



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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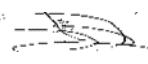
The Honorable John Carney  
Governor

John McNeal  
SCPD Director

## MEMORANDUM

DATE: June 29, 2023

TO: Dawn Hayman, DHSS-DMMA  
Planning and Policy Unit

FROM: Benjamin Shrader – Chairperson   
State Council for Persons with Disabilities

RE: DHSS-DMMA Proposed Regulation [2023 Quality Strategy, 26 Del.  
Register of Regulations 1014 (June 1, 2023)]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services (DHSS)/Division of Medicaid and Medical Assistance (DMMA) proposed amendments to the Diamond State Health Plan Medicaid Managed Care Strategy, regarding Quality Strategy for 2023. The proposed regulation was published as 26 DE Reg. 1014 in the June 1, 2023, Register of Regulations issue.

Understanding that these regulations are to serve as a roadmap for Delaware's contracted health plans regarding 2023 Quality Strategy<sup>1</sup>, the SCPD has the following observations and recommendations:

**The SCPD endorses this regulation but would recommend emphasis as follows:**

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<sup>1</sup> Statement from the Summary of Proposal, Summary of Proposed Changes section of the public notice in the Delaware Register of Regulations. <https://regulations.delaware.gov/documents/June2023c.pdf>; and see the Purpose and Rationale section of the proposed regulation: “[T]he Quality Strategy serves as a blueprint or roadmap for Delaware on our contracted health plans and to assessing the quality of care that beneficiaries receive and setting forth measurable goals and targets for improvement.” *Id.*

- **DMMA should more aggressively address areas with an insufficient provider network and require the MCOs to provide the required services.**
- **DMMA should use both prongs of the Balanced Quality Model and require any MCO that is not in compliance to submit a Corrective Action Plan (CAP) to address the deficiencies.**
- **Individualized plans should be promoted for all consumer groups.**
- **To ensure that individuals with disabilities are receiving the services they should, SCPD recommends DMMA require the MCOs to provide claims denial data to DMMA, and that they track the claims denials to determine whether the MCOs are providing the required services.**
- **SCPD recommends that DMMA should formulate a questionnaire that the MCO's should be required to use to gauge satisfaction with the services and quality of care.**
- **To improve transparency, the SCPD recommends DMMA should, at the very least, put on its website the results of the EQRO's assessments and findings for each MCO, as well as post any CAPs on its website for each MCO.**

Thank you for your consideration and please contact SCPD if you have any questions regarding our observations or position on the proposed regulation.

cc: The Honorable Molly Magarik, Secretary, DHSS  
Theodore Mermigos, Director of DMMA  
Ms. Marissa Band, Esq.  
Governor's Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

26 reg 1014 DHSS-DMMA Quality Strategy 06-29-23