

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL  
JULY 18, 2013  
MEETING SUMMARY**

Holiday Inn South  
Baton Rouge, Louisiana

8:30 A.M.

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MEMBERS PRESENT

Sandra Beech  
Susan Berry, OPH/CSHS  
Laura Brackin, OCDD  
Donna Breaux  
Brandon Burris, GODA  
Brenda Cosse'  
Vickie Davis  
Hugh Eley, OAAS  
Rocky Fuselier  
Reginald Garey  
Kristopher Hebert  
Kay Marcel  
Mark Martin, LRS  
Terry McFillen  
Chasedee Noto  
Stephanie Patrick, AC  
Bambi Polotzola  
Deshae Lott Sadow  
Monica Simmons  
Erin Smith  
Patsy White  
Phil Wilson, HDC

STAFF PRESENT

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

MEMBERS ABSENT

Valerie Hiser  
Stephen Osborn, DOE  
Allison Rouse  
Lilian Wise

GUESTS PRESENT

Rickii Ainey  
Jason Durham  
Ruth Kennedy, BHSF  
Margaret McGarity, GOEA  
Santell Nunnery, guest of Monica Simmons  
Jeff Sadow, guest of Deshae Lott Sadow  
Alice Blundell, guest of Deshae Lott Sadow  
Beth Jordan, OCDD  
Ashley McReynolds, LaCAN Region 2  
Wesley Cagle, South Central Louisiana Human Services Authority  
Pam Sund, OCDD  
James Sprinkle, Families Helping Families at the Crossroads  
Scott Meche, Capital Area Human Services District  
Rebecca Ellis, Northshore Families Helping Families  
Elizabeth Brown, Transcriptionist

## **SUMMARY OF APRIL MEETING**

Ms. Beech requested a motion to accept the summary from the April meeting.

**Motion passed.** Motion to accept the summary of the April Council meeting made by Kay Marcel, seconded by Kristopher Hebert, passed without objection.

## **CHAIRPERSON'S REPORT –Sam Beech**

Ms. Beech welcomed the newly appointed Council members Vickie Davis, Terry McFillen, Monica Simmons, and Patsy White.

Ms. Beech discussed advocacy efforts during the session including testimony to the Senate Finance Committee and the Statewide Rally on May 1<sup>st</sup>.

Ms. Beech shared results of the evaluation of the Council Executive Director, Sandee Winchell, indicating extremely high marks across all performance indicators (receiving 104 “Strongly Agrees” out of 125 performance indicators, and 21 “Agrees”; there were no “Disagree” or “Strongly Disagree” ratings). Ms. Beech indicated that Ms. Winchell is very clear and focused with the mission and goals of the Council.

Ms. Beech stated that the Council will participate in the Department of Health and Hospitals (DHH) Advisory Council on managed care for long-term supports and services. Other discussion points with the DHH Secretary included the Office for Citizens with Developmental Disabilities (OCDD) Systems Transformation, the Special Education Center continuing to recruit residents, waiver assessments to add high-risk categories for determining nursing hours, and the Money Follows the Person Grant.

## **EXECUTIVE COMMITTEE**

The Committee edited drafts of position papers on Inclusive Education and Self-Determination. Council members will receive these position papers for consideration of approval at the October meeting.

The Executive Committee considered requests to accommodate Council members with developmental disabilities and family members to participate in committee meetings in between quarterly Council meetings via video conference. Ms. Winchell will discuss this in her Executive Director's report.

The Executive Committee also recommends to allow stipend funds through Families Helping Families be available to participants of web-based training courses.

**MOTION PASSED.** Motion to accept the change for the Families Helping Families Stipend Contracts to include web-based training courses made by Brenda Cosse', seconded by Kristopher Hebert, passed without objection.

The Committee recommends changing Council Policies and Procedures regarding

nominees awaiting appointment by the Governor. It currently reads, “An orientation session is held for new Council members at the first available Council meeting that time will allow.” The recommendation is to change it to read, “An orientation session is normally held annually for new Council members and nominees whose names have been recommended to the Governor for appointment. Nominees awaiting appointment by the Governor shall be invited to attend and participate in Council and committee meetings as special guests where they acquire valuable “on the job” training to help prepare them for Council membership.”

