

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
OCTOBER 16, 2014
MEETING SUMMARY**

8:30 A.M.

Holiday Inn South
Baton Rouge, LA

MEMBERS PRESENT

Sam Beech
Sue Berry, OPH/CSHS
Bonnie Buckelew
Michelle Hurst
Raymond Jasper
Kay Marcel
Mark Martin, LRS
Terry McFillen
Paula Moreau
Chasedee Noto
Stephanie Patrick, AC
Delery Rice
Ellis Roussel, GODA
Erin Smith
Mark Thomas, OCDD
Patsy White
Jamie Wong, DOE

STAFF PRESENT

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

MEMBERS ABSENT

Donnica Conway
Brenda Cosse'
Vickie Davis
Kristopher Hebert
Margaret McGarity, GOEA
Lou Ann Owen, BHSF
Donna Spears
Phil Wilson, HDC

GUESTS PRESENT

Edmond Adams, Bayou Land FHF
Carlos Amos, SCLHSA
D'Nita Billips, OCDD
Maria Blanco, HDC
Wesley Cagle, SCLHSA
Tara DiSandro, BHSF
April Dunn
Joanette Dunn
Rebecca Ellis, Northshore FHF
Lynsey Hebert, Transcriptionist
Scott Meche, CAHSD
Mary Norris, BHSF
Brenda Sharp, OCDD
James Sprinkle, FHF at the Crossroads
Ivy Starns, DOE
Denise Williams, VOA

SUMMARY OF JULY MEETING

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

Motion passed. Motion to accept the summary of the July Council meeting made by Sam Beech second by Patsy White, passed without objection.

EXECUTIVE COMMITTEE RECOMMENDATIONS – Kay Marcel

The Executive Committee recommended the Council accept the Council's 2015 Legislative Agenda as follows:

LaCAN Issues

- Funding for 500 additional waiver slots (200 NOW, 200 Children's Choice, 100 Supports Waiver)
- Individual and Family Support funding increase (to bring every region to a minimum of \$2 per capita)
- Increase provider rates (by \$2.50/hour) with designated percentage for increased DSP wages, benefits and associated expenses (training)
- Funding for EarlySteps to expand eligibility to previously used criteria (\$2.75 Million needed in state dollars)

LaTEACH Issues

- Act 833 Implementation
 - School Accountability (beyond a test score)
 - Training/Technical Assistance/Professional Development Support
 - Monitoring

Anticipated Legislation (Council will not take the lead but Priority 1 designation is recommended)

- Education funding equitable across all schools – traditional and charter
- Charter Schools serving all students
 - No separate schools for students with disabilities
- Expansion of the sequence of courses required for the career major diploma to include applied level and/or fundamental level academic and career and technical education courses recognized as credits toward graduation.

Motion passed. Motion to accept the 2015 Legislative Agenda recommended by the Executive Committee made by Sam Beech, second by Patsy White, passed without objection.

The Executive Committee recommended adopting the following list of changes to the new Planning process:

- Planning longitudinally rather than just one year at a time by spreading out steps over several meetings as early as January.

- The Council's Mission Statement and position papers will be reviewed to determine if revisions are needed prior to planning process.
- The Council will seek Concept Proposals only at the beginning of the five year cycle and as needed for implementation strategies.
- The process will include a network collaboration meeting between the Advocacy Center, the Human Development Center, and the Council.
- The Five Year Plan will be ratified in January 2016, but annually thereafter, the Plan will be developed and approved in April, eliminating the ratification process.

Motion passed. Motion to accept the new planning process as recommended by the Executive Committee made by Delery Rice, second by Bonnie Buckelew, passed without objection.

The Executive Committee recommended revising the Executive Director Evaluation process. The major recommended changes were:

- Change the wording from, "Strongly Agree, Agree, Disagree, and Strongly Disagree" to "Exceeds Expectations, Meets Expectations, Needs Improvement, and Unsatisfactory" on each job responsibility.
- Six months prior to the annual evaluation, the Executive Committee will conduct a mini-evaluation.
- Instead of completing an annual progress report, every six months the Executive Director will compile information from the Executive Director's quarterly reports and organize it according to the responsibilities in the position description.
- The committee will conduct an annual staff survey.
- The evaluation will be conducted in July.

Motion to accept the Executive Director Evaluation Process with changes and to reconsider the date and staff survey made by Michelle Hurst, second by Sue Berry.

Substitute Motion (passed). Motion to accept the revised Executive Director Evaluation process with two changes: change the evaluation dates from July and January to occur at the meeting immediately following the hire date of the Executive Director then every six months thereafter and remove number seven (conduct an annual Staff Survey) due to having a policy in place for grievances made by Michelle Hurst, second by Delery Rice, passed without objection.

The full process approved by the Council is attached. (Attachment I)

The Executive Committee recommended accepting the Council's Legislative Action Plan. (see Attachment II).

