

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
OCTOBER 21, 2010
MEETING**

Holiday Inn South
Baton Rouge, Louisiana

8:30 A.M.

1. GREETINGS AND INTRODUCTIONS

- A. Sam Beech, Chair of the Council, welcomed everyone to the meeting. She 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

Sam Beech
Donna Breaux
Brandon Burriss, GODA
Melissa Fayard
Rocky Fuselier
Reginald Garey
Don Gregory, BHSF
Laura Head
Kay Marcel
Andrew Merlin
Heather Mobley
Chasedee Noto
Michelle Octave, GOEA
Bambi Polotzola
Olantha Scott
Lois Simpson, AC
Phil Wilson, HDC

C. MEMBERS ABSENT

Sue Berry, OPH/CSHS
Lynn Cannon
Pranab Choudhury
Mary Elizabeth Christian
Hugh Eley, OAAS
Valerie Hiser
Julia Kenny, OCDD
Nanette Olivier, DOE
Nicole Soileau
Roseland Starks, LRS

D. STAFF PRESENT

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

E. GUESTS IN ATTENDANCE

Justin Ward, Guest of Reginald Garey
Sakina Kamara, Guest of Reginald Garey
Joseph Hicks for Sue Berry, OPH/CSHS
Gina Rossi for Hugh Eley, OAAS
Mark Thomas for Julia Kenny, OCDD
Marsha Blackmon for Roseland Starks, LRS
Liz Gary, Partners in Policymaking Coordinator
Rebecca Ellis, LaCAN/LaTEACH Coordinator, Region 9
Lynette Fontenot
Kelly D'Avy
James Sprinkle, FHF at the Crossroads
Maria Blanco, HDC
Gina Easterly, HDC
Nicole Lasserre, HDC

Sara Voight, AC

2. SUMMARY OF JULY MEETING

Ms. Beech requested a motion to accept the summary from the July meeting.

Motion passed. Motion to accept summary made by Rocky Fuselier. Second by Lois Simpson. Abstention – Kay Marcel. Passed without objection.

3. CHAIRPERSON'S REPORT –Sam Beech

Ms. Beech reported on her activities of the past quarter as follows:

Ms. Beech reviewed the recommended guidelines for the use of restraints and seclusion that were developed by the Southern Disability Law Center (SDLC) and the Southern Poverty Law Center (SPLC). These recommendations were found to be in line with the discussion points and recommendations made at the July Council meeting. Ms. Beech sent a letter to the Board of Elementary and Secondary Education (BESE) indicating the Council supports the SDLC/SPLC recommended guidelines because it was believed BESE was going to consider this issue at their October meeting.

On September 20th Ms. Beech participated in a conference call with Sandee Winchell, Kay Marcel and Laura Brackin, with the Arc of LA, to discuss collaboration between the Arc, LaCAN and the Council for the upcoming legislative session. Future calls are scheduled to discuss strategy.

On October 5th Ms. Beech, Ms. Winchell and Ms. Marcel met with Department of Health and Hospitals (DHH) Secretary Bruce Greenstein. Mr. Greenstein expressed a position that aligns with the Council regarding home and community based services being best practice.

On October 13th Ms. Beech participated in the online training “Leaving a Richer Social Fabric” that discussed how to get people more involved in their community. Ms. Beech encouraged Council members to participate in these weekly Revolutionary Leaders Training events. Council stipend funds are available to cover the cost.

Executive Committee Meeting on October 20th

The Council’s legislative action plan will include Council members visiting legislators on the key committees in their respective regions.

The Council will contract with a transcription service for the January meeting. The transcriber will type every word said during the meeting and the words will be projected on a screen. The Council and staff will evaluate whether the service is beneficial to Council members and saves staff time and a determination will be made on whether or not to continue the service.

Ms. Beech referred Council members to the revised position papers regarding closure and consolidation of developmental centers, segregation of individuals with disabilities and community living for individuals with disabilities included in the members’ packet. The Executive Committee discussed these position papers and recommend they be accepted by the Council.

Motion Passed. Motion to accept the three revised position papers made by Chasedee Noto. Second by Reginald Garey. Passed without objection.

The Executive Committee recommended the Council's advocacy agenda include the following:

- Avoid additional community provider rate cuts
- Fill existing waiver slots
- Rules and regulations on the use of seclusion/restraints in schools
- State law similar to national "Rosa's Law" that changes references of "mental retardation" to "intellectual disability"

Kay Marcel suggested that if additional revenue becomes available the Council should advocate for restoration of cuts to Medicaid Community Service providers.

Motion Passed. Motion to accept the Executive Committee's recommendation for the Council's advocacy agenda as amended by Kay Marcel made by Lois Simpson. Second by Michelle Octave. For - 15. Against – 1.

Due to no response to the Emergency Registry Solicitation of Proposals (SOP), cost savings in operations and unexpended contract funds, there is \$45,000 available for the Council to use on other initiatives. The Executive Committee recommends the following projects:

- SOP for a Transportation Liaison between Regional Transportation Planning Bodies and Disability Stakeholders \$37,720
- Survey of Recipients of Cash Subsidy and Individual and Family Support Services \$ 7,962

Motion Passed. Motion to accept the recommendation for an SOP for a Transportation Liaison and to survey recipients of Cash Subsidy and Individual and Family Support Services made by Kay Marcel. Second by Donna Breaux. Abstention – Brandon Burris. Passed without objection.

