

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
JULY 17, 2014
MEETING SUMMARY**

Embassy Suites
Baton Rouge, LA

8:30 A.M.

MEMBERS PRESENT

Sam Beech
Sue Berry, OPH/CSHS
Bonnie Buckelew
Donnica Conway
Brenda Cosse'
Vickie Davis
Hugh Eley, OAAS
Kristopher Hebert
Michelle Hurst
Kay Marcel
Terry McFillen
Margaret McGarity, GOEA
Paula Moreau
Lou Ann Owen, BHSF
Stephanie Patrick, AC
Delery Rice
Deshae Lott Sadow
Erin Smith
Donna Spears
Patsy White
Phil Wilson, HDC

STAFF PRESENT

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

MEMBERS ABSENT

Mark Martin, LRS
Chasedee Noto
Ellis Roussel, GODA
Monica Simmons

GUESTS PRESENT

Carlos Amos, South Central Louisiana
Human Services District
Alice Blundell, guest of Deshae Lott
Sadow
Wesley Cagle, South Central Louisiana
Human Services District
Cindy Deshotel, guest of Donna Spears
Bridget Devlin, DOE
April Dunn
Joanette Dunn
Rebecca Ellis, Northshore FHF
Lynsey Hebert, Transcriptionist
Scott Meche, Capital Area Human
Services District
Ashley McReynolds, Region 2 LaCAN
and LaTEACH Leader
Bambi Polotzola
Jeff Sadow, guest of Deshae Lott
Sadow
Kelly Serrett, Arc of Louisiana
James Sprinkle, FHF at the Crossroads
Mark Thomas, OCDD
Rhiannon Traigle, Bayouland FHF
Mauricia Walters, FHF of Acadiana
Teresa Wilson, FHF of Greater Baton
Rouge

SUMMARY OF APRIL MEETING

Kay Marcel called the meeting to order at 8:30 and requested a motion to accept the summary of the April Council meeting.

Motion passed. Motion to accept the summary of the April Council meeting made by Deshae Lott Sadow, second by Patsy White, passed without objection.

Motion passed. Motion to approve correction to the January meeting summary removing "Region 9" from the reference to a Council opening made by Patsy White, second by Sam Beech, passed without objection.

CHAIRPERSON'S REPORT – Kay Marcel

At the quarterly meeting between Ms. Marcel, Sandee Winchell and DHH Secretary Kathy Kliebert and staff the following issues were discussed:

- New criteria for emergency waiver slots.
- A transition plan for sheltered workshops to comply with new federal definitions for home and community based services.
- Individual and family support funding in the three regions receiving increases and/or restoration of funding to ensure it does not supplant existing funds.
- The inadequacy of rates for personal care services through Early, Periodic, Screening, Diagnosis and Treatment (EPSDT).
- DHH provided information on their efforts to collect and post provider data online to assist individuals and family members in selecting providers.

Ms. Marcel appointed Brenda Cosse', Michelle Hurst and Stephanie Patrick to serve on the Membership Committee and make recommendations to fill the vacancy in Region 2 resulting from Chasedee Noto's term ending in October.

The Executive Director Evaluation Ad Hoc Committee met and will have recommendations for the Council to vote on at the October meeting.

Ms. Marcel selected Sam Beech to replace Ms. Winchell on the State Interagency Coordinating Council. Ms. Beech will have to be appointed by the Governor.

EXECUTIVE COMMITTEE

The Executive Committee met twice between Council meetings to consider two Council Member stipend requests. Chasedee Noto's request to attend the Inclusion Matters Conference was not granted. Michelle Hurst's request to attend the National Association of State Directors of Developmental Disability Services Conference in New Orleans was approved in the amount of \$651.

The Committee recommends the Council authorize the Executive Director to approve Council Member stipend requests for in-state events.

Motion. Motion to give the Executive Director authority to approve Council Member stipends for in-state travel events made by Delery Rice, second by Donnica Conway.

Substitute Motion (passed): Motion to amend original motion to give the Executive Director and the Chairperson authority to approve Council Member stipends for in-state travel made by Delery Rice, second by Donnica Conway, passed without objection.

The Executive Committee recommends establishing an Act 833 Taskforce or Steering Committee to ensure policies that provide alternate pathways are implemented as intended and with fidelity to minimize unintended consequences. It is recommended that this Steering Committee have representation from the Council, Families Helping Families, LaTEACH, Special Education Directors, Superintendents, the Department of Education, the Human Development Center, and the Advocacy Center. The Council will cover travel expenses for Council members.

Motion passed. Motion to establish an Act 833 Taskforce to ensure policies that provide alternate pathways are implemented as intended and with fidelity to minimize unintended consequences made by Bonnie Buckelew, second by Donna Spears, passed without objection.

The Committee recommended endorsing an initiative called 6 by 15 by the National Association of Councils on Developmental Disabilities (NACDD) and five other national organizations to achieve 6 goals by the end of 2015 to commemorate the 40th anniversary of Individuals with Disabilities Act and the 25th anniversary of the Americans with Disabilities Act.

Motion passed. Motion to endorse the 6 by 15 initiative by the NACDD and other organizations to achieve six goals by 2015 made by Paula Moreau, second by Patsy White, passed without objection.

The Committee recommends the Council continue to participate in the coalition to educate the public on protecting funding for critical supports and services that is being threatened by a proposed Constitutional Amendment.

Motion passed. Motion to continue to participate in the Coalition to educate the public on protecting funding for critical supports and services made by Kris Hebert, second by Donna Spears, passed without objection.

The Executive Committee approved a planning process and timeline for the new five year plan to be voted on at the October Council meeting.

Ms. Marcel expressed gratitude to Senator Dan Claitor and Representative John Schroder and shared how each of these Legislators served as champions for people with developmental disabilities and leaders throughout the Legislative Session. Ms. Marcel also thanked Council staff for providing the information necessary to support the efforts of the grassroots networks to advocate effectively.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell announced the recruitment of individuals with developmental disabilities in Region 2.

She recognized Derek White for his work on the Annual Report Council members received.

Ms. Winchell participated in two bill signing ceremonies at the Governor's Mansion, Act833/HB1015 with Shawn Fleming that established an alternative pathway to a diploma and Act507/HB185 that will result in medication administration training rules for people in self-direction.

Keokah Sanders did a presentation on the status of Louisiana's Managed Long-Term Supports and Services at the National Association of Councils on Developmental Disabilities Conference in Washington, DC.

Ms. Winchell discussed the Annual Report on Families Helping Families Council members received.

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared the Council expenditures through June 2014.

COMMITTEE REPORTS

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

The Committee considered a suggestion to make the Rally an event for LaCAN and LaTEACH but recommends keeping the Rally a LaCAN only event until the two grassroots networks are combined.

The Committee recommends changing the name of the Rally in the Council's Five-Year Plan to "Disability Rights Day" to emphasize the importance of making legislative visits at the Capitol.

MOTION PASSED. Motion to change the language in the Five Year Plan from "Disability Rights Rally" to "Disability Rights Day" made by Deshae Lott Sadow, passed without objection.

The Committee made recommendations for additions to the online form developed by OCDD for providers to complete. Information collected will be available online to individuals and families who receive waiver services to assist in selecting provider agencies.

The Committee recommends approving the information paper on Natural Supports that has undergone numerous edits since the request at the October 2013 meeting.

Motion (Withdrawn). After discussion and a decision to have the language changed, the motion to approve the Natural Supports information paper to be disseminated made by Deshae Lott Sadow was withdrawn.

Dr. Lott announced her resignation from the Council.

HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Patsy White

The Committee made three recommendations for changing language in the Performance Agreement (Section No. 24) between Support Coordination Agencies and the Office for Citizens with Developmental Disabilities and for specific information to be shared in OCDD training and communications to Support Coordination agencies. Separate motions were made for each recommended language change.

Motion (Passed): Motion to recommend that OCDD amend the Performance Agreement with Support Coordination Agencies to demonstrate in all plans that employment will be the first and primary outcome for all persons receiving OCDD services who are of working age made by Patsy White, passed without objection.

Motion: Motion to recommend that OCDD to include in training and communications to Support Coordination Agencies the expectation that Support Coordinators should participate in Individual Education Program (IEP) team meetings and address employment outcomes for school-age children.

Substitute Motion (passed): Motion to amend the original motion to read as follows “Recommend that OCDD include in training and communications to Support Coordination Agencies the expectation that Support Coordinators should participate in Individual Education Program Team meetings for transition-aged youth to ~~and~~ address employment outcomes for school-age children,” made by Phil Wilson, second by Erin Smith.

Motion (procedural): Motion to call the question and vote on the Substitute Motion made by Sam Beech, second by Donna Spears, passed without objection.

Substitute Motion (made by Phil Wilson) passed by a vote of fifteen to two with three abstentions (Hugh Eley, Michelle Hurst, and Terry McFillen).

Motion: Motion to recommend that OCDD amend the Performance Agreement with Support Coordination Agencies to indicate Support Coordinators will assure the agency will increase the number of people with gainful employment by 10% over the next 12 months, with discussions of percentage change at annual reviews.

