

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
October 22, 2009
MEETING

8:30 A.M.

Marriott
Baton Rouge, Louisiana

1. GREETINGS AND INTRODUCTIONS

- A. Sam Beech, Chairperson of the Council, welcomed everyone to the meeting. Ms. Beech stated 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. Beech 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
Sue Berry, CSHS
Donna Breaux
Pranab Choudhury
Mary Elizabeth Christian
Hugh Eley, OAAS
Melissa Fayard
Lynette Fontenot
Rocky Fuselier
Laura Head
Valerie Hiser
Simone Honore-Chretien
Kathy Kliebert, OCDD
Billie Ruth Kvaternik
Andrew Merlin
Heather Mobley
Chasedee Noto
Nanette Olivier, DOE
Olantha Scott
Lois Simpson, AC
Roseland Starks, LRS
Phil Wilson, HDC

C. MEMBERS ABSENT

James Bulot, GOEA
Brandon Burris, GODA
Lynn Cannon
Kay Marcel
Jerry Phillips, BHSF

D. STAFF PRESENT

Shawn Fleming
Armondo Frank
Paige Freeman
Robbie Gray
Kevin Hill
Derek White
Sandee Winchell

E. GUESTS IN ATTENDANCE

Ronald Blereau for James Bulot, GOEA
 Joey Cooper for Brandon Burriss, GODA
 Dora Chandler, guest of Lynette Fontenot
 Sheryl Doga, guest of Lynette Fontenot
 Greg Mallowney, La. Guardianship Program
 Martha Whitlock
 Janet Mora, State Interagency Coordinating Council
 Donna Slocum, Northshore FHF
 Maria Blanco, HDC
 Ray Davidson, BHSF
 Kahree Wahid, Head Start
 Jamie Tindle, FHF of Greater Baton Rouge

2. MINUTES OF JULY MEETING

Ms. Beech entertained a motion to accept the Minutes from the July meeting.

Sue Berry stated that on page 20 it should read, “all pediatric residents going through training statewide” instead of “all pediatric residents going through training at LSU.”

Nanette Olivier stated that on page 18, that “The Division of Student Support Services” should read “The Division of Educational Improvement and Assistance.”

Motion Passed. Moved to accept minutes with corrections by Billie Ruth Kvaternik. Seconded by Val Hiser. For – 16. Against – 0.

3. CHAIRPERSON'S REPORT – Sam Beech

Ms. Beech discussed the meetings and activities she has been involved in since becoming Chairperson on October 1st:

- On October 1st, Ms. Beech attended the Region 7 LaCAN Roundtable. There was a very big turnout with Representatives Patrick Williams, Richard Burford, Frankie Howard, Barbara Norton and Henry Burns along with six legislative assistants and 31 LaCAN members.
- On October 13th, Ms. Beech, the Executive Director of the Arc of Caddo-Bossier and a recipient of the NOW waiver and her support worker met with Tari Bradford, Senator Landrieu’s Assistant State Director, to discuss the FMAP crisis. Senator Landrieu is aware of and on top of the situation.
- Ms. Beech will participate in the National Association of Councils on Developmental Disabilities (NACDD) Annual Conference in Albuquerque, New Mexico from October 28th through October 30th.

- Ms. Beech reported that there is \$3,000 in the Council Member Travel Stipend Fund. These funds are used by non-agency Council members to participate in training and educational opportunities.
- The Executive Committee met Wednesday and developed several recommendations:
 - Proposed new Ground Rule – “Restrict use of electronic communication (i.e. texting) during Council and Committee meetings. If necessary, step out of the meeting room to conduct outside business.” This will be voted on during new business.
 - Another recommendation is a new format for Council meetings. The expected outcomes are that Council meetings will result in more Council discussion and action to affect systems change. The new format would also allow Council agency representatives to gain valuable input from parent and self-advocate Council members on issues being addressed by their respective agencies. Committee recommendations would also be discussed and voted on at the time they are presented rather than postponing the vote until a later time on the agenda. The proposed new format will be voted on during new business.
 - The Council’s 2010 Legislative Agenda, which is aligned with LaCAN’s and LaTEACH’s agenda is as follows:
 - Ms. Beech stated that the statement “closing and consolidating Developmental Centers” is perceived by some legislators as a very negative statement. It makes it difficult for some legislators to get past their questions and concerns about this issue to discuss the outcomes the Council wants. The Council is really asking for people to have a better quality of life in their communities and use cost saving to serve people on the waiting list. Therefore the Executive Committee wants to include this statement in all of our documents, “Consolidate and close developmental centers to provide a better quality of life for current residents and use the cost savings to serve people on the waiver waiting list.”
 - OCDD has not filled all of the waiver slots that have been approved and funded by the legislature. The Council would like those slots filled.
 - Legislation to better define the use of the NOW Trust Fund. The original intent was for the NOW Trust Fund to be used for new slots only. DHH has indicated they need the money for continuing waiver slots. Perhaps the Council could

compromise and agree for the Fund to be used to fund the first two or three years of a new slot.

