

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

Budget

- The budget report with expenditures through August 2014 is included in the packet.

Membership Update

- The Membership Committee met on September 25th and will recommend Stuart Simon, Ashley Volion and April Dunn to the full Council during the business meeting to fill vacancies created by Deshae Lott-Sadow and Monica Simmons' resignation and an anticipated vacancy in November.
- The appointments of Mark Thomas, Raymond Jasper and Jamie Wong (Department of Education) are still pending but expected to be made prior to the Council meeting. The reappointments of Margaret McGarity and Lou Ann Owen are also pending.

DD Council Federal Appropriations

- The National Association of Councils on Developmental Disabilities (NACDD) reports that during the August recess they met with the Office of Management and Budget (OMB) to provide information and updates on DD Councils' work and successes. OMB is currently preparing the President's FFY2016 Budget so August is a good time for NACDD to showcase the innovative systems change work of DD Councils.
- Congress passed a \$1.02 trillion continuing resolution to continue federal funding for government programs through Dec. 11th.

Professional Development

Kay Marcel and I attended the Reinventing Quality Conference in Baltimore. Highlights of this very informative conference included:

- How states are using Medicaid State Plan amendments to serve people with developmental disabilities in the community. One state is using this to provide transition and employment supports.
- Recruitment strategies for Applied Behavior Analysts
- Shared housing arrangements between a person with a disability and person/family without disabilities
- Discussion of the new Center for Medicare and Medicaid Services' (CMS) definition of home and community based services and the required state transition plan
- Key to high performing states in competitive employment for people with developmental disabilities is state leadership that believes all people can work and is committed to implementing this value.
- Discussion and recommendations on implementing Managed Long Term Supports and Services

LaCAN/LaTEACH

- The Council's Annual Legislative Kick Off was held for our LaCAN/LaTEACH advocacy leaders as well as the Families Helping Families (FHF) Directors. Information was shared and discussed on the state-of-the-state in home and community based services and education. The participants made recommendations for the Council's legislative advocacy agenda and discussed plans for upcoming roundtables, legislative visits and the Disability Rights Day.
- Training was held separately for the LaCAN and LaTEACH Leaders to share information and provide guidance to build overall knowledge base, capacity and effectiveness.

Advocacy Activities and Provision of Information

- As directed at the July Council meeting, a letter was sent to the Office for Citizens with Developmental Disabilities (OCDD) with the Council's recommendations regarding support coordination's role in promoting employment.
- Advocated/discussed the following issues in the Council's quarterly meeting with DHH Secretary Kliebert (verbally reported at July Council meeting):
 - Allocation of Emergency Waiver Slots
 - Timeline/phase-in of newly funded waiver slots
 - Ensuring Individual and Family Support funding does not supplant existing funds
 - Transition plan for sheltered workshops to comply with new Home and Community Based Services (HCBS) definition
 - Personal Care Assistance rates/availability through the Early, Periodic Screening, Diagnosis and Treatment program (EPSDT)
 - Online provider data
- Together with the LA Support Coordination Alliance, met with and made recommendations to DHH Secretary Kliebert, Deputy Secretary Courtney Phillips, and Assistant Secretaries Mark Thomas and Hugh Eley to improve the provision of support coordination for people with developmental disabilities and those who are served by the Office of Aging and Adult Services.
- Advocated during the OCDD System Transformation Core Group meeting for Money Follows the Person to allow residents of private ICFs/DD to "take their money with them" to fund waiver services.
- Expressed concerns during the Managed Long Term Supports and Services (MLTSS) Advisory Committee meeting regarding:
 - Language in the OCDD Concept Paper that states "persons will be served in the most cost effective and appropriate setting." Home and Community Based Services are not always the most cost effective service when applied on an individual basis, however, a person's right to receive services in the least restrictive setting must be guaranteed in the Managed Care Organizations' (MCO) contracts.
 - Support coordination being included in the MCOs' contracts.
 - Savings resulting from MLTSS may be lost to budget cuts instead of reinvested in services for people on the waiting list.
 - Assessment and person centered planning will be included in the MCOs' contracts.
 - No clear indication that MCOs will be provided financial incentives to serve people in their own homes/communities although this is recommended by national groups.
- Discussed the Council's values and mandate, the Dept. of Education's role on the Council, and working collaboratively to improve outcomes for students with disabilities with Jamie Wong.
- Developed and disseminated educational tools (talking points, LaDDC News article) on the impact of Constitutional Amendment #1.
- Disseminated information on the expansion of Bayou Health to waiver recipients.
- Solicited information from people with developmental disabilities needing behavioral health services to use in our advocacy efforts.
- Conducted ten weekly webinars on Promotion/Diploma Alternative Pathways (Act 833) and participated in La. Parent Training and Information Center's (LaPTIC) webinar on Act 833.
- Developed training videos on Act 833 in collaboration with LA Association of Special Education Administrators (LaSEA) and parents.
- Advocated for school performance measures that take into account more than students meeting cut scores on standardized assessments to the BESE Accountability Commission.
- Advocated for continued collaboration between school systems and parent advocates in implementing Act 833 at the Superintendent's Advisory Council meeting.

