

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
July 17, 2008
MEETING

8:30 A.M.

Holiday Inn South
Baton Rouge, Louisiana

1. GREETINGS AND INTRODUCTIONS

A. Lynette Fontenot, Chairperson of the Council, welcomed everyone to the meeting. Ms. Fontenot indicated there are forms on the table for anyone who would like to address the Council. Time is allowed at the end of the meeting for people to speak for five minutes each. Ms. Fontenot reminded those present that Council Bylaws do not allow for proxy voting; anyone representing a Council member cannot vote on any issue.

B. MEMBERS PRESENT

Jeanne Abadie
Sam Beech
Donna Breaux
Brandon Burris, GODA
Lynn Cannon
Sharon Dufrene
Lynette Fontenot
Rocky Fuselier
Laura Head
Simone Honore-Chretien
Kathy Kliebert, OCDD
Billie Ruth Kvaternik
Kay Marcel
Willie Martin
Ida Mialaret
Nanette Olivier, DOE
Debbie Schilling
Lois Simpson, AC
Phil Wilson, HDC

C. MEMBERS ABSENT

Sue Berry, OPH
James Bulot, GOEA
Melissa Fayard
Trudye Jones
Jennifer Kopke, OMH
Shelia Madison
Heather Mobley
Jerry Phillips, BHSF
Roseland Starks, LRS

D. STAFF PRESENT

Shawn Fleming
Paige Freeman
Robbie Gray
Kevin Hill
Kandi Smith
Sandee Winchell

E. GUESTS IN ATTENDANCE

Sharon Buchert for James Bulot – GOEA
 Dora Chandler - Guest of Lynette Fontenot
 Sheryl Doga - Guest of Lynette Fontenot
 Martha Whitlock – Committee Member
 Tara DiSandro for Jerry Phillips, BHSF
 Tessie DiFulco – Catholic Charities
 Yvonne Bell – FHF of Acadiana
 Laurent LeBien for Sue Berry – OPH
 Rosemary Yesso for Roseland Starks, LRS
 Robert Levy, OMH
 Christie Hollins, LDE

2. MINUTES OF APRIL MEETING

Ms. Fontenot entertained a motion to accept the Minutes from the April meeting.

Motion Passed - Moved to accept minutes. Willie Martin. Seconded by Ida Mialaret.

3. CHAIRPERSON'S REPORT – Lynette Fontenot

- **Disabilities Rights Rally**

Ms. Fontenot stated that the Disabilities Rights Rally, held on April 23rd, was a huge success. Over 800 people attended the rally. She thanked all of the Council members who attended.

- **Executive Committee**

An Executive Committee meeting was held on April 24th with members of the Board of Directors of Families Helping Families of Louisiana. The Board of FHF of La. presented a proposal to revise their contract for a second time this year. A follow up Executive Committee conference call was held on April 29th to further discuss the proposal. The Executive Committee decided not to fund the contract for the remainder of the contract period using the 30 day no fault contract clause. The committee did feel that the deliverables in the Families Helping Families of Louisiana contract that the Families Helping Families Directors have been working collaboratively on have value. The committee would like to see the further development of these activities, products and protocols and therefore the DD staff contacted the FHF Directors about paying them for these deliverables to be completed. The DD staff also discussed the formation of a Families Helping Families Association with the Directors as a possible mechanism to keep their network connected. One of the Families Helping Families Louisiana Board members had suggested the idea of an Association which has been formed and is going well.

The committee approved a stipend request by Sharon Dufrene for an additional \$213 for the Human Development Center's Autism Institute and a request by Simone Chretien for \$1,508.50 to attend the Hydrocephalus National Conference in Utah. The Council will have no additional funds in this account until the new federal fiscal year begins in October.

The Executive Committee met July 16th and is recommending that funding be approved for Council members who are Partners' graduates to attend the Partners' reunion in September. The Partners' contract cannot pay for Council members' travel expenses because it would be considered a conflict of interest. This will be voted on during new business.

The committee also discussed Council member travel expenses in general. Although Council members are reimbursed for actual expenses and do not have to stay within the state travel reimbursement rates, it is a responsibility of Council members to be good stewards of Council funds and to spend travel funds prudently. Council members should use good judgment and only spend what is necessary; for instance, paying for the breakfast buffet in the restaurant is fine. Spending \$25 on room service for breakfast would seem excessive.

Sandee Winchell informed the committee that the Louisiana Youth Leadership Forum was canceled for this year and the Council received no proposals in response to the Library Solicitation of Proposals. This freed up a total of \$47,500. The Executive Committee is recommending that an Ad Hoc Committee, with members from each priority committee, be appointed to decide how those funds will be spent. In new business the Council will vote to give the Ad Hoc Committee authority to allocate this \$47,500.

- **Legislative Visits**

On April 28th, Ms. Fontenot testified before the House Appropriations Committee for a language amendment to HB 1 for funding of additional waiver slots.

Ms. Fontenot also testified on May 7th before the House and Senate Health and Welfare Committees to oppose the bill that would require individuals who will be paid direct support professionals for family members to get a waiver from DHH. The bill did pass and now people who want to start serving as DSPs to family members will have to get a waiver to be a paid DSP.