MOTION PASSED. Motion to accept the Council's Legislative Action Plan as recommended by the Executive Committee made by Delery Rice, second by Bonnie Buckelew, passed without objection.

CHAIRPERSON'S REPORT – Kay Marcel

Ms. Marcel referred members to the Executive Director's Report for a summary of their meetings with DHH Leadership.

Ms. Marcel was invited by the Board of Regents to serve as a member of a new advisory council to support higher education efforts to prepare effective new teachers and leaders whose students are college and career ready. As Ms. Marcel was unable to make the commitment she asked Bonnie Buckelew to serve and Ms. Buckelew accepted. Ms. Buckelew participated in the first meeting on September 23rd. Discussion of issues related to a declining number of candidates entering the field of education and teachers staying employed in education for less than five years was held. Several recommendations were made to try and address these issues.

ELECTION OF CHAIRPERSON – Kay Marcel

Ms. Marcel is resigning as Chairperson of the Council upon the sale of her home and subsequent move to Iowa. The Vice-Chair, Brenda Cosse', indicated she is unable to complete the term of office of the Chairperson. To ensure the Chairperson position is not left vacant, Ms. Marcel requested a motion to suspend Article VI Section III of the By-Laws to allow the election for the Chairperson to be held at this meeting and for a new Chairperson to take office on the date of her resignation.

MOTION PASSED. Motion to suspend Article VI Section III of the By-Laws to allow the Chairperson election to be held at this meeting and for the new Chairperson to take office on the date of Kay Marcel's resignation made by Michelle Hurst, second by Chasedee Noto, passed without objection.

Ms. Marcel requested nominations from the floor for Chairperson. Patsy White nominated Sam Beech. Ms. Beech accepted the nomination. No other nominations were made and Ms. Beech was recognized as the incoming Chairperson. She will take over as Chairperson on the date of Kay Marcel's resignation.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell welcomed new members Raymond Jasper, Mark Thomas and Jamie Wong. She reminded everyone that Orientation for new members will take place in January.

With the legislative session beginning in April, staff will begin preparing facts sheets to educate leaders and grassroots advocacy members on issues. Ms. Winchell encouraged everyone to attend a Legislative Round table in their region and to let staff know how they can assist members in fully participating in all legislative activities.

October is National Disability Employment Awareness Month. An LADDC News article was sent out on October 1st. Staff has been posting disability employment awareness activity on Facebook throughout the month. Council members can help spread the word.

The Council has been working with others on a campaign to educate voters on the impact of Constitutional Amendment number 1 on disability services and higher education. Ms. Winchell encouraged members to share information on this issue with others.

The Department of Health and Hospitals (DHH) is still soliciting feedback on Managed Long-Term Supports and Services (MLTSS). Links to the latest OCDD concept paper and the Council's response to this paper were included in a recently released LaDDC News article. Ms. Winchell encouraged Council members to visit the DHH website and voice their comments and concerns.

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared the Council expenditures through September 2014.

COMMITTEE REPORTS

ACT 378 SUB-COMMITTEE – Sam Beech

The Office of Behavioral Health (OBH) reported the Consumer Care Resources policy manual is still in the legal department of DHH.

OBH reported the Capital Area Human Services District (CAHSD) is paying a salary for a parent liaison, South Central Human Services Authority (SCLHSA) is paying for a psychiatrist, and Acadiana Area Human Services District (AAHSD) is paying for case management with Act 378 funds. The committee recommended that if these funds are being used for Civil Service employees and the Act 378 dollars are supplanting other funds, the Council will write a letter to each Executive Director and Board Chair with recommendations of how these funds are to be used.

MOTION PASSED. Motion for the Council to write a letter with recommendations to the Executive Directors and Board Chairs of the Districts and Authorities if the Council finds that any of the Act 378 funds are supplanting Civil Service employee salaries made by Sam Beech, passed without objection.

The Capital Area Human Services District (CAHSD) informed the Council that \$20,000 in Act 378 Individual and Family Supports funds were being used for postage. Also, over \$50,000 of Act 378 funds were being used to continue vocational services for individuals who did not transition to the Support Waiver. The Act 378 Committee recommended CAHSD follow the same prioritization process for these individuals as is required for all other applicants of Individual and Family Support services. The Committee recommended the Council write a letter to the Executive Director and the Board Chair of the CAHSD with recommendations regarding the use of Act 378 funds.

MOTION PASSED. Motion for the Council to write a letter to the Executive Director and the Board Chair of the Capital Area Human Services District with recommendations regarding the appropriate use of Act 378 Individual and Family Support funds made by Sam Beech, passed without objection.

SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE – Michelle Hurst

The Committee recommended adding a question to the Partners in Policymaking application asking if applicants are a U.S. Citizen. This question would be used for informational purposes only and would not disqualify someone.

MOTION PASSED. Motion to add a question to the Partners in Policymaking application asking if applicants are US Citizens made by Michelle Hurst, passed without objection.