- Participated in two conference calls with the U.S. Department of Education, Superintendent John White, LaSEA, LA School Superintendents Association, LaTEACH, Rep. John Schroder and Congressman Steve Scalise regarding the U.S. DOE's concerns with Act 833.
- Advocated for changes to the LA Department of Education's (LDE) recommended language revisions to Bulletin 1530 (IEP handbook) to align with Act 833 at the Special Education Advisory Panel and BESE Committee meetings. Changes recommended by Council staff and LaTEACH were adopted by BESE.
- Advocated for benchmarks that will be used to determine whether school systems are meeting requirements to need substantial intervention at the Special Education Advisory Panel meeting. Benchmarks should be established that avoid: 1) inadvertently measuring the characteristics of students served by a school system and 2) over identification of students with disabilities.
- Expressed agreement with Minimum Foundation Program (MFP) Task Force members regarding:
 - 1) a true cost analysis seems necessary prior to establishing additional weights for students with disabilities;
 - 2) the funding model used by the Recovery School District in New Orleans seems to be a reasonable start; however, instructional minutes may not reflect actual costs without some detail of provider type and other specifics related to the provision of those instructional minutes such as teacher:student ratio; and,
 - 3) the issue in funding differences may be resolved by imposing a different funding formula for school choice options (i.e. some charter schools, course choice, etc.) than necessarily changing the MFP for traditional school systems.
- Questions and concerns were raised at the Accountability Commission about the accuracy of the teacher evaluation system across all students and how the evaluation system is impacting placement of students.

Collaborative Efforts

Advocacy Coalition to Protect Critical Services

- The coalition has launched a campaign to educate the public on the impact of Constitutional Amendment #1 through the dissemination of educational materials, social media, and the press.
- Coalition members have met with editorial boards of newspapers around the state, public policy groups, and are submitting letters to the editor. Members are being encouraged to share information on this issue through Facebook and Twitter.

OCDD System Transformation Core Work Group

- The second phase of validating the waiver waiting list is complete. Four hundred individuals/families were interviewed to determine if their current needs are being met, or if not, to identify their expressed needs.
- In regard to prioritization of the waiting list, the core group supports OCDD's plan to divorce the "registry" from the "waiting list." The registry will include everyone who has requested waiver services and include information on what services they are currently receiving, current needs, future needs, etc. The waiting list will only include people who have a current unmet need. People with future needs will move from the registry to the waiting list when the expected time of their need approaches – maybe 6 months or a year ahead of time. Prioritization will not occur until after all people waiting have been fully assessed (phase three).
- Critical incident reporting will be revised to include a tiered system of incident reporting.
- OCDD sent waiver providers a questionnaire in regard to types of services they provide, population they serve, and other general information about their agency. Provider information

will be posted online by September 30th to assist individuals and families in making a more informed decision when selecting a provider.

- The core group recommended there be five priority groups of people to receive a waiver slot. The percentage of available slots designated for each group has yet to be determined.
 - Group 1 – people who have current unmet needs. This group will be divided into two subgroups:
 - 1) Urgent needs. People in this subgroup will be prioritized by urgency of need.
 - 2) First-come, first-served.
 - Group 1 will include people living at home and residents of private ICFs/DD and nursing homes. Some of the ICF residents will fall into the urgent category and others will be included in the first-come, first-served subgroup. The group recommended that the money funding their ICF placement will move with them to fund their waiver services.
 - The percentage of slots for each of these two subgroups has not been determined.
 - Group 2 – people moving out of a public ICF/DD or a facility with a Cooperative Endeavor Agreement with the state. (These people already have priority access to a waiver slot.)
 - Group 3 – children aging out of Children’s Choice. (These children already have priority access to an adult waiver slot.)
 - Group 4 – foster children aging out, kids moving out of the DNP, others required by law. (These people already have priority access to a waiver slot.)
 - Group 5 – residents of private ICFs/DD whose current funding (minus the provider fee) will support them in waiver services at the same cost or less

Managed Long Term Supports and Services (MLTSS) Advisory Committee

- Two concept papers have been released this quarter – one detailing proposed plans for the population served by the Office of Aging and Adult Services (OAAS) and one for the population served by OCDD.
- These documents are not final and all Council members are encouraged to read them thoroughly and submit comments. The concept papers and accompanying PowerPoint presentations are posted on the DHH website at <http://new.dhh.louisiana.gov/index.cfm/page/1684> under “Working Documents.”

Early Childhood Advisory Council

- The Early Childhood Policy Blueprint is posted on the Departments of Education’s (LDE) website and includes developing a report card for early childhood providers. The LDE is seeking feedback by October 15, 2014 on the draft report card template.
- Plans to improve early childhood education by unifying programs in the Departments of Education, Children & Family Services and Health and Hospitals are underway. Act 3 calls for a unified system by August 2015 so the 2015-16 year will be used to introduce all centers to the new system, not for sanctioning them.
- The final round of Early Childhood Pilot grants is open and applications are due November 12, 2014 to start in early 2015. The Inclusion Workgroup plans to assist the pilots in some way (i.e., training, TA, etc.) to support inclusive child care around the state.
- EarlySteps continues to collaborate with the Early Intervention Primary Service Provider project funded by the Council to support data collection and the coaching model. The plan is to train EarlySteps staff on the coaching model to support child care centers.
- Toni Ledet requested information on the LDE’s plan to support children with disabilities in terms of the Child Care Assistance Program (CCAP) rate. She referred to the recommendations the workgroup had developed during the Inclusive Child Care project previously funded by the Council. These include strategies for implementing an increased CCAP rate for children with disabilities.

