

Executive Director's Report
January 21 - 22, 2015 Council Meeting

Budget

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

Program Performance Review (PPR) and Plan Updates

- Our Federal Fiscal Year (FFY) 2014 PPR and amendments to our Five Year Plan are both due to the Administration on Intellectual and Developmental Disabilities (AIDD) on January 1st. Both of these will be submitted before the Christmas holidays.

Membership Update

- April Dunn and Stuart Simon were appointed by the Governor to the Council on November 21st. We received word on December 12th that Ashley Volion would not be appointed so recruitment efforts for new applicants were initiated immediately.
- The Membership Committee will meet on January 9th to select two candidates for the full Council's consideration to replace Kay Marcel and Monica Simmons.

DD Council Federal Appropriations

- Congress passed a \$1.1 trillion funding measure on December 13th to provide funding for federal government programs through the end of FFY15 (September 30, 2015).
- DD Councils received a total of \$71.7 Million for FFY15, an increase of \$800,000 over FFY14.

LaCAN/LaTEACH

- The LaCAN/LaTEACH Regional Leaders are currently making plans for our Regional Legislative Round Tables and making individual legislative visits. The Round Table schedule is posted on the homepage of our website.

Advocacy Activities and Provision of Information

- Advocated/discussed the following issues in the Council's quarterly meeting with Department of Health and Hospitals (DHH) Secretary Kliebert (verbally reported at the October Council meeting):
 - Inclusion of funding for 200 NOW slots in DHH's budget request,
 - Availability of Applied Behavior Analysis (ABA) to children without a diagnosis of autism,
 - Rate increase for waiver providers to increase wages for Direct Support Professionals,
 - Implications of the overtime rule in Fair Labor Standards Act,
 - Support coordination,
 - Personal Care Assistance rates/availability through the Early, Periodic Screening, Diagnosis and Treatment program (EPSDT)
 - Online provider data.
- Fact sheets were developed on six of the issues the Council adopted for its legislative/advocacy agenda and are available on our website at <http://laddc.org/content.cfm?id=409>
 - Funding for 500 New Waiver Slots
 - Increase Funding for Infants and Toddlers with Disabilities
 - Increase Rates for Waiver Providers for Direct Support
 - Diploma Pathways Implementation (Act 833 of 2014)
 - Education Funding: Equitable to All Schools Based on Need
 - Inclusive Schools: Accountability and Funding Needed to Support Schools in Serving Students with Disabilities

- Advocated during the OCDD System Transformation Core Group meeting for OCDD to find a way to serve children with developmental disabilities who are not Medicaid eligible (due to parental income) in the new Managed Long Term Supports and Services System (MLTSS).
- Disseminated information on the impact of Constitutional Amendment #1.
- Recorded a welcome and introduction to the DD Council video for the Council's website.
- Conducted two webinars on Promotion/Diploma Alternative Pathways (Act 833) to collect input and feedback prior to the Act 833 Leadership Steering Committee meeting.
- Provided information on the Family Opportunity Act, the new Home and Community-Based Settings Rule, Employment First, Personal Care Services for children receiving Medicaid, eligibility for Applied Behavior Analysis, and the proposed Managed Long Term Supports and Services System through LaDDC News.
- Provided information related to the impact on students with various exceptionalities on value-added model performance for teachers at the Act 240 Subcommittee of the Accountability Commission.
- Advocated for the LA Department of Education (LDOE) to consult stakeholders to assist in reviewing data for the creation of the State Performance Plan/Annual Performance Report target indicators at the Special Education Advisory Panel (SEAP) meeting. SEAP made this formal recommendation to LDOE.
- Advocated to increase the high cost fund by \$12 Million at the Minimum Foundation Program Task Force meeting. The recommendation that passed was to increase it by \$4.5 Million, covering 66% of requested needs in 2014-15.
- Provided feedback in a meeting of stakeholders conducted by the Human Development Center to review and provide guidance on training and technical assistance related to Act 833
- Provided information at the Autism Speaks, Baton Rouge Area Foundation, & Unlocking Autism Premiere Screening of Blockburger Productions "Sounding the Alarm."

