

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL  
JULY 19, 2012  
MEETING SUMMARY**

Holiday Inn

South  
8:30 A.M.

Baton Rouge, Louisiana

**GREETINGS AND INTRODUCTIONS**

Sam Beech, Chair of the Council, welcomed everyone to the meeting. She stated there are forms on the table for anyone wishing 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.

MEMBERS PRESENT

Sandra "Sam" Beech  
Sue Berry, OPH/CSHS  
Donna Breaux  
Brandon Burris, GODA  
Pranab Choudhury  
Rocky Fuselier  
Val Hiser  
Kay Marcel  
Mark Martin, LRS  
Andrew Merlin  
Heather Mobley  
Nanette Olivier, DOE  
Stephanie Patrick, AC  
Bambi Polotzola  
Phil Wilson, HDC

STAFF PRESENT

Shawn Fleming  
Paige Freeman  
Robbie Gray  
Brandi Jones  
Derek White  
Sandee Winchell

MEMBERS ABSENT

Laura Brackin, OCDD  
Mary Elizabeth Christian  
Brenda Cosse'  
Hugh Eley, OAAS  
Reginald Garey  
Chasedee Noto  
Olantha Scott

GUESTS PRESENT

Kris Hebert  
Ruth Kennedy, BHSF  
Deshae Lott  
Margaret McGarity, GOEA  
Erin Smith  
Tammy LeBlanc, OAAS  
Frances Hilburn  
Stephanie Mire  
Jeff Sadow, Guest of Deshae Lott  
Sharon Schmidtfranz, CAHSD  
Courtney Hawkins, Volunteers of America  
Shalonda Vessel, Guest of Deshae Lott  
Christy Cormier, LaTEACH  
Liz Gary, Partners in Policymaking  
Rebecca Ellis, FHF Northshore

## SUMMARY OF APRIL MEETING

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

Motion passed. Motion to accept the April summary made by Kay Marcel. Second by Val Hiser. Passed without objection.

## CHAIRPERSON'S REPORT – Sam Beech

On May 17<sup>th</sup>, Ms. Beech participated in the Ad Hoc Committee on EarlySteps.

Ms. Beech sent letters to legislators related to issues contained in sixteen pieces of legislation. Along with other members of the Executive Committee, a letter was sent to Senator Landrieu requesting support for appropriations for the DD Councils.

On June 1<sup>st</sup>, Ms. Beech participated on the monthly conference call for LaCAN Leaders.

On July 10<sup>th</sup>, Ms. Beech participated in the annual LaCAN/LaTEACH Legislative Debriefing.

On June 13<sup>th</sup>, Ms. Beech participated on a conference call with the Executive Committee to discuss and approve a waiver for the new Families Helping Families Director for Families Helping Families of Acadiana, Dr. Dena Moore.

On June 15<sup>th</sup>, Ms. Beech contacted her BESE Member, Walter Lee, along with others asking them to renew funding for the Louisiana Autism Spectrum Disorders and Related Disabilities (LASARD) Initiative. BESE did put this back on their agenda and renew funding for another year.

## EXECUTIVE COMMITTEE DECISIONS

The Executive Committee met and agreed on the format in the handout for Council member biographical information. This information is for internal use only for members to learn more about one another. Members were requested to complete it and give it to staff.

The Committee discussed that with the exception of the Chairperson's email address all Council member email addresses will be removed from the Council website.

Ms. Beech reviewed the following recommendations from the Louisiana Association of Non-profit Organizations (LANO) the Executive Committee is recommending the Council adopt: (Recommendations in ***bold italics*** denote changes/additions made by the Executive Committee)

- **Meeting Setting:**
  - Assign members to read the ground rules, mandate, and mission at the beginning of the business meeting. Rotate assignments.

