

**Executive Director's Report**  
**January 15-16, 2014 Council Meeting**

**Budget**

- The budget report with expenditures through November 2013 is included in the packet.

**Program Performance Review (PPR) and Plan Updates**

- Our Federal Fiscal Year (FFY) 2013 PPR and amendments to our Five Year Plan are both due to the Administration on Intellectual and Developmental Disabilities (AIDD) on January 1<sup>st</sup>. Both of these will be submitted before the Christmas holidays.

**Professional Development**

- I participated in the DD Council Executive Directors' Leadership meeting sponsored by the National Association of Councils on Developmental Disabilities.
- Former Commissioner of AIDD, Sharon Lewis, who has recently been promoted to Principal Deputy Administrator in the Administration on Community Living, shared the importance of Councils getting involved in policy changes their state is making to get aligned with the Affordable Care Act. Nancy Weiss from the University of Delaware's Leadership Institute was also a featured speaker.
- Group discussions included *Building Strong DD Councils* and *Utilizing the Values in the DD Act against Challenging Issues*.

**Membership Update**

- Since my last written report, Paula Moreau and Lou Ann Owen were appointed by the Governor and Brandon Burriss was reappointed. However, Brandon has since resigned from the Governor's Office of Disability Affairs (GODA) so he will no longer be on the Council. When his replacement is selected we will submit his/her name for appointment. Ellis Roussel, GODA's Interim Executive Director, will attend Council meetings in the interim.
- The Membership Committee met on November 14<sup>th</sup> and selected Michelle Hurst, a parent from Region II. Her name was submitted to the Governor to fill an immediate vacancy.
- The committee met again on December 18<sup>th</sup> and will recommend Donna Spears (self advocate in Region V), Bonnie Buckelew (parent in Region VIII) and Donnica Conway (non-profit rep) to the Council at the January meeting. These recommendations are for vacancies anticipated in the spring.

**LaCAN/LaTEACH**

- The Council's Annual Legislative Kick-Off was held for our LaCAN/LaTEACH advocacy leaders as well as the Families Helping Families Directors and People First Executive Director. This event provided an opportunity to share the "state of the state" in individual and family supports and in education and receive input from our advocacy leadership.
- The LaCAN/LaTEACH Regional Leaders are currently making plans for our Regional Legislative Round Tables and beginning individual legislative visits. For the Round Table schedule, please visit our website at <http://www.laddc.org/content.cfm?id=525>.
- A training (webinar) was developed and presented to LaTEACH leaders on education funding (MFP).

## **2013 Advocacy Leadership Conference – Together One Voice**

- Our Advocacy Leadership Conference on October 28<sup>th</sup> was a big success with 120 attendees. The agenda topics, speakers, and conference in general received very high marks on the evaluations. Many participants asked the Council to make this an annual event.

## **Advocacy/Informational Activities**

- Fact sheets were developed on eight of the issues the Council adopted for its legislative/advocacy agenda and are available on our website at <http://www.laddc.org/content.cfm?id=329>:
  - Fill vacant slots in all DD waivers and fund an additional 200 NOW slots
  - Restore funding for Individual and Family Support Services in four districts/authorities
  - Restore funding for the Consumer Care Resources Program
  - Restore funding for Families Helping Families
  - Reduce the harmful impact of Act 439 of 2013
  - Education Funding: Equitable to All Schools and Based on Student Needs
  - Accountability Based on Maximizing Student Potential
  - Diploma Pathways for All Students
- Submitted comments to U. S. Health and Human Services Secretary Kathleen Sebelius requesting:
  - the rule defining home and community based waiver services not allow public home and community based waiver funds be used to support segregated living arrangements where all or nearly all of the residents are people with disabilities, and
  - these funds only be used to support living arrangements that “promote self determination, independence, productivity, and integration and inclusion in all facets of community life” as set forth in the DD Act.
- Provided information (through *LaDDC News*) on the International Convention on the Rights for Persons with Disabilities (Disability Treaty).
- Issued several LaTEACH and LaCAN Action Alerts urging members to contact policy makers in regard to issues on the Council’s legislative/advocacy agenda.
- Participated in phone call with La. Department of Education (LDE) regarding State Performance Plan indicators and district target plans. Recommended reconvening State Performance Plan Task Force and having sub-committees develop targets for sub-sets of indicators.
- Advocated and provided information to the Board of Elementary and Secondary Education (BESE):
  - Provided information regarding the correlation between school performance scores and the percentage of students with disabilities in the school. Requested for the review process of charter school applications consider student composition of schools when determining the performance record of schools run by applicants.
  - Supported a parent testifying regarding the accountability system conflicting with outcomes related to individualized goals and objectives for her son.
  - Provided information comparing Louisiana graduation and promotion policies and outcomes relative to other states. Recommended BESE review other states’ policies to provide students with disabilities recognition for skills valued by employers. Superintendent White announced that the Department intends to

