

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
January 21, 2016
MEETING SUMMARY

Holiday Inn South
Baton Rouge, LA

8:30 A.M.

MEMBERS PRESENT

Sam Beech
Sue Berry, OPH/CSHS
Craig Blackburn
Bonnie Buckelew
Donnica Conway
Brenda Cosse'
Vickie Davis
April Dunn
Kristopher Hebert
Michelle Hurst
Raymond Jasper
Tara LeBlanc
Mark Martin
Margaret McGarity
Paula Moreau
Lou Ann Owen
Stephanie Patrick, AC
Delery Rice
Stuart Simon
Donna Spears
Mary Tarver
Patsy White
Jamie Wong, DOE

STAFF PRESENT

Brenton Andrus
Shawn Fleming
Kourtney Gaines
Robbie Gray
Derek White
Sandee Winchell

MEMBERS ABSENT

Ellis Roussel, GODA
Mark Thomas, OCDD
Phil Wilson, HDC

GUESTS PRESENT

Donna Breaux
Randall Brown Jr.
Carmen Cetnar
Cindy Deshotel (Donna's PCA)
Rebecca Ellis, Northshore FHF
Jamar Ennis
Julie Foster, OCDD
Lynsey Hebert, Transcriptionist
Sue Killam, HDC
Ashley McReynolds, LaCAN/LaTEACH
Leader Region 2
Scott Meche, Capital Area Human
Services District
Robert Paddy
Bambi Polotzola
Kristi – Jo Preston
Kelly Serrett, Arc of Louisiana
Tara Nunez-Smith
James Sprinkle, FHF at the Crossroads

SUMMARY OF JANUARY MEETING

Delery Rice called the meeting to order at 8:30 and requested a motion to accept the summary of the October Council meeting, with the addition of the DD Council's Recommendations and Collaborative Action Plan on Community Supports. Ms. Rice welcomed the individuals awaiting appointment by the governor: Randall Brown, Carmen Cetnar, Robert Paddy, and Tara Smith. She also congratulated Bambi Polotzola who was recently appointed to the position of Executive Director of the Governor's Office of Disability Affairs. She will serve on the Council in that capacity. She also congratulated April Dunn for being the recipient of the Governor's Outstanding Leadership in Disabilities Award for Educator of the Year.

MOTION PASSED. Motion to accept the summary of the October Council meeting with the addendum made by Kristopher Hebert, second by Craig Blackburn, passed without objections.

CHAIRPERSON'S REPORT – Delery Rice

Ms. Rice participated in several meetings and events this quarter:

- Executive Committee meeting on November 9th to make two decisions that could not wait until January:
 - In April 2015 the Council included funding of \$60,000 in the Council's plan for the Human Development Center (HDC) for paid apprenticeship program for students with disabilities. The HDC reported to the Council in late October they were expecting funding from another source to become available to cover a portion of the contract. The Executive Committee decided to reduce the contract award to \$35,045 for the remaining activities and deliverables. Subsequent to that meeting HDC said they would only need \$20,619 so that is the final amount of the contract.
 - DHH has included \$20.87 million in state general funds, \$50 million total, in their budget request for fiscal year 2017 to cover the cost of overtime pay for direct support professionals. The Executive Committee decided to add support of this budget request to the Council's 2016 legislative advocacy agenda. The committee further decided the Council would reevaluate that decision in the future.
- Council's Advocacy Leadership Conference on November 19th with 105 people in attendance.
- Partners Ad Hoc Committee discussed plans for regional workshops that will be held this year in lieu of a Partners class, regional alumni groups that will be formed, recruitment ideas, modifications to the application for the 2017 Partners class and modifications to the actual content of the program.
- Quarterly meetings with the DHH secretary on November 2nd and January 4th. Sandee Winchell will report on the November 2nd meeting. At the January 4th meeting the following issues were discussed:
 - Legislation that created all the local governing entities includes the composition of their governing boards. With the exception of Jefferson Parish, equal representation of all three service areas is not required. As a result governing boards can have majority representation in one service

area. The Council asked if DHH would be interested in pursuing legislation to fix this.

- The Council advocated for giving OCDD programmatic oversight of the ICFs/DD. Current oversight is done by Health Standards. OCDD does not have a role in approving plans of care or programming for individuals with developmental disabilities living there.
 - The reporting of budgeted Act 378 funds by the local governing entities to the Council and how it is difficult for the Council to make informed decisions regarding our advocacy efforts without accurate and complete information.
 - The transition to the new administration and the continuation of these quarterly meetings. A meeting with the new secretary, Dr. Rebekah Gee, has already been scheduled
- The roundtable for regions 1 and 10 on January 14th.