- **Meeting Technology/Microphones:**
  - Invest in additional microphones and place them at the table on stands for members to pass to each other. (*Staff had already ordered immediately after April meeting*)
- **Meeting Structure and Agenda:**
  - To ensure that meetings follow the agenda, the recent guidelines developed for verbal reports should be reinforced.
  - ***In lieu of an after lunch speaker, invite one of the state agency members to speak in depth on an initiative/issue their office is addressing.***
- **Meeting Minutes and Material:**
  - Agency representatives should start off the verbal report stating the color of their report and have ***the option of providing*** 2-3 PowerPoint slides with the output data and highlights from the agency written report.
  - ***Mentors and Council staff will provide assistance to any members needing assistance managing paper.***
- **Agency Reports**
  - Work with state agencies and other members charged with reporting to focus the information presented in both the written and verbal reports on activities and actions needed to advance the current work of the Council and that strategic plan. Reports that focus on the future and prepare and engage members to address challenges and opportunities in meeting their objectives will foster action-oriented discussions. (Council had already initiated)
  - Written reports should list objectives/activities directly from the Council's plan that align with the agency's mission. (Council had already initiated)
  - Members that don't meet their deadline for written reports should follow-through and submit a written report as part of the record.
- **Member Engagement**
  - Formalize the mentoring program for advocate Council members that would benefit from it.
  - Mentoring program should include:
    - the development of a job description for mentors and expectations for both the mentors and mentees.
    - Tangible activities that help to ensure that the program is meeting its intended objectives and regular evaluation of the program's effectiveness
  - Mentoring activities could include:
    - phone call before the meeting to review the packet and identify times in the agenda where the mentee has a point to contribute;
    - sitting next to the mentee at the business meeting and encouraging them to participate; and
    - a phone call after the meeting to check-in and get their feedback on the meeting.

- **State Agency Engagement on Committees**

- State agencies could assign a single representative to attend committee meetings on their behalf who would be responsible for attending all committee meetings and serving as the liaison to the agency representative on the Council. (Council had already initiated)

### **General Observations and Recommendations**

- **Action Items**

- Noting action items on flip chart paper as they surface that includes a timeline and lead responsible for implementation would help to foster member participation and hold the Council and staff accountable for follow-through.

- **Planning Process**

- The planning discussion could have benefited from a facilitator and participatory process that used small groups and guided questions to facilitate the revising of the strategic plan.
- Adding a purpose statement to each of the planning areas would help to clarify the intent of the work in that specific area and the desired outcomes to set context for the goals and objectives.

- **Committee Structure**

- Establishing ad-hoc committees such as the committee established at the April meeting on the training of medical professionals is a best practice that should be continued when appropriate.

- **Conflict of Interest**

- Council members benefitting from funding from LaDDC to their agencies should disclose the conflict and remove themselves from the discussion and vote.
- These members should follow the same process as described to other grantees and contractors for submitting information needed for funding decisions.
- The Council should enforce compliance with the practices and policies for disclosure and conflict of interest as stated in the orientation materials.
- Reorient members annually during the signing of their agreements.

**Motion passed.** Motion to accept the LANO recommendations regarding changes to Council meetings as recommended by the Executive Committee made by Valerie Hiser. Second by Bambi Polotzola. Passed without objection.

### **EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell**

Ms. Winchell welcomed Ruth Kennedy and Kristopher Hebert to their first Council meeting.

Several appointments to the Council submitted in October have yet to be made by the Governor.

Ms. Winchell noted the Families Helping Families summary monitoring report in the handouts produced at the suggestion of Council members. Staff will answer any questions related to this report.

The legislative tracking list mailed out reflects the outcome of all the bills the Council tracks during the session. This was sent out electronically to allow members to click on the bills and read them. Ms. Winchell noted this was a tough session both in terms of budget cuts and success and failure on the issues important to the Council. People with developmental disabilities and those on the waiting list were acknowledged by legislators as a priority but this did not prevent a loss in waiver slots. Although the message about including students with disabilities in the educational reform efforts did not prevail, students with disabilities were part of the discussion by legislators as a result of advocacy efforts. Following the LaCAN/LaTEACH Legislative Debriefing the regional advocacy leaders were rejuvenated and ready to work hard and move forward.

Although there were concerns regarding the impact of the almost \$860 million cuts to the Medicaid budget to developmental disability services, DHH announced home and community based services for people with developmental disabilities were mostly spared. Fifty-five families of children with severe disabilities receiving the Flexible Family Funds, formerly the cash subsidy program, will lose those services. And nine positions in the resource centers are going to be lost. Due to DHH dealing with the budget cuts the Council quarterly meeting with Secretary Greenstein was postponed until August.

The Council was in the final stages of filling the Program Manager position when a new hiring freeze came out further delaying the process.

## **BUDGET REPORT – Shawn Fleming**

Mr. Fleming referred to the handout with expenditures through June 2012 indicating that this is not the final end-of-year expenditures. In response to a question regarding unexpended contract funds Mr. Fleming explained how federal grants allow three years to spend funds and all Council funds are exhausted within their time limits.

## **COMMITTEE REPORTS**

### **MEMBERSHIP COMMITTEE – Rocky Fuselier**

The membership committee, consisting of Val Hiser, Bambi Polotzola, Stephanie Patrick, and Rocky Fuselier, reviewed applications from six candidates for one new Council member position. The committee nominated Lilian Wise as the primary candidate and Amy Holmes as the alternate. The reason for an alternate is since Lilian Wise is not a U.S. citizen staff is checking to determine whether this will impact her ability to serve as a Council member.