After the testimony on May 7th, Ms. Winchell and Ms. Fontenot met with Senator Michot, Chairman of the Senate Finance Committee. They were concerned about Senate Bill 647. Senator Michot stated he would support the Council's position and not move the bill forward.

On June 4th Ms. Winchell, Ms. Marcel and Ms. Fontenot met with Senator Michot and Senator Nick Gautreaux. They discussed HB 914 and the impact this bill would have on the waiting list and waiver services. Both senators supported the Council's position and agreed to do anything they could to help. After meeting with the senators, Ms. Winchell, Ms. Marcel and Ms. Fontenot, along with other advocates met with Mr. Levine, his executive staff, and staff from the Governor's Office and the Division of Administration. They discussed HB 914 and expressed the Council's concerns about waiver supports and the long waiting list. There was a second meeting with this group the following week when Ms. Fontenot was out of town. As a result of the Council's, especially Ms. Winchell's and LaCAN's, strong advocacy efforts, House Bill 914 was never scheduled to be heard in the Senate Finance Committee.

On June 6th, Ms. Fontenot again testified before the Senate Finance Committee about HB 1 and the need for a language amendment for additional slots. Ms. Winchell was interviewed by a New Orleans TV station and her interview was televised, as well as part of Ms. Fontenot's testimony.

On June 8th, Simone Chretien and Ms. Fontenot went to Washington DC to attend the Administration on Developmental Disabilities Technical Assistance Institute. They attended meetings on Monday and Tuesday and on Wednesday went on Capitol Hill visits. They met with the staff of Senators Vitter and Landrieu, and with the staff of Congressmen Boustany and Cazayoux. They met personally with Congressman Scalise and Congressman Melancon. Congressman Cazayoux met them in the hallway and stated he certainly knew Sandee Winchell and Ms. Fontenot and had heard Ms. Fontenot testify many times. Congressman Cazayoux said to tell Senator Eric LaFleur to call him and let him know what the Council needs. Everyone they met with was very attentive and agreed to support the Council's issues of funding for DD Councils and Medicaid.

- **2008 International TASH Conference**

The 2008 International TASH conference will be held in Nashville on December 4th – 6th. This is always a very good conference and the Executive Committee wanted to bring it to the attention of Council members who may be interested in using stipend funds to attend. The Council could support one Council member's attendance with up to \$952 in expenses. This would not cover the full cost of the conference and travel expenses. Council members should see Ms. Winchell if they are interested and want more information.

- **Proposed Americans with Disabilities Act (ADA) Regulations**

The Council will be submitting comments on proposed ADA regulations. Ms. Winchell will be asking Council members for their input during her report.

- **Support Coordination System**

Ms. Fontenot stated that there are serious problems with Louisiana's support coordination system that have been brought to the Council's attention and some support coordination agencies have asked for the Council's assistance. Some of the agencies have lost a third of their staff in the last month. A meeting is going to be held with representatives of the Support Coordination Alliance to hear their concerns and proposed solutions. A meeting will then be requested with officials from the Office for Citizens with Developmental Disabilities and the Department of Health and Hospitals.

- **State Interagency Coordinating Council**

Ms. Fontenot will be submitting Ms. Winchell's name to be the Council's new representative on the state interagency coordinating council.

- **National Conference of State Legislators (NCSL)**

On July 24th, Ms. Fontenot and Dora Chandler will be at the DD Council booth at the National Conference of State Legislatures in New Orleans. Donna Breaux will be there on the 23rd.

4. EXECUTIVE DIRECTOR'S REPORT - Sandee Winchell

Ms. Winchell welcomed Brandon Burris, the new Executive Director of the Governor's Office of Disability Affairs. He will be joining us as a new DD Council member, but has not yet been appointed to the Council by the Governor. She also stated that Jennifer Kopke would be joining the Council at the meeting. Ms. Kopke is the new Assistant Secretary of the Office of Mental Health. She will also be a new DD Council member taking William Payne's place.¹

Council members were given the opportunity to ask questions concerning the Executive Director's report mailed prior to the meeting.

Ms. Winchell discussed the following:

- **Financial Disclosure Information for Boards and Commissions**

Ms. Winchell stated that Senate Bill 718 revised financial disclosure as it related to members of Boards and Commissions. A financial disclosure information form was given to Council members in their packets. This is not the official form that needs to be turned in, it is just to let the Council members know what they need to be prepared to disclose. Ms. Winchell stated that at the bottom of the form it states that the State Ethics Board will create a formal document to capture Financial Disclosure information. The staff went through the actual law and put together the information that Council members will have to disclose. Council members and spouses will have to provide employer information, but not amount of income. If a Council member or their spouse owns 10% or more of a business or has income from a State, City, or Parish entity, that income must be reported. Ms. Winchell stated she tried to call the Ethics Board due to several questions she has, but understandably, the Board is not answering questions. There is a website where you can submit your questions by email, so Ms. Winchell did that but has not received answers as of yet. She does not know if State employees must submit this information or only those who have a contract with the State. If a Council member or their spouse receives income from gaming or gambling, that income amount also has to be reported. The form states "if a Council member or spouse is Director or Officer of a non-profit organization" the income must be reported. Ms. Winchell has also asked for clarification on this requirement. The information does need to be submitted by May 15, 2009 for the calendar year 2008. Council members will have to certify, whether by signature or notarization that all information is correct. Lois Simpson stated that The Advocacy Center has notaries on staff who are willing to notarize these forms free of charge. As more information becomes available, Ms. Winchell will provide it to the Council members. Kay Marcel asked what will happen to the information once it is submitted to the Ethics Board. Ms. Winchell stated she is not sure, but she will ask the Ethics Board.