Ms. Rice reported she appointed two ad hoc committees that will meet prior to the April meeting: The Planning Ad Hoc Committee which consists of April Dunn, Bambi Polotzola, Bonnie Buckelew, Michelle Hurst, Phil Wilson, Stephanie Patrick and herself. The ad hoc committee to develop recommendations to improve the Council's grassroots advocacy network model prior to the merger of LaCAN and LaTEACH. Those members are Ashley McReynolds, Rebecca Ellis, Mauricia Walters, Susan Benoit, Bambi Polotzola, Kay Marcel and herself.

The Executive Committee recommendations: Based on new information and feedback from legislators the Executive Committee is recommending three changes to the legislative agenda and is offering each of them separately as a motion for your consideration:

MOTION PASSED. Motion by the Executive Committee to change the Council's request from funding of 1,000 new waiver slots to funding for only 200 new NOW slots and funding to fill 286 vacant NOW slots and 38 vacant children's choice slots. The difference in the funding request would be an additional \$2.55 million in state funds, passed without objections or abstentions.

MOTION PASSED. Motion by the Executive Committee to add Capital Area Human Services District to the Council's request for additional funding for the Individual and Family Support Program. This would increase the funding request by \$629,437, passed without objections, Mark Martin abstained.

MOTION PASSED. Motion by the Executive Committee to add the restoration of funding to Families Helping Families to the Council's advocacy agenda should these funds be cut from the Council's budget in the Governor's Executive Budget or during the legislative session, passed without objections or abstentions.

MOTION PASSED. Motion by the Executive Committee to support the first three legislative issues from the Advocacy Center at a priority level three and to take a neutral position on the last three issues, passed without objections or abstentions.

- In support:
 - legislation to insure that all people with disabilities have the opportunity to serve as poll workers.
 - legislation that will allow people with disabilities who are unable to vote with a paper absentee by mail ballot to receive ballots electronically if they choose to do so.
 - legislation that will allow applicants for specialty license plates to allow them to park in designated accessible parking spaces to submit a doctor's note from any licensed doctor as proof of disability.
- Neutral positions:
 - legislation to protect people with disabilities particularly with mental illness against discrimination.
 - legislation to increase the accountability of education providers in juvenile justice facilities.
 - legislation to insure access and increase the number of medical conditions for which marijuana can be used as treatment.

Motion made to grant authority to Sandee, and Shawn in her absence, to take or change a position on policy issues requiring action when there is not time to convene the Executive Committee as long as those positions are aligned with the Council's mission and values.

MOTION PASSED. Motion to call the question made by Kris Hebert, second by April Dunn. Vote was 12 in favor, 10 opposed.

MOTION PASSED. Motion by the Executive Committee to grant authority to Sandee, and Shawn in her absence, to take or change a position on policy issues requiring action when there is not time to convene the Executive Committee as long as those positions are aligned with the Council's mission and values, passed without objections, Jamie Wong abstained.

MOTION PASSED. Motion by the Executive Committee for the Council to sign on as a supporting partner to the Louisiana Platform for Children, passed without objections or abstentions.

MOTION PASSED. Motion by the Executive Committee to approve a range of \$200,000 to \$240,000 for the new combined LaCAN and LaTEACH contract, passed without objections or abstentions.

Ms. Rice reported that the Executive Committee reviewed and revised the Council's position papers. These will be voted on by the full Council at the April meeting. Ms. Rice stressed the importance of members fully participating in legislative advocacy activities such as roundtables, legislative visits, yellow/purple shirt days, Disability Rights Day, and responding to Action Alerts.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell welcomed those who are awaiting appointment to the Council. The Healthcare Transition Team report includes two recommendations that pertain to people with developmental disabilities. The first would require equal representation on the Local Governing Entity boards for all three service areas. The second is for the governor to consider pursuing managed long term supports and services.

BUDGET REPORT – Shawn Fleming

Mr. Fleming provided the budget report through December 2015.

COMMITTEE REPORTS

SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE (SD/CI) – Michelle Hurst

MOTION PASSED. Motion by the SD/CI Committee to delete activity 3.2.5 and 3.2.6 related to social worker training in the 2016 plan and replace these with a new activity 3.2.5 that will provide funding for the training of direct service professionals and providers on serving individuals with complex medical and behavioral needs for up to \$70,000. Motion passed without objections or abstentions.