**Motion passed.** A motion to accept the recommendation from the membership committee of Lilian Wise, with Amy Holmes as an alternate, as the Council's recommendation to the Governor made by Kay Marcel. Second by Nanette Olivier. Passed without objection.  
ACT 378 SUB-COMMITTEE – Kay Marcel

The Committee made a decision to hold a meeting each April before the planning meeting starts. Typically the Act 378 Subcommittee would not meet for six months (from January to July) due to the Council planning meeting in April. This change will address oversight concerns prior to the end of the fiscal year.

The Committee made a recommendation related to the large amount of unexpended funds in Consumer Care Resources in the Florida Parishes Human Services Authority (FPHSA) for the Office of Behavioral Health (OBH). FPHSA is considering reducing the amount of state funds allocated to this program. If this is confirmed the Committee recommends the Council send a letter requesting these funds remain for children in the FPHSA.

\$160,000 in Individual and Family Support (IFS) funds from Region 6 were redistributed to Regions 4, 7 and 8. It appears all funding will be expended with the exception of IFS funds in SCLHSA, however OCDD does not have the authority to move dollars out of Districts and Authorities. OCDD convened a meeting with the regions/districts/ authorities to review the distribution of Act 378 funds across the state. Historical allocation and budget cuts across regions/districts/authorities were reviewed. There was a hesitancy to share funds across regions/districts/authorities. Moving forward whenever any new dollars are appropriated a new formula will be based on current populations and demographics.

The new screening tool for the Flexible Family Fund is working well. All applicants, regardless of exceptionality, are being screened.

There are new eligibility criteria for the Flexible Family Fund program. Children who receive waiver services AND whose families' income is over 650% above the federal poverty level will no longer be eligible for the program. OCDD estimates approximately 55 children currently in the program will lose the monthly subsidy. These 55 "slots" will not be filled but OCDD will begin filling other attrition slots. The new eligibility criteria are expected to go into effect in September or October.

The Committee will form an Ad Hoc Committee to discuss ways the Council can best monitor and advocate as more regions transition to Districts and Authorities. The increased autonomy with prioritizing services and budgets has resulted in inconsistent service provision across the state and poses unique challenges to Council responsibilities for monitoring and oversight of Act 378 services. The members of that ad hoc committee will be Ms. Marcel, Ms. Beech, Jeanne Abadie, and Erin Smith. Ms. Winchell will provide staff support.

Information was also received from the Arc of Louisiana regarding their supported living contract from the Office of Aging and Adult Services.

## SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE – Kay Marcel

Council members provided feedback on what worked and did not work with LaCAN activities. The Committee generated ideas for improving the efforts of grassroots advocacy and being more effective and efficient with connecting and communicating with legislators.

Ms. Marcel encouraged Council members to spread the word that the Council is accepting applications for the 2013 Partners in Policymaking class. The deadline for applications is September 30. Applications are on the Council's website. Robbie Gray and Liz Gary were commended for doing a good job again this year.

The Committee discussed objectives in the plan. An encouraging report was received from People First on their plan for sustainability and independence from Council funding over time. People First has the goals to increase membership and financial sustainability through pursuing grants and establishing themselves as a nonprofit organization.

Mark Thomas provided an update on OCDD's Money Follows the Person initiative. Meetings with providers are occurring to share steps for enhancing the rate of the Residential Options Waiver (ROW). DHH is looking into the reports from some residential providers that the reimbursement rates of the ROW are too low to cover the cost of services. Policy under development will create a registry for the ROW. Residents of private ICFs/DD will have the option to choose a waiver slot on a first-come first-served basis. Mr. Thomas indicated the Council will be included in the discussions around this initiative.

## OFFICE OF AGING AND ADULT SERVICES – HUGH ELEY

Mr. Eley provided an update on the status of the Act 299 workgroup on changes in cost reporting from providers and direct support professional reimbursement rates and compensation. The goal of Act 299 was for DHH to address aspects of community based services including identifying a reasonable reimbursement rate so direct support professionals can earn a living wage. DHH developed a web-based cost reporting form for providers to use and will conduct training sessions on completing the forms. The first reports will be due next fall. Analysis of the data in these reports will provide the basis for determining the reimbursement methodology. Mr. Eley anticipates final implementation on rate methodology changes to occur approximately in the 2015 fiscal year.

There was discussion about the ROW having used to transition children and adults with developmental disabilities out of nursing homes. Policy is being developed to make it financially feasible for providers to convert services provided in community and group homes to serve the people in smaller settings. The Council is seeking to be included in the discussion regarding this policy development. There was uncertainty as to whether self-direction was an option with the ROW so Council members requested follow-up clarification on this issue.

