

## ***Executive Director's Report April 16, 2009 Council Meeting***

### **Budget**

- The budget report through February 2009 is included in the packet.
- The Governor's Executive Budget for State Fiscal Year 2010 included a \$73,115 cut in our Act 378 state funds. We have prepared next year's contracts for Families Helping Families and the Federation of Families as directed by the Council in January. If these cuts are restored by the legislature, the contracts can be amended.

### **Membership Update**

- Hugh Eley, Assistant Secretary of the Office of Aging and Adult Services, was appointed to the Council by the Governor on 1-26-09. All 28 positions on the Council are currently filled.

### **Staff Update**

- Our new Program Manager, Derek White, officially began work February 2<sup>nd</sup>, but was able to join us for the January meeting.
- Civil Service approved the other Program Manager position in February which was created in place of the two DIAL positions that were eliminated. We are in the process of advertising to fill that position.

### **Advocacy Activities**

- Numerous legislators have been visited to provide information and support to some of our LaCAN leaders and Council members.
- Fact sheets on the consolidation and closure of developmental centers, the request for 2,000 NOW slots and protection of the NOW Trust Fund are continuously revised to stay current with budget and other information.
- Letters were sent to our Congressional delegation requesting that they co-sponsor the Direct Support Professional Fairness and Security Act that was recently re-introduced in Congress.
- A letter was sent to Congressman Rodney Alexander requesting his support of increased funding for DD Councils. He serves on the committee that has jurisdiction over Council appropriations.
- We signed on to the call to the administration to transform Medicaid, a national, bipartisan effort to end the institutional bias in long term services.
- The End the Wait! Campaign was launched with a press release, our 30-second TV commercials and a page on our website and LaCAN's website. Printed materials will be available shortly.

### **Collaborative Efforts**

#### **DD Network Focus Group**

- The focus group hosted by the Council, Advocacy Center and Human Development Center to gather public input was well attended by disability leaders from across the state. The information collected is included in the planning meeting materials.

### OCDD Resource Allocation Stakeholders Group

- OCDD is now waiting for CMS approval before it can begin implementation of the resource allocation model with the 2,025 new NOW recipients. However, even without resource allocation, utilization of the SIS/LaPLUS assessment and individualized planning process on these recipients is resulting in very cost effective individual support plans.
- OCDD still has plans to implement resource allocation with all NOW recipients on July 1, 2009. As far as we know, the plan is to implement the model in the public ICFs/DD on that date as well.

### State Interagency Coordinating Council (SICC)

- The SICC sent a letter to Kathy Kliebert recommending that use of the teaming model of service provision be promoted by disseminating information on this model to Families Helping Families, providers, regional coordinators, support coordinators and others involved in EarlySteps.
- There are two vacant parent positions on the SICC and at the few meetings I have attended, a stronger parent and advocate voice is very much needed.

### La. Election Assistance for Individuals with Disabilities Advisory Board (LEAD)

- The board developed recommendations for changes to existing election law to make it easier for people with disabilities needing assistance in registering and voting.
- Although there was resistance from the Secretary of State's Office, the board eventually prevailed and the recommendations will be included in proposed legislation in the 2009 session.

### Autism State Task Force

- The group reviewed the American Pediatrics Louisiana Chapter activities to educate physicians on identification and referral for evidence based practices
- Providers and families will highlight issues with receiving reimbursement for services and actions plans will be developed to educate both family members and providers.

### OCDD Mortality Review Committee

- OCDD is seeking authority to acquire documentation by law of mortality information (death certificate, physician's notes, etc.)
- In addition to reviewing the individual deaths, the committee also discussed clinical issues impacting quality of life, such as:
  - The systemic problem of the lack of neurological consults to people taking anti-seizure drugs and to a lesser extent insufficient or no monitoring by a psychiatrist of psychiatric conditions and/or psychotropic medications.
  - Inadequate addressing of psychiatric/behavioral issues in general life goals, (i.e. reduce/discontinue use of medication for behavior.)

### Emergency Management Disability and Aging Coalition

- The group has drafted legislation for the 2009 session to reduce liability of volunteers in shelters
- There is a plan in place to establish a volunteer registry and develop training for shelter volunteers

### Positive Behavioral Support (PBS) Advisory Committee

- The committee accepted the Project's amended scope of work in targeting schools for secondary and tertiary interventions. (DDC Staff recommended that tertiary training and technical assistance be delivered district wide rather than to individual school teams.)