- A Congressional solution to address the FMAP/Medicaid Crisis.
- Focus on certain educational issues such as discipline, including:
 - The use of restraint and seclusion
 - Abolishing corporal punishment and
 - Using Positive Behavioral Support;

Two other areas that would be followed are the inclusion of children with disabilities in the LA4 Pre-School Program and the Career Diploma Option.

These recommendations will be voted on under new business.

- The Executive Committee also discussed the Streamlining Commission that will produce a report of recommendations for the Governor by December 15th. Council staff is monitoring the Commission recommendations. The Executive Committee will meet on January 5th to determine any response the Council should make to the Commission.
- Position papers updated by Council staff were approved by the Executive Committee. These will be mailed to the entire Council for approval at the January meeting.
- The latest LaCAN action alert directed to the Streamlining Commission had 387 confirmed actions by LaCAN members but only nine Council members. Council members are reminded that advocating is a major responsibility of a Council member and they are expected to set an example by being active advocates.

4. EXECUTIVE DIRECTOR'S REPORT - Sandee Winchell

Ms. Winchell discussed the following:

- During the first hour of the meeting, Ms. Winchell was on a conference call with Senator Mary Landrieu and others regarding the FMAP crisis. Senator Landrieu is committed to finding the right solution, one that is affordable and politically acceptable. She has a health care staff person working continuously on this issue. Senator Landrieu is considering a couple of possibilities to address the issue.

Senator Landrieu expressed an understanding of the urgency of the situation. Ms. Winchell expressed serious concern that if there is not a congressional fix, Medicaid optional services are in danger of being eliminated. This would be devastating to people with developmental disabilities as well as other people who receive Medicaid services.

There are some past disallowances in dispute with Medicaid, a disproportionate share (DSH) issue, as well as the future Medicaid FMAP rate crisis. If health care reform legislation passes it is expected to open up Medicaid rolls to additional recipients thereby further straining the state's resources. These issues were all discussed on the conference call.

Senator Landrieu will have ongoing dialogue and Ms. Winchell will participate in another conference call next week.

- Ms. Winchell showed the videos promoting employment of people with developmental disabilities that the Council produced and aired in a statewide campaign.
- In response to a question regarding LaCAN's participation at the Streamlining Commission meetings, Ms. Winchell reported that one LaCAN leader attended a listening session and handed out an "End the Wait" folder and did a presentation. A legislator got extra copies from the LaCAN leader and when he attended a listening session in another city the next day, he handed out the "End the Wait" folders to members of the Commission.
- Jeanne Abadie asked if the criteria for recognizing schools as exemplary at each level of implementation of Positive Behavioral Support had been established. Shawn Fleming indicated that the criteria were not finalized. Meetings are scheduled in the next few months to develop these criteria Council members with recommendations were encouraged to let Mr. Fleming know.

5. BUDGET REPORT – Shawn Fleming

Mr. Fleming discussed the following:

- Mr. Fleming referred to the June 09 (final) budget report. There was a large balance in salaries due to staff changes. The almost \$55,000 left over in Contracts was from the following contracts: Partners in Policymaking \$7,600; Stipends \$6,592; LaCAN \$4,200; OCDD Money Follows the Person Rental Subsidies \$19,000; LSU Autism Project \$3,626; Inclusive Recreation \$1,450 and Administrative Contracts \$9,800. Travel had a balance due to the conferences attended by the Chairperson and the Executive Director being held in July that are typically held in

June.

- Mr. Fleming made changes to this quarter's budget report by removing the Inter-Agency Transfer (IAT) column and putting those funds into the categories that they belong and by adding columns to show money allocated and expended.

A discussion followed.

6. COMMITTEE REPORTS

A. HEALTH/EDUCATION/EMPLOYMENT – Simone Honore-Chretien

Simone Honore-Chretien discussed the Committee actions as follows:

- The Committee will revise criteria for LaTEACH to address issues about compliance in addition to policy related issues.
- The following recommendations were made to modify the plan:
 - Delete Objective 19 and terminate the Autism Project Contract – Mary Elizabeth Christian was recognized by Sam Beech to speak to the Council on behalf of the H/E/E Committee. Dr. Christian provided three major concerns the committee had with the Autism project:
 - The project has only evaluated four children through September with only one family having received training and technical assistance from the project. This level of performance does not meet the deliverables specified in the project.
 - The limited hours of service provided do not meet standards set by previous research. Research indicates 25 hours a week of intensive intervention has been demonstrated to make a difference with young children with autism.
 - The project appears to be research and not systems change or increasing capacity of early intervention providers therefore it does not seem to be meeting the mandate of the Council.
- Ms. Chretien continued with the following recommended changes to the plan:
 - Delete listing of specific boards, committees and commissions that Council members and/or staff participate (e.g., Strategy 15.2). The committees change with new Council appointees and therefore it is not appropriate to list specific boards in the Plan when they are subject to change mid-year.