The Committee heard concerns that families are having problems accessing personal care services through Early, Periodic Screening, Diagnosis, and Treatment (EPSDT). The Committee encouraged Council members to spread the word that the Council is collecting information from families with this problem and they should contact Brandi Jones.

The Committee was concerned about reports that families are being required to pay for costly evaluations before receiving Applied Behavioral Analysis (ABA) services through the Medicaid program.

HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Patsy White

The committee did not have a quorum so an official meeting was not held; however, since education will be the topic of discussion at the January Council meeting, a discussion of those present was held and resulted in suggestions for desired outcomes in education. Some of the major ideas included:

- Students graduate with a meaningful plan and skills that prepare them to enter adulthood as engaged members of the workforce and community and pursue continued education training opportunities. Students have effective, coordinated transition plans that maximize life and health outcomes and result in the development of self-help and living skills that maximize their independence.
- Students have as many opportunities to participate in inclusive school activities as any other student involved in the school as real members of the student body. A consistent definition of inclusion is adopted into the school culture that results in no segregated schools. Differentiation of inclusion from being just about placement such that inclusion is a complete embodiment of acceptance of one student body with full participation, not merely a physical presence and not something special.

- Students with disabilities are considered in planning and programming features from the initial phase of development in education policies and initiatives. The term “all students” in educational planning and policy truly indicates all students with disabilities from the onset.
- Accountability systems recognize and count the outcomes and progress of all students.
- Parents/Family members and students operate as full members of the IEP team.

Staff will use the discussion points to develop some desired education outcomes and receive additional input from Council members prior to sending out to agency representatives.

The Act 833 Steering Committee is an initiative of the Council and as such would typically make recommendations for Council consideration. However, as some recommendations may require immediate action, Ms. White recommended the Council grant this Committee the authority to send recommendations directly to various entities.

MOTION PASSED. Motion to give the Act 833 Steering Committee authority to submit recommendations directly to the intended party made by Patsy White, second by Michelle Hurst, abstentions by Mark Martin and Jamie Wong, passed without objection.

REPORT ON THE ARC NATIONAL CONVENTION – Sam Beech and Chasedee Noto

Ms. Beech shared that Senator Harkin spoke about the importance of the Senate ratifying the United Nations’ Convention on the Rights of Persons with Disabilities. The treaty ratification would help protect the civil rights of Americans when they travel to other countries and have the ADA be used as a model for other countries to replicate. Information about the status and intent of the Achieving a Better Life Experience (ABLE) Act was also shared. Finally, employment remains a high priority for the Arc.

Chasedee Noto reported that she participated in the People First workshop which had a strong turnout of participants who were very excited about self-advocacy.

Ms. Marcel presented Ms. Noto with a Certificate of Appreciation for her participation on the Council as her term has ended.

MEMBERSHIP COMMITTEE – Delery Rice

The Membership Committee, composed of Stephanie Patrick, Brenda Cosse and Ms. Rice, recommended the selection of April Dunn to replace Chasedee Noto, Stuart Simon to replace Deshae Lott Sadow and Ashley Volion to replace Monica Simmons. If approved by the Council, these names will be submitted to the Governor for his consideration. Ms. Rice also noted that if these applicants are selected the Council will not have representation from Region 8.

MOTION PASSED. Motion to accept the recommendation of the Membership Committee to submit April Dunn to replace Chasedee Noto, Stuart Simon to replace Deshae Lott Sadow and Ashley Volion to replace Monica Simmons to the Governor made by Delery Rice, passed without objection.

COUNCIL MEMBER REPORTS

OFFICE OF AGING AND ADULT SERVICES (OAAS) – Robin Wagner

Ms. Wagner reported on the following:

- OAAS is actively making offers and certifying new individuals into the Community Choices Waiver.
- OAAS is in the process of expanding the Permanent Supported Housing program north of South Louisiana and the go zone. There are 200 units outside of the go zone and OAAS is in the process of renting the first one.
- OAAS is working hard on developing Managed Long-Term Supports and Services (MLTSS).

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

Ms. Norris reported BHSF received approval for the amendment to extend the 1915C waiver statewide. This waiver provides for the Coordinated System of Care (CSOC) and is for children with behavioral health needs who meet a certain level of need. CSOC provides wrap around services for the family. It is accessed through Magellan.

Ms. Wagner provided information on DHH's transition plans to comply with the new Home- and Community-Based Services regulations.

HUMAN DEVELOPMENT CENTER (HDC) – Maria Blanco for Phil Wilson

Dr. Blanco shared:

- HDC got approval from LSU to reopen their Early Learning Program. This is a full-time early learning program that will start with 20 infants and toddlers and then phase two will add 18 preschoolers. Twenty-five percent of the slots will be reserved for children, infants and toddlers with disabilities. The program will serve as a training site for students going through all the LSU medical school programs and the special and regular education programs at UNO and other regional universities.
- The Physician Assistant program at LSU Health Sