

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
APRIL 16, 2015
MEETING SUMMARY

Holiday Inn South
Baton Rouge, LA

8:30 A.M.

MEMBERS PRESENT

Sam Beech
Sue Berry, OPH/CSHS
Bonnie Buckelew
Brenda Cosse'
Vickie Davis
April Dunn
Kristopher Hebert
Michelle Hurst
Mark Martin, LRS
Margaret McGarity, GOEA
Lou Ann Owen, BHSF
Stephanie Patrick, AC
Delery Rice
Ellis Roussel, GODA
Stuart Simon
Mark Thomas, OCDD
Patsy White
Jamie Wong, LDOE

STAFF PRESENT

Shawn Fleming
Paige Freeman
Brandi Jones
Keokah Sanders
Derek White
Sandee Winchell

MEMBERS ABSENT

Donnica Conway
Raymond Jasper
Terry McFillen
Paula Moreau
Erin Smith
Donna Spears
Phil Wilson, HDC

GUESTS PRESENT

Wesley Cagle, South Central Louisiana
Human Services District
Tiffany Dickerson, OCDD
Julie Foster, OCDD
Liz Gary, Partners In Policymaking
Coordinator
Lynsey Hebert, Transcriptionist
Tara LeBlanc, OAAS
Ashley McReynolds, LaCAN/LaTEACH
Leader Region 2
Scott Meche, Capital Area Human
Services District
Barry Meyer, Arc of Baton Rouge
Kelly Serrett, Arc of Louisiana
James Sprinkle, FHF at the Crossroads
Sue Ellen Stewart, Northshore FHF
Rhiannon Traigle, Bayouland FHF
Mauricia Walters, FHF of Acadiana
Breanna Whatley, Bayouland FHF

SUMMARY OF JANUARY MEETING

Sam Beech called the meeting to order at 8:30 and requested a motion to accept the summary of the January Council meeting.

Motion passed. Motion to accept the summary of the January Council meeting made by Brenda Cosse, second by Bonnie Buckelew, passed without objection.

CHAIRPERSON'S REPORT – Sam Beech

Ms. Beech participated in the Council's Planning Ad Hoc Committee meeting, legislative visits in Region seven, the DD Network Public Forum, the Act 378 Ad Hoc Committee meeting, and the State Interagency Coordinating Council (SICC) meeting.

On April 14th, Ms. Beech testified before the Appropriations Committee asking for funding to unfreeze 772 waiver slots and for an additional 500 waiver slots, restoration of funding to Families Helping Families Centers and funding to enable EarlySteps to return to the eligibility criteria in place prior to 2012.

Ms. Beech, Sandee Winchell and Michelle Hurst met with Kathy Kliebert and discussed the Council's legislative agenda and legislative issues of concern to the Department of Health and Hospitals (DHH). The use of Act 378 funds were also discussed.

Ms. Beech asked Phil Wilson, Stephanie Patrick, Brenda Cosse', and Donnica Conway to serve on the Nominating Committee. This Committee will recommend a slate of officers that will be voted on at the July meeting. The new officers will take office in October.

The Executive Committee made the following recommendations regarding the Council's Legislative Agenda:

MOTION PASSED. Motion by the Executive Committee to accept the following changes to the Council's legislative advocacy agenda passed without objection:

- To delete advocating for:
 - restoration of Individual and Family Support funding that was cut from several Human Services Districts and Authorities
 - funding for a waiver provider increase.
- To advocate for:
 - restoration of funding to fill the 772 frozen waiver slots
 - restoration of funding for Families Helping Families
- Positions and priority levels on issues addressed in Louisiana 2015 Legislative Session instruments as indicated on the handout.

MOTION PASSED. The Executive Committee made a motion for the Council to write two letters, one to the Centers for Medicare and Medicaid Services (CMS) and one to Governor Jindal, expressing support for the Request for Proposals (RFP) for Managed

Long-term Supports and Services (MLTSS) to include all services and populations and not carve out or exclude nursing homes. Passed without objection. Abstentions by Mark Martin, Lou Ann Owen, Ellis Roussel, Mark Thomas, and Jamie Wong.

MOTION PASSED. Motion made by the Executive Committee for the Council to sign the Proclamation to recommit to full implementation of the Americans with Disabilities Act. Passed without objection

Ms. Beech indicated the Executive Committee made the following decisions:
To ensure Council members receive each Action Alert, staff will be asked to forward it to the Council members with a note from the Chairperson.

To best monitor action plans developed from the Council meeting discussion on each area of emphasis, staff will provide written quarterly updates for each action plan. A short time will be designated at Committee meetings to review the status of action plans. Activities on action plans that are not completed will be considered for inclusion in the next Five Year Plan.

Council members were encouraged to attend forums with the four major gubernatorial candidates and ask questions regarding the priority issues of home- and community-based service, employment and education for people with developmental disabilities. Council leadership will be scheduling face-to-face meetings with the candidates to discuss these issues.

The information in the Council Member Handbooks will be available on the Council website and a hardcopy will only be provided to new Council members upon request.

The Executive Committee conducted Ms. Winchell's annual evaluation and she received an excellent rating.

Motion passed. Motion made by the Executive Committee to increase Ms. Winchell's pay by four percent passed without objection. Abstentions by Mark Martin, Lou Ann Owen, Ellis Roussel, Mark Thomas and Jamie Wong.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

The Council helped coordinate the National Council on Disability Forum on Managed Care. Mr. Rocky Nichols, Executive Director of the Disability Rights Center in Kansas, shared valuable information at the Forum and returned a few weeks later at the Council's request to share additional information and perspectives to DHH leadership, parents, and advocates at the Council office.

When the Council received the proposed FY16 Executive Budget from the Division of Administration (DOA), it reflected a cost of \$50,000 for payment to process contracts. Ms. Winchell has appealed to DHH Secretary Kliebert to intervene on the Council's behalf with DOA to eliminate this cost. If the \$50,000 is not eliminated, Council plan activities will have to be reduced by that amount for FFY16.

MOTION PASSED. Motion for the Council to add to its legislative agenda the removal of the \$50,000 (federal funds) payment to DOA if other resolution cannot be reached relatively quickly made by Stephanie Patrick, second by Kris Hebert, passed without objection. Abstentions by Mark Martin, Lou Ann Owen, and Ellis Roussel.

Ms. Winchell expressed how successful the Legislative Round Tables were and the great turn out at the Capitol for Public Testimony Day in the Appropriations Committee.

Two Resolutions, House Concurrent Resolution 47, authored by Appropriations Committee Chair Representative Fannin and Senate Concurrent Resolution 37 authored by Senate Finance Committee Chairman Senator Jack Donahue, seek to designate April 29th as Disability Rights Day in Louisiana.

Ms. Winchell reminded Council members to send completed Financial Disclosure Forms to the Board of Ethics by May 15th and complete the Ethics Training by December 31st.

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared the Council expenditures through March 2015.

COMMITTEE REPORTS

COMMITTEE OF THE WHOLE – Sam Beech

The Committee of the Whole considered the work of the Planning Ad Hoc Committee and reviewed the status of the five year plan. The Committee of the Whole recommended:

- Change Activity 3.4.2 to “Monitor collaborative efforts of the Office for Citizens with Developmental Disabilities (OCDD) and the Louisiana Department of Education (LDOE) to identify gaps in educational services and services provided through OCDD and potential supports to children and families to maximize the benefits of education and developmental disabilities services for children with orthopedic and other significant disabilities such that these children are able to receive special education services in their least restricted environment.”

Activity 4.1.1 – “provide financial support (~~from~~ the entirety of state general funds) and technical assistance to nine Families Helping Families centers across the state.”

- Change Activity 9.2.3 to “Advocate for accountability of employment support providers through certification of employment support professionals that focuses on quality outcomes in home- and community-based settings and a quality monitoring system or employment support providers that includes a complaint process.”

These changes leave \$54,000 available to pay the fee being charged by DOA or fund another contractual activity.

MOTION PASSED. Motion to accept the Committee of the Whole's recommendations to changes in the Federal Fiscal Year 2016 Plan made by Kris Hebert, second by Bonnie Buckelew passed without objection. Abstention by Lou Ann Owen, Stephanie Patrick, and Ellis Roussel.

SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE – Michelle Hurst

The Committee discussed new federal (CMS) requirements for DHH to evaluate where services are being delivered for individuals receiving home and community based services and develop a plan to bring into compliance any service that does not allow individuals to have full access to the benefits of community living and services offered in the most integrated settings. DHH is accepting comments on a provider self-assessment tool.

The Committee made the following recommended changes to the draft assessment tool:

- Remove “not” and phrase each item as a question.
- Under “Employment” add the question, “Do employment outcomes reflect the goals and objectives of the individual?”
- Under “Policy Enforcement” add the question, “Do paid staff receive training related to expectations of people with developmental disabilities developing employment and career goals, job discovery, and providing support to obtain and maintain competitive integrated employment?”
- In addition to answering self-assessment questions, providers should submit sample documentation displaying actual daily activities or schedules and outcomes of the individuals they serve.

MOTION PASSED. Motion made by the Self-Determination Committee to submit the recommended changes to the provider self-assessment tool regarding CMS requirements for home and community based services to DHH passed without objection.

HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Bonnie Buckelew

MOTION PASSED. Motion by the Health, Education, and Employment Committee for the Council to accept the following list of desired outcomes for employment support to guide discussion of employment action steps at the Council's July meeting passed without objection:

- Individuals with developmental disabilities will have access to individualized services and funding that support their employment, career, and financial goals.
- Supported employment providers will have access to financial incentives to support people with the most substantial employment support needs in community-based competitive jobs.