Ms. Beech presented Melissa Fayard with a certificate for her participation on the Council.

4. EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell extended a welcome to Michelle Octave with the Governor's Office of Elderly Affairs (GOEA) and Don Gregory with Bureau of Health Services Financing (BHSF) as this is their first Council meeting.

The DD Council office is moving on November 22nd across the street from its current location. Once moved, the office will have voice mail. A staff person will still answer the phone but callers will have the option of leaving a message on voice mail for the person they are trying to reach. The office is also switching over to web based conferencing for conference calls which will save a considerable amount of money.

The Council's state funds are being cut by \$32,504 effective immediately. Since all of the Council's state funds go to Families Helping Families, this will cut each regional center's contract by \$3,611 reducing them to \$41,701 annually.

To prepare for legislative visits, Council members will receive a packet by email which will include a chart divided into regions listing Council members and the legislators in each region on the key committees. The LaCAN Leader and LaTEACH Coordinator for each region are also included. The packet will include a cover letter to leave with each legislator and fact sheets on our issues. A separate packet will be mailed to the team captain in each region with Council folders, letterhead and color copies of the fact sheets. Council members will be asked to report on their visits at the January meeting.

Public Forums are being hosted with the Advocacy Center and Human Development Center to gather input for our planning efforts over the next five years. These forums will be held on November 9th in Shreveport and November 16th in Baton Rouge. Ms. Winchell encouraged everyone to attend.

Ms. Winchell and Pranab Choudhury attended the National Association of Councils on Developmental Disabilities Annual Conference in Orlando on September 26th – 28th. Ms. Winchell shared some highlights of the conference including remarks made by the ADD Commissioner regarding the importance of sharing the good work that Council's do with policymakers. Ms. Winchell encouraged Council members to visit their U.S. Congressmen and Senators in their district offices to talk about the Council and the impact the Council is making in Louisiana for people with developmental disabilities. Mr. Choudhury submitted a written report on the conference since he couldn't attend the Council meeting.

5. BUDGET REPORT – Shawn Fleming

The Council is on track with expenditures. Mr. Fleming discussed the handout regarding the breakdown of contract expenditures. Ms. Winchell stated that Council staff will have a conference call with the Families Helping Families Directors regarding using the Stipend funds. If there is no improvement in the outreach and liquidation of the stipends, the staff will recommend discontinuation of this program in the next planning cycle.

A discussion followed.

6. COMMITTEE REPORTS

A. HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Donna Breaux

LaTEACH provided an overview of recent activities and an expansion of its efforts to the committee.

The committee reviewed the recommendations made by the Southern Poverty Law Center regarding guidelines for restraints/seclusion. In addition to endorsing these recommendations the committee recommended advocating for nurses to train school personnel in the use of restraints and seclusion.

B. SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING - Olantha Scott

The committee discussed the “End the Wait” campaign and decided no changes were needed to the public relations videos.

Quality Assurance was discussed and a sub-committee will meet to develop a position paper on the components of a quality workforce.

OCDD and Health Standards reported on quality assurance and monitoring practices in their agencies.

People First gave a report on activities from the last quarter.

C. ACT 378 SUB-COMMITTEE – Kay Marcel

There will be a survey of Act 378 Cash Subsidy and Individual and Family Supports services.

The language in Act 378 was reviewed for consideration of updates. It was decided to not open up the law for debate this legislative session.

Reports were received from the Office of Behavioral Health, Office of Aging and Adult Services and the Office for Citizens with Developmental Disabilities. Expenditure levels were acceptable but some concerns were expressed.

OCDD provided a report on the new screening tool regarding children with Autism to determine levels of severity. The screening tool was piloted in several regions and it is ready to go through rulemaking. Other issues arose during the process and OCDD has requested the Cash Subsidy Committee reconvene to address these issues.

OBH has started training regional offices on the appropriate use of Act 378 funds.

D. NOMINATION COMMITTEE – Rocky Fuselier

Donna Breaux, Nanette Olivier, and Mr. Fuselier interviewed four parents and four self-advocates for vacancies on the Council. The committee is recommending Brenda Cosse', a parent from Slidell and Steven Yazbeck, a self advocate from Covington.

Motion passed. Motion to accept the recommendations of the membership committee for Brenda Cosse' and Steven Yazbeck for Council membership made by Donna Breaux. Second by Olantha Scott. Passed without objection.

7. COUNCIL MEMBER REPORTS

A. HUMAN DEVELOPMENT CENTER (HDC) - Phil Wilson

The Employment Consortium project ended in September with one of the participants recently getting hired. Training with the new Employment project will begin in November.

In partnership with some local school districts and Delgado Community College, HDC recently received a federal grant from the US Department of Education to create a program for 18-21 year old youth with intellectual disabilities to attend Delgado, obtain degrees and become employed.

HDC is developing a Leadership Education Development Program for inter-disciplinary training in auditory and speech therapy.