**MOTION PASSED.** Motion to accept the language change in the Council Policy and Procedures regarding newly appointed Council members and nominees who have been recommended to the governor made by Patsy White, seconded by Kristopher Hebert. Passed without objection.

### **EXECUTIVE DIRECTOR’S REPORT – Sandee Winchell**

Ms. Winchell welcomed Vickie Davis, Terry McFillen, Monica Simmons, and Patsy White to the Council.

After seeking advice on state and federal laws (i.e., Louisiana open meetings law and federal Americans with Disabilities Act), the Executive Committee recommends following the federal requirement to provide reasonable accommodations to individuals with disabilities and family members of people with disabilities. The Council will honor requests of individuals with a developmental disability or their family members to participate by video conference in committee meetings between regularly scheduled quarterly Council meetings. The Council will consider the size of the room, number of people participating and length of the meeting to determine whether the request for an accommodation would be expected to result in meaningful participation.

Ms. Winchell shared a Families Helping Families (FHF) Monitoring Report Summary and how FY14 cuts in state general funds to the Council budget will dramatically reduce FHF contract amounts.

Ms. Winchell shared the final results of the Council members’ participation in legislative advocacy activities. She also encouraged members to provide feedback to staff on any support that may be needed to increase their participation in advocacy activities in the future.

### **LEGISLATIVE REPORT – Sandee Winchell**

Ms. Winchell discussed issues and outcomes on the Legislative Tracking List.

## **BUDGET REPORT – Shawn Fleming**

Mr. Fleming shared the Council expenditures through June 2013.

## **COMMITTEE REPORTS**

### **ELECTION OF OFFICERS – Phil Wilson**

The Nominating Committee recommended the following Council members for Officers: Kay Marcel for Chairperson; Brenda Cosse' for Vice-Chair; Deshae Lott Sadow for Chair of the Self-Determination/Community Inclusion/Housing Committee; Bambi Polotzola for Chair of the Health/Education/Employment Committee and Kristopher Hebert for Council Member-at-Large. However, Ms. Polotzola, withdrew her acceptance of the nomination earlier in the day. Ms. Beech asked for nominations from the floor for Chair of the Health/Education/Employment Committee.

**MOTION PASSED.** Motion to accept the nomination of Patsy White to Chair the Health/Education/Employment Sub-committee made by Donna Breaux, passed without objection.

Ms. Beech asked for any other nominations from the floor. There were none.

**MOTION PASSED.** Motion for Officers recommended by the Nominating Committee to be as follows: Kay Marcel, Chair; Brenda Cosse', Vice-Chair; Deshae Lott Sadow, Chair of the Self-Determination/Community Inclusion/Housing Committee; Patsy White, Chair of the Health/Education/Employment Committee and Kristopher Hebert at Member-at-Large made by Donna Breaux, seconded by Chasedee Noto, passed without objection.

### **ACT 378 SUB-COMMITTEE – Kay Marcel**

The Committee requested the Office of Behavioral Health (OBH) to share its plan for building awareness of the availability of the Flexible Family Fund in Region Six.

The committee recommends the Arc of Louisiana, contractor for the Supported Living Program serving individuals with adult onset disabilities, develop requests from people prior to the last quarter of the fiscal year to determine if the program can fulfill any unmet needs with available funding.

The OCDD expenditures are on track. The committee received an update on the issue of Flexible Family Fund recipients receiving 1099 tax forms.

## **SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE – Kay Marcel**

The committee reviewed two proposals submitted in response to the Council's Natural Supports initiative. The committee recommends for the Council to not accept either proposal but to reissue the Solicitation of Proposals. The committee further recommends to not review any proposal received that does not follow the guidelines outlined in the Council's Solicitation of Proposals (SOP).

The committee also discussed the Court Appointed Advocate for Vulnerable Adults (CAAVA) project which had a single source provider. Since the provider chose to not move forward with this program the committee recommends issuing a request for information. Council staff were directed to meet with CASA Louisiana and gather information on having a similar program for adults.

The committee received updated reports from People First, the My Choice Project, and the Supported Independent Living Ombudsman Project.

The committee discussed the possibility of developing a position paper to educate judges about options other than ordering someone into the state custody. The committee and Council staff will work with OCDD to determine any real options available for judges to consider as beneficial alternatives.

Council staff were directed to ensure that SOP response requirements on the Council's website match the information mailed out in a specific SOP.