A discussion about the use of Children's Choice waivers being provided to children transitioning out of nursing homes resulted in questions about whether the CC waiver provided a robust enough amount of services for children who need and qualify for this level of intense services. Ms. Kennedy offered that a major service for children under age 21 is extended

home health nursing services in home. Some children under 21 years of age get approval for a trained professional (i.e., nurse) or clinician to provide a significant amount of hours in the home.

Council members discussed the need for preventing admissions to nursing homes and ICFs/DD including an expansion of emergency waiver slots.

Discussion of a provision in the Affordable Care Act that establishes an incentive for providing community based services over institutional services – a monumental shift in policy from the institutional bias. Louisiana will receive an enhanced six percent federal match rate for implementing Community First Choice in place of Long-Term Personal Care Services. The enhancement is permanent.

#### HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Bambi Polotzola

The committee decided further information was needed to determine whether to accept the proposal on healthcare professionals training on developmental disabilities. Discussion during the Council meeting provided the clarification needed to make the decision. The project will adapt existing curriculum for other audiences (i.e., physician assistant and nurse practitioner students) and develop web-based online training modules for continuing medical education of existing physicians.

**Motion passed.** A motion to accept the proposal and develop a contract with LSU-Human Development Center for training on developmental disabilities for physicians and nurse practitioner and physician assistant students was made by Val Hiser. Second by Donna Breaux. Passed without objection.

The Committee had concerns and questions regarding the proposal submitted by Special Olympics of Louisiana for the Inclusive Recreation project. Therefore, the Committee recommends appointing an ad hoc committee to review responses to questions related to the proposal from Special Olympics of Louisiana and grant this ad hoc committee authority to either award the contract to them or reissue the Solicitation of Proposals and award the contract to another agency. This action is necessary to avoid delaying the approval of a project until the October meeting.

**Motion Passed.** A motion to form an ad hoc committee to further review the existing proposal, if necessary re-issue the solicitation of proposals and grant the ad hoc committee authority to select the contractor for the inclusive recreational initiative was made by Kay Marcel. Second by Stephanie Patrick. Passed without objection.

Ms. Polotzola, Pranab Choudhury, Val Hiser and Ms. Beech volunteered to serve on the Inclusive Recreation Ad Hoc Committee. Mr. Fleming will staff the committee.

The recommendation from the Ad Hoc Committee on EarlySteps was to maintain use of the term transdisciplinary for Goal 8. An additional recommendation was to adopt the following language change to Activity 8.1.1 and add Activity 8.1.2:



- Activity 8.1.1 Advocate for an accountability structure that ensures
- Services beyond the '24/6 rule' have adequate data-driven team justifications,
  - Family participation in quarterly team meetings, and
  - Individual Family Support Plan goals/outcomes are measurable.
- Activity 8.1.2 Advocate for adequate support and training for community outreach specialist.

**Motion passed.** A motion to accept the changes to the Council plan in Activities 8.1.1 and 8.1.2 made by Phil Wilson. Second by Mark Martin. Passed without objection.

The Committee recommends that the Council send a letter or stated position related to the publication of which disability types are served by private schools participating in the scholarship program causing concerns of discrimination or “counseling out parents” from applying for scholarships. The Department of Education website has links that indicates which disabilities are served by various participating private schools. It is interpreted that unless a child has a disability on the list they need not apply. The committee would like to bring this concern to the attention of legislators and other entities. There was discussion regarding Act 2 allowing participating private schools to indicate which disability types they serve or not which seems contradictory to the requirement that participating schools must accept all students and not discriminate based on disability. The letter would share information with a number of entities to bring attention to the issue.

The final recommendation was for the Council to send a letter indicating concern over the Department of Education shift away from providing technical assistance and supports to local school systems. The concern is that smaller school districts may not have the capacity to provide the type of professional development and training needed to educate and support students with low incidence disabilities.

## **COUNCIL MEMBER REPORTS**

### **ADMINISTRATION ON INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (AIDD) SELF-ADVOCACY SUMMIT – Rocky Fuselier**

Mr. Fuselier provided information on the Louisiana team that participated in the Administration on Intellectual and Developmental Disabilities Self-Advocacy Summit in Chicago. Multiple state teams shared self-advocacy activities in their respective states. Goals developed by the Louisiana team included broadening membership to other age groups and to become financially stable. As a follow up Mr. Fuselier has made contract with and requested to provide a People First presentation in the Fall for Louisiana Tech students with disabilities.