- Delete Strategy 21.3 regarding advocating for policies that provide incentives for integrated competitive employment versus segregated day programs. The committee felt advocating for this was redundant with the core mission and advocacy efforts of the Council. It was perceived that the Council would advocate for change in employment practices when the opportunities arise and did not need this specific of a strategy to guide advocacy efforts.
 - Delete Strategy 23.1 regarding expanding transportation services through interagency collaborative efforts. Transportation needs in Louisiana are so great that it will require a massive commitment to make significant changes that are beyond the scope of the Council to make a state level impact. Efforts to impact local and/or regional transportation systems will continue to be pursued.
- Increase staff involvement with Employment Consortium to monitor more training events and review and provide guidance on training material.
 - The H/E/E Committee will meet with the Department of Education regarding the LA4 program on November 2nd.
 - The Committee also discussed Emergency Response and DOTD grants.

B. SELF-DETERMINATION/COMMUNITY INCLUSION/HOUSING – Rocky Fuselier

Rocky Fuselier discussed the Committee actions as follows:

- The Committee is satisfied with staff involvement on contracts. It recommends to modify the Plan as follows:
 - Delete Strategy 1.3 regarding guidance and assistance to boards of regional districts and authorities. This strategy was in last year's plan and was not achieved. It will not achieve systems change and the Council has no authority over the districts and authorities to get them to accept the Council's assistance.
 - Delete Strategy 2.2 regarding the appointment of self advocates to boards and committees. The staff will continue to do this if requested. This strategy does not result in systems change.
 - In Objective 6, delete the phrase at the end of the sentence – "through an improved monitoring process."

- Delete Strategy 6.1 regarding a peer review monitoring process. It was felt that this strategy was not doable. The state is establishing a new monitoring process and it is not in place yet.
 - Delete Sub-Strategy 6.2.1. Change some of the wording so the new sub-strategy will now read, “Disseminate fact sheets and information through a variety of mediums and sources (i.e., *TriAngle*, the Council website, newsletters and workshops, and support coordinators.)”
 - Change the wording in Objective 11 to read, “DSPs will continue to be compensated at or above the southern regional average.”
 - Delete Objective 12 and Strategies 12.1 and 12.2 regarding emergency management planning. Other entities will continue to work on these activities.
- The Committee also recommends writing a letter to request a meeting with the Department of Health and Hospitals regarding the lack of implementation of the DSP registry.
 - Kevin Hill will send a regional list of Partners’ Graduates to Council members to help locate graduates and re-engage them with the Council.
 - Updates were provided on People First, Families Helping Families, LaCAN and Partners in Policymaking.

A discussion followed.

C. ACT 378 SUB-COMMITTEE – Jeanne Abadie

Jeanne Abadie discussed the Committee actions as follows:

- In January, the Council’s contract with Northwest INCs will go to the Office of Aging and Adult Services (OAAS) who will then manage the contract for Supported Living Services.
- Louisiana Rehabilitation Services (LRS) cancelled their contract with the provider they were using for supported living services and is managing the Act 378 services/funds on their own. They are also in discussion with OAAS to transfer their Act 378 money to them.
- OAAS will send out requests for information to all providers and is hoping to implement consumer direction at some point in the future.
- An ad hoc committee will be formed to look at the policy governing how the Office for Citizens with Developmental Disabilities (OCDD) Individual and Family Support funds are awarded and recommend possible

promulgation for it to ensure consistent implementation across regions/districts/authorities.

- The Committee also looked at the screening tools developed for Cash Subsidy eligibility. The screening tools will be piloted in Regions 2, 6 and 7.
- The Committee had new members from the Office of Mental Health at the meeting who requested guidance on their report to the Council. They will give a more detailed report at the January meeting.

D. MEMBERSHIP COMMITTEE – Donna Breaux

- Donna Breaux thanked Lynette Fontenot, Simone Honore-Chretien, Kathy Kliebert and Laura Head for serving on the Committee.
- There will be openings for two self-advocates and one local, non-governmental and/or non-profit agency representative.
- The Committee is recommending the following names be submitted to the Governor as the Council's recommendations for Council membership: Nicole Soileau from Region 4, Reginald Garey from Region 8 and Bambi Poltzoia with the Autism Society of Acadiana.

This will be voted on under New Business.

E. BYLAWS – Lois Simpson

Lois Simpson stated that the proposed changes to the bylaws had been sent out in advance for Council members to have time to thoroughly review so she wouldn't be discussing every change.

- The By-Laws Committee recognized the fact that some things contained in the By-Laws should have been in the Policies and Procedures manual and vice versa. The biggest issue was Conflict of Interest.
- Section 6, Article 4: Council membership – “No member of the Council shall have a conflict between that member's private interest and his or her responsibilities as a member of the DD Council...” was found to be sufficient in By-Laws.
- On page 12 of the Policies and Procedures manual “No member of the Council shall have a conflict of interest between that member's private interests and his or her responsibilities as a member of the Council. A conflict of interest arises when a decision is made that may not be in the best interest of the Council, but is made in response to outside influences.

Outside influences can include financial interests, family interests, and corporate interests. All members must adhere to the Council Bylaws and the following procedures with regard to potential or real conflict of interest situations.” Added to this was, “Each Council member shall disclose publicly all potential conflicts of interest, including any association with individuals or organizations that might benefit from the activities and decisions of the Council.”

- Once conflict is disclosed to the Chair, the Executive Committee will review the issue and ensure that all procedures contained in the Policy, By-Laws and State Code of Governmental Ethics or applicable Federal laws are followed. The findings and determination of the Executive Committee or as relevant with State Board of Ethics would be provided back to you in writing.
- The language was cleaned up to reflect the change in the composition of the Executive Committee membership.

This will be voted on under New Business.

8. UNFINISHED BUSINESS – Sam Beech

None to discuss.

9. NEW BUSINESS – Sam Beech

A. BY-LAWS

Ms. Beech stated that the By-Laws committee recommends changes to the By-Laws and Policies and Procedures Manual as reported on by Lois Simpson.

Motion Passed Moved to accept the recommended changes in the By-Laws and Policies and Procedures manual by Donna Breaux. Seconded by Lynette Fontenot. For – 21. Against – 0. Abstentions – 0. Motion passed.

B. COUNCIL MEMBER APPLICANTS

Ms. Beech stated the Membership Committee recommended the following applicants be submitted to the Governor: Nicole Soileau, Self-Advocate, Region 4; Reginald Garey, Self-Advocate, Region 8; and, Bambi Polotzola, non-governmental agency/non-profit representative.

Motion Passed. Moved to accept the recommended Council member applicants by Billie Ruth Kvaternik. Seconded by Mary Elizabeth Christian. For – 21. Against – 0. Abstentions – 0.

C. LEGISLATIVE AGENDA

Ms. Beech reviewed the Executive Committee's recommendations for the Council's Legislative Agenda to include: close and consolidate Developmental Centers, fill waiver slots that have already been approved by the Legislature, possibly pursue a better definition for use of the NOW Trust Fund and a Congressional solution to the FMAP issue. Under education, the agenda would include: discipline issues, inclusion of children with disabilities in LA4 and the Career Diploma Option would be monitored.

Motion Passed. Moved to accept the Executive Committee's recommendations for the Council's Legislative agenda by Laura Head. Seconded by Chasedee Noto. For – 18. Against – 0. Abstentions – Hugh Eley, Kathy Kliebert and Roseland Starks.

Substitute motion to change the name from Legislative Agenda to Advocacy Agenda made by Nanette Olivier. Seconded by Donna Breaux. For – 18. Against – 0. Abstentions – Hugh Eley, Kathy Kliebert and Roseland Starks.

D. AUTISM PROJECT

Ms. Beech reviewed the recommendation of the H/E/E Committee to delete Objective 19 which would terminate the Early Intervention Autism Project at the Human Development Center.

Motion Failed. Moved to terminate Autism Project as recommended by the H/E/E Committee made by Donna Breaux. Seconded by Val Hiser. For – 0. Against – 15. Abstentions – Chasedee Noto, Andrew Merlin, Laura Head, Phil Wilson and Kathy Kliebert.

Discussion

Dr. Christian indicated the H/E/E committee had questions about the project that were not answered in the committee meeting yesterday and asked the Chair to recognize Maria Blanco with the Human Development Center (HDC) to answer those questions.

Dr. Christian inquired about how long services will be provided to children currently participating in the project, how many children the project anticipates serving simultaneously, whether the project will be able to meet the terms of the contract and the timeframe for including an adequate number of children to fulfill the contract deliverables. Other Council members inquired about the impact of systems change by the project, the nature and level of intervention and support the project provides to families including how many hours of intervention are provided by the project to each participant. Additional

questions about impediments to involving more families, barriers to beginning the project sooner were added through the discussion and whether there was any reluctance of parents to participate.

