

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL**  
**January 21, 2010**  
**MEETING SUMMARY**

8:30 A.M.

Marriott  
Baton Rouge, Louisiana

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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  
Susan Berry, CSHS  
Brandon Burris, GODA  
Lynn Cannon  
Pranab Choudhury  
Hugh Eley, OAAS  
Melissa Fayard  
Lynette Fontenot  
Rocky Fuselier  
Laura Head  
Valerie Hiser  
Kathy Kliebert, OCDD  
Billie Ruth Kvaternik  
Kay Marcel  
Andrew Merlin  
Heather Mobley  
Chasedee Noto  
Nanette Olivier, DOE  
Jerry Phillips, BHSF  
Olantha Scott  
Lois Simpson, AC  
Phil Wilson, HDC

C. MEMBERS ABSENT

Donna Breaux  
James Bulot, GOEA  
Mary Elizabeth Christian  
Simone Honore-Chretien  
Roseland Starks, LRS

D. STAFF PRESENT

Shawn Fleming  
Paige Freeman  
Robbie Gray  
Kevin Hill  
Derek White  
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  
 Janet Mora, State Interagency Coordinating Council  
 James Sprinkle, FHF at the Crossroads  
 Liz Gary, Partners in Policymaking Coordinator  
 Karla Cummings, guest of Billie Ruth Kvaternik  
 Ken York for Roseland Starks, LRS

## 2. MINUTES OF OCTOBER MEETING

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

Motion Passed. Motion to accept minutes made by Val Hiser. Seconded by Billie Ruth Kvaternik. For – 18. Opposed – 0.

## 3. CHAIRPERSON'S REPORT – Sam Beech

Ms. Beech discussed the meetings and activities she has been involved in since the October meeting.

- October 28<sup>th</sup> through October 30<sup>th</sup>, Ms. Beech attended the National Association of Councils on Developmental Disabilities (NACDD) Conference in Albuquerque, New Mexico. The conference theme was “Rising to the Challenge”. Most of the challenges discussed involved the economy and getting services for people on the waiver waiting lists.

Oregon and Kentucky have closed all of their developmental centers due to budget cuts.

The New Mexico Council collaborated with the Big Brother/Big Sister Program on a promising project that provides background checks and helps match people interested in serving people with disabilities.

- On December 3<sup>rd</sup>, Ms. Beech participated on the Act 378 Sub-Committee Conference call.
- Ms. Beech was the Mistress of Ceremonies for the Art Contest on December 9th. She commended Robbie Gray on the great job done on the Art Contest.
- Ms. Beech reminded the Council that they received the Council's four position papers that had been updated and approved by the Executive Committee. She entertained a motion from the floor to accept these papers.

- Recommend acceptance of the four position papers included in the mail out.

Motion Passed. Motion to accept the four position papers made by Lynn Cannon. Seconded by Val Hiser. For – 15. Opposed – 0. Abstentions – Hugh Eley, Pranab Choudhury and Brandon Burris.

- On January 5<sup>th</sup>, Ms. Beech participated on a conference call with the Executive Committee to discuss the Commission on Streamlining Government's recommendations. She entertained a motion from the floor to accept the Executive Committee's recommendations.

- Recommend acceptance of letter written by Ms. Beech to Senator Kostelka regarding support for Streamlining Commission recommendations of closure and consolidation of developmental centers, privatization of community homes and reduction of unused nursing home beds.

Discussion by Council regarding quality assurances and budget cuts to the Community Living Ombudsman Program resulted in language changes to the letter.

After amendment, a motion to accept recommendation of Executive Committee made by Laura Head. Seconded by Andrew Merlin. For – 14. Opposed – 0. Abstentions – Hugh Eley, Brandon Burris.

- Ms. Beech reported that the Council was directed to make mid-year budget cuts in state general funds in the amount of \$60,982. The Executive Committee is recommending that \$18,007 be taken from the Northwest INCs Supported Living contract and \$4,775 be taken from each of the Families Helping Families Center contracts. All of the Council's state funds are in these contracts. For the fiscal year beginning July 2010, all of the reductions will have to come from Families Helping Families because the Supported Living Program is being transferred to OAAS.

- Ms. Beech entertained a motion to reduce the funds to all Families Helping Families Centers by \$4,775 and Northwest INCs by \$18,007 due to mid-year state general funds budget cuts.

Motion Passed. Motion to approve the contract reductions by Kay Marcel. Seconded by Pranab Choudhury. For – 17. Opposed – 1. Abstentions – Sue Berry.

- Ms. Beech reported that the current policy on attendance at Council meetings is no longer applicable for the new Council meeting format. The Executive Committee suggested an alternative attendance policy.

