

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL

APRIL 17, 2014

MEETING SUMMARY

Embassy Suites

8:30 A.M.

Baton Rouge, LA

MEMBERS PRESENT

Sam Beech
Sue Berry, OPH/CSHS
Brenda Cosse'
Hugh Eley, OAAS
Kay Marcel
Mark Martin, LRS
Terry McFillen
Chasedee Noto
Lou Ann Owen, BHSF
Stephanie Patrick, AC
Bambi Polotzola
Deshae Lott Sadow
Erin Smith
Patsy White
Phil Wilson, HDC

STAFF PRESENT

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

MEMBERS ABSENT

Donna Breaux
Vickie Davis
Rocky Fuselier
Reginald Garey
Kristopher Hebert
Paula Moreau
Stephen Osborn, DOE
Allison Rouse Royster
Monica Simmons

GUESTS PRESENT

David Albarado, South Central
Louisiana Human Services District
Alice Blundell, guest of Deshae Lott
Sadow
Bonnie Buckelew
Wesley Cagle, South Central Louisiana
Human Services District
Donnica Conway
Ashley Courville, Arc of Louisiana
Cindy Deshotel, guest of Donna Spears
Jason Durham
Rebecca Ellis, Northshore FHF
Lynsey Hebert, Transcriptionist
Sharon Hennessey, People First of LA
Nancy Hicks, DOE
Michelle Hurst
Candy Latino
Margaret McGarity, GOEA
Delery Rice
Jeff Sadow, guest of Deshae Lott
Sadow
Kelly Serrett, Arc of Louisiana
Donna Spears
James Sprinkle, FHF at the Crossroads
Mark Thomas, OCDD
Rhiannon Traigle, Bayouland FHF
Mauricia Walters, FHF of Acadiana

SUMMARY OF JANUARY MEETING

Kay Marcel requested a motion to accept the summary from the January meeting with the correction to add Jeff Sadow as a guest.

Motion passed. Motion to accept the summary of the January Council meeting with the correction to add Jeff Sadow as a guest made by Patsy White, second by Kris Hebert, passed without objection.

CHAIRPERSON'S REPORT –Kay Marcel

Ms. Marcel and Sandee Winchell met with Dr. Rochelle Dunham, the Assistant Secretary of the Office of Behavioral Health (OBH) to discuss Act 378 and Consumer Care Resources. Specific information was requested regarding the number of people served and not served by region, examples of services provided and shared the Council's concerns regarding how resources are used differently across the state. Ms. Winchell shared the OCDD Individual and Family Support Manual and requested OBH develop a similar policy manual.

Ms. Winchell, Bambi Polotzola and Ms. Marcel have been attending the Systems Transformation Core Stakeholders meetings at the Office for Citizen with Developmental Disabilities (OCDD). Ms. Marcel encouraged Council members to go to OCDD's web page and see the information regarding the list of different workgroups, issues being considered and decisions that have been made.

Ms. Marcel gave a presentation on Legislative Advocacy at the Partners in Policymaking session in March. Representative John Schroder provided Partners' participants a Legislator's perspective and opened a committee room at the Capitol for Partners' participants to deliver their testimony.

Ms. Marcel and other LaCAN members testified before the Appropriations Committee about waiver services, the waiting list, Individual and Family Support Services, Families Helping Families, and the impact of reduction in funds to these services. Ms. Marcel commended Council staff and LaCAN leaders that helped identify, prepare, and support individuals and families to give their testimony.

EXECUTIVE COMMITTEE

The committee reviewed and approved a stipend request from Kris Hebert to attend the Self-Advocates Becoming Empowered Conference October 8th through 12th in Oklahoma City in the amount of \$1,871. Kris will give a report on the conference at the October Council meeting. The balance in the stipend fund is \$2,305 dollars.

Due to the OBH report regarding minimal unmet needs in the Consumer Care Resources Program, the committee recommended removing this from the legislative agenda in terms of seeking additional funds.

Motion passed. Motion to remove advocating to restore funding to the Consumer Care Resources program in the Office of Behavioral Health (OBH) from the Council's 2014 Legislative/Advocacy Agenda made by Sam Beech, second by Patsy White, passed without objection.

The Executive Committee recommended the Council consider changing the level of priority given to the advocacy agenda item related to increased rates for home- and community-based providers to cover the cost of additional training requirements for Direct Support Professionals (DSPs) to administer medication as proposed in Senate Bill 621 by Senator Amedee. The recommendation was to change from priority three to priority one.