LA Housing Corporation (LHC) Fair Housing Task Force

- The Housing and Transportation Planning and Coordinating Commission has begun the process of developing a Statewide Housing Policy for Louisiana. This policy would help local governments plan for multiple types of housing developments to provide for more fully integrated and livable communities.
- The LHC has invited the Council to speak at one of their board meetings about housing and people with disabilities. They are interested in developing some type of housing project for people with all types of disabilities and would like the Council to assist in this initiative.

Governor's Advisory Council on Disability Affairs

- Mark Thomas provided an update on MLTSS and OCDD systems transformation.
- Discussed issues and supports related to voting for people with physical and/or intellectual disabilities and the upcoming GOLD awards.

Louisiana Rehabilitation Council (LRC)

- Approved its public policy agenda:
 - State: Educate policymakers on funding for La. Rehabilitation Services (LRS)
 - Federal: Monitoring development of regulations for the Workforce Innovation and Opportunity Act (WIOA) of 2014 and provide input as needed
- Decided to monitor joint transition programs between the LDE and LRS and collaborate to replicate with other local education agencies around the state.

OCDD Mortality Review Committee

- Of the 54 cases reviewed this quarter, the Committee referred two to Health Standards related to possible abuse/neglect and noted two for which allegations of neglect by the provider were confirmed for failure to adequately monitor medical concerns and continuity of care.

Louisiana Chapter of Association of People Supporting EmploymentFirst (APSE)

- Adopted its public policy agenda:
 - Provide input on the federal level on:
 - WIOA rule-making and guidance
 - CMS employment guidance
 - Provide input on the state level to:
 - DHH on the transition to meet the new CMS rule
 - OCDD on the 2015 Support Coordinator Performance Agreement
 - LRS on revising the priority levels in the Order of Selection
 - Collaborate with the LRC in advocating for mandates designed to improve Louisiana's Supported Employment system through:
 - Licensure of Supported Employment Providers
 - Quality Monitoring of Community Rehabilitation Providers
 - Certification of Employment Support Professionals
- The chapter is planning a state conference November 7, 2014 at the Marriott in Baton Rouge. There will also be a Certified Employment Support Professional (CESP) exam on November 6th.

National Disability Employment Awareness Month Coalition

- Developed social networking calendar and decided to target several mayors across the state for Disability Employment Awareness Month proclamations. DDC staff procured proclamation from assigned mayor and shared employment videos.

Louisiana Oral Health Coalition

- Participated in a discussion with Medicaid staff on the new dental managed care plan and its impact on mobile providers.
- Advocated to strengthen the Coalition's position on providing dental care to all Medicaid recipients.

Lifespan Respite Coalition

- The coalition plans to re-apply for funding next year to continue its efforts
- The ALS Association is planning to hold town hall meetings before the legislative session to raise legislative awareness about the needs of caregivers. Coalition groups were asked to collaborate on this effort.

Meetings Attended Since July 1, 2014

Membership Committee – July 1

HB1015 (Act 833) Bill Signing by Governor – July 1

HB 185 Bill (Act 507) Signing by Governor – July 8

Advocacy Coalition to Protect Critical Services – July 9

State Interagency Coordinating Council – July 9

Meeting with Sec. Kliebert, Mark Thomas, Kay Marcel – July 15

Council meeting – July 16-17

Advocacy Coalition to Protect Critical Services Work Group – July 21

Meeting with the LA Support Coordination Alliance – July 22

Advocacy Coalition to Protect Critical Services – July 23

Meeting with the Council for a Better LA (CABL) re: protecting services – August 1

Reinventing Quality Conference in Baltimore – August 3-5

Advocacy Coalition to Protect Critical Services – August 6

LaCAN Leader Training – August 7

Meeting with Megan Morris with LARC – August 12

Meeting with Michelle Hurst re: committee chair responsibilities August 14

Executive Committee – August 18

Advocacy Coalition to Protect Critical Services – August 20

Meeting with Raymond Jetson re: protecting services – August 21

OCDD System Transformation Core Stakeholders Group – August 22

Staff Retreat – August 25

Meeting with the LA Support Coordination Alliance, Sec. Kliebert, Courtney Phillips, Mark Thomas, Hugh Eley and Kay Marcel re: support coordination – August 26

Advocacy Coalition to Protect Critical Services – September 3

Legislative Kickoff with LaCAN, LaTEACH, FHF – September 10

Advocacy Coalition to Protect Critical Services – September 17

Managed Long Term Supports & Services Advisory Committee – September 22

Membership Committee – September 25

Meeting with Jamie Wong – September 25

Meeting with the Advocate Editorial Board re: protecting services – September 25