Maria Blanco responded that there are currently three children participating with the anticipation that additional children will be served within the next sixty days. All children will be served through the life of the contract regardless of whether they turn three years old since EarlySteps is not funding this project. They anticipate serving six families through the life of the project thereby meeting the terms of the contract. Families will be added as the level of support for participating families is reduced. Two additional families have either consented or are waiting to sign on in January. The project would not be able to bring on the additional two families by the end of this quarter (December 31).

Regarding the nature and level of intervention and support provided, Ms. Blanco stated that each of the three children receive about 16 hours per week of services from LSU-HDC. A primary provider meets with the family in the initial stages for a minimum of ten hours per week. In addition, participants receive two hours per month from a secondary provider, and two hours a month from a speech pathologist and an occupational therapist from LSU that is not covered in the contract. Parents receive coaching on how to work with their child. They develop natural routines, natural environments to help the family incorporate and embed the behavioral interventions and techniques that work for children with autism. The project has made modifications to the coaching procedures based on lessons learned with families.

Ms. Blanco indicated that the project secured an additional contract with EarlySteps and this project is in collaboration with EarlySteps. Kathy Kliebert clarified that both LSU-HDC and OCDD have signed the contract but it is not completely through the state contracting process. The EarlySteps contract is a three year contract that will use information from the DDC contract to develop trainings for EarlySteps' providers in specific evidence-based behavioral interventions for children with autism. Ms. Kliebert added that the intent of the project was to get information to then use for systems change. She emphasized how both HDC and OCDD have tremendous investments in addition to this project both in staff and using information gathered from other sources and through EarlySteps to help design a system. This one project is not going to design the system or going to serve enough children to make a difference but it is one piece of a much bigger project to get good interventions.

Ms. Blanco shared barriers that have impacted how many families are served and how quickly the project has started. Barriers include the amount of time spent on travel and securing enough staff to train at OCDD. There is a huge amount of travel required to serve families since the majority of the providers

live in the New Orleans area and the contract requires services in multiple regions. She indicated that there is not any reluctance on the part of parents participating.

Phil Wilson answered a question about specifically what the Council is funding. The \$60,000 provides a little over half of one person's time to provide coaching and intervention with the families so LSU-HDC and EarlySteps can learn how to replicate the model and train EarlySteps' providers. HDC is providing over 30 hours of direct service as the intervention plus another BCBA person and the speech pathologist and the occupational therapist. LSU-HDC covers the cost of travel, test materials and meeting time. Most of children with autism between the ages of 2 ½ and 3 have been kicked out of their child care programs. The children and families are in their homes and that is the primary place for these children being served. Children are being served in a natural setting with a team approach. The information will be used in a larger systems change project. They also recently provided training in Shreveport, Alexandria and New Orleans.

E. BOARDS, COMMITTEES AND COMMISSIONS

Ms. Beech reviewed the recommendation of the H/E/E Committee to delete Strategy 15.2, the listing of the specific Boards, Committees and Commissions that Council members and/or staff participate on, from the Plan and list it on the Status Report.

Motion Passed. Moved to remove Strategy 15.2 from the Plan and list it on the Status Report made by Donna Breaux. Seconded by Roseland Starks. For – 19. Against – 1. Abstentions – 0.

F. COMPETITIVE EMPLOYEMENT VERSUS SEGREGATED DAY PROGRAMS

Ms. Beech reviewed the H/E/E Committee's recommendation to remove Strategy 21.3, to advocate for policies that provide incentives for integrated and competitive employment versus segregated day programs, from the Plan.

Motion Failed. Moved to remove Strategy 21.3 from the Plan made by Donna Breaux. Seconded by Mary Elizabeth Christian. For – 0. Against – 14. Abstentions– Pranab Choudhury, Andrew Merlin, Roseland Starks and Phil Wilson.

Discussion

Ms. Beech stated the committee recommended this for deletion because it is something that the Council does continuously. Several Council members noted that employment should remain a top priority for the Council and deletion of this strategy might decrease the time the Council spends on this

initiative. It was also mentioned that self advocates ranked employment as one of their top three priorities in the Council's survey.

G. TRANSPORTATION SERVICES

Ms. Beech reviewed the H/E/E Committee's recommendation to delete Strategy 23.1, "to expand transportation services and develop new transportation services in the state through inter-agency collaborative efforts."

Motion Passed. Moved to removed Strategy 23.1 regarding Transportation from the Plan made by Lois Simpson. Seconded by Nanette Olivier. For – 18. Against – 3. Abstentions – 0.

H. SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE

Ms. Beech told the Council she would first let them vote on the committee's package of changes to the plan to see if they would pass. If not, she would have them vote on the recommendations individually.

Ms. Beech reviewed the SD/CI/H Committee's recommendations: to delete Strategies 1.3 and 2.2, change Objective 6 by deleting the phrase "through an improved monitoring process", delete Strategy 6.1, Strategy 6.2.1 to be changed to state "disseminate facts sheets and information", Objective 11 to be changed to state "DSPs will continue to be compensated at or above the southern regional average" and delete Objective 12.

