

Executive Director's Report January 18-19, 2012 Council Meeting

Budget

- The budget report with expenditures through November 2011 is included in the packet.

Membership Update

- The individuals who were approved at the October meeting – Deshae Lott Sadow, Erin Smith, and Patsy White – were submitted to the Governor on October 28th for his appointment. Stephanie Patrick's name was also submitted to represent the Advocacy Center at Lois Simpson's request.
- Sam Beech, Brenda Cosse', Kay Marcel, Mark Martin, Nanette Olivier, and Phil Wilson's names were also submitted to the Governor on October 28th for reappointment to the Council.
- Nicole Soileau has resigned from the Council. Recruitment of applicants with developmental disabilities in Region IV has begun and we have already received four applications. The deadline is December 31, 2011.

Staff Update

- Shawn Fleming received one of the Governor's Office of Disability Affairs Outstanding Leadership in Disabilities Awards - the Distinguished Merit Award. This award is presented for "extraordinary service by an individual, organization, or firm working in the disability field that has consistently presented opportunities in Louisiana for persons with disabilities to utilize their capabilities in achieving full participation in society." We are all very proud to have Shawn recognized in this way.
- On December 19th Kevin Hill submitted his resignation from the Council. His last day of work will be January 6, 2012. Kevin has been with the Council for almost five years and will be missed. We will begin recruiting to fill his position immediately.

Five Year Plan and Program Performance Review (PPR) Updates

- The comments we received on our new Five Year Plan from the peer review team composed of other Council Executive Directors and Council members are attached to this report.
- Our Federal Fiscal Year 2011 PPR is due to the Administration on Developmental Disabilities (ADD) on January 1st. It will be submitted before we leave for the New Year's holiday.

DD Council Federal Appropriations

- Congress passed an appropriations measure on December 17th to fund the federal government for the remainder of FFY 2012 and avert a federal government shutdown. Included was \$74,774,409 for DD Councils which reflects an across-the-board cut of 0.189% from FFY 2011. In light of the pressure to cut

federal spending this is a huge victory to have our program remain essentially intact.

Professional Development

- I participated in the National Association of Councils on Developmental Disabilities' Annual Conference and the Alliance for Full Participation (AFP) Summit on Employment of People with Developmental Disabilities outside of Washington, D.C. Chasedee Noto, Phil Wilson, Julia Kenny and a team of other parents and self advocates from Louisiana joined me for the AFP.

Family Forums on Individual and Family Supports

- In collaboration with the Office for Citizens with Developmental Disabilities (OCDD), the Council has co-hosted sixteen forums in eight regions of the state to listen to individuals with developmental disabilities and their families about their experience with the Act 378 Individual and Family Support Program.
- The goals of the forums are to ensure the program is being implemented:
 - in accordance with the guiding principles of Act 378
 - in accordance to state policy, and
 - consistently across the state.
- After completion of the remaining four forums, recommendations will be made to correct any systemic issues that are identified.

Advocacy Activities

- In collaboration with provider groups, the support coordination alliance and the Arc of LA, we successfully worked with DHH and reached agreement on strategies to achieve cost savings of \$3.4 Million in the waiver program. One of the strategies is to encourage NOW recipients who are receiving over their recommended number of Individual and Family Support hours to work with their providers and support coordinators to develop a plan to bring them within their recommended hours. (Exceptions will continue to be made for individuals with clear justification whose health and safety cannot be ensured in the recommended number of hours.) Without these strategies, the \$3.4 Million would have been cut by not filling waiver slots and elsewhere in the waiver program. For more on this subject please see *LaDDC News* on our website.
- Negotiations continue with DHH regarding our Money Follows the Person (MFP) proposal. Based on OCDD's initial response, we have modified our proposal to include Residential Options Waiver (ROW) slots instead of NOW slots. The MFP proposal will be discussed in our quarterly meeting with Secretary Greenstein on January 5th.
- After months and months of negotiations with DHH on means testing for families of children receiving/applying for the Flexible Family Fund (formerly Cash Subsidy), we failed to convince DHH Leadership of the merits of leaving this program as it was originally designed. DHH has announced plans to move forward with their proposal to apply an income limit and prohibit children receiving waiver services from also receiving the funds. We have notified LaCAN

members to engage them in the process and written an article for *LaDDC News* on this subject.

Collaborative Efforts

Family Members as Paid Caregivers Work Group

- OCDD has formed a work group to assist it in developing policy in response to Act 333 of 2008. This act requires DHH to develop criteria regarding family members serving as direct support workers (DSW) and to issue waivers stating that the relative is the best available appropriate DSW for the individual being served. This criteria and waiver process must be approved by CMS.
- Group's charge is to "develop a proposal and plan that balances family as family and family as paid DSW."
- Other states' restrictions on family caregivers were shared and discussed as were both positive and negative experiences in Louisiana with family caregivers

Home and Community Based Services Improvements Stakeholders Group (Act 299)

Some key recommendations that are currently included in the draft report:

- All Home and Community Based providers should file electronic cost reports
- Reimbursement rates should be based on cost
- Rate methodology should ensure that sufficient funds go to direct care and promote adequate wages for direct support workers
- Certain Support Coordinators (SC) should be specialized with assignment to specific duties
- Modify plan approval process to allow SC Supervisors to approve plans with regional office staff completing oversight and monitoring functions
- Review all paperwork requirements and remove any unnecessary paperwork and streamline/combine others
- Develop and implement a SC core curriculum

State Interagency Coordinating Council (SICC)

- Representatives of the SICC met with DHH Secretary Bruce Greenstein to express concerns and offer possible solutions about billing/rate and retroactive payment issues plaguing Family Service Coordination (FSC) for EarlySteps.
- Due to the current fiscal situation, Secretary Greenstein said rate reinstatement and retroactive payment was not currently possible. He did commit to the process of examining and resolving issues regarding billing.