8. STATE AGENCY REPORTS

A. OFFICE OF AGING AND ADULT SERVICES (OAAS) – Gina Rossi for Hugh Eley

Ms. Rossi touched on items in the written report.

OAAS received a grant for Lifespan Respite from the Center for Medicare and Medicaid Services (CMS) to provide education and information on respite for consumers and caregivers.

A discussion followed.

9. COUNCIL MEMBER REPORTS CONTINUED

B. ADVOCACY CENTER (AC) - Lois Simpson

Ms. Simpson passed out the Advocacy Center's 2009 Annual Report.

Ms. Simpson and Ms. Sara Voight did a presentation on the 2011 Plan. In each of the following priorities they discussed an example of an individual or group of individuals they had served and assisted in that area:

- Financial entitlements (Medicaid)
- Institutional rights
- Special education
- Self determination
- Access
- Community integration
- Employment

A discussion followed.

10. STATE AGENCY REPORTS CONTINUED

B. LOUISIANA REHABILITATION SERVICES (LRS) – Marsha Blackmon for Roseland Starks

Public hearings were held in August regarding LRS' move to the Louisiana Workforce Commission (LWC). The State Plan was approved.

LRS will absorb \$1.2 million in cuts. There will be no layoffs but no vacant positions will be filled.

The Rehabilitation Council meeting will be held November 4th and 5th in Metairie.

A discussion followed.

C. GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Michelle Octave

GOEA is still working under the interim leadership of Paul Colomb.

The chronic disease self management program is offered through a grant. There are workshops offered statewide for individuals to participate in for self management of treatment for chronic disease.

GOEA is coordinating with the DHH/OAAS lifespan respite grant.

Ms. Simpson suggested the Council write a letter to the governor to express the importance of filling the Executive Director's position at GOEA.

Motion passed. Motion to write a letter to the governor to fill the position of the Executive Director of GOEA and cc Tammy Woods made by Lois Simpson. Second by Rocky Fuselier. Passed without objection. Abstentions – Michelle Octave and Brandon Burriss.

D. OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Mark Thomas for Julia Kenny

OCDD continues to work with Medicaid to come up with additional money to reinstate the EarlySteps reimbursement rate.

One-time funding, from the Community and Family Support Fund, has been made available through the sale of the Metropolitan Developmental Center property, and these funds are being distributed to Regional offices, Human Services Districts and Authorities.

There are not enough emergency waivers to fill the need of persons applying. A percentage of waiver allocations will be dedicated to emergency waivers. OCDD is forming a committee in the next two months to address this shortage. The committee's results will be reported on at the January Council meeting.

OCDD will be implementing self-direction statewide for the New Opportunities Waiver (NOW) by February 1, 2011.

OCDD is in discussion with CMS for final approval of the Children's Choice changes. Mr. Thomas stated that the amendment currently at CMS had the 425 new slots and the changes recommended by the Children's Choice workgroup.*
A discussion followed.

*After the meeting Mr. Thomas corrected this statement. The CC amendment only contains the additional slots; none of the recommendations were included.

11. THE EARLY INTENSIVE TREATMENT PROJECT - Nicole Lasserre, Maria Blanco, LSUHSC Human Development Center

Dr. Lasserre and Ms. Blanco spoke on the outcomes and future direction of the Early Intensive Treatment Project.

12. STATE AGENCY REPORTS CONTINUED

- E. BUREAU OF HEALTH SERVICES FINANCING (BHSF) - Don Gregory

Mr. Gregory referred to waivers and rate cuts mentioned in the written report.

Specifically, Medicaid issued four rate cuts to providers in 20 months.

Money Follows the Person received an additional \$14 million of funding.

A discussion followed.

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

The Statewide Independent Living Council (SILC) completed the three-year State Plan. The Plan was approved by the federal government and will receive \$5.8 million for independent living.

The Governor's Advisory Council on Disability Affairs (GACDA) has been downsized from 39 to 28 members, ten of which are self-advocates or family members of a person with a disability.

Meda-soft or "Google for Grants" is officially up and running.

The Governor's Outstanding Leadership in Disability Awards Ceremony will be held on December 7th. Nomination packets are available on GODA's website.

GODA has taken over the Inclusive Arts contest from the Council effective July 1st.

The Governor's Office has hired Christie Smith as the new Executive Director of the State Interagency Coordinating Council for EarlySteps.

- G. CHILDREN'S SPECIAL HEALTH SERVICES (CSHS) – Dr. Joseph Hicks for Dr. Sue Berry

The Maternal and Child Health (MCH) Block Grant had a great review in Dallas on October 18th.

The full Needs Assessment with data is available on the Office of Public Health website.

13. UNFINISHED BUSINESS

None to discuss.

14. NEW BUSINESS
None to discuss.

13. PUBLIC COMMENT
None.

15. ANNOUNCEMENTS

The next quarterly Council meeting will be held January 19-20, 2011.

16. ADJOURNMENT OF MEETING

Motion passed. Motion to adjourn meeting at 3:00 p.m. made by Chasedee Noto. Second by Donna Breaux. Passed without objection.