- Individuals with developmental disabilities will have access to qualified providers who offer a stable workforce of supported employment professionals with recognized skills sets demonstrated to be effective in supporting people with disabilities getting and maintaining employment.
- Individuals with and without disabilities will access employment services through an integrated system of intake and service provision that braids funding streams.
- Students with developmental disabilities, including those with the most substantial employment support needs, will have transition plans that result in a community-based competitive job.

The Committee received information on the status of the Council's Childcare and Education Collaborative Action plans.

ACT 378 SUB-COMMITTEE – Stephanie Patrick

MOTION PASSED. Motion by the Act 378 Sub-Committee for the Council to accept the following recommendations regarding Act 378 funds and policy passed without objection:

- The Office of Behavioral Health (OBH) will finalize the policy and procedures manual for the Consumer Care Resources and Adult Supported Living programs with input from the Council.
- OBH will propose performance indicators for the Act 378 programs for inclusion in the accountability implementation plan using OCDD's as a guide.
- OBH will coordinate this policy with Jefferson Parish Human Services Authority and any other Local Government Entities (LGEs) currently developing policies for accreditation purposes to avoid inconsistent policies within the local governing entity.
- Act 378 funding for Individual and Family Supports, Flexible Family Funds, Consumer Care Resource and Adult Supported Living shall not be used for civil service employee salaries or for LGE operating expenses.
- These recommendations shall be included in a letter sent to the LGEs from the Council, included in the policy and procedures manual for the Act 378 programs, and/ or included in the accountability implementation plan as a performance indicator.

MOTION PASSED. Motion made by the Act 378 Sub-Committee for the Council to include in future advocacy efforts that any additional Act 378 funding include a separate 10 to 15 percent of funds to cover administrative cost within each LGE passed without objection.

MOTION PASSED. Motion made by the Act 378 Sub-Committee for the Council to write a letter to Capital Area Human Services District (CAHSD) that Act 378 funds not be

spent on Civil Service positions and request CAHSD to develop a plan for transitioning the Parent Liaison position to another funding source passed without objection.

MEMBERSHIP COMMITTEE – Brenda Cosse’

The Membership Committee, composed of Bonnie Buckelew, Donnica Conway and Ms. Cosse’ selected, Craig Blackburn as the nominee for Council membership from Region 10. Under authority granted by the Council at the January meeting, Mr. Blackburn’s name was submitted for consideration to the Governor.

COUNCIL MEMBER REPORTS

GOVERNOR’S OFFICE OF ELDERLY AFFAIRS (GOEA) – Margaret McGarity

Ms. McGarity reported that GOEA held a stakeholder meeting for their No Wrong Door planning grant in New Orleans and will host additional stakeholder meetings in Shreveport, Monroe, and Lake Charles.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Mark Thomas

Mr. Thomas reported that OCDD continues to hold System Transformation Core Work Group and Advisory Committee meetings.

There will be a delay to the start of the Managed Long Term Supports and Services (MLTSS) initiative as a result of gaining input on the process through the legislative session. OCDD is meeting with providers and LGE’s throughout the state to explain MLTSS and system transformation.

DEPARTMENT OF EDUCATION (LDOE) – Jamie Wong

Ms. Wong reported that the LDOE is on track with the Early Childhood Program implementing the Early Childhood Networks.

LDOE will hold a Summit over the summer to provide training to teachers and school staff around implementing the different diploma pathways created through Act 833. Next year, LDOE plans to have clear guidelines around expectations for courses students need to take and assessments for eligible students assessed with LAA-1 to have a pathway to receive a career diploma. The next phase will be working with the federal government and local school systems to include achievement of students on LAA-1 in the school accountability system.

OFFICE OF AGING AND ADULT SERVICES (OAAS) – Tara LeBlanc

Ms. Leblanc provided current waiver numbers served as 716 in the Adult Day Health Care (ADHC) waiver and the 4,468 in the Community Choices waiver.

BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Lou Ann Owen

Ms. Owen provided the phone number for finding Applied Behavioral Analysis (ABA) services as 1-844-423-4762. CAHSD is now an enrolled provider for ABA.

Behavioral health services are scheduled to integrate into Bayou Health on December 1st. An advisory council has been meeting to provide input on this integration. Magellan is still providing behavioral health services for anyone enrolled in Medicaid and for certain populations not enrolled in Medicaid through December 1, 2015.

ADVOCACY CENTER (AC) – Stephanie Patrick

Ms. Patrick shared that the AC works with the Social Security Administration (SSA) to investigate institutional representative payees. For the first few years they investigated places picked by the SSA, but over the last six months SSA stated they want to hear from all citizens. The AC is requesting any information on any providers that are not following all the rules or not managing the money of people appropriately.