Substitute Motion (Failed): Motion to amend the original motion as follows: “Recommend that OCDD amend the Performance Agreement with Support Coordination Agencies to indicate Support Coordinators will assure the agency will increase the number of people with gainful employment by 20% ~~40%~~ over the next 12 months, with discussions of percentage change at annual reviews” made by Phil Wilson, second by Donna Spears, failed by a vote of one ye to nineteen nays.

Substitute Motion (Passed): Motion to amend the original motion as follows: “Recommend that OCDD amend the Performance Agreement with Support Coordination Agencies to indicate Support Coordinators will assure the agency will increase the number of people with gainful employment by 10% or more over the next 12 months, with discussions of percentage change at annual reviews” made by Paula Moreau, second by Donna Spears, passed without objection.

ACT 378 SUB-COMMITTEE - Sam Beech

The Arc of Louisiana will collect data on the estimate of costs of dental services to provide information leading to advocating that dental be a Medicaid covered service for adults.

The State Personal Assistance Services (SPAS) was merged with the Act 378 program by the legislature and future reports from the Arc of Louisiana will include combined data.

Council staff will discuss with the Office of Aging and Adult Services (OAAS) the possibility of changing the policy preventing the purchase of modified vehicles using Act 378 funds if the cost is less than modifying another vehicle.

The Office of Behavioral Health will ask Districts and Authorities to report on the number of requests denied. The Districts and Authorities who don't receive funds will report on the number of people not being served.

The Office for Citizens with Developmental Disabilities will talk with the Capital Area Human Services District about the necessity of reporting on all Act 378 funds, including those used for upper payment limit.

MEMBERSHIP COMMITTEE – Brenda Cosse’

The Membership Committee, composed of Stephanie Patrick, Paula Moreau, and Ms. Cosse’, recommend the selection of Raymond Jasper to replace Allison Rouse and Jacqueline Spencer to be the alternate nomination.

MOTION PASSED. Motion to accept the recommendation of the Membership Committee to select Raymond Jasper to replace Allison Rouse with Jacqueline Spencer as an alternate made by Brenda Cosse’, passed without objection.

REPORT ON NATIONAL ASSOCIATION OF STATE DIRECTORS ON DEVELOPMENTAL DISABILITIES SERVICES (NASDDDS) CONFERENCE – Michelle Hurst

Ms. Hurst shared information from two presentations. First, Mark Thomas, Brandy Kelly, and Amy Greer shared tremendous strides made in Louisiana moving people with developmental disabilities from institutional settings to their own home or family home. Second, other states shared initiatives to assist individuals with mental and emotional health needs, including telemedicine, that have improved behaviors of some individuals with very limited verbal or no eye contact. Ms. Hurst felt compelled to contact her Resource Center to discuss the need for education for direct service workers for mental health and behavioral needs. They will partner together to add a one or two hour portion to the medication administration course that focuses on mental health, not just medical issues.

REPORT ON NATIONAL ASSOCIATION OF COUNCILS ON DEVELOPMENTAL DISABILITIES CONFERENCE – Kris Hebert

Mr. Hebert learned more about Managed Care in Louisiana.

There is an agreement being worked on in the US Senate that will protect rights if people with disabilities from the United States go to London or other countries in Europe.

Mr. Hebert and Keokah Sanders met with the staff of Rep. Cedric Richmond and the staff of Rep. Charles Boustany.

Ms. Sanders shared a website created by families in Kansas to share their experiences and knowledge of Managed Care with others.

**COUNCIL MEMBER REPORTS
OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Mark Thomas**

Mr. Thomas shared information on:

- The Centers for Medicare and Medicaid Services' (CMS) definition of community-based services (i.e., people getting paid at least minimum wage and integrated with persons with and without disabilities and working in the community).
- OCDD limiting prevocational in the New Opportunities Waiver (NOW) and Supports Waiver to comply with the new CMS definition. Providers will have a transition period of four years.
- Several providers did not get approval from their Board of Directors to use the Residential Options Waiver (ROW) for community home conversion due to a lack of a financial incentive.
- Providing adequate incentive for providers to move from the group employment model to the individualized employment model.