The Executive Committee also recommended changing advocacy for People First Language changes in state laws to be moved from a priority level one to a priority level two. House Bill 63 seeks to change language in laws to reflect People First language.

Motion passed. Motion to keep the People First Language issue a level one priority without sending action alerts made by Bambi Polotzola, second by Patsy White, abstention by Chasedee Noto, passed without objection.

Motion passed. Motion to move the priority of advocacy for increased rates for home- and community-based providers to cover the cost of additional training requirements for DSPs to administer medications from a priority three to a priority one made by Bambi Polotzola, second by Terry McFillen, abstentions by Lou Ann Owen and Stephanie Patrick, passed without objection.

Ms. Marcel provided information regarding the Executive Committee's position on Medicaid expansion made in February. The Executive Committee considered that Medicaid expansion under the Affordable Care Act could result in people with developmental disabilities losing services. However, the National Association of Councils on Developmental Disabilities (NACDD) and other groups indicated this was not a concern in other states.

Motion passed. Motion to move Medicaid expansion to a priority two made by Bambi Polotzola, second by Erin Smith, abstentions by Brenda Cosse', Lou Ann Owen, and Deshae Lott Sadow, passed without objection.

Ms. Marcel thanked Council members for participating in Ms. Winchell's evaluation. The results were 93 strongly agree and 32 agree, zero disagree and zero strongly disagree. Based on Ms. Winchell's performance rating the Executive Committee recommended a four percent wage increase retroactive to her start date of February 20th. Ms. Marcel shared that Ms. Winchell has not had an increase in pay since 2008.

Motion passed. Motion to give Ms. Winchell a four percent pay increase effective February 20, 2014 made by Phil Wilson, second by Patsy White, passed without objection.

The Executive Director Evaluation process has not changed in several years. Ms. Marcel appointed an ad hoc committee to look at the evaluation process and if necessary to make recommendations for changes. The committee will be comprised of Brenda Cosse', Sam Beech, Phil Wilson, and Ms. Marcel.

Kris Hebert will attend the National Association of Councils on Developmental Disabilities Conference in Washington, D.C. in Ms. Marcel's place.

Ms. Marcel presented Bambi Polotzola with a Certificate of Appreciation for her four years of service on the Council.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell welcomed Delery Rice to the meeting as a pending Council member. Bonnie Buckelew, Donnica Conway, Michelle Hurst, and Donna Spears were approved for appointment by the governor but they have not been appointed yet. The Council is also awaiting appointment of a representative for the Office for Citizens with Developmental Disabilities, the Governor's Office of Disability Affairs and the Governor's Office of Elderly Affairs.

Ms. Winchell shared legislative updates and the Council member Legislative Advocacy thermometer.

Ms. Winchell shared the Council's recommendations for Managed Long Term Supports and Services (MLTSS) that were included in an update DHH released on MLTSS. Ms. Winchell has also shared the Council's recommendations with managed care organizations planning to bid on the request for proposals for MLTSS.

The Administration on Community Living and Developmental Disabilities requested Ms. Winchell identify a self-advocate living in the community who previously resided in an institution to serve on a panel presentation during the National Guardianship Conference in New Orleans. Willie Martin, a prior Council member and current Committee member agreed to be the presenter on this panel.

Ms. Winchell reminded Council members that the Financial Disclosure forms are due May 15th and the online Ethics training must be completed every calendar year.

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared the Council expenditures through March 2014.

COMMITTEE REPORTS

COMMITTEE OF THE WHOLE – Kay Marcel

Ms. Marcel reported 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 adopting the Planning Ad Hoc Committee recommendations with the two following amendments: Add Activity 1.1.2 to read “Provide technical assistance and training opportunities through stipend and staff support,” and correct the typographical error in Activity 6.1.3 by changing the amount from \$60,000 to \$46,000.

Motion to accept the Committee of the Whole’s funding recommendations as stated by Kay Marcel in the Committee report for the FFY15 plan made by Bambi Polotzola, seconded by Deshae Lott Sadow.

Council members discussed consideration of continuing funding for People First.