submit a proposal for BESE's consideration regarding a diploma option for students with significant disabilities.

- Advocated and provided information to the Minimum Foundation Program (MFP) Task Force regarding the funding formula and amount differences for traditional public schools and charter schools. Supported parents testifying regarding the need for the funding formula to be equitable across all school systems, based on student needs and not based on disability type, performance and placement.
- Met with La. Association of Special Education Administrators and the La. Parent Training and Information Center to review policies and outcomes of other states regarding promotion and diplomas and developed proposal that incorporated the DD Council advocacy agenda items regarding assessments, promotion/diplomas and school performance scores. Provided information to the La. Department of Education and discussed elements of this collaborative proposal to have IEP team involved in determinations regarding grade promotion and graduation.
- Provided webinar to 59 participants on Louisiana's current policies and outcomes for grade promotion and diploma requirements, comparisons to other states and the collaborative proposal presented for consideration.
- Communicated the guiding principles on Managed Long Term Supports and Services (MLTSS) the Council endorsed to representatives of a second managed care company interested in responding to the state's Request for Proposals on MLTSS.
- Advocated to reduce the harmful impact of Act 439 of 2013 on supports and services for people with developmental disabilities at meetings with two legislators.
- Advocated/discussed the following issues in the Council's quarterly meeting with DHH Secretary Kathy Kliebert (these were verbally reported at the October meeting):
  - Unfilled waiver slots
  - Legislation to eliminate the harmful effects of Act 439 of 2013
  - Serving people with challenging needs
  - Electronic visit verification
  - Individual and Family Support budgets
  - Council state funds used as the required federal match

## **Collaborative Efforts**

### OCDD System Transformation Core Work Group

The group made the following recommendations regarding the waiver waiting list:

- People would be removed from the waiver waiting list if they:
  - Are deceased
  - Have moved out of state (with exceptions)
  - Cannot be located after efforts to locate them have failed
  - Have been issued a statement of denial for services
- Those remaining on the waiting list would be assessed for level/urgency of need
  - If current needs are met, the individual would be asked to go "inactive" on the waiting list. They can request a change to "active" at any time and keep their protected date.
  - By changing those whose needs are currently being met through other resources to "inactive" DHH would be in a better position to more quickly meet the needs of those who need assistance immediately.
- Process and language changes were recommended regarding validation of the waiting list and the eligibility determination/redetermination.

- Separating ICF-DD and waiver eligibility from DD eligibility was discussed but no final recommendations were made.

#### Managed Long Term Supports and Services (MLTSS) Advisory Group

- Four work groups considered issues and made recommendations regarding accountability, measuring quality and outcomes, consumer protections and stakeholder engagement, and communications. The recommendations were summarized and presented to the large group but no recommendations were formally adopted. Advocated for strong accountability (including financial penalties) in the Managed Care Organizations' contracts using measures that include quality of life outcomes and robust consumer protections.
- The work groups also made recommendations regarding the issuance of one or two Requests for Proposals (RFP), which would either combine or separate the two populations needing long term supports and services (people with developmental disabilities and people who are aging and/or have adult onset disabilities). All but one of the four groups recommended having separate RFPs.
- The majority of work group members also favored phasing-in implementation of MLTSS.
- DHH also sought feedback on a proposal to allow currently excluded population groups (i.e., waiver recipients, Chisholm class members) to "opt in" to Bayou Health. These individuals would be allowed to "opt out" and return to fee-for-service Medicaid if they were not satisfied with Bayou Health. This proposal received positive feedback from advisory group members.
- Concept papers defining each issue and the questions considered by the four works groups are all posted on DHH's website at <http://new.dhh.louisiana.gov/index.cfm/page/1684>.