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

Mr. Eley shared:

- OAAS has already made two rounds of offers for waiver slots.
- OAAS had initially planned to implement a new service in the Community Choices Waiver on July 1st that will potentially provide 24 hour supports, but this implementation has been delayed for a couple of months.
- OAAS is pursuing a faster timeline on Managed Care than OCDD.
- The age requirement in SPAS was not changed since the Governor's Office disagreed with OAAS's recommendation.
- OAAS tried to run Act 378 funds and SPAS funds as much alike as possible. SPAS is statutory whereas Act 378 funds are not so they will be combined under the SPAS name. OAAS will continue to report on it jointly to the Council.
- OAAS Managed Care Request for Proposals is anticipated to go out in early fall

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

Ms. Owen reported the following:

- The next meetings for Managed Long-term Supports and Services are August 30th and the last week of October.
- Medicaid has 33 providers of Applied Behavioral Analysis (ABA) services with 69 children currently receiving services and 44 children currently assessed for services.
- BHSF is in the process of making amendments to waivers and will have 120 days to develop a state transition plan to insure home- and community-based services will be compliant with the new CMS definition. The 120 days begin when the amendments are submitted. Stakeholders will be involved in this process.

HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

Dr. Wilson shared:

- LSU-HDC staff continues participating in many Supported Employment Provider meetings with Certified Rehabilitation Professionals (CRP) and the Louisiana Rehabilitation Services (LRS) staff.
- As the Post-Secondary Education Project enters its final year beginning October 1st Dr. Wilson is working with Mark Martin (LRS) to receive match dollars to sustain the project.

ADVOCACY CENTER (AC) – Stephanie Patrick

Ms. Patrick announced:

- October is Disability Employment Awareness month, the Advocacy Center has a media blitz planned to inform the public of the benefits of employment for people with disabilities.
- November will have the elections and the AC plans to share results from surveys of candidates on various disability issues.
- The AC is concerned about Louisiana offering people on waivers the opportunity to participate in Bayou Health.

OFFICE OF PUBLIC HEALTH (OPH) – Sue Berry

Dr. Berry reported:

- The webinar educating Primary Care Physicians and Social Workers on caring for children with essential healthcare needs is going well.

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

Ms. McGarity had no updates to her written report.

DEPARTMENT OF EDUCATION – Bridget Devlin

Ms. Devlin provided the following information:

- In response to the passage of Act 833 the Department is drafting academic guidance for the district and IEP teams and policy changes for BESE’s consideration.
- Act 833 is requiring some extensive conversations with the US Department of Education (USDOE).

AFTER LUNCH PRESENTATION

Discussion of Collaborative Efforts to Achieve Desired Outcomes in Early Intervention

Brenda Sharp, Phil Wilson, Sue Berry, Lou Ann Owen, and Stephanie Patrick presented information on their respective agency activities related to improving developmental outcomes for young children with disabilities. Council members identified gaps and barriers in the system, determined some activities attempting to fill some of those gaps or barriers and potential DD Council initiatives to consider targeting identified gaps and barriers.

MOTION PASSED. Motion to discuss Act 3 at the October Council meeting made by Sam Beech, second by Terry McFillen, passed with nine yays and eight nays. Abstention by Deshae Lott Sadow.

UNFINISHED BUSINESS

MOTION PASSED. Motion to ratify the Five Year Plan as agreed upon at the April Council meeting made by Phil Wilson, second by Patsy White, passed without objection .

NEW BUSINESS

None to be discussed.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

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

Collaborative Activities to Achieve Desired Outcomes Early Intervention (0-5)

Goal 8: Children participating in EarlySteps (0-3) will demonstrate improved developmental outcome through increased access to quality services and will lead to the full inclusion and meaningful participation of people with developmental disabilities in all facets of community life.

Gaps/Barriers	Agency Specific Recommendations	Cross-Agency Collaboration	DD Council Initiatives	Responsible Persons
Few resources in public schools for three year olds.				
Eligibility misses many students with delays (0-3)				
Funding – providers not paid for travel results in geographic gaps and restrictive eligibility/access (rural)			Advocate for increased funding for EarlySteps	
Identification: Sharing of information across agencies		FHF and CSHS to get information to doctors		
Rural area has limited access to providers or providers/parents getting information	Identification of gaps/over-supply; geographic and specialty (Early Steps). Incentives and college pay-back for specialists to serve underserved areas			
Delay of services based on birthdate vs. start of school year differences				
Too many provider options in urban areas to coordinate.				
Parent recognition that child has a disability				

Act 3 accountability which does not take into account the degree to which children with disabilities are served providing incentives for selective admissions/removals				
Child care providers' capacity to serve children with significant needs				
Funding for inclusive center-based services for students with disabilities				
Programs collaborating at building medical-home capacity		CSHS & BHSF work to build medical home capacity, funding, etc.		
Parents need accurate information and contact person for complaints/issues	Quick reference sheets (ala CSHS)	FHF, EarlySteps, CSHS, share information regarding regional resources		