- Ms. Beech entertained a motion to accept the alternate policy. After discussion, the motion was amended.

Motion Passed. Motion to remove language in policy pertaining to business/voting portion of meeting made by Sue Berry. Seconded by Nanette Olivier. For – 17. Against – 0.

#### 4. EXECUTIVE DIRECTOR'S REPORT - Sandee Winchell

Sandee Winchell discussed the following:

- An Ad-Hoc Committee will be formed to develop recommendations for the Council's Employment Advocacy agenda. Sam Beech, Val Hiser, Phil Wilson, Chasedee Noto, Brandon Burris, Kathy Kliebert and Roseland Starks volunteered to serve on the committee.
- Ms. Winchell will participate on a coordinating committee with DHH regarding the Money Follows the Person Grant. This grant moves people out of institutions and into the community.
- The Council's federal funding has increased approximately \$9,000 more than last year. Over the past five years, the Council has received less than 1% of an average increase while the fringe benefits have increased 80%. Travel and all other operating expenses are increasing as well. This pattern is expected to continue. To cut costs, Ms. Winchell laid off Christy Charles and made the decision not to fill the vacant Program Manager position at this time. The staff will do its best to maintain the same level of service the Council is accustomed to but it will be necessary to eliminate some projects and staff responsibilities.

Due to budgetary issues, Ms. Winchell and Shawn Fleming have both asked not to be considered for salary increases.

A discussion followed.

#### 5. BUDGET REPORT – Shawn Fleming

Mr. Fleming discussed the following:

- The amount in column one of the December 2009 budget will be reduced by \$60,982 in contracts. The Council is on track with expenditures.
- Next year's budget will have decreases in both federal and state funds.

#### 6. COMMITTEE REPORTS

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

Rocky Fuselier discussed the Committee actions as follows:

- A decision was reached that no revisions need to be made to the End the Wait Public Service Announcements scheduled to air prior to the legislative session.
- The committee reviewed the brochure on choosing a provider developed by Families Helping Families Northeast and decided to post the information on the Council's website and ask other agencies to do the same.
- Facts sheets developed by DHH on quality indicators and support coordination will be posted and disseminated.
- The committee reviewed four concept proposals and recommends Council approval for staff to further develop the ideas presented in two proposals – "Inclusion in Action" and "Ability Training."
  - Ms. Beech entertained a motion to accept the recommendation for staff to further develop ideas presented in "Inclusion in Action" and "Ability Training".

Motion Passed. Motion to accept the Committee's recommendations regarding the proposals made by Lynette Fontenot. Seconded by Andrew Merlin. For – 18. Opposed – 0. Abstentions – Olantha Scott.

- There is one Legislative Roundtable remaining in Region 6.
- The Disability Rights Rally will be held on April 28<sup>th</sup> at the State Capitol.

#### B. HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Nanette Olivier

Nanette Olivier discussed the Committee actions as follows:

- The committee requested that Shawn Fleming send the monthly reports from the Autism Early Intervention Project at the Human Development Center to the committee.
- The Committee recommends Council approval for staff to further explore the Transportation concept proposal.
  - Ms. Beech entertained a motion to accept the committee's recommended action.

Motion Passed. Motion to accept recommendation for staff to further explore the transportation concept proposal made by Lynn Cannon. Seconded by Andrew Merlin. For – 19. Opposed – 0.

- The Arc of Louisiana announced a presentation by Dr. Tom Pomeranz.
- Best Buddies at Work is seeking Council member input and feedback on their project.
- The committee received updates on the following projects:
  - Gina Easterly-Taylor reported on the Autism Early Intervention Project.
  - The Education Advocacy Agenda regarding restraint, seclusion, and corporal punishment, and High School Redesign.

#### C. ACT 378 SUB-COMMITTEE – Jeanne Abadie

Jeanne Abadie discussed the following Committee actions:

- The committee held a conference call with Kathy Kliebert. Ms. Kliebert requested approval to use Act 378 state funds as match for federal funding for 425 additional Children’s Choice waiver slots. These waiver slots would serve children currently receiving services with community and family support dollars. The committee approved the request.
- On March 1<sup>st</sup>, the Louisiana Rehabilitation Services (LRS) contract for Supported Living is being transferred to the Office of Aging and Adult Services (OAAS).
- Brenda Boyd with Office for Citizens with Developmental Disabilities (OCDD) reported that all Community and Family Support Priority One requests are funded.