- **Survey**

Ms. Winchell referred to the survey in the packet. She stated that the Council asked the staff to add a little more demographical information for the parents and self advocates regarding age of children and/or siblings with developmental disabilities. The survey in the packet reflects the change and the updated version has been added to the website. Ms. Winchell encouraged Council members to take the surveys to meetings, conferences, etc. and distribute it as often as possible.

¹ After the Council meeting staff learned that Mr. Burris and Ms. Kopke had been appointed by the Governor effective June 24, 2008.

- **Supportive Housing Vouchers**

Ms. Winchell stated that due to the advocacy effort that has been worked on by the Council with numerous other advocacy organizations over a three year period, not just in the disability community, but with the mental health and homeless communities, there were 3,000 supportive housing vouchers funded by Congress. Congress included \$73 million in the Supplemental Appropriations Bill for these rental subsidies. This was the third piece of the puzzle needed for people with very low incomes in the New Orleans area. The low income housing units and support services were in place, but funding was needed for rental assistance. This was very successful due to a large collaborative advocacy effort.

- **National Conference of State Legislatures**

Ms. Winchell stated that Lynette Fontenot, Donna Breaux, Shawn Fleming and herself will attend the National Conference of State Legislatures (NCSL) in New Orleans on July 23-25th. This is a very large conference for legislators and their staff from all over the country. The reason it is so good for the Council is that with it being held in New Orleans, many legislators in the state will be in attendance. The National Associations of Councils on Developmental Disabilities (NACDD) will have a booth in the exhibit hall. Ms. Fontenot and Ms. Breaux will be there along with representatives from other Councils around the country. Louisiana is the hosting state and the Council will have a big "Louisiana Developmental Disabilities Council" banner and the Council display board. This is a great public relations event for the Council and an opportunity to meet face to face with Louisiana Legislators.

- **Proposed regulations on Americans with Disabilities Act (ADA)**

The Executive Committee would like the Council to submit comments as a Council on the proposed ADA regulations. Of the hundreds of questions being asked, the questionnaire passed out to the Council contains the ten most important questions the federal government is requesting feedback on from individuals with disabilities and family members. The comments are due by August 18th. Ms. Winchell discussed the main topics on the checklist and asked Council members to check off the topics on which they have had personal experience. The staff will call and record their experiences, making it most convenient for Council members. Ms. Winchell encouraged members to pass the regulations on to others who may be interested in commenting as well.

- **Advocacy Issues**

Ms. Winchell stated that the Council conducted some excellent advocacy activities this quarter that resulted in real services for people with developmental disabilities. Ms. Fontenot touched on some of these activities and they are also highlighted in Ms. Winchell's Executive Director's report. She will also cover them during her Legislative report.

- **Kandi Smith's Departure**

Ms. Winchell reported that Kandi Smith is leaving the Council on July 25th. Ms. Winchell stated that she has been a tremendous asset to the Council and that she and her many gifts will be missed. She wished Ms. Smith the very best in the next chapter of her life.

5. BUDGET REPORT – Shawn Fleming

Shawn Fleming discussed the following:

- **Preliminary June 2008 Budget Report**

Mr. Fleming stated that a preliminary June report was in the packet the Council members received at the meeting. The actual report will not be available until August. About \$1200 was removed from contracts and moved for higher postage rates and overtime for staff. Some of the funds still showing in Travel are due to not all travel reimbursements having been reported.

Nanette Olivier asked why Council members don't have to abide by State travel regulations. Mr. Fleming stated that the staff follow State Travel Regulations, but that the Council members don't. Council members get actual cost. Willie Martin asked why they were exempt and Ms. Winchell informed him that only State employees must follow the guidelines, not members of Boards and Commissions. Ms. Olivier stated that the Department of Education reimburses their volunteers at State rates. Rosemary Yesso asked Ms. Winchell to please send her a copy showing where Council members get actual cost. Mr. Fleming reiterated that the Travel expenses for Council members goes through the Travel department and is approved for payment.

6. COMMITTEE REPORTS

A. ACT 378 Sub Committee – Jeanne Abadie

Jeanne Abadie discussed the following:

- **Contracts**

One of the Council's contracts is with Northwest INCs in north Louisiana, which provides support services to people who do not have developmental disabilities. The concern the Council has is not with the provider, but the ability to provide all necessary services with the increases in costs. The committee is trying to find a way that they can successfully serve people with the amount of funds available.

The Federation of Families' contract is going well. There is still no representation in Jefferson or New Orleans. Ms. Abadie invited anyone who could work with the Federation of Families to contact them.