EDUCATION/EMPLOYMENT COMMITTEE – Bonnie Buckelew

The committee received information on the following:

- The Department of Education's new State System Improvement Plan.
- The curriculum for dental and dental hygiene students.
- The Workforce Innovation and Opportunity Act.
- The Every Student Succeeds Act.
- The LaCAN LaTEACH merger.

ACT 378 SUB-COMMITTEE – Sam Beech

Ms. Beech reported the Council sent a letter to Secretary Kathy Kliebert recommending that DHH pursue institutional diversion for people with adult onset disabilities. A reply from Deputy Secretary Hugh Eley stated that DHH had other methods to serve people with priority needs, but without an infusion of additional dollars the only real solution would be to implement managed long term supports and services (MLTSS). The committee decided to wait and see if the state moves forward with MLTSS in the next several months. If not the committee will revisit the institutional diversion issue at that time. Ms. Beech also reported that the Office for Citizens with Developmental Disabilities instructed the Local Governing Entities on December the 18th to implement four of the Council's recommendations on the annual redetermination process for Flexible Family Funds. These changes will be implemented on the recipient's next redetermination date. The manual for the Flexible Family Fund program is also being revised to reflect the changes.

COUNCIL MEMBER REPORTS

OFFICE OF PUBLIC HEALTH (OPH) – SUE BERRY

Dr. Berry reported that David Holcomb who is the medical director in Alexandria has been named the Assistant Secretary for the Office of Public health. The CDC birth defect surveillance grant was not funded, but that program will survive with funding from the Title 5 block grant. There is an advocacy training by the advocacy support and training program for professionals working with young children for families that have children with hearing loss. There is a conference February 22nd to 24th at the Hyatt Regency in New Orleans for families that will focus on appropriate early intervention for children with hearing loss.

LOUISIANA REHABILITATION SERVICES (LRS) – MARK MARTIN

Mr. Martin provided information on the Workforce Innovation and Opportunities Act (WIOA). LRS has third party cooperative agreements with East Feliciana, Grant, Franklin, and Orleans Parish School Systems on the horizon. These parishes put up 21.3 percent and LRS draws down the remaining 78.7 percent from the federal government to fund a transition coordinator for that parish. The school system hires the coordinator but LRS pays the salary and monitors them. The WIOA proposed regulations reference high quality employment outcomes. LRS has added an incentive pay for supported employment vendors and job placement vendors to encourage quality outcomes and enhance employment opportunities for the DD population.

GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – BAMBI POLOTZOLA

Ms. Polotzola reported that she assumes the position of Executive Director of GODA on Monday. She credited the Council with training her for this position and said the administration has recognized the work of the Council in appointing her. GODA will focus on constituent services and policies. The Governor's Deputy Chief of Staff, Johnny Anderson, and Bruce Parker, the Coordinator of Programs and Planning, support our advocacy on developmental disabilities.

GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – MARGARET MCGARITY

Ms. McGarity reported the Adult and Disability Resource Centers in Central Louisiana and Northeast Louisiana have been combined as one as of January 1, 2016. GOEA is still working on the three year no wrong door plan with DHH.

DEPARTMENT OF EDUCATION (DOE) – JAMIE WONG

Ms. Wong reported LDOE has held a handful of training opportunities for teachers and supervisors across the state on special education specific policies and opportunities for students with disabilities on ways for them to achieve high school diplomas. LDOE has been working with the Parent Training and Information Center to make the training

accessible to families. The Families Helping Families centers also have the same information the LDOE is sharing with the school systems.

Motion made by Bonnie Buckelew, second by Donna Spears to have the Council staff look into whether the LDOE sent a letter to the Attorney General regarding the interpretation of ACT 467 in regard to local funds and get a copy of said letter for the Council.

AMENDED MOTION PASSED. Motion for Council staff to try and get and distribute a copy of the request from the Department of Ed for an attorney general's expedited opinion regarding charter schools and to forward any attorney general response and for the Council to seek the AG's opinion on this matter if it has not been done. Amended motion made by Bonnie Buckelew, second by Donna Spears. Passed with no objections, Jamie Wong abstained.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – JULIE FOSTER

Ms. Foster explained the terminology used in reporting waiver numbers in the OCDD report. An “offer” is when a person is offered waiver services so the number on the chart refers to the number of offers that were made to people for each particular waiver. Sometimes people chose not to accept the offer of waiver services. “Linkages” refers to the point when a person accepts an offer and signs a freedom of choice for a support coordinator. Once a person gets a support coordinator a plan of care is developed and approved or “certified” so the person can begin receiving services, so certifications are the number of people who were certified into the waiver with a certified plan of care. There is a chart that shows total number of slots we have allocated, the total participants that are linked, but not certified, and a total number of certifications. From the math of that you get the total number of vacant slots. At best waiver slots are typically run about 95 percent full due to attrition.