### **AIDD TECHNICAL ASSISTANCE INSTITUTE – Bambi Polotzola**

Ms. Polotzola and Mr. Fleming represented the Council at the Administration on Intellectual and Developmental Disabilities (AIDD) Technical Assistance Institute in Arlington, Va. and

visited Louisiana members of Congress. One presentation shared how the Affordable Care Act will impact people with intellectual and developmental disabilities. Highlights included an expansion of community-based options such as the community first choice state plan option previously discussed, rebalancing incentive programs and an expansion or increased flexibility in the Money Follows the Person Program through the Affordable Care Act. Another issue covered was integrated care for the high cost beneficiaries.

Mr. Fleming shared information learned about evaluation strategies for determining the impact of Council initiatives as well as the sustainability of projects after Council funding ends. Another presentation shared a recent Department of Justice filing in Oregon arguing that the Olmstead least restrictive environment requirement to be enforced with day treatment and employment opportunities. The argument is that it is even more relevant and important to ensure people are in least restrictive environments during most of the hours they are awake rather than just when they are sleeping.

Ms. Polotzola reported on visits with U.S. Senator Mary Landrieu, U.S. Representative Rodney Alexander and staff members of U.S. Representatives Cassidy, Fleming and Scalise.

#### ADVOCACY CENTER (AC) – Stephanie Patrick

Ms. Patrick shared that the Advocacy Center arguments in court resulted in a ruling that requires a child's condition to be considered when the state decides to authorize or not authorize home nursing services. The need for this court action was a result of children on the NOW waiver waiting list being denied home nursing services even though their conditions were not improving and without adequate justification that they did not need the hours. Ms. Patrick encouraged Council members to tell people to contact the Advocacy Center if they are having problems accessing home nursing services.

Ms. Patrick announced that the Advocacy Center, in conjunction with the Secretary of State, will be hosting a series of outreach training events on voting. Training sessions are scheduled across the state from the middle of August through September.

Ms. Patrick stressed the importance of collaboration between Magellan, the contractor providing behavioral health services, and OCDD for children who have both developmental or an intellectual disability and behavioral health needs.

Another issue of concern is residential services for kids, particularly those in foster care and juvenile justice systems. With all these services in transition to private providers the concern is whether kids, especially those with dual diagnosis (i.e., behavioral health issues and developmental disabilities) will receive individualized services they need and whether programs are adapted to meet the needs of the children. Council members were encouraged to let the Advocacy Center know if they are aware of any problems.

A federal regulation regarding FEMA trailers came out a couple of weeks ago. The Advocacy Center advocates to ensure appropriate and adequate housing for people after a disaster for a minimum percentage (approximately fifteen percent) of available trailers to be accessible. Instead the regulations indicate the federal government should just provide individualized trailers for each person. There were problems with people with disabilities having to wait extensive amounts of time, far longer than those without disabilities, to obtain accessible trailers. Ms. Patrick encouraged Council members to contact the board that issued the regulations and submit comments advocating for a minimum number of accessible trailers. The deadline for comments is August 17. Ms. Patrick will send the link to the Advocacy Center website ([www.action.advocacyla.org](http://www.action.advocacyla.org)) that makes it convenient to advocate.

The Advocacy Center is also concerned about Louisiana not participating in the expansion of Medicaid under the Affordable Care Act. Ms. Patrick encouraged Council members to contact the Administration with the message that it is important to expand Medicaid and the state receives incentives for participating.

Ms. Patrick also expressed concerns about the participation of people who receive waivers in Bayou Health. The understanding is that while the requirement for waiver recipients to participate in Bayou Health is on hold it will eventually be required. The Council has been active in advocating for their participation to be optional. There are concerns that people have not been provided adequate information to assist them in making the decision on whether to participate in Bayou Health. To address this need the Advocacy Center developed a flyer to help people understand the two different types of Bayou Health plans so they can make informed decisions.

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

Dr. Wilson thanked the Council and Council members who advocated for the Board of Elementary and Secondary Education (BESE) to fund two HDC funded projects: Louisiana Autism Spectrum and Related Disabilities (LASARD) and the Louisiana School Psychology Internship Consortium. Thankfully both of the projects are continued another year.

HDC is struggling to maintain the Benefits Planning Work Incentives Program, a collaborative initiative with the Advocacy Center, to provide people with disabilities considering employment accurate information on the impact of wages and employment to their benefits.

HDC's Post-Secondary Education Project will be starting its second year with six high school students with intellectual disabilities taking a college curriculum of their choosing with supports on the campus of Delgado Community College. Additional participating school systems will include the Recovery School District, St. Tammany Parish and a Charter school. The new class, and hopefully not the last class, of school psychology interns started this week.