- **Office for Citizens with Developmental Disabilities Cash Subsidy**

The waiting list is on a regional level with 6,000 people on the cash subsidy waiting list. The funds for support services and adult monies are going well. No problems were reported.

- **Louisiana Rehabilitation Services**

Most of the funds have been spent. The committee is still waiting on answers to questions asked to LRS. Paige Kelly stated she believes the issues have been resolved, but will get the information to the committee as soon as possible.

- **Office of Mental Health**

The committee is very happy with the expanded funds and services provided in the Metro area. Robert Levy believes there is an error in the report of children's services. He believes the funds have been spent and will check into it.

Ms. Abadie also stated that the committee will be asking for an increase in funds through next year's budget. Most of the agencies have not had an increase since 1990.

B. SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING – Kay Marcel

Kay Marcel reported on the following:

- Ms. Marcel reiterated how effective the grassroots effort was this year regarding the LaCAN legislative agenda. She acknowledged the LaCAN leaders for their hard work. The Council received more confirmation of regional members taking action.
- **People First**
The state and local chapters of People First have worked to build their leadership capacity. Board elections were recently held and there is new leadership in place. Trudye Jones is the new President of the State organization and Willie Martin is the new Vice-President. The annual conference was held in Lafayette this year with 85 people in attendance. A presentation was given by Charity Drummond of the Arc of Louisiana. The Advocacy Center brought voting machines and conducted a voting seminar and voting rights training during the conference. The participants voted on new by-laws that were subsequently adopted by the Board. Council funds were available for stipends for members to attend. People First is being seen as an organization that needs to be recognized. They have also partnered with the American Association of Individuals with Developmental Disabilities to learn how to function as a team and work together as a board. The Board's annual retreat is scheduled for August 8-9th to review past goals and work on new ones. Ms. Marcel stated this organization makes the Council proud and accomplishes a lot of worthwhile goals.
- **Community Living Advocacy**
The committee discussed Strategy 7.9, the "End the Wait Campaign" and agreed to develop videos and public service announcements to be broadcast via the website to educate policymakers of the needs of those on the waiting list and the benefits offered by community living opportunities. An Ad Hoc Committee was formed with the goal of having a clear and concise message developed by September 30th. The committee consists of Kay Marcel, Lois Simpson, Martha Whitlock, Becky Zito, Kathy Kliebert and Trudye Jones. The committee wants to identify and invite people who are not Council members, but have a particular expertise in media relations.
- **Partners in Policymaking**
The 2008 Partners in Policymaking class graduated on June 28th. There were a total of 18 graduates – 16 parents, 1 self advocate, and 1 parent/self-advocate.

The Partners reunion has been scheduled for September 19-20th in Baton Rouge. The keynote speaker is Allan Bergman. Two hundred ninety invitations have been sent and 25 replies have been received to date. This process will be similar to the Partners' selection process where regional representation is considered.

- **Solicitation of Proposals (SOP) for Families Helping Families**

An SOP was released for a new Families Helping Families center in Region 7. One proposal was received from the Center that has been operating as a satellite center in that region. The Ad Hoc committee that reviewed the proposal was satisfied with the proposal. There were questions as to whether its acting director, Chanel Jackson's child met the DD definition. The committee therefore asked for clarification as to whether or not her child is developmental disabled. If her child does not meet the requirement, the Board may submit a request for a waiver.

Lynn Cannon asked if the Council received letters of recommendation for Region 7 and Kevin Hill responded that the letters were received.

- **Families Helping Families Association**

Mr. Fleming informed the committee that the FHF Directors have been working on the contract deliverables and updating one another during weekly conference calls. They have completed all of the deliverables and will begin in September making site visits to identified Centers. Site visits will involve three Directors going to another center to support one another and ensure the centers are adhering to their standards.

Lois Simpson suggested that Families Helping Families interact with the Neighborhood Place, where you can receive representation from different agencies like the Department of Health and Hospitals and the Department of Social Services in New Orleans for services. Kathy Kliebert stated she is attending a meeting regarding this, and specifically asked that FHF be incorporated as part of that integration and will follow up to make sure that this does happen.

C. HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Sam Beech

Sam Beech reported on the following:

- **Remaining Funds**

An Ad Hoc Committee with members from both committees, will decide how to spend \$47,500 that has become available - \$17,500 from LYLFF and \$30,000 from the library SOP. The Ad Hoc committee will meet within the month of July. Any committee members who wish to serve on the Ad Hoc committee need to let Ms. Beech know so she can inform Lynette Fontenot. The Ad Hoc committee will get authorization to vote on the final decision of these funds. Some ideas have been given to the Council for funding, including the New Home of My Own Project; Employment and Housing initiatives.

- **Integrated Employment Provider Training Proposal**

One proposal was received from LSU HDC in response to this SOP. The committee discussed the pros and cons of the proposal and still has questions about the proposal. The committee decided there were too many unanswered questions and negotiation with HDC is needed to address the objectives that the committee wants.