Motion Passed. Moved to approve the committee's recommended changes to the plan by deleting Strategies 1.3, 2.2, 6.1, and Objective 12 and the rewording of Objective 6, Strategy 6.2.1 and Objective 11 made by Lynette Fontenot. Seconded by Mary Elizabeth Christian. For – 19. Against – 0. Abstentions – 0.

I. NEW GROUND RULE

Ms. Beech reviewed the Executive Committee's recommendation for a new Ground Rule that states "Restrict use of electronic communication (i.e. texting) during Council and Committee meetings. If necessary, step out of the meeting room to conduct outside business."

Motion Passed. Moved to accept new Ground Rule with alternative language as suggested by Lois Simpson made by Rocky Fuselier. Seconded by Nanette Olivier. For – 16. Against – 4. Abstentions – 0.

Discussion

Many Council members said they are very committed to attending the Council meetings but their jobs require them to be available electronically. This proposed language would keep them out of the meeting for extended periods

of time. Lois Simpson suggested alternative language - "Except as necessary, restrict use of electronic communication (i.e. texting) during Council and Committee meetings."

J. NEW COUNCIL MEETING STRUCTURE

Ms. Beech reviewed the recommendation of the Executive Committee to change the structure of the Council meeting to have more dialogue enabling agency representatives to get more input from family members and self-advocates and for the Council to discuss issues and take action affecting systems change.

The new structure will give agency members a maximum of seven minutes to give their report. If agency members would like to bring issues that require extended discussion or explanation to the Council they are to inform staff ahead of time for additional time to share their report.

When a committee makes a report and has a recommendation, the Council will vote on it then and not under New Business. Unfinished Business and New Business will be moved to the very end of the meeting.

Motion Passed. Moved to accept the new meeting structure made by Val Hiser. Seconded by Chasedee Noto. For – 21. Against – 0. Abstentions – 0.

K. LETTER REGARDING DSP REGISTRY

Ms. Beech reviewed the recommendation by the SD/CI/H Committee to send a letter and meet with Department of Health and Hospitals officials regarding full implementation of the DSP registry.

Motion Passed. Moved to accept the recommendation of the SD/CI/H Committee regarding implementation of the DSP registry made by Olantha Scott. Seconded by Jeanne Abadie. For – 21. Against – 0. Abstentions – 0.

10. COUNCIL MEMBER REPORTS

A. ADD TECHNICAL ASSISTANCE INSTITUTE – Lynette Fontenot

Ms. Fontenot reported on the following:

- Lynette Fontenot and Sandee Winchell attended the Administration on Developmental Disabilities (ADD) Technical Assistance Institute in Washington, DC in July.
- Following the conference Ms. Fontenot and Ms. Winchell met with Senator Vitter and Representatives Cassidy, Alexander, Scalise and Boustany. Senator Landrieu and Representatives Melancon and Cao were unable to meet with them, but they met with staff.

Ms. Fontenot and Ms. Winchell presented the Council's agenda of community based services versus institutional centers to the Congressmen and shared a "Dear Colleague" letter with them in support of increased funding for Developmental Disabilities Councils. Representatives Melancon and Cao did sign onto the letter thanks to the Council's advocacy. Representative Alexander supported the letter but did not feel it was appropriate to sign the letter because he serves on the Appropriations Committee. Ms. Winchell and Ms. Fontenot were pleased to have met with five members of the Congressional delegation.

B. CREATING GREAT PUBLIC SCHOOLS FOR ALL USING UNIVERSAL DESIGN – Simone Honore-Chretien

- Simone Honore-Chretien thanked the Council for allowing her to attend the Creating Great Public Schools for All Using Universal Design Conference in September. Participants included parents, educators, U.S. Department of Education, National Education Association, national advocates and several U.S. Legislators. The focus was on Universal Design for Learning and how each participant would make effective changes in their state and local boards. Ms. Chretien stated she has reference materials and information from the meeting for anyone interested.

C. HUMAN DEVELOPMENT CENTER – Phil Wilson

- Dr. Wilson distributed two documents. The first one introduced a series of webinars on Response to Intervention (RTI). RTI involves screening children early in the school year and further monitoring to track the students who perform way below the level expected for their age. If the child does not improve, researched based strategies are implemented to help the student reach grade level performance or demonstrate learning at a rate that will catch them up with their peer group. This approach deflects students from a full blown special education referral.
- The second handout announced a series of workshops being given around the state on Effective Practices for Students with Autism and Autism Related Disabilities.

A discussion followed.

D. ADVOCACY CENTER – Lois Simpson

Ms. Simpson reported on the following:

- The Facebook/Disaboom Project funded by the Council now has 525 fans and is growing.