HDC started an interdisciplinary clinic that will be used not only for diagnostics but also as a training tool for pediatricians, educators and allied health professionals.

## **STATE AGENCY REPORTS**

**OFFICE OF PUBLIC HEALTH/CHILDREN'S SPECIAL HEALTH SERVICES (OPH/CSHS) – Dr. Sue Berry**

Dr. Berry highlighted some parts of the OPH/CSHS report. CSHS recently submitted the Title V Block Grant application. The Family Resource Center's first advisory board met and will work to make the Center more visible. The Transportation initiative is about to go statewide. Crossroads Families Helping Families is establishing agreements between the other Families Helping Families Centers to provide stipends to children with special healthcare needs and other eligible individuals to receive transportation to medical appointments or services throughout the state. This services is for when transportation is not covered by Medicaid.

CSHS held 27 resource information workshops through Families Helping Families Centers with representatives from every program that serve children with special healthcare needs.

CSHS has experienced layoffs every six months. The latest loss was social workers in the regions, leaving one social worker per region in the clinics and genetics clinics.

The Hearing, Speech and Vision Program participated in a national learning collaborative for children's healthcare quality related to follow-up of newborns who fail hearing screens in the hospital. Louisiana's team was featured on a video-tape as part of the learning collaborative and invited to participate as special guests in the next learning collaborative.

A major systems change in the works is contracting with an agency to get the databases for three of their programs web based and linked to vital records. This will enhance integration of referrals and clinic services.

**BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Ruth Kennedy**

Ms. Kennedy shared that a major change to the New Opportunities Waiver (NOW) was approved just this week to provide services to individuals with income over medically needy income standard. Prior to this amendment individuals earning more than the income limit (three times the federal poverty level) were ineligible for the NOW. The amendment will enable people making more than this to participate in the waiver by paying a sliding scale for the costs. Ms. Kennedy indicated she did not have information regarding the status of this income disregard for other waivers but would follow-up with this information. Ms. Kennedy also indicated she will provide the Council with details of payment requirements for people earning in excess of the income standard.

In June approval was granted to add self-direction and specialized medical equipment to the Children's Choice waiver. This waiver is slated to expire in February of 2014 so BHSF has begun to prepare for the renewal with an increase on quality management strategies. The Residential Options Waiver is set to expire September 30 so BHSF is working with OCDD to review and make adjustments to the new application.

There has been a temporary extension granted for the Adult Day Healthcare waiver.

The Community Choice waiver (for people with adult-onset disabilities and age 55 and older) had an additional 500 slots allotted during legislative session. Unfortunately, funding for 350 of those were taken with the budget reductions resulting in a net increase of 150 slots. There was an amendment to that waiver to add 200 emergency slots that would be on a first come first serve basis.

Ms. Kennedy has been working with the state housing agency on permanent supported housing as part of Money Follows the Person initiative. A list received this week of approximately 24 new housing units designated for people with disabilities being constructed throughout the state.

Ms. Kennedy shared that it is surprising that only 239 or two percent of the population enrolled in NOW and Children's Choice waivers are participating in self-direction. Ms. Kennedy made full disclosure that not only does she represent the state agency as Medicaid director but is the primary care provider to her 44-year-old sister who is a NOW recipient. Ms. Kennedy's sister lives with her and they participate in self-direction. She just realized that self-direction was rarely used. There is a new online training for direct care workers to address that challenge facing people using self-direction.

Bayou Health is Medicaid's initiative to try to achieve the Council's Goal (6) relative to accessing quality medical services.

Ms. Winchell offered answers related to the prioritization of Children's Choice waiver slots. The Council agreed for OCDD to use state funds previously designated for Act 378 (Individual and Family Support) services as match for the additional 425 Children's Choice slots in 2011. These slots were specifically for children receiving the most individual and family support – the highest use of pure state general fund dollars.

Medicaid had planned for the self-direction option to additional people this year. It is unknown was whether these opportunities were eliminated with the recent budget cuts.

#### **BAYOU HEALTH – Ruth Kennedy, Director, Bureau of Health Services Financing**

As of June 1<sup>st</sup>, Bayou Health, Louisiana's new Medicaid managed care delivery system, is being implemented in all nine regions. Ms. Kennedy shared enrollment data effective July 1, the guiding principles in designing and developing Bayou Health including the populations enrolled, the services included and the enrollment process.

In 2003, the Center for Medicare and Medicaid Services (CMS) developed an exhaustive list of requirements and safeguards in Medicaid managed care. These offer more protections for recipients in a Medicaid managed care program than in the fee for service program. Medicaid managed care has a higher level of accountability.