- **Inclusive Recreation Park Update**

Rebecca Mandal-Blasio updated the committee on the current inclusive recreation project (APIL) and on the issues that they have come across with next year's recreation project. Each city in the Northshore area has its own recreation department so they have partnered with two cities: Hammond and Mandeville.

The Hammond mayor has been on board from the beginning and contributed an additional \$5,000 towards the project. However, there is no space for equipment so they need funding for a place to store the accessible equipment.

The Mandeville Recreation Department has their own Board of Directors and an existing segregated recreation program because they say parents want a segregated recreation program. Dr. Blasio is asking for permission to have a three-tiered Recreation Program:

1. Children with disabilities recreation.
2. Children without disabilities recreation.
3. Inclusive recreation.

Liability insurance is also an issue so the Recreation Department asked about charging per participant to cover insurance expense.

Council funds can be used to fund positions but not to build a shed or the Council can pay staff to build a shed, but not pay for the building materials. The committee suggested fundraisers through Families Helping Families to use towards the project.

The committee asked Dr. Blasio to submit a one page proposal to the Council by July 25th stating what the project would like to accomplish and the amount of additional funds needed.

- **Other Business**

Simone Honore-Chretien announced she is partnering with PARC in Lafayette to rebuild a park. The project will start in August and a competition will allow architectural students to help design the accessible park.

D. MEMBERSHIP COMMITTEE – Donna Breaux

Ms. Breaux thanked Jeanne Abadie, Ida Mialaret and Nanette Olivier for serving on the membership committee. The Committee recommends the following persons for Council membership: Valerie Hiser, Region I, parent of an adult replacing Ida Mialaret; Pranab Choudhury, Region II, parent of an adult replacing Shelia Madison; Mary Elizabeth Christian, Region II, parent of a child replacing Sharon Dufrene; Andrew Merlin, Region X, self-advocate replacing Willie Martin; and, Olantha Scott, Region X, parent of a child replacing Debbie Schilling. In addition to these nominations, Donna Breaux and Jerry Phillips' names will be submitted to the Governor for reappointment due to Ms. Breaux serving as an officer and Mr. Phillips representing a state agency. This recommendation will be voted on under New Business.

Sharon Dufrene stated she knows Ms. Olantha Scott and Dr. Mary Elizabeth Christian. She stated that both are wonderful advocates and will be an asset to the Council.

7. LEGISLATIVE REPORT – Sandee Winchell

Ms. Winchell referred to the updated Tracking List in the packet that was passed out this morning.

- HB 1 – This is the budget bill and includes funding for 2,025 New Opportunities Waiver (NOW) slots. This is very important to persons who are on the waiting list. There was a time in the session that this number of slots was going to be reduced to 500. Advocates

tried to get 3,000 slots included in HB 1, but the fact that 2,025 slots were sustained was an accomplishment.

Also included in HB 1 was an increase in funds for EarlySteps providers. That increase restored cuts to the providers that had been made in the past.

- HB 1341 – This is the DSP bill presented by House Speaker Jim Tucker and is the bill that Ms. Fontenot testified on, as she reported earlier. This bill did pass. It will affect many people with disabilities and the elderly. If someone wishes to become a DSP for a family member, they must meet the normal Department of Health and Hospitals' criteria and in addition will have to get a waiver from DHH attesting that they are the most appropriate person to provide those services. If someone is the DSP for a family member prior to 07/01/08, they will be allowed to continue serving as the DSP without the waiver.

Jeanne Abadie asked if this bill went into effect July 1st, and if people want to hire family members as their DSP, what is the process to request a waiver. Kathy Kliebert stated it cannot go into effect without CMS approval, therefore the bill cannot be acted on at this time.

- HB 670 was signed by the Governor and was written to create an autism center in the Shreveport area. Ms. Kliebert stated there is no funding attached to this bill. OCDD is in the process of applying for grants and working with other entities to establish the center since the funding was not included in the bill to allow for a building.

Phil Wilson stated he met with the bill's author, Representative Patrick Williams on July 16th and that the Council, as an advocacy community, has a lot of work to do with Representative Williams and Senator Lydia Jackson. Representative Williams was under the impression that autism in the Shreveport area was off the map compared to the rest of the state. Dr. Wilson said Representative Williams wants to create a private school or institutional type setting to provide services to people with autism and to use this for teachers and other professionals to come and learn how to "work with people with autism." Dr. Wilson believes this will be a huge step backwards regarding community inclusion.

Laura Head stated that there is a very exclusive private school in Shreveport that has children with autism who attend. This school was formed because parents were not happy with the public school system and feel that their children are receiving a better education at the private school. These parents are looking forward to the new proposed center.

- HB 873, HB 923, and HB 987 were related to making voting more accessible for people with disabilities. All three bills passed and the Council was in favor of these bills.
- HB 914 and SB647 are the bills that the Council and LaCAN spent most of their advocacy efforts on defeating. SB647 never moved forward to the Senate Finance Committee. HB914 was moved forward by Representative Tucker and moved through the Appropriations Committee and was passed by the House. However, the Bill was never scheduled to be heard in the Senate Finance Committee. There were also meetings held at the request of the Secretary of DHH, the Commissioner of Administration, Ms. Angele Davis and a representative from the Governor's office with the Council and LaCAN leadership and other advocates.