Over the last several years the state has privatized three large former state operated facilities: Northlake in Hammond, Northwest in Bossier, and Arc of Acadiana, previously Acadiana Supports and Services Center in Iota. Those three facilities are all in the process of downsizing to closure. Some individuals are moving into vacant community home slots or moving to home and community based waiver services. People who were living at the facility at the time it was privatized have access to a priority waiver.

Two major initiatives:

- Waiver consolidation is high on OCDD’s priority list.
- Prioritization of the waiting list OCDD has been working on a new tool to better assess a person's risk for institutionalization and then prioritize giving waiver slots based on that risk.

OFFICE OF AGING AND ADULT SERVICES (OAAS) – TARA LEBLANC

Ms. LeBlanc reported OAAS vacant waiver slots are still frozen. In the department's new budget request OAAS requested additional slots and to backfill all frozen slots. In DHH's budget request there is a request for \$50 million to raise the provider rates to assist with paying overtime. The department does understand the need. The new administration is focusing on Medicaid expansion so MLTSS will be looked at once the expansion is implemented.

BUREAU OF HEALTH SERVICES FINANCING (BHSF) – LOU ANN OWEN

Ms. Owen reported the department began working on Medicaid expansion the day after the election was held. Under expansion, Louisiana will have a new Medicaid eligibility group that covers people between the ages of 19 and 65 who previously were not eligible. As long as a person meets the income and resource guidelines they will be Medicaid eligible regardless of their status of being a pregnant woman or having children.

HUMAN DEVELOPMENT CENTER (HDC) – SUE KILLAM

Ms. Killam reported the following:

- HDC's Early Childhood Center is opening up.
- HDC received a huge Early Head Start grant.
- HDC is providing support and training to 156 children and families throughout the greater New Orleans area.
- HDC is providing training to employment support professionals and providers, and informational webinars, outreach and training in collaboration with Families Helping Families.
- Continue to provide benefits counseling in collaboration with The Advocacy Center.

ADVOCACY CENTER (AC) - STEPHANIE PATRICK

Ms. Patrick reported that the Advocacy Center (AC) is able to help with any issues or problem with access in the presidential primary. AC is concerned about the issue of arrest of students with disabilities for behaviors that are a manifestation of their disability. Contact the AC if you know somebody who has been arrested who might need their help. An update on the SILOP program - a program that pays for two staff one in New Orleans, one in Baton Rouge to help people who are in supported independent living who are on the NOW waiver. These are people who generally don't have family who are involved or whose family are involved in a negative way who need an advocate to advocate for them. The DD Council actually funded the pilot project and it continues to do really good work.

COUNCIL INPUT INTO OCDD'S WAIVER CONSOLIDATION-

Mark Thomas provided information on OCDD's plan to consolidate the four waivers for people with developmental disabilities and individual Council members and guests provided feedback for OCDD's consideration.

COUNCIL INPUT INTO LDOE'S THEORY OF ACTION FOR THE STATE'S SYSTEMATIC IMPROVEMENT PLAN (SSIP)-

Jamie Wong and Christy Jo Preston provided information on the LDOE's Theory of Action for the SSIP and Council members and guests provided feedback for the LDOE's consideration.

UNFINISHED BUSINESS

MOTION PASSED. Motion to ratify the new 5 year plan for 2017 through 2021 with the addition of an objective on reducing Louisiana's reliance on public and private institutions. This was added as CS 1.8; the remainder of the document remains the same as reviewed and approved in October made by Brenda Cosse', second by Donna Spears, passed without objections or abstentions.

Ms. Rice stated that at the retreat it was decided the Council will no longer have a speaker on Wednesday nights. Instead that time will be used for a mini retreat to provide time for discussion of current issues.

NEW BUSINESS

Mark Martin announced that the combined WIOA state plan should be out the week of February 1st for comment. He will notify Ms. Winchell when that occurs.

Shawn Fleming announced that the Department of Ed has submitted its request for an attorney general's opinion on MFP funding this afternoon at about 2:00 p.m. He will forward it to the Council as requested.

Michelle Hurst announced that she was recently appointed to the Bayou Health Quality Committee. She asked that Council members send any comments or issues they would like for her to take to this group.

PUBLIC COMMENT

None to be discussed

ANNOUNCEMENTS

Next Council meeting is April 20th to 21st. Sandee Winchell asked members to complete the evaluation forms.

ADJOURNMENT OF BUSINESS MEETING