Louisiana is simultaneously implementing two models. One is the Managed Care Organization (MCO) Model and the other is a Primary Care Case Management (PCCM) model. The Louisiana behavioral health partnership is a third model of Medicaid managed care that is only for a single service, in this case, behavioral health.

As of July 1, there are almost 876,000 people enrolled in five Bayou Health.

When designing Bayou Health they operated from the guiding principle of “First do no harm.” Bayou Health was never about saving money, rationing care. The goal was getting better quality outcomes and raising the level of performance for healthcare, rewarding value not volume. Although waiver recipients are excluded, Medicaid is looking at opening up Bayou Health to these individuals so they can get the benefits. There is not a firm date on this decision and Ms. Kennedy encouraged feedback or recommendations from the Council on the inclusion of waiver recipients. Individuals covered by other insurance can opt out of an individual basis if not as a group from the Bayou Health program.

Neither Medicaid nor the Advocacy Center has received any grievances regarding Bayou Health issues. No member issues have gotten to the administrative state fair hearing level. Ms. Kennedy will report on any issues at the October Council meeting.

OFFICE OF AGING AND ADULT SERVICES (OAAS) – Tammy LeBlanc for Hugh Eley

Ms. LeBlanc mentioned the 500 new Community Choices Waiver slots still in the budget. One hundred fifty will be given fairly soon in the regular way. The other three hundred and fifty will be given out more slowly due to the new budget reductions.

Ms. LeBlanc mentioned recent legislation (i.e., Act 269) and the State Personal Assistance Services (SPAS) program included in the OAAS report. The SPAS program is mainly for people to have personal care assistance to maintain their employment. There was an additional 100,000 dollars added to the program this year during the legislative session. However, these funds were removed in response to the recent budget cuts.

Community First Choice (not the Community Choices Waiver), the 1915(k) section of the Affordable Care Act, permits states to develop a state plan that is a more expansive and allows for more consumer direction than is in Louisiana’s current long-term personal care services. OAAS submitted the plan and is waiting on CMS approval. This options will provide an enhanced six percent federal match.

OAAS is meeting its benchmarks for the Money Follows the Person program demonstration grant from CMS with 210 people transitioning out of nursing homes and 242 more in process. Ms. Leblanc will follow-up on a report that people who are in the data base to receive notice of this opportunity have not been contacted

## GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – MARGARET MCGARITY

Ms. McGarity mentioned HB762 which would have moved GOEA into DHH did not pass. However, the budget transferred funding for GOEA's Elderly Protective Services unit to OAAS in DHH. The law continues to indicate these protective services are the responsibility of GOEA. GOEA expects the transition to be seamless to the community.

GOEA's website called Louisiana Answers has been temporarily down.

GOEA continues to operate without an Executive Director. The Louisiana Executive Board on Aging is expected to meet and make a recommendation to the Governor's Office for a candidate next month.

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

Mr. Burris shared an analysis of what has happened over the past four years in GODA including a reduction in staff from six to three employees and an increase in constituent contacts. A recent issue has been numerous direct support professionals calling in to report that they worked and turned in the correct paperwork but are not getting paid by the provider. This appears to be a statewide problem.

Mr. Burris serves on six boards and commissions, the Assistant Director serves on three and the Program Coordinator for Services serves on two. Mr. Burris shared information and recommendations for some of these boards.

GODA handles the Louisiana Guardianship Program responsible for caring for people who are wards of the state. This program has not received a rate increase since 1992.

The Governors' Art Contest has had a severe reduction in applications – from over 100 in 2010 to 24 in 2011. This was attributed to nine identical programs starting up in the past two years.

GODA is waiting for eight appointments for members.

Mr. Burris mentioned that the Statewide Independent Living Council has a couple openings for applicants from the New Orleans area. Council members were encouraged to send interested applicants to him or Mr. Fuselier.

## DEPARTMENT OF EDUCATION (DOE) – Nanette Olivier

Ms. Olivier mentioned the Department's development and implementation of policies related to recent legislation. John White, State Superintendent has a very different philosophy and approach than previous administrations of the Department of Education. Previously DOE was more involved with local school districts, developing clear policies, guidelines, and expectations. Mr. White has made it clear that the vision for making improvement in education is by giving control back to local schools. Decisions such as how to educate children, the kind of materials used, and who is hired will reside at the local level, at the local

school building, and in the classrooms.

In addition, the DOE is going through major reorganization. The state has been organized into five large areas with five network teams. Most staff will be assigned to a team with the districts in their respective areas. Each team should have expertise in a variety of areas to provide support to schools. Some really good leaders were hired to head the teams. Some of the changes will affect children with disabilities such as the scholarship system.

The Department's website has an ever expanding amount of information about implementing features such as scholarship system, the expansion of charter school systems and course choice.