Kay Marcel said she felt the Council offered a reasonable compromise to the Administration but they declined to accept it.

- HB 958 (Autism Insurance Reform Bill) was signed by the Governor in a Ceremonial signing on July 16th at Families Helping Families of Baton Rouge. The passing of this bill was due to the tireless advocacy efforts of the autism community. The age limit for coverage is 17 instead of 21 and the amount of coverage was reduced also.
- SB 535 was a mental health parity bill that failed to pass. This bill was strongly supported by the Council and the mental health community.
- SB 546 will require DHH to work with the nursing board to establish regulations regarding DSP training on non-complex medical procedures passed.

Robert Wilson asked how the Council tracked Federal bills. Ms. Winchell stated the Council is a member of the National Association of Councils on Developmental Disabilities and the federal bills are tracked by them. NACDD alerts the Council on important bills and the Council takes action.

8. UNFINISHED BUSINESS

Ms. Breaux stated that there is no unfinished business to discuss.

9. NEW BUSINESS

A. MEMBERSHIP COMMITTEE RECOMMENDATIONS

Ms. Breaux stated that the Membership Committee recommendation is to submit Val Hiser, Pranab Choudhury, Andrew Merlin, Olantha Scott and Mary Elizabeth Christian's names to the Governor for appointment and Donna Breaux and Jerry Phillips' names for reappointment.

Motion Passed - Moved to approve the committee recommendations by Kay Marcel. Seconded by Debbie Schilling. 17 For. No opposed.

B. SOP/CONTRACTS

Ms. Breaux stated that as reported in the Health/Education/Employment Committee report, the Council received only one proposal from the Human Development Center for an employment training project titled "Pathway to Employment Training." The committee is asking the Council for authority to negotiate with the HDC, make some revisions and move forward with the project.

Motion Passed - Moved to give committee authority to negotiate and move forward with the project made by Sam Beech. Seconded by Billie Ruth Kvaternik. Motion passed with 16 For and 1 abstention (Phil Wilson).

C. OTHER BUSINESS

Ms. Breaux stated that the Executive Committee is recommending that an Ad Hoc Committee be formed to meet and determine how to spend the \$17,500 that become available from the LYLFFas well as the \$30,000 from the Library Project.

Motion Passed - Moved to form an ad hoc committee to determine how \$47,500 in available funds be spent by Willie Martin. Seconded by Kay Marcel. 17 For. No opposed.

The next order of business is to authorize Council travel funds for members of the Council to attend the Partners in Policymaking Reunion to be held in September.

Motion Passed - Moved to authorize the use of travel funds for the Partners' Reunion by Kay Marcel. Seconded by Debbie Schilling. 11 For. No opposed. 5 Abstentions as follows: Willie Martin, Lynn Cannon, Sharon Dufrene, Laura Head, and Sam Beech.

D. FIVE YEAR PLAN

Ms. Breaux stated two corrections are needed to the five year plan as follows: under Objective 7 the amount changes from \$155,000 to \$150,000 and under Objective 19, the Library Project should be deleted due to not receiving any proposals.

Motion Passed - Moved to approve the changes in the Plan by Lois Simpson. Seconded by Willie Martin. 17 For. No opposed.

10. STATE AGENCY REPORTS

A. OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Kathy Kliebert

Kathy Kliebert reported on the following:

- Ms. Kliebert stated her office is currently working on the implementation of the 2,025 waiver slots. She stated the main objective of the session was the cost effectiveness and resource allocation for the waiver slots. It is the objective of OCDD to work diligently to have something in place for cost control for the waiver. They will start with stakeholder meetings and would like more parent and self advocate input at these meetings. The Resource Allocation Group met in June and agreed with the recommendations of the stakeholders group given at that time. OCDD will incorporate the recommendations into the whole Resource Allocation packet and present it to the stakeholders group at the next meeting. When OCDD implements the slots, they will move forward with a Resource Allocation model based on a leveling system. The flex slots will be given out first, so it will be September or October before the new slots will be given out.
- The support coordination planning process has been delayed per the request of the coordinators. OCDD does not want to delay anymore. Everything is in place to begin training in January. Ms. Kliebert stated she would like to do an extended report on support coordination at the October Council meeting.
- Ms. Kliebert also stated that there are two new reports coming out pending approval from DHH. One is the Metropolitan report which provides the outcomes of individuals who have transitioned into the community. The second report is the Mortality Review

and the Waiver report in which CMS requires OCDD to look at deaths in home and community based services. The Governor's Office conducted a mortality review across the country and requested that Louisiana do a mortality review on the waiver. The concern was that Louisiana has a higher death rate than it should, however it's comparable to the other states' death rate. A review process will be put in place. Once approval is given from DHH, Ms. Kliebert will forward the reports to Ms. Winchell to forward to the Council members.