OCDD Mortality Review Committee

- Of the eighteen cases reviewed, the Committee found no abuse/neglect issues and no systemic concerns were noted.

La. Department of Education (LDE) LAA 2 (Tiger Team)

The LDE Tiger Team met to discuss LEAP Alternate Assessment, Level 2 (LAA 2) participation. After reviewing the LAA 2 data the committee developed the following

recommendations to the LDE and the Board of Elementary and Secondary Education (BESE):

- LDE should continue to track and report LAA2 participation and performance, and should continue to consider trends in the data.
- LDE should add LAA2 participation to the formal Individuals with Disabilities Education Act/No Child Left Behind Performance-Based Monitoring system.
- LDE should improve training for district personnel on how to apply the LAA2 participation criteria and how LAA2 impacts performance scores.
- LDE should develop additional communications and messaging to support the appropriate use of LAA2 by districts.
- LDE should devise a coordinated approach for tracking the impact of various state initiatives on LAA2 participation and performance, especially those initiatives which focus on instructional improvement and student supports (e.g. Professional Development grants, Response to Intervention).
- There may be a need to revisit how LAA2 is counted toward School Performance Scores and Adequate Yearly Progress (assignment of points based on proficiency level) to ensure that districts do not have an incentive to overuse or underuse the modified assessment.
- BESE should consider policy changes or guidance to make access to summer remediation more equitable for students taking LAA2.

Act 515 of 2010 (School Voucher Pilot) Evaluation Committee (Rep. Foil)

- An evaluation plan for a school voucher pilot will consist of surveying parents of participating children, prospective families, and parents of students exiting programs.
- Proposed changes to legislation include changing the grade level criteria (K-8) to age, including language regarding dispute resolution procedures, and expanding the program to support students traveling across parish lines.

LDE Special Education Update

- Handout on graduation criteria was modified following the request of Council staff recommendations to accurately reflect current rules.

La. Rehabilitation Council (LRC)

- Due to savings related to policy changes, La. Rehabilitation Services considered a plan to increase transportation rates. The LRC agreed with this plan.
- The LRC is revising its By-Laws and changing other organizational practices intended to improve the effectiveness and efficiency of the Council.

Work Pay\$ Coalition

- The Coalition and UpLIFTD, a Baton Rouge-based Vocational Rehabilitation provider, co-hosted an Employment First Summit on December 9th to highlight the benefits of employment and the state's movement toward Employment First.
- Speakers included Kathy Kleibert, Deputy Secretary of the Department of Health and Hospitals (DHH); Jay Augustine, Deputy Executive Director of the Louisiana Workforce Commission; Julia Kenny, OCDD Assistant Secretary; Joe Entwistle,

Sr. Policy Analyst, National Consortium for Health Systems Development; and Suzanne Freeze and David Hoff with the State Employment Leadership Network (SELN).

Meetings Attended Since October 1, 2011

Training for Committee Chairpersons – October 3
Region 5 Family Forums on Individual and Family Support – October 5
Membership Committee – October 6
LaCAN/LaTEACH Kick-Off – October 10
Quarterly meeting with Sec. Greenstein, K. Kliebert, J. Kenny, S. Beech, K. Marcel – October 10
State Interagency Coordinating Council (SICC) – October 12
Meeting with People First Leadership – October 13
Budget meeting with DHH – October 13
Council Meeting – October 19-20
Collaboration meeting with Lois Simpson and Phil Wilson – October 25
SCHSA Family Forums on Individual and Family Support – October 26
Region 7 Family Forums on Individual and Family Support – November 1
Conference call with Sec. Greenstein and others re: cuts to waiver program – November 1
Region 8 Family Forums on Individual and Family Support – November 2
CAHSD Family Forums on Individual and Family Support – November 7
Act 299 Home and Community Based Services Improvements Steering Committee – November 10
Meeting with Sec. Greenstein and others re: cuts to waiver program – November 14
National Assn. of Councils on Developmental Disabilities (NACDD) Annual Meeting and Conference outside Washington, D.C. – November 15-17
Alliance for Full Participation Employment Summit – November 17-19
Meeting with People First Leadership – November 28
Region 4 Family Forums on Individual and Family Support – December 1
Family Members as Paid Caregivers Work Group – December 2
Ad Hoc Committee on Council Structure – December 5
FPHSA Family Forums on Individual and Family Support – December 6
Act 299 Home and Community Based Services Improvements Stakeholders Group – December 8
Employment First Summit – December 9
Ad Hoc Committee on LRS Funding – December 12
Governor's Office of Disability Affairs GOLD Awards Ceremony – December 13
Region 6 Family Forum on Individual and Family Support – December 13
Meeting w/ J. Kenny, M. Thomas, A. Bamburg re: Money Follows the Person – December 15

State Plan Peer Review Summary

Overall the plan is innovative in its approach to addressing problems identified in the State.

State Plan Strengths

The plan shows awareness of the availability of services and demonstrates a good understanding of the unmet needs of people with disabilities.

The plan included a thorough analysis of rate setting mechanism (SIS) including former and current cost analysis.

Thoughtful description was included regarding both fiscal and programmatic aspects of projected resources and current trends.

The Plan is very action oriented plan with specific goals. The selection of goals is supported by effective data collection and prioritization of needs and includes a well constructed evaluation plan.

State Plan Recommendations/Weaknesses

The Plan needs more background information and detailed data analysis.

State information lacked residential information for all years except the most recent, 2011.

No information on opportunities for people with Developmental Disabilities to participate in Boards and Committees to better contribute to the community and to have their voices heard.