- The Advocacy Center filed a lawsuit against the Mahalia Jackson Theatre in New Orleans which was renovated after the storm but is not accessible. The only wheelchair accessible space is in the Box section. This is discriminatory because it requires patrons using wheelchairs to pay the more expensive Box price.
- The Advocacy Center (AC) will support the Council's advocacy agenda in any way possible. The AC will develop its advocacy agenda next week.
- The AC is assisting people appealing reductions in Medicaid Waiver Services. Unfortunately, until the AC's case load is lightened it is not able to accept new cases.
- The Barney Frank bill promoted by the Voice of the Retarded (VOR) is making its way through Congress. Every Louisiana Representative has signed onto the bill. The bill targets advocacy systems around the country. The bill may seem ok on the first reading because it allows parents to opt out of class action lawsuits regarding their children. However, if a lawsuit is filed with injunctive relief, the children would not be allowed to participate. There are already ways for people to opt out of class action lawsuits so this bill is not needed. Ms. Simpson is meeting with the heads of the Arc of Louisiana and others in the state with affiliations to national groups signing onto a letter opposing the legislation.

11. STATE AGENCY REPORTS

A. GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Ronald Blereau for Jay Bulot

Ron Blereau reported on the following:

- GOEA has been working on two new initiatives:
 - The Community Living Program provides home and community based supports to people before they spend down their resources and get on Medicaid. This prevents these individuals from being admitted into institutions. Based on a study done by the Administration on Aging, significant savings can be made by providing supports in the home compared to institutionalization paid for by Medicaid.
 - A Veterans' Administration (VA) provider agreement will provide veterans with home and community based care at a much lower cost than placing them in a nursing home or veterans home. These services will emanate from the Aging Services Network.

- The Aging and Disability Resource Center (ADRC) has a Senior Prescription Program administered locally in nine regions that provides reduced or free prescriptions to seniors and/or people with disabilities.
- GOEA has an unfunded initiative to help grandparents raising grandchildren. This program informs them of what is available, how to get help, and connect with support groups.
- Mr. Blereau is the Chairman of the Board for the Louisiana Assistive Technology Network (LaTAN). He asked anyone interested in serving on the LaTAN Board to contact him. The Board is made up of 51% consumers and new Board Members will be taken on in November. LaTAN provides computers to people with disabilities at a low cost. LaTAN's phone number is 225-925-9500.

A discussion followed.

B. DEPARTMENT OF EDUCATION (DOE) – Nanette Olivier

Nanette Olivier reported on the following:

- The DOE is having an on-site visit by the US Department of Education, Office of Special Education Program the week of October 26th. The purpose is to ensure that the DOE is fulfilling its administrative and supervisory responsibilities. In preparation of the visit there was a Parent Survey facilitated by the Parent Training and Information Center (PTIC).
- Ms. Olivier referred to information in her written report about the State Performance Plan. On Page 2 are the indicators the Federal Government uses to evaluate the DOE's performance and the indicators that are used by the DOE to evaluate themselves.
- Superintendent Pastorek is leading Louisiana's application for the Race to the Top (R2T) national competitive grant.
- The DOE web based resource for educators and families to support children who are in special education is at <http://sda.doe.louisiana.gov>.

A discussion followed.

12. LOUISIANA GUARDIANSHIP PROGRAM – Greg Mulowney

Greg Mulowney provided a presentation on the Louisiana Guardianship Program.

13. STATE AGENCY REPORTS CONTINUED

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

Kathy Kliebert reported on the following:

- Along with the on-site visit for the DOE, the USDOE will monitor EarlySteps.
- The Residential Options Waiver (ROW) was approved since September 30th. There are no funded slots this year but OCDD has the ability to convert community homes into ROW slots. This will not be officially implemented until February 1st.
- OCDD is in the process of preparing budget offers for next year. This is a new process which involves Agencies' outcomes targeting the Governor's goals and indicators in specific areas. The three main indicators OCDD has responded to are:
 - Increasing community-based services and reducing use of institutional services.
 - Children ready for kindergarten by age five.
 - The percent of Louisiana citizens who report they are healthy.
- OCDD is also working with the Streamlining Commission by providing data regarding privatization, consolidation and closure of developmental centers. OCDD is hoping the budget offers and Streamlining Commission recommendations will match. OCDD will ask for support for the budget offers once they are made public.
- The OCDD Resource Allocation process is different from OAAS. With OCDD, if the team feels additional hours are needed after the assessment OCDD can review the team's request at the state office level and make adjustments before the person receives notice officially denying any hours. So far, additional hours requested have been approved without an appeal having to be filed.
- Ms. Kliebert distributed resource guides with agency contacts for emergency situations.

A discussion followed.