Collaborative Efforts

OCDD System Transformation Core Work Group

Waiver Waiting List

- OCDD interviewed a sample of 405 individuals/families on the waiver waiting list to determine if their current needs are being met and to identify their expressed needs. Results of these interviews were shared. Only 7.4% said they had no current unmet need. Seventy-two percent expressed a need for daily in-home supports and 83% expressed a need for professional services.
- Eighty-eight percent of all those on the waiting list are Medicaid eligible but the majority of those are not accessing support services for which they may be eligible.

Entry into and eligibility for the proposed MLTSS system

- Enrolled members will include:
 - All existing DD waiver recipients,
 - ICF/DD residents,
 - Nursing home residents with a developmental disability,
 - Individuals on the waiver waiting list who are Medicaid eligible and those who receive a "statement of approval" for DD eligibility in the future.
- People with developmental disabilities who are not Medicaid eligible (mostly children due to parental income) will not be eligible and can only be served from savings realized from the MLTSS system, from a separate appropriation from the legislature, or through state-funded supports such as Individual and Family Support.
- All enrolled members coming off the waiting list will have access to a base level of services which will include support coordination, crisis short term service package, Medicaid state plan services and a "little more." Persons with additional unmet need will be prioritized to move to the next "level" of waiver services. The third level will include 24-hour supports. People can

only move to the next level of service if their current service package is not sufficient to meet their needs.

Managed Long Term Supports and Services (MLTSS) Advisory Committee

- The state will contract directly with an independent, third party ombudsman program to assist individuals in understanding their Managed Care Organizations' (MCO) benefits and making enrollment decisions, assist with complaints and concerns about the MCO, and assist with the hearing process, grievance and appeal rights. This program will not replace the current ombudsman programs that provide services to ICF/DD and nursing home residents and persons receiving supported living services in their own homes.
- Eligibility and assessment will be conducted independent of the MCOs.
- The state will include support coordination in the Request for Proposals for the MCOs. The MCOs can choose to contract with support coordination agencies or provide the service in-house with a "firewall" in place. All persons receiving long term supports and services will receive support coordination with a team leader skilled in person centered planning. Consultation will be available from medical and behavioral support coordination as needed. People with specialized medical and/or behavioral support needs will have more extensive involvement from specialized support coordination from professionals in these fields.
- Children in EarlySteps will have an early intervention planning specialist as their lead support coordinator with consultation available from medical and behavioral support coordination as needed. The System Points of Entry (SPOE) for EarlySteps will continue to conduct the initial assessment and eligibility determination and will be independent of the MCOs.
- OAAS recipients with a developmental disability will be enrolled into the OCDD managed care plan upon implementation.

OCDD and OAAS Home & Community-Based Services (HCBS) Settings Rule Stakeholder Meetings

- The new HCBS Settings Rule requires HCBS to be provided in settings that are integrated in the community. Individuals served must also receive person centered planning.
- Louisiana must submit a transition plan detailing the process for ensuring that waiver services meet these new guidelines. States have five years to transition any services that do not meet the federal definition of home and community based settings. OCDD and OAAS are currently assessing the level of compliance with the rule.
- Public comment from stakeholders will be accepted by OCDD through December 17th and by OAAS through December 31st. Additional opportunities for public comment will be available.

Act 833 Leadership Steering Committee

- Recommendations were made for the six applied level courses for special education to not be applied as Carnegie Credit courses and for LDOE to provide guidance to school systems and monitor the utilization of these courses (i.e., provide data of students enrolled).

LA Dept. of Education (LDOE) Special Education Consult Stakeholder Group

- LDOE solicited feedback on LAA1 eligibility criteria, changes to the electronic IEPs (SER), and Act 833 monitoring and guidance documents.

State Interagency Coordinating Council (SICC)

- The Professional Development Committee updated its work plan related to developing standardized, comprehensive training for all EarlySteps providers.
- Recommendations on EarlySteps targets for the Annual Performance Report were made at regional meetings. Baseline performance targets were set using performance data of Special Education programs ending June 2013.