There is a state law that people in need of assistance in voting cannot serve as a poll worker. Proposed legislation will reemphasize this requirement. AC is educating policy makers of the need to change this restriction for people to be employed as poll workers.

OFFICE OF PUBLIC HEALTH (OPH) – Dr. Sue Berry

Dr. Berry shared OPH plans in preparing for the next five year cycle of the Title V Block Grant.

LOUISIANA REHABILITATION SERVICES (LRS) – Mark Martin

Mr. Martin reported results of a cost-benefit analysis of LRS performed by LSU. In one year the report indicates a return on investment of \$2.12 for every dollar spent on vocational rehabilitation and over a five year period the return on initial investment rises to \$16.99 per initial dollar of investment.

LRS is changing rules related to eligibility based on economic need. LRS is increasing the economic level of need to current United States poverty guidelines and opening services to more people (those identified as order of selection 2 and 3).

LRS is restructuring and streamlining the small business program to make it more accessible for people.

LRS has a \$50,000 grant for supported employment through the University of Massachusetts in Boston that will be used to strengthen partnerships with OCDD and OBH.

DISCUSSION OF COLLABORATIVE EFFORTS TO ACHIEVE DESIRED OUTCOMES IN COMMUNITY SUPPORT

The Council reviewed information previously provided by the agency representatives related to improving Community Support outcomes for people with disabilities. Council

members discussed gaps and barriers in the system and developed activities to address the gaps and achieve the desired outcomes.

The Recommendations and Collaborative Action Plan resulting from the discussion are attached. (Attachment I)

UNFINISHED BUSINESS

None to be discussed.

NEW BUSINESS

None to be discussed.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

The next Council meeting is July 15th and 16th.

ADJOURNMENT OF BUSINESS MEETING

MOTION PASSED. Motion to adjourn made by Brenda Cosse', second by April Dunn, passed without objection.

DD Council's Recommendations and Collaborative Action Plan on Community Supports

NEED

- Individuals with developmental disabilities and their families need more information to make an informed choice when selecting a provider.

ACTION STEPS

- The Council and Families Helping Families (FHF) will publicize the online provider questionnaire to individuals and families to encourage greater participation among providers.
- The Office for Citizens with Developmental Disabilities (OCDD) will consider including provider report cards in the new Managed Long Term Supports and Services (MLTSS) system. This could be accomplished through enhancement of the provider freedom of choice questionnaire.

NEED

- Individuals with developmental disabilities and their families need more information about rules/regulations regarding the impact of employment on benefits.

ACTION STEP

- The Council will publicize the availability of benefits planning assistance from the Human Development Center and the Advocacy Center through the Work Initiatives Planning and Assistance (WIPA) grants.

NEED

- Workforce training is needed on facilitating inclusion.

ACTION STEPS

- OCDD will provide a list of required Direct Support Professional (DSP) training topics to the Council.
- The Council will share training topics with FHF and encourage them to develop training on facilitating inclusion and advertise its availability to providers.
- OCDD will consider adding "facilitating inclusion" to the list of required training topics when the workforce training modules for waiver redesign and MLTSS are developed.
- The Council will consider funding development of training for DSPs on facilitating inclusion.

NEEDS

- More affordable, accessible, safe housing is needed.
- Application process for housing needs to be simplified/streamlined.

ACTION STEPS

- The Council will meet with Nicole Sweezy with the Louisiana Housing Corporation to get information on the various housing assistance programs available to people with disabilities.
- The Council will meet with Michelle Jones at the Office of Aging and Adult Services (OAAS) to learn more about the Permanent Supportive Housing program.
- Based on information learned at these two meetings, the council will determine what, if any, advocacy activities are needed to increase housing and simplify application processes.

NEED

- A qualified and stable workforce is needed.

ACTION STEPS

- The Department of Health and Hospitals (DHH) will look at cost report data to determine what rate would be needed to support an appropriate wage and what percentage should be allowed for administrative costs.
- The Council will develop and conduct a public awareness campaign to recognize the profession of DSPs and the valuable and important work they do.
- OCDD will consider making Support Coordinator and DSP training competency-based (critical thinking/comprehension vs. memorization).

NEED

- An increase in expectations regarding the abilities of people with developmental disabilities is needed.

ACTION STEPS

- The Council will write an LaDDC News article encouraging families to invite their support coordinator to their child's IEP/ITP meeting. This can be used as their quarterly their support coordinator meeting. The article will also include resources/information for parents regarding the IEP process.
- OCDD will also disseminate this information.

NEED

- There is a need for law enforcement officers to be trained in appropriately working with people with developmental disabilities.

ACTION STEP

- The Council will get information from the Arc of LA regarding their provision of law enforcement training statewide.