**MOTION PASSED.** Motion to reissue the Solicitation of Proposals (SOP) for the Natural Supports Initiative as recommended by the Self Determination/Community Inclusion/Housing Committee made by Patsy White, seconded by Donna Breaux, passed without objection.

## **HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Patsy White**

The committee recommends funding the proposal for the Supported Employment Mentoring Model.

The committee discussed Louisiana's choice to not participate in Medicaid Expansion and how this will affect people with developmental disabilities.

The committee discussed the legislation and proposed Constitutional Amendment that would limit funding to support home and community-based services.

The committee considered the phase out of the Louisiana Alternate Assessment -2 (LAA2) and asked Department of Education staff for recommendations involving policy.

The committee recommended the Council adopt a position and advocate for Diploma Pathways for students with significant disabilities with the understanding that students would not be tracked into alternate pathways prior to having real access to the full range of pathways. Staff shared the roles of poverty and disability rates on school accountability scores.

The committee recommended the Council take the position that school accountability scores take into account student composition as it relates to poverty and disability and include individualized outcomes for students with disabilities.

Finally, an update on work groups on the early learning standards for child care centers was provided.

**MOTION PASSED.** Motion to fund the LSU Supported Employment Mentoring Model as recommended by the Health/Education/Employment Committee made by Kristopher Hebert, seconded by Monica Simmons, passed without objection. Mark Martin and Phil Wilson abstained.

**MOTION PASSED.** Motion to advocate for diploma pathways that provide students with disabilities, even significant disabilities, documentation indicating skills and competencies related to employability such as the diploma for customized employment and the diploma for work readiness certification made by Kristopher Hebert, seconded by Patsy White, passed without objection. Mark Martin abstained.

## **COUNCIL MEMBER REPORTS**

### **NACDD Conference and AIDD Technical Assistance Institute – Rocky Fuselier**

Mr. Fuselier shared details about his participation at the National Association of Councils for Developmental Disabilities (NACDD) Annual Conference and the Administration on Intellectual and Developmental Disabilities (AIDD) Technical Assistance Institute in Washington, DC.

### **ADVOCACY CENTER (AC) – Stephanie Patrick**

Ms. Patrick shared information about the role of the Advocacy Center and highlighted the Supported Independent Living Advocacy Project (SILAP) ombudsman services and the Work Incentives Planning and Assistance (WIPA).

There was a discussion on the Chisholm lawsuit and the connection to recent legislation establishing state licensure for providers of Applied Behavioral Analysis services paving the way for Medicaid reimbursement.

Ms. Patrick requested feedback on the Advocacy Center's strategic plan.

Council members were asked to share information related to experiences with Amtrak train stations as part of the National Disability Rights Network (NDRN) advocacy efforts.

The AC is very concerned about the proposed Constitutional Amendment and its impact on home and community-based services.

The AC has a number of cases of constituents having problems receiving notifications of NOW offers and their status on the waiting list. Ms. Patrick requested people to contact the Advocacy Center if they have been removed from the waiting list inappropriately or didn't get the notice.

The Advocacy Center continues to advocate for Bayou Health providers and Magellan to inform recipients if a change in service is made, the reason the recipient is no longer eligible and who to contact if they wish to appeal.

### **HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson**

Dr. Wilson shared two grant opportunities HDC submitted: one targets special education accountability measures and the other is for training for early childhood professionals.

Two HDC staff were recently recognized: Maria Blanco was honored as a female achiever by New Orleans Magazine and Sue Killiam won an award at the APSE convention.

The Board of Elementary and Secondary Education (BESE) approved HDC's contract for the Louisiana Autism Spectrum and Related Disabilities (LASRD) project.

Dr. Wilson shared a video showcasing an individual with significant disabilities being successfully employed.

### **OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Laura Brackin**

Dr. Brackin shared plans to alter the OCDD report to the Council that will provide information on various initiatives and processes. Dr. Brackin and Council staff have planned monthly meetings to work on and address the issues that come up at Council meetings.

The System Transformation Stakeholders meeting that will be held July 19<sup>th</sup> was discussed. Dr. Brackin discussed preliminary ideas regarding assessing and prioritizing needs of people on the waiver waiting list.

A request was made for OCDD to provide the Council with information related to proposed policy changes.

