family members, especially for monolingual non-English speaking clients. The agency has gone through a vendor process with those family members to reimburse them as care providers. This process allows clients, many dealing with cognitive issues such as dementia, to receive support from their own family members as stay-home care providers.

FISCAL IMPACT

MSSP is essential to securing a safety net for frail elders of Oakland and ensures their ability to age in the least restrictive environment – their own home. Without MSSP, 369 frail elderly Oakland residents are immediately at-risk of nursing home placement. In addition, fifteen City of Oakland staff positions would be lost.

The proposed resolution also includes the addition of 1.70 full time equivalent (FTE) staff: 1.00 FTE Case Manager I, 0.50 FTE Administrative Assistant I (from 0.50 FTE currently to 1.00 FTE), and 0.20 FTE Case Manager Supervisor (from 0.80 FTE currently to 1.00 FTE), to serve an additional 41 participants per month raising our maximum per month capacity from 328 to 369. Funds designated for purchase of goods and professional services for program participants is \$158,111.

This on-going agreement is funded by the Title XIX, Social Security Act Funds, and the State of California, and City of Oakland General Fund. This funding is included in the City's FY 2021-2023 Biennial Budget and is appropriated in the Department of Health and Human Services Fund (2128), Multipurpose Senior Services Program Organization (75231), Empowering Seniors & People with Disability Program (YS14), and Administration/ Care Management Support Project/Award (100552/23370), Case Management Project/Award (100553/23370), and Waived Services Project/Award (100554/23370).

This MSSP funding augmentation raises the total amount for fiscal year 2022-2023 from \$1,866,599 to \$1,976,364. The annual MSSP per-slot rate is \$5,356 per year. Compared to the San Francisco Bay Area annual nursing home rate of \$182,500, MSSP remains a significant cost saving for taxpayers and provides a more community-centered set of services.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Project Delivery	\$ 1,818,253
Professional Services	\$158,111
Contracts/Purchases	
TOTAL PROJECT COSTS	\$1,976,364

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Professional Services Contracts/Purchases	\$158,111
Management/Support/Administration Salaries & Benefits...	\$515,890
Case Management Salaries & Benefits	\$1,275,432
Operating Costs	\$26,931
TOTAL AGREEMENT/CONTRACT AMOUNT	\$1,976,364

SOURCE OF FUNDING:

California Department of Aging, and City of Oakland, General Purpose funds.

Historically, the grant does not cover the Central Services Overhead charges that the City assigns to every project as a part of covering citywide overhead costs. This resolution would authorize the allocated total for the MSSP grant of \$509,601 to be covered through a contribution from the General Purpose Fund (GPF) 1010.

PUBLIC OUTREACH / INTEREST

The MSSP Site Director/Senior Services Supervisor works closely with internal and external parties, including the Multipurpose Senior Services Program Association, CDA Program Analyst, Alameda County Senior Services Coalition, Health Care Services, Hospice, City of Fremont – Aging and Family Services, Center for Elders Independence and community-based organizations serving the elder population. Referrals come from hospital discharge planners, public health nurses, County Adult Protective Services (APS) nurses and social workers, MSSP staff case findings, community outreach presentations and word-of-mouth. The number of referrals on the City of Oakland MSSP waitlist as of the end of the second quarter 2022 was fifteen. The average days on the wait list is 29. The MSSP referral form is a fillable pdf document available at <https://cao-94612.s3.amazonaws.com/documents/MSSP-Client-Referral-Form.pdf>.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney and the Budget Bureau.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP)

Performance measurements are tracked, including the number of clients served, number of services arranged or delivered, wait time for referrals, and the percentage of clients reporting satisfaction.

Client satisfaction surveys are sent on an annual basis as mandated by the CDA. In FY 2020-2021, a total of 302 current and former clients were sent surveys (former clients that had moved out of the area or had passed away were excluded). Of these, 118 clients (or 40% of the total clients sent surveys) responded. The results show 96% believe the services provided by MSSP assist them in remaining independent, 93% rated their experience with the staff and services as excellent or good, while 5% rated their experience with the staff and services as satisfactory, 2% left this question blank. When asked if their case manager understood the individual's problems enough to help, 98% responded "Yes." When asked if they would recommend MSSP to other people they know who need services to remain at home, 97% of respondents said "Yes".

An internal peer review process is conducted annually and reported to the California State Department of Aging. The review is scheduled for March of this fiscal year. The California State Department of Aging biennially conducts an external Utilization Review. The last CDA program review was conducted remotely, using electronic records, July 27 through 31, 2020. No corrective actions were required.

The contracted service providers are assessed quarterly for satisfaction with services provided as mandated by the CDA. Case Managers from MSSP report any challenges they have with any services or complaints from clients. Staff work to resolve any issues or challenges and the results are reported to the California State Department of Aging as part of a more comprehensive quarterly report.