MOTION FAILED. Motion to amend the original motion to accept the Committee of the Whole recommendation by providing funding for People First through FFY15 in the amount of \$46,000 and to not fund education for dental and hygienist students made by Sam Beech, second by Terry McFillen, abstentions by Mark Martin, Chasedee Noto, and Phil Wilson. Failed by a vote of six nays to five yeas.

MOTION PASSED. Motion still on the floor to accept the Committee of the Whole’s funding recommendations as stated by Kay Marcel in the Committee report for the FFY15. Passed with eight yeas and five nays.

**SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE –
Deshae Lott Sadow**

The committee made a couple of recommendations. The first is to approve the Partners in Policymaking Ad Hoc Committee recommendations with two changes: 1) under the activities to promote Partners, add outreach to high school seniors; and 2) change the application threshold number to a minimum of 20 applications from eligible persons must be received by September 30th. One other minor addition is to collaborate with Families Helping Families to possibly pay for a speaker during Families Helping Families’ conferences if a Partners’ class is not held. The speaker would try to recruit people to apply for Partners.

MOTION PASSED. Motion to accept Partners’ Ad Hoc Committee’s recommendations with noted changes by Self-Determination Committee made by Patsy White, second by Erin Smith, passed without objection.

The committee also recommended the Council consider approving the Natural Supports Information Sheet. This will be mailed out for review and approval at the July meeting.

The Committee approved staff recommendations for other ways to provide support to self-advocacy in Louisiana contingent upon People First being interested .

MOTION PASSED. Motion for the Council to support self-advocacy in other ways contingent upon People First interest made by Brenda Cosse’, second by Patsy White, abstention by Chasedee Noto, passed without objection.

HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Patsy White

The committee recommends the Council comment on the State Plan under Part B of the Individuals with Disabilities Education Act (IDEA) for Louisiana to increase funding for positive behavioral interventions and supports (PBIS) and appropriate mental health services for children with disabilities, and assisting local school systems with meeting personnel shortages.

MOTION PASSED. Motion for the Council to comment on the State Plan under Part B of IDEA recommending increased funding for activities related to assisting local educational agencies in providing PBIS and mental health services for children with disabilities and assisting local educational agencies in meeting personnel shortages made by Sam Beech, second by Terry McFillen, abstention by Lou Ann Owen, passed without objection.

The committee received information on the number of medical providers across various specialties accepting Medicaid in 2011 and in January 2014 and had a presentation on the Jump Start initiative.

ACT 378 SUB-COMMITTEE - Sam Beech

The committee created an Ad Hoc Committee to review the draft for the Policy and Procedure manual for Consumer Care Resources. The committee will consist of Donna Spears, Patsy White, Jeanne Abadie, and Sandee Winchell. The committee gave them the authority to take the recommendations to the Office of Behavioral Health after sending their comments to the full committee for input within 24 hours.

Mark Thomas with OCDD discussed training the Districts and Authorities on prioritization of people served.

Verification on the Acadiana Area Human Services District Individual and Family Support budget was requested from OCDD.

COUNCIL MEETING FORMAT AD-HOC COMMITTEE – Kay Marcel

The committee made recommendations to change the Council meeting format. A summary of these recommendations includes: dedicate two hours of every Council meeting to discussion of one area of emphasis in the Council's Plan, Agency verbal reports should include agency activities and plans integrated into a single handout and Power Point to guide discussion.

MOTION PASSED. Motion to accept the recommendations of the Council Meeting Format Ad Hoc committee made by Patsy White, second by Sam Beech, passed without objection.

MEMBERSHIP COMMITTEE – Brenda Cosse’

The membership committee, composed of Rocky Fuselier, Paula Moreau, Phil Wilson and Ms. Cosse’, selected Delery Rice to replace Lilian Wise. Under authority granted by the Council, Ms. Rice’s name was submitted for consideration to the Governor.

COUNCIL MEMBER REPORTS

HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

Dr. Wilson encouraged Council members to attend the Inclusion Matters Conference held June 5th – 7th in New Orleans. He shared eight young people are enrolled in the Delgado Community College Employment Program.

ADVOCACY CENTER (AC) – Stephanie Patrick

Ms. Patrick shared that Medicaid rules require that people having hours or services cut or terminated, or denied services must be notified in writing. The AC received complaints where those notices from the state and Managed Care companies are either not getting sent out at all, they tell people over the phone, or they are being sent to providers only and not to the person actually getting the services or to their families. Medicaid is working to make sure the individuals and families are notified in writing and the notices are understandable.