Dr. Brackin described the process used to contact people on the waiting list.

### **OFFICE OF PUBLIC HEALTH (OPH) – Sue Berry**

Dr. Berry shared information about the impact of over a million dollars in cuts to Children's Special Health Services (CSHS) clinics throughout the state and elimination of the vision part of the Hearing, Speech, and Vision program.

Dr. Berry highlighted the Child Resource Center and a few staff members.

CSHS plans to absorb the activities from the System Innovations grant, including the Transportation and Assistance program and the Care Coordination Program for educating physicians, into the Title V Block grant. This may result in a need for an increase in state funding next year.

Louisiana birth defects surveillance system had a twenty percent reduction of funding that has been restored this year.

### **GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Margaret McGarity**

The Adult Disability Resource Center (ADRC), was slated for a budget reduction in the budget but in the end funding was reinstated.

### **AFTER LUNCH PRESENTATION**

### **OAAS PROGRAMS FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES – Hugh Eley**

Mr. Eley provided an overview of the services and programs offered through the Office of Aging and Adult Services.

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

OAAS is losing about 12 staff people due to budget cuts.

Self-direction in the long-term care program is expected to begin in October. There are 33,000 people on the Community Choice Waivers waiting list.

### **GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – Brandon Burris**

GODA staff are either new or shifted to new positions. GODA's office moved to the Claiborne building.

Mr. Burris shared data on the number of constituency calls and work for the annual plan required by the Rehabilitation Act.



Mr. Burris provided information on emergency preparedness for people with disabilities. He also shared information about the Art Contest and the Governor's Outstanding Leadership in Disabilities (GOLD) Awards.

### **LOUISIANA REHABILITATION SERVICES (LRS) – Mark Martin**

Mr. Martin highlighted the employment initiative, work with the Department of Corrections and the Second Injury Program Partnership. He shared numbers of people served (24,800), open cases (16,700), and counselors (95).

LRS budget was reduced by \$76,000 in state funds, which causes a reduction of \$281,000 of federal matching funds for a total reduction of \$357,000.

LRS produced savings in their assessment procedures.

Mr. Martin answered questions regarding concerns of people having trouble accessing employment providers

### **BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Ruth Kennedy**

Ms. Kennedy explained how the 'spend down' change to eligibility criteria for the New Opportunities Waiver (NOW) will reduce income cap limits by the amount of disability related expenses.

Ms. Kennedy indicated the DHH website will post the quality management strategy for the Children's Choice and Support Waivers. Both of these waivers are up for their five-year renewal.

308 individuals are participating in self-direction. BHSF and OCDD plan to reconvene the Self-Direction Advisory Group.

The Centers for Medicare and Medicaid Services (CMS) provided verbal notification of approval of the Comprehensive System of Care (CSOC) within the behavioral health partnership for Region 1 (Orleans, Plaquemines, and St. Bernard parishes). Within the next year BHSF intends to have comprehensive care available statewide and to submit a waiver for this service.

Ms. Kennedy shared DHH activities to add dental services for NOW and Supports Waiver recipients through managed dental care. Ms. Kennedy fielded many questions and comments related to these changes.

Ms. Kennedy shared information and a fact sheet on changes to three optional Medicaid programs going into effect January 1<sup>st</sup>: Medicaid Purchase Plan, Disability Medicaid and LaMOMS. Ms. Winchell indicated the Council will produce an LaDDC news article with information about these changes.

Regarding managed long-term supports and services, Ms. Kennedy referred everyone to the CMS website that recently posted many resources, technical assistance and a White Paper dedicated to long-term supports and services. DHH is working to align their program with the ten guiding principles or essential elements of managed long-term care indicated in a CMS white paper on that site.

## **UNFINISHED BUSINESS**

**MOTION PASSED.** Motion to ratify the Five Year Plan as agreed upon at the April Council meeting made by Kay Marcel. Second by Chasedee Noto. Passed without objection.

## **NEW BUSINESS**

None to be discussed.

## **PUBLIC COMMENT**

None.

## **ANNOUNCEMENTS**

The next Council meeting is October 16<sup>th</sup> and 17<sup>th</sup>.

## **ADJOURNMENT OF BUSINESS MEETING**

**MOTION PASSED.** Motion to adjourn made by Brenda Cosse'. Second by Chasedee Noto. Passed without objection.