#### La. Rehabilitation Services (LRS) Employment Initiative Steering Committee

- The current committees in the initiative have ended. Two new committees will begin work on Economic Need and Independent Approval Status.

#### OCDD Mortality Review Committee (MRC)

- Of the 40 cases reviewed this quarter, the Committee noted one with possible issues of abuse/neglect and referred the case to Adult Protective Services.
- Prior to MRC review, another case had been reviewed by Elderly Protective Services who failed to substantiate charges of neglect. No corrective action plans were requested.

#### Louisiana Association of People Supporting Employment First (APSE) Chapter

- Louisiana APSE held its annual membership meeting during the National Rehabilitation Association Southwest Regional Conference, enlarged its board membership and held board member elections. The Chapter was a major sponsor of the conference and maintained a display table which served to inform many of the approximately 200 conference attendees.
- The Public Policy Committee developed initial components of a proposal to devise a way forward for making Louisiana an Employment First state.

#### Louisiana Rehabilitation Council (LRC)

The LRC approved:

- a plan to inform policy makers of the impact of the Vocational Rehabilitation program and its funding prior to and during the 2014 Legislative Session,

- several recommendations to LRS, including
  - to research the number and quality of job placements and trial work assessments of people with significant and multiple disabilities,
  - to research the monitoring/enforcement of the mandated 40 hour training for supported employment providers, and
  - to consider revising the standards for monitoring of training and creating a credentialing process for employment support specialists.

#### Children's Cabinet Advisory Board

- Louise Stoney, Alliance for Early Childhood Finance, was contracted by BrightStart to report on Louisiana's Early Childhood system. Ms. Stoney presented Early Care and Education (ECE) Compensation and Policy Options for Louisiana during the meeting.
- Recommendations to make early childhood funding streams work and to provide quality early care and education are listed on pages 9-10 of the report and slides 25-26. The full report and PowerPoint presentation can be found on the Children's Cabinet website. <http://www.gov.state.la.us/index.cfm?md=pagebuilder&tmp=home&cpid=599>

#### **Meetings Attended Since October 1, 2013**

Managed Long Term Supports and Services (MLTSS) Advisory Group – October 3  
 Meeting with Sec. Kliebert, C. Phillips, L. Brackin, K. Marcel – October 4  
 Meeting with Lois Simpson, Kay Marcel re: SIL Ombudsman Program – October 4  
 Conference Call with Advocacy Coalition on Act 439 – October 7  
 LaCAN/LaTEACH Legislative Kick-Off – October 9  
 Monthly meeting with Laura Brackin – October 14  
 Council Meeting – October 16 – 17  
 Conference Call with Advocacy Coalition on Act 439 – October 24  
 Conference call w/ Families Helping Families Executive Directors re: contracts – October 24  
 OCDD System Transformation Core Stakeholders Group – October 25  
 Advocacy Leadership Conference: Together One Voice – October 29  
 LaCAN Leaders Monthly Conference Call – November 1  
 DD Council Executive Directors' Leadership Meeting in Utah – November 6 – 8  
 Meeting with LA Health Care Connections re: MLTSS – November 13  
 Membership Committee – November 14  
 Meeting with Executive Director of Iberville/W. Baton Rouge Arc – November 19  
 Conference Call with Advocacy Coalition on Act 439 – November 20  
 OCDD System Transformation Core Stakeholders Group – November 22  
 Conference call re: People First – November 25  
 Meeting with Sen. Donahue re: Act 439 – December 10  
 Advocacy Coalition on Act 439 – December 10  
 MLTSS Advisory Group – December 12  
 OCDD System Transformation Core Stakeholders Group – December 13  
 Conference Call with Advocacy Coalition on Act 439 – December 17  
 Membership Committee – December 18  
 Meeting with Sen. Claitor re: Act 439 – December 18