- Ms. Marcel asked if DHH will reimburse travel for persons who are family members or self-advocates who are not affiliated or a representing organization for the stakeholders meetings. Ms. Kliebert responded she can make that happen. Ms. Marcel also asked if CMS approval was received on June 30th as stated on the last page of her written report. Ms. Kliebert stated she had not been notified as of yet, but she does anticipate that it will be approved.
- Ms. Kliebert passed out reports regarding OCDD's plans and objectives for this year and next year for review by the Council.
- Ms. Winchell asked to be reminded of what the DSP initiatives are as far as the survey and cost study. Ms. Kliebert stated a wage survey was done, and should be completed within the next month. OCDD also has initiatives with the Department of Labor as part of the long term comprehensive plan. A study was passed and must be done by the Department of Labor and the Technical Colleges which is where OCDD wants it to move in terms of their initiatives. What the office is hoping comes out of the study is some sort of leveling system due to many agencies not doing what they were supposed to do. OCDD is hoping to use this survey to increase wages according to the experience, and offer health benefits.

B. OFFICE OF MENTAL HEALTH (OMH) – Jennifer Kopke

Jennifer Kopke reported on the following:

- She stated that her presentation is available on the OMH website at www.dhh.state.la.us/offices. She introduced herself as the new Assistant Secretary for OMH. She started her career as a teacher in special education and moved into teaching people with emotional impairments. She is also an addictions counselor. She feels OMH is using person centered planning which includes input from the patient regarding their plan of care.
- OMH is taking an active part in helping patients leaving hospitals to have access to outpatient care. It also allows family members of these patients to approach facilities before release of the patient so that the person can be court ordered to go to an outpatient center. Case management will be available in every region of the state. It also will enable OMH to do a Physicians Emergency Commitment (PEC) by telemedicine psychiatrists, especially in the Lake Charles area.
- OMH is undergoing very significant strategic change which is also available on the website.
- OMH has a new Medical Director, Dr. Richard Dalton from New Orleans. He specializes in pediatric care. He has worked with juvenile correction facilities and

with children with behavior problems, emotional developmental disabilities and other issues.

- Anthony Spire, who was over Louisiana Spirit, is now the Deputy Assistant Secretary over Quality Assurance for OMH.
- Jo Pine is now the Deputy Assistant Secretary over Program Innovation and Operations. She is over the hospitals and outpatient clinics operated by OMH.
- OMH has a new vision and mission statement which are posted on their website.

11. EDUCATION MONITORING PROCESSES, FINDINGS, AND OUTCOMES -
Christie Hollins, La. Department of Education

Ms. Hollins provided a presentation on the Continuous Improvement Monitoring Process (CIMP).

12. A. CONFERENCE REPORTS – Council Members

- Simone Honore-Chretien thanked the Council for allowing her to attend the Hydrocephalus Conference in Utah in June. She has information on Hydrocephalus to be taken back to each Families Helping Families region by the Council members. She learned State and Federal policies and how to speak to legislators. She was graciously accepted by the disability community in Utah and attended a United Nations Disability Summit.
- Billie Ruth Kvaternik attended the National Disabilities Rights Network Conference in New Orleans in June. She learned a lot of new things and thanked the Council for allowing her to attend.
- Sharon Dufrene attended HDC's Autism Institute in New Orleans. She stated it was not "Autism 101", like most conferences she has attended. She also attended the Prevent Child Abuse Louisiana conference in Baton Rouge. She said that she has really learned that there are a great number of children with developmental disabilities being abused by people who they trust and people who their parents trust. One thing she learned is if you are lost, find a mom with a child because of the number of people posing as figures of authority. She thanked the Council for allowing her to attend both conferences.

B. HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

A written report was mailed out in the Council member packet.

Phil Wilson reported on the following:

- HDC has a new faculty member, Dr. Alisa Lowery, starting August 1st. Dr. Lowery is coming from the University of South Carolina and is a former Louisiana resident.
- HDC is also starting a post doctorate program in the school of psychology. The first three post docs will begin at the end of July.

C. ADVOCACY CENTER (AC) – Lois Simpson

A written report was mailed out in the Council member packet.

Lois Simpson reported on the following:

- Ms. Simpson encouraged everyone to look on their website for the *Out of Control* report. She stated they have received very good media coverage along with a lot of feedback from people who can make a difference, like Juvenile Court judges, for the children who live in these facilities. Department of Social Services Secretary Ann Williamson thanked Ms. Simpson for the report and the job that the AC staff did on the report. The goal of this is to create a system where children do not have to end up in these facilities.
- Two bills the Advocacy Center opposed:
HB886 would impede people from getting affordable housing. This bill was vetoed by the Governor. HB76 never made it out of the House.
- The Advocacy Center is hosting its bi-annual awards ceremony on October 17th. Ms. Simpson encouraged everyone to attend. She also mentioned that the Advocacy Center will be unveiling its new logo at the ceremony.
This was followed by a discussion.

13. STATE AGENCY REPORTS – CONTINUED

D. LOUISIANA DEPARTMENT OF EDUCATION (LDOE) – Nanette Olivier

A written report was mailed out in the Council member packet.

Nanette Olivier reported on the following:

- On a positive note, Ms. Olivier feels that the current Superintendent, Paul Pastorek, is really working hard to move the department forward on many fronts. He is aiming to create a world class education for students in Louisiana. Under number 4 in her report, she points out that Susan Batson is working with national people as well as people from the state to establish a task force to make recommendations on creating a world class special education program.
- Sharon Dufrene asked the Department's view on the waiver for the LEAP test. Ms. Olivier responded that she has nothing to report regarding it right now, but may have something for the October meeting.