D. OFFICE OF PUBLIC HEALTH (OPH) – Susan Berry

Sue Berry reported on the following:

- The application for Children’s Special Health Services (CSHS) can be submitted online as well as manually.
- CSHS had a Block Grant Review in August and received stellar reviews.
- An in depth Needs Assessment Survey is being conducted with families, practitioners and physicians to determine their knowledge of community programs and public health services.
- CSHS is active in developing and piloting a Master Patient Database for families seeking public health services. The Department of Health and Hospitals and Department of Social Services will create a single master database and, with the patient’s permission, be able to determine what programs the patient is in and what programs they are eligible for but not yet receiving.
- Birth defects monitoring now covers 75% of the state with the goal being 100%.

F. GOVERNOR’S OFFICE OF DISABILITY AFFAIRS (GODA) – Joey Cooper for Brandon Burris

Joey Cooper reported on the following:

- “The Quarter” is a quarterly newsletter which was initiated by Jamar Ennis, the Program Coordinator with GODA.
- GODA staff attended the New Orleans Mayor’s committee meeting for persons with developmental disabilities on October 21st. The Lafitte Greenway initiative was developed for people with and without disabilities to use the street cars in New Orleans.
- A new initiative, Thirsty Thursdays, where people with disabilities and advocacy groups can meet to share information and ideas.
- GODA wrote proclamations for Disability Awareness Month and is working with LRS on Employment Awareness Month.
- Mr. Cooper encouraged Council members to submit names for the Governor’s Outstanding Leadership in Disability (GOLD) awards. The ceremony will be held on December 8th at the Old State Capitol.

A discussion followed.

F. OFFICE OF AGING AND ADULT SERVICES (OAAS) – Hugh Eley

Hugh Eley reported on the following:

- OAAS is working with the Council and Louisiana Rehabilitation Services (LRS) to move contracts on Supported Living to OAAS by the first of the year.
- Two protective services agencies, Adult Protective Services and Elderly Protective Services, are possibly being merged with either the GOEA or OAAS.

A discussion followed.

G. BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Jerry Phillips

Jerry Phillips reported on the following:

- The main focus is the budget. In December the length of stays in hospitals will shorten which will save money and enhance quality of care. BHSF is also putting in a radiology utilization management to stop a lot of excess MRIs and other expensive testing. BHSF is also instituting an automated physician's update where the CPTP codes are updated for the physicians to get paid the appropriate amounts and more quickly.
- Medicaid has two budgets with one being the Administrative budget, which grew this year but had a loss of personnel. The bigger concern is the eligibility side where people enter the system and what the feds require for a stimulus match. The federal office inspector general reviewed the BHSF eligibility process and gave it a clean bill of health.
 - On the payment side, Medicaid was short of close to 100 million dollars and action was taken in August to deal with the deficits.
 - BHSF is continuing to look at the impact the flu will have. The first projection will be issued November 1st. A deficit is anticipated and will have to be dealt with quickly. Pharmacies are the best gauge for anticipating the cost from the flu.
 - Since Congress does not want to deal with all states Medicaid issues at the moment the state legislature may have to deal with a huge deficit in the spring.

A discussion followed.

H. LOUISIANA REHABILITATION SERVICES (LRS) – Roseland Starks

Roseland Starks reported on the following:

- The department is undergoing a major reform effort as a result of streamlining and budget problems. DSS is currently refocusing the department to its core competencies including renaming it the Department of Children and Family Services.
- One recommendation is for LRS to move under Louisiana Workforce Commission and the Department of Health and Hospitals. LRS is in discussion with the La. Workforce Commission in regards to the Vocational Rehabilitation Program which is the flagship program of LRS.
- With the restructuring, DSS will be just one agency redefined into “pods” based upon services such as housing or transportation. When a person enters they will be moved to the pod relative to the services they are interested in receiving.
- The job fairs are going well. One in Baton Rouge is today (October 22nd) and one in Houma will be on October 29th. The large attendance speaks of the need in the state. Many employers attended with hires being made.

14. ANNOUNCEMENTS

Lois Simpson announced that the Equal Employment Opportunity Commission and the Department of Justice will be in New Orleans on November 20th to hold one of only fourteen town meetings around the country. It will be held at the UNO Track center. This meeting is being held to get input on the Americans with Disabilities Act. Ms. Simpson encouraged everyone to attend.

Olantha Scott reminded everyone that Saturday, October 24th at 2 p.m. is the Down Syndrome Buddy Walk in New Orleans at Zephyr Stadium.

Ms. Beech announced the next quarterly Council meeting will be held in Baton Rouge on January 20- 21, 2010.

15. ADJOURNMENT OF BUSINESS MEETING

Motion Passed - Moved to adjourn the meeting by Val Hiser. Second by Donna Breaux . For – 19. Against – 0.

The meeting adjourned at 3:10 p.m.