### Autism State Team

- The Dept. of Education is producing a video to highlight Autism Awareness

### State Performance Plan (SPP) Steering Committee

- The SPP Indicators were reviewed and recommendations were made. Significant votes on these indicators/performance targets and criteria include:
  - Indicator 5: A motion failed that would have reduced targets for the percentage of students' time in regular class placement (<21% of time outside of reg. class) and an increase in targets for self-contained placement due to historical failure to meet performance targets.
  - Indicator 3: Recommendation to use the same School Building Level Committee data for the Annual Performance Report – currently it is not the same data set/results used for these two reports.
  - Indicator 4: Motion to Change the criteria from 2% to 1.5% of child count removed for more than 10 days (with not an absolute value – previously 20 Students with disabilities) passed 8 to 4
    - All 8 yea votes were Local Education Agency (LEA) Special Ed Directors voting in block
    - For large districts this would allow approximately 80 to 100 students denied FAPE without identifying the LEA as discrepant.
- The SPP committee also selected indicators for on-site monitoring for the 2009-2010 school year. The Committee chose to keep the same indicators used during the 2008-2009 school year: 8<sup>th</sup> grade performance and Discipline

### Division of Educational Improvement and Assistance (DEIA in the La. Dept. of Education (LDE)

At the DEIA Special Education LEA Directors' Quarterly update the following information was provided:

- The state plan out for public review is identical to last year, including the budget
- The Office of Special Education Programs (OSEP) has not responded to the issue of the Bulletin 1706 rewrite regarding the revocation of parental consent without the ability of an LEA to override their consent for evaluations. The revisions to Bulletin 1706 were due Dec. 1, 2008.
- LDE is investigating an occupational diploma option in Alabama

### School to Prison Reform Meeting

- The group has developed a white page document and is seeking co-sponsors to support and present to the governor and legislators to address changes in discipline policies in schools.

### Direct Support Professional Coalition

- Little progress has been made by this group. OCDD is planning to review provider cost reports to determine if DSP wages can be raised with the current rate. This is doubtful due to the recent rate reductions, but the information is still needed.
- Wage data was reviewed from the Dept. of Labor and national publications to determine the impact of the DSP wage pass through on actual wages, but due to the lack of staff from the Dept. of Labor to translate their report it was not possible to discern whether progress has been made.
- Provider compliance with the wage pass through has improved. Initially it was only 20%. In December 08 it was up to 57%. OCDD has turned compliance over to Medicaid.
- There are 1500 providers in the state and insufficient licensing staff to survey/monitor them all on an annual basis.

### LA Systems Transformation Grant (LA STG) Housing Advisory Group

- The grant was successful in including:
  - 5% mandatory Permanent Supported Housing into the Low Income Housing Tax Credit, Qualified Allocation Plan for 2006, 2007, 2008
  - Competitive points if developer provides accessibility features in 25% of units
  - "Set aside" in Housing Trust Fund so that 25% of funding allocated to housing for people below 30% of median income
- Need to create sustainability plan for Community Housing Advocacy Networks (CHANs)
- Need to determine a plan for surveying federally subsidized housing units for physical accessibility
- Need sustainability plan for lahousingsearch.org

### Disability Awareness Powwow

- The United Houma Nation Vocational Rehabilitation Program is hosting a 1-day American Indian powwow as part of the program's efforts to provide disability education to the tribal community. The purpose is to introduce disability awareness in a culturally appropriate setting and includes head staff who either have disabilities or have connections with the disability community.
- The Council has been offered the opportunity to set up a display/information table at the powwow which will be held on September 19, 2009 in Dulac (near Houma).

### Louisiana Indian Education Association (LIEA)

- The LIEA held its 10<sup>th</sup> Anniversary Indian Youth Leadership Camp March 13 – 15, 2009 in Bunkie. The camp was very successful and many students expressed a desire to further their education and become effective leaders in their communities.
- Of the 31 students who participated, at least two had disabilities. There was also an adult staff person who has a disability.

- LIEA is exploring grant opportunities for more cultural recreation and educational activities and will continue to outreach to the disability community to increase the number of American Indian students with disabilities to participate.

### **Meetings Attended Since January 5, 2009**

Meeting with Senator Donahue – January 6  
 Meeting with DHH Deputy Secretary Sybil Richard – January 6  
 Meeting with State Interagency Coordinating Council (SICC) Ex. Director – January 9  
 Partners in Policymaking – January 9  
 Cash Subsidy Ad Hoc Committee – January 13  
 Rally Planning Committee – January 13  
 OCDD Mortality Review Committee – January 14  
 SICC Orientation – January 14  
 Direct Support Professional Coalition – January 27  
 La. Election Assistance for Individuals with Disabilities Advisory Board – January 28  
 Meeting with DHH Secretary Levine – February 3  
 Joint Committee on Governmental Affairs – February 4  
 Meeting with video producer re: End the Wait! Campaign – February 5  
 DD Network Focus Group – February 10  
 SICC committee and council meetings – February 11  
 League of Women Voters Panel presentation – February 12  
 Partners in Policymaking – February 13  
 House Appropriations Committee – February 17  
 Joint Legislative Budget Committee – February 20  
*TriAngle* Editorial Board – February 26  
 Meeting with Roseland Starks – February 26  
 Meeting with Rep. Karen Carter Peterson – March 26, 2009  
 Medicaid RX Stakeholders Group – March 4  
 Cash Subsidy Ad Hoc Committee – March 6  
 Meeting with Rep. Jim Tucker – March 10  
 Joint Legislative Budget Committee – March 13  
 Meeting with La. Emergency Response Network Ex. Director and Consultant – March 16  
 Executive Committee – March 16  
 LaCAN Leader Conference Call – March 16  
 Tobacco Tax legislation press conference – March 17  
 Partners in Policymaking – March 20