### 7. COUNCIL MEMBER REPORTS

#### A. ADVOCACY CENTER (AC) – Lois Simpson

Lois Simpson reported on the following:

- The Advocacy Center is continuing to monitor the Northeast Supports and Services Center in Ruston since the report they produced last fall. There are additional reports of abuse (client on client). Everyone was encouraged to advocate hard for the closure of Northeast during the legislative session. A study revealed there are not enough resources in that area of the state to fully staff this facility in a quality way.
- The Advocacy Center has 674 fans on Facebook. Some of the topics discussed are employment of people with disabilities, Northeast Services and Supports Center, access to video gaming, and books for the visually impaired on EBay.

- The Social Security Administration is funding a protection and advocacy system around the country. The Advocacy Center has initiated its first investigation under the program and has received more complaints about representative payees in recent weeks.

## B. HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

Phil Wilson reported on the following:

- HDC has a couple of new projects providing training and technical assistance around Response to Intervention to several elementary schools in St. Tammany Parish.

## C. LEGISLATIVE VISITS – Council Members

- Lynette Fontenot and Kay Marcel met with Senator Lafleur. Ms. Fontenot spoke about the implementation of the Resource Allocation Model and compared the cost of waiver services versus costs for services in institutionalized setting. Senator Lafleur stated he would support the Resource Allocation Model being applied to residents of institutions. He advised to start advocating with the House because the Senate will have no problem with the downsizing and closure of developmental centers.

Ms. Fontenot is also setting up meetings with Senators Michot and Gautreaux and Representative Cortez.

- Kay Marcel discussed the Council's Education agenda with Senator Lafleur. Senator Lafleur asked if the Council had a model for legislation for seclusion and restraint and stated an interest in meeting with Shawn Fleming to get more information.

Ms. Marcel is setting up a meeting with Representative Champagne.

- Val Hiser met with Representative Leger from New Orleans. He is very much in support of the Council. He had questions and requested more information to counter concerns of colleagues.
- Sam Beech, Duane Ebarb (Region 7 LaCAN Leader) and Chanel Jackson (FHF Region 7 Executive Director) met with several legislators in Region 7. Senator Buddy Shaw expressed support for people living in their own homes.

Representative Tom Carmody was very knowledgeable about the waiver services and developmental centers and supports the Council's advocacy agenda.

Representative Roy Burrell indicated that when people move out of developmental centers they are looking for housing, transportation and employment.

Representative Jim Morris called after the LaCAN Action Alert targeting members of the Streamlining Commission in support of closing and consolidating developmental centers. He received a large volume of calls and was not happy because he was unable to acknowledge all the contacts.

## 8. STATE AGENCY REPORTS

### A. DEPARTMENT OF EDUCATION (DOE) – Nanette Olivier

Nanette Olivier reported on the following:

- The Deputy Superintendent of the DOE has been speaking to superintendents around the state promoting the video “Autism: A Call to Action” and encouraging superintendents to pledge their support. There is a large wooden puzzle map of the state highlighting districts whose superintendents signed the pledge in the Claiborne Building.
- DOE is working on an initiative to have money and resources supporting special education teachers seeking national board certification. The department is facilitating teachers’ participation in an electronic mentoring process through a national project.
- An electronic newsletter from the department is available to any Council members interested in receiving it. The January DSP E-newsletter indicated that policy language requiring every school district to develop and implement a Response to Intervention (RTI) plan has been approved for Notice of Intent by BESE. The policy is scheduled to be published in the January, 2010 edition of the Louisiana Register. Discussion followed on the need for the Council to submit comments on the RTI policy.
  - Ms. Beech entertained a motion to have LaTEACH research the Response to Intervention issue, draft a position and disseminate to Council members.

Motion Passed. Motion to have LaTEACH research the policy for Response to Intervention made by Val Hiser. Seconded by Andrew Merlin. For – 17. Opposed – 0. Abstentions – Nanette Olivier and Brandon Burris.

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

Hugh Eley reported on the following:

- OAAS is developing a new waiver for individuals with adult onset disabilities.
- The Streamlining Commission recommended that some LRS Independent Living programs be moved to OAAS.
- Money Follows the Person has resulted in persons transitioning out of nursing homes.
- The Elder Justice Act, which addresses elderly abuse and protections, is going through Congress. It was part of the Senate health reform bill but shifted to be elder centric. There are two separate protection systems – elderly and adults with disabilities- so in current form it may put the system protecting adults with disabilities at risk.

#### C. CHILDREN'S SPECIAL HEALTH SERVICES (CSHS) – Sue Berry

Sue Berry reported on the following:

- Clayton Williams is the new Assistant Secretary of Public Health.
- Dr. Francois is moving to Georgia and therefore will not be overseeing the comprehensive effort on birth outcomes.
- CSHS has gone from 18 to 12 to 2 state funded audiologist positions in the last year so it is creating an issue with accessibility for children needing hearing devices. It is difficult for the few audiologists to cover the need in the state.
- The 2010 Maternal and Child Health Bureau needs assessment is well underway and the results will be shared with the Council once they are received.
- CSHS is surveying program staff from different public health programs to determine referral patterns and staff knowledge about other programs and services.