Another issue shared are instances where nursing home hours are cut with no real evidence of improvement or the individual’s health actually getting worse.

Ms. Patrick requested Council members to share ideas on how to bridge the gap in services for people with mental health and developmental disabilities.

OFFICE OF PUBLIC HEALTH (OPH) – Sue Berry

Dr. Berry shared information on the first Action Learning Collaborative’s recent activities and plans.

CSHS will survey families in the five year Needs Assessment Survey.

Representative Kevin Pearson introduced HB157 to address Adrenoleukodystrophy screening for newborns. The problem is there is no standard therapy for this condition so the bill has been tabled.

DEPARTMENT OF EDUCATION – Nancy Hicks for Steve Osborn

Ms. Hicks shared the following projects that are scheduled to be funded again this year: the Louisiana Autism Spectrum and Related Disabilities (LASARD) project, the Positive Behavioral Intervention and Support (PBIS) regional centers, the State Personnel Development Grant (SPDG), and the Assistive Technology Regional Centers.

The Department is in the process of setting new targets and priorities for the State Performance Plan. They hope to form a new stakeholder group with a representative from the DD Council.

AFTER LUNCH PRESENTATION

ACCESSING VOCATIONAL REHABILITATION SERVICES – Mark Martin, Louisiana Rehabilitation Services

Mr. Martin provided an overview of the Vocational Rehabilitation Services offered by Louisiana Rehabilitation Services.

LOUISIANA REHABILITATION SERVICES (LRS) – Mark Martin

The Elected Committee of the Randolph Shepherd Program met with Senator Heitmeier regarding SB482. This bill would enhance the Randolph Shepherd Program for not only individuals that are blind, but other disabilities as well.

Mr. Martin thanked everyone who provided comments at the Appropriations Committee regarding funding for LRS.

LRS is writing plans of service on almost 700 individuals in order of selection two.

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

BHSF began providing Applied Behavioral Analysis (ABA) services through the Children's Choice Waiver in August of last year and through the Medicaid State Plan at the end of March. Medicaid is providing ABA services to 14 children with 22 children pending approval.

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

Mr. Thomas shared information on:

- participation and plans related to Family Cost Participation in EarlySteps.
- the process of enrolling providers to deliver the new therapeutic services in the Children's Choice Waiver.
- renewal of the Supports Waiver, however, it was not possible to incorporate Individual and Family Support (IFS) services within the Supports Waiver because the additional funding needed is unavailable.
- OCDD has only been filling emergency slots, NOW slots for children aging out of Children's Choice, and slots for persons transitioning from public ICFs/DD. The current version of HB1 would allocate funds to fill about 476 New Opportunities Waiver, 300 Children's Choice and about 429 Supports Waiver vacancies. This includes the 200 new NOW slots.

DHH has a team reviewing the Pediatric Day Care program to consider concerns that many children receiving services are capable of receiving services in school or at home

rather than in segregated medical settings. OCDD set new rules regarding the program that set transportation limits, ensures the Medical Director of the facility is not the referring pediatrician or part owner in the facility, requires approval for Early Intervention Services delivered in a pediatric day facility and has each facility reviewed to eliminate duplication.

OCDD is conducting validation of ICF/DD residents on the waiver waiting list to make sure they have accurate information on those persons and to see if they want to move out of the ICF/DD.

OCDD is working with the Council on producing a provider report card.

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

Mr. Eley shared that of the roughly 980 Community Choice Waiver slots that are funded in HB1, 350 were approved by the legislature two years ago and have never been filled because of budget cuts.

A rule is coming out next week that will allow the state to transition service recipients to a new provider more quickly than is currently allowed when the original provider goes out of business, is put out of business for fraud or other reasons, or does not renew their license.

The OAAS waivers have never been able to offer 24 hour care in the home because of cost issues. A new service called Monitor in-home Care was just approved by CMS and will be available through the Community Choices Waiver in July. This will provide options for some individuals who previously couldn't stay in their homes.

UNFINISHED BUSINESS

None to be discussed.

NEW BUSINESS

None to be discussed.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

The next Council meeting is July 16th and 17th.

ADJOURNMENT OF BUSINESS MEETING

MOTION PASSED. Motion to adjourn made by Stephanie Patrick, second by Erin Smith, passed without objection.