Informal feedback from clients in the form of phone calls, thank you cards or letters expressing satisfaction with the service is also tracked.

SUSTAINABLE OPPORTUNITIES

Economic: MSSP contractors, who are Oakland-based business operators, employ Oakland residents who provide the necessary services to frail elder program participants. MSSP will continue to invest in the Oakland community by purchasing services and equipment for frail seniors from Oakland-based businesses.

Environmental:

There are no environmental impacts associated with this policy recommendation.

Race & Equity: The average age of the City of Oakland MSSP participants is 81.50. Eighty-seven percent are ethnic/racial minorities, 100 percent are low-income, and participants disproportionately utilize hospital emergency rooms or become nursing home patients due to lack of knowledge of the healthcare system and inability to coordinate their own care.

Services provided by MSSP make it easier for seniors who are frail and disabled to access services to which they are entitled. The social and health services provided by MSSP improve

the quality of life for seniors who are frail and homebound, who are socially disadvantaged and at-risk of placement into nursing homes. Nurse and Social Work staff provide culturally sensitive Case Management service. The program currently has language certified staff who speak Spanish, Cantonese, and Mandarin. All of the MSSP forms and documents are translated in the following languages:

- Arabic
- Armenian
- Chinese (Simplified and Traditional)
- Farsi
- Korean
- Russian
- Tagalog
- Vietnamese

The MSSP also serves other non-English monolingual elders through the City of Oakland, Equal Access Language Line interpreter service.

As of March 1, 2022, 264 unduplicated clients who are Oakland residents were served in FY 2021-2022. MSSP served 45 clients who live outside of Oakland for a total of 309 clients. The gender, racial and zip code breakdown for City of Oakland participants is shown in **Table 1** below.

Table 1

MSSP Unduplicated Client Count as of March 1, 2022											
Zip Code	Total Count	Race								Gender	
		Asian Pacific	Black	Latino	White	Native Am.	Indian	Middle Eastern	Decline	M	F
Home less	0	0	0	0	0	0	0	0	0	0	0
94601	72	21	6	40	4	0	0	0	1	25	47
94602	9	3	2	1	3	0	0	0	0	3	6
94603	9	0	8	3	0	0	0	0	0	3	6
94605	16	2	11	3	0	0	0	0	0	3	13
94606	20	9	5	0	6	0	0	0	0	4	16
94607	42	29	12	0	0	0	0	1	0	12	30
94608	12	0	10	0	2	0	0	0	0	2	10
94609	9	0	9	0	0	0	0	0	0	5	4
94610	9	1	5	0	3	0	0	0	0	2	7
94611	17	11	1	1	3	0	1	0	0	4	13
94612	33	27	3	0	3	0	0	0	0	14	19
94618	1	0	0	0	0	0	0	0	0	1	0
94619	4	3	0	1	0	0	0	0	0	0	4
94621	11	0	8	2	1	0	0	0	0	2	9
Total	264	106	80	51	25	0	1	2	1	78	186
Percent	100%	40%	30%	19%	9%	0	0.4%	0.8%	0.4%	30%	70%

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution:

1. Authorizing The City Administrator To Apply For And Accept A State Of California Standard Agreement In The Amount Of \$1,976,364 And Enter Into Agreement Number Ms-2223-01 With The State Of California Department Of Aging (CDA) For The Multipurpose Senior Services Program (MSSP) For Fiscal Year (FY) 2022-2023; And
2. Waiving The City's Competitive Procurement Process And Authorizing The City Administrator To Procure MSSP Related Goods And Award Professional Services Agreements To Private Entities For FY 2022- 2023; And
3. Adding 1.00 Full Time Equivalent (FTE) Case Manager I, Increasing From 0.50 FTE To 1.00 FTE Administrative Assistant I, And Increasing From 0.80 FTE To 1.00 FTE Case Management Supervisor In the Human Services Department To Meet CDA Requirements; And
4. Authorizing A Contribution From The General Purpose Fund In An Estimated Amount Of \$509,601 For Central Services Overhead Charges; And
5. Accept And Appropriate Any Additional Funds That Become Available From CDA Within The Agreement Terms Of July 1, 2022, Through June 30, 2023, For The Same Purposes, And Amend The Standard Agreement With CDA To Increase The Amount

For questions regarding this report, please contact Scott Means, Aging and Adult Services Manager at (510) 238-6137.

Respectfully submitted,



ESTELLE CLEMONS

Interim Director, Human Services Department

Reviewed by: Scott Means, Manager
Aging and Adult Services Division
Human Services Department

Prepared by: Karyl Eckels, Supervisor,
Multipurpose Senior Services Program
Human Services Department