A discussion followed.

#### D. GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – Brandon Burris

Brandon Burris reported on the following:

- The annual GOLD awards were held in December with 280 participants.

- Natalie Robottom has resigned. Mr. Burris now answers to Tammy Woods, the Assistant Chief of Staff. As a result, he participates in more administrative meetings.
- The upcoming 2010 Census does not have any questions on people with disabilities. Mark Ford and Mr. Burris have made comments but were informed it is too late to change the forms.
- GODA will host a luncheon every Thursday during the legislative session to educate advocates on pending bills. Legislators will be invited to report on their bills.
- GODA is considering signing onto “Foundation Search”, a web based search engine to identify grants to fund specific projects or concepts along with the availability of grants and information about breakdown of grants.

A discussion followed.

9. STATE’S FINANCIAL SITUATION AND ADVOCACY – Senator Sharon Weston-Broome

Senator Sharon Weston-Broome provided a presentation on the state’s financial situation and suggestions for effective advocacy.

10. STATE AGENCY REPORTS CONTINUED

E. LOUISIANA REHABILITATION SERVICES (LRS) – Ken York for Roseland Starks

Ken York reported on the following:

- LRS is preparing to transfer programs to DHH and the Workforce Commission.

A discussion followed.

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

Kathy Kliebert reported on the following:

- A considerable amount of thought went into the mid-year budget cuts that affect services for people with developmental disabilities. Twenty-nine separate DHH programs are receiving rate cuts but the department supported exemptions from mid-year cuts to the NOW, ICFs/DD and Support Coordination.

- OCDD is continuing to use the Resource Allocation model to off-set some of the budget deficits in Medicaid. Two waiver programs that had previously received no cuts will see rate cuts; rate cuts will be 5.35% to Support Waiver services and 5% to Children's Choice services. It is not anticipated that these individuals would increase the number of hours so cost savings are anticipated.
- There is a reduction in money for EarlySteps services. Rather than making rate cuts, OCDD will more stringently follow criteria so children who have historically been allowed to continue in the program for longer time periods when they no longer meet eligibility criteria will have services discontinued.
- Budget cuts required the privatization of state run community homes. There will be individualized processes to look at other community services including waiver services and vacancies in existing private community homes of the persons' choice. One option not offered to people is going back into institutions. The last option will be cooperative endeavor agreements to replace beds currently operated by the state. Savings would be \$1.8 million for SFY10 which would be \$11 million annualized for next year. These savings would allow the state to better allocate resources.

A discussion followed.

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

Jerry Phillips reported on the following:

- The third round of cuts with 29 rules is in the paper today. A couple of rules may be rescinded. The Medicaid expenditure was cut down to about \$246 million in the state general fund. The cuts in the paper address the expenditure deficit not the revenue deficit. BHSF was able to come up with some one time cuts and work with providers so it has come down to rate cuts.
- Half of the SFY 11 deficit is the Medicaid FMAP cut. The Americans Recovery Reinvestment Act (ARRA) may extend an available match for another two quarters making the FMAP 80% which is worth about \$480 million for next year.
- Senator Landrieu has some language in the Senate Healthcare Bill that will give Louisiana about \$400 million of relief.
- On February 12<sup>th</sup>, Commissioner Davis will present the Executive Budget to the Joint Legislative Committee on the Budget.

A discussion followed.

H. GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Sharon Buchert for Jay Bulot

Sharon Buchert reported on the nine Aging and Adult Resource Centers serving the elderly and adults with disabilities.

A discussion followed.

11. UNFINISHED BUSINESS – Sam Beech

None to discuss.

12. NEW BUSINESS – Sam Beech

Certificates of Appreciation were presented to Jeanne Abadie, Lynette Fontenot and Billie Ruth Kvaternik for their years of service on the Council.

13. ANNOUNCEMENTS

Jim Sprinkle with Families Helping Families at the Crossroads shared his appreciation of the support of the Council and the status of the Disability Information Access Line (DIAL) with the FHF Association. The net cost is about \$120 per year with about 12,000 calls being served each year.

Ms. Beech announced the next quarterly Council meeting will be held in Baton Rouge on April 21-22, 2010.

14. ADJOURNMENT OF BUSINESS MEETING

Motion to adjourn the meeting made by Val Hiser. Seconded by Lynn Cannon. The meeting adjourned at 2:37 p.m.