Superintendent White said he does not see the role of the Department of Ed as one of a professional development provider. The network teams will provide support to districts through technical assistance and guidance rather than maybe delivery of workshops.

About twenty-two personnel from the early childhood programs in the Department of Social Services and DHH are moving into the Department of Ed. This is expected to foster improved collaboration and make seamless transitions from kids in the early programs into school age pre-k programs.

Ms. Olivier mentioned that the Department's Communication initiative is an effort to ensure children with complex communication needs are provided the supports and services they need to engage in literacy and develop a communication system.

Ms. Olivier encouraged volunteers to consider applying to serve on DOE's new Advisory Committee.

The Department has a Striving Readers Comprehensive Literacy Grant opportunity with \$149 million of federal grant funds to focus literacy efforts for students at risk. Council members were requested to encourage and support parents of students with disabilities in participating districts receiving these funds to get their children involved.

Council members expressed concerns regarding how the changes to professional development may interfere with teachers from local school systems accessing experts with specialized skills and knowledge of programming for students with low incidence disabilities. Ms. Olivier indicated she will share these concerns within the Department.

Ms. Olivier discussed changes to the teacher evaluation model (COMPASS) and how student learning targets will be used to evaluate teachers in non-graded subjects. Parents will not be involved in developing the targets. The student learning targets are to be agreed upon by a teacher and his/her principal or principal's designee. The department has not put out any guidance about how learning targets align to IEPs. Council members expressed concern about the lack of parental involvement and lack of alignment to the IEP for developing these student learning targets for teacher evaluation .



A Council member shared how the changes to decentralize authority makes it important for the Council to support parents and advocates to interact at the local level or become local school board members.

## LOUISIANA REHABILITATION SERVICES (LRS) – MARK MARTIN

Mr. Martin shared that Louisiana Rehab Services (LRS) did not receive any cuts in state general fund dollars. The Second Injury Trust Fund will provide LRS up to one percent of its annual budget – which was approximately \$46 million. With the federal matching funds at almost four to one this provided over 1,600 services to over 888 consumers in all 64 parishes. LRS received \$8.2 million of state general funds and \$2.1 million from the trust fund. These funds are matched at a rate of 21.3 percent state and 77.7 percent federal or almost \$4 of federal for every one dollar of state. Mr. Martin encouraged members to inform legislators about providing services to their constituents.

Louisiana Rehab Services has less opportunities to provide services due to freezing of positions and not being able to fill positions. There has been an increase in the number of people requesting services.

When LRS moved to the Louisiana Workforce Commission in July 2010 it brought over 325 employees. Currently LRS has approximately 268 employees. And about 25 positions are currently frozen. Regional offices have large numbers of vacancies. Mr. Martin indicates that the result of these vacancies is individuals not getting served.

Mr. Martin is implementing a philosophical change in LRS with an employment model in allocating resources and providing services.

Mr. Martin shared how LRS turns back between \$22 to \$24 million to the federal government because Louisiana lacks adequate state matching funds. He discussed various workgroups working on ideas to improve areas such as supported employment services. Mr. Martin met with Council members and others that resulted in LRS putting together language for agreements for local school systems to use their funds to draw down federal funds currently not being utilized. LRS is collaborating with the Department of Corrections, Louisiana Technical College System (LTCS) and Louisiana Workforce Commission to hold the 2012 State Correctional Workforce Education Summit in September 2012 in Marksville. The correctional system also has funding for employment that may be used to leverage existing dollars to generate more federal funds.

The Louisiana Rehabilitation Council will be electing new officers next week.

## **UNFINISHED BUSINESS**

Ms. Beech stated Council staff made technical language edits to the Five Year Plan developed in April. The new and improved State Plan needs to be ratified and accepted.

**Motion Passed.** Motion to ratify the new state plan made by Brandon Burriss. Second by Pranab Choudhury. Passed without objection.

## **NEW BUSINESS**

None to be discussed.

## **ANNOUNCEMENTS**

The next Council meeting is October 17<sup>th</sup> and 18<sup>th</sup>.

Ms. Winchell reminded members that the deadline for recruiting applicants for our Council member vacancies is September 1<sup>st</sup>. Members were encouraged to search communities and networks of individuals with developmental disabilities and parents and make recommendations for people to apply.

Another reminder that Partners in Policymaking is recruiting participants for the 2013 class that will start in January. The deadline to apply is September 30.

Members were reminded to complete the meeting evaluation.

## **ADJOURNMENT OF BUSINESS MEETING**

Motion passed. Motion to adjourn made by Mark Martin. Second by Bambi Polotzola. Passed without objection.