- OCDD reports very few families opt out of EarlySteps due to Family Cost Participation but some reduce services.

Early Childhood Advisory Council

- Act 3 calls for a fully unified statewide early childhood system by August 2015. Planning is underway to launch 34 community networks in January 2015 with a funding model to provide ongoing support and training to teachers to be successful.
- DD Council representative Bonnie Buckelew recommended that early childhood providers and teachers receive training on evidence-based best practices to support children with disabilities in regular childcare/ classroom settings.

Louisiana Rehabilitation Council (LRC)

- Expressed support for LA Rehabilitation Services' (LRS) development of report cards for employment providers (already underway) and requested LRS continue development of the report cards in consultation with the LRC.
- Will send a letter to the administration in support of level funding and take further action during the session concerning the budget for FY 2016.
- Expressed to the LRS Director the importance of the involvement of the LRC and other stakeholders in developing the unified state plan as provided in the Workforce Investment and Opportunity Act (WIOA) and will be planning further action to this end.
- Recommended LRS mandate that by January 1, 2016, Employment Support Professionals will be certified by the Certified Employment Support Professional (CESP) exam.

OCDD Mortality Review Committee

- Of the 57 cases reviewed this quarter, the committee referred two cases to Health Standards with possible issues of abuse, noted two which were already under review by Health Standards for suspected abuse/neglect and one under review by Child Protective Services related to possible neglect. The committee also noted that Health Standards substantiated three allegations of neglect against one provider related to appropriate training and provision of care.

Louisiana Chapter of Association of People Supporting EmploymentFirst (APSE)

- Hosted its REACH 2014 conference and general membership meeting November 7th with 50 people in attendance. The Certified Employment Support Professional exam was also given to eleven candidates. The conference featured a Keynote address by Louisiana House of Representatives Speaker Pro Tempore Walt Leger and Representative Helena Moreno. Conference topics included "Future-Oriented Transition Planning," "Where WIOA meets the Road," and "Demystifying Employment Support for People with the Most Significant Disabilities."
- Governing Board elections were held and Derek White was re-elected President.

Disability Awareness Month Coalition

- The Coalition developed a social networking calendar and procured proclamations from the Governor and several mayors across the state for Disability Awareness Month. The effort culminated in a press conference at the Capitol with several speakers including DHH Secretary Kathy Kleibert and Louisiana Workforce Commission Executive Director Curt Eysink.

Advocacy Coalition to Protect Critical Services

- The coalition continued to work right up until Election Day educating the public on the impact of Constitutional Amendment #1 on supports and services for people with disabilities and seniors. Unfortunately the coalition's educational campaign was no match for the paid advertising

bankrolled by the Nursing Home and Hospital Associations and the amendment was approved by voters.

Meetings Attended Since September 29, 2014

Meeting with Sec. Kliebert, Mark Thomas, Kay Marcel – September 29
Act 833 Leadership Steering Committee – October 1
Advocacy Coalition to Protect Critical Services – October 2
LaCAN Leader Conference Call – October 3
Conference Call with DHH re: Council's budget – October 3
Meeting with Mark Thomas, Herman Bignar re: Individual and Family Support – October 6
Advocacy Coalition to Protect Critical Services – October 13
Council meeting – October 15-16
Advocacy Coalition to Protect Critical Services – October 22
Advocacy Coalition to Protect Critical Services – October 29
Meeting with Mark Thomas re: Home and Community-Based Settings Rule – October 29
Meeting with Jefferson Parish Human Services Authority Executive Director and DD Director – November 6
LaCAN Leader Conference Call – November 7
Meeting with Courtney Phillips, Mark Thomas re: Individual and Family Support – November 12
Act 833 Leadership Steering Committee – November 12
Executive Committee – November 13
OCDD Stakeholders Meeting on Home and Community-Based Settings Rule – November 20
OCDD System Transformation Core Group – December 4
Act 833 Leadership Steering Committee – December 10
Managed Long Term Supports & Services Advisory Committee – December 11