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E. OFFICE OF PUBLIC HEALTH (OPH) - Laurent LeBien for Sue Berry

A written report was handed out to the Council members before the meeting.

Laurent LeBien reported on the following:

- Children's Special Health Services (CSHS) recently completed the Maternal and Child Health Block grant and it will be defended in Austin in August.
- Hearing, Speech, and Vision screened over 96% of infants born in Louisiana for hearing loss at birth.
- Three years post storms, CSHS still has challenges finding pediatric sub-specialists to hold clinics.

- In August, CSHS will hold its statewide nurses and social workers' training at Children's Hospital in New Orleans.

F. GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – Brandon Burriss

A written report was mailed out in the Council member packet.

Brandon Burriss reported the following:

- He thanked the Council for inviting him and stated he is looking forward to working with the Council.
- Robert Wilson was recently elected the National State Independent Living Council (SILC) Congress Chairman.
- The Louisiana Youth Leadership Forum has been cancelled for this year due to the transition in the office. Mr. Burriss apologized for not being able to utilize the money the Council had put aside, but thanked them for the funds.
- He is hoping to get his Governor's Council on Disability Affairs roster soon. It has grown to 38 members now from 36.
- Mr. Burriss has developed a motto, "What did we accomplish today?" He wants his staff to see that they accomplished something each day. The two main efforts the office is working on is a strict set of statutes, which is the main thing, and to greatly increase the visibility of GODA.
- GODA has also become involved with the Office of Emergency Preparedness and has had several meetings with them.
- The United We Ride grant is no longer in existence. GODA is taking on the Louisiana Guardianship service which helps people with disabilities with housing and legal services. The office is not sure how many people will be served.

F. BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Tara DiSandro for Jerry Phillips

The report was presented by Tara DiSandro, Waiver Compliance Officer for BHSF.

Tara DiSandro reported on the following:

- The Children's Choice Waiver is due to expire in February 2009. BHSF received word from the Center for Medicare and Medicaid Services (CMS) that the program has been approved for another five years.
- Ms. DiSandro reported that the office is still working with OCDD and CMS for the approval on the Residential Options Waiver (ROW). The Council will receive notification when approval is given.

- The Supports Waiver is currently under the renewal process due to its expiration date coming up.
- A rate increase is being pursued for the EarlySteps program pending a state amendment.
- DHH has responded to the CMS survey regarding the Money Follows the Person grant and are waiting to hear approval soon.

Kay Marcel asked if there were any changes being made to the Support Waiver. Ms. DiSandro stated there are no significant changes, but that OCDD is responsible for the programmatic aspects of the waiver.

Jeanne Abadie inquired about consumer direction for long term personal care services. Ms. DiSandro replied that it is operated by the Office of Aging and Adult Services and to contact Hugh Ely.

Ms. Winchell asked if Ms. DiSandro would find out the answer and send it to the Council. Sharon Dufrene asked if Medicaid will cover the same services as private insurance companies under the new Autism law. Ms. DiSandro stated she will ask Jerry Phillips and get back to the Council with an answer.

Laura Head asked if there are any changes in the Children's Choice Waiver Service. Ms. DiSandro stated that diapers are now covered under the Medicaid state plan so this will no longer be a waiver service.

Billie Ruth Kvaternik asked if there were any changes made to the Self Direction Plan. Ms. DiSandro stated that all of the services received will remain the same, but the recipient will have a choice in who their direct care worker will be. Family members can be chosen, but must go through the training to be paid as a direct care worker. Donna Breaux stated it allowed her family to hire their own workers by filling out the paperwork and getting approval.

H. LOUISIANA REHABILITATION SERVICES (LRS) – Rosemary Yesso for Roseland Starks

A written report was mailed out in the Council member packet.

Rosemary Yesso reported on the following:

- The 2008-09 budget was cut by around \$10 million causing LRS to have to go up on the act of selection. It also caused a cut in positions.

Jeanne Abadie asked if LRS supported the bill that said Supported Employment Providers do not have to be licensed by DHH any longer. Ms. Yesso stated that LRS has standards that must be met even without the licensing. Phil Wilson stated that LRS is very stringent and focused regarding community employment.

I. GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA)– Sharon Bucher for James Bulot

Sharon Buchert had to leave the meeting early and no written report was submitted.

Mr. Burris stated that GOEA has a new Executive Director, Dr. James Bulot, who has a PhD in Gerontology.

14. ANNOUNCEMENTS

Ms. Winchell asked the members of the Ad Hoc Committee that is going to determine how to allocate the \$47,500 to stay and agree upon a mutual available time to meet.

Ms. Fontenot announced the next quarterly Council meeting will be held in Baton Rouge on October 15-16, 2008.

15. ADJOURNMENT OF BUSINESS MEETING

Motion Passed - Moved to adjourn the meeting by Willie Martin. Seconded by Phil Wilson. The meeting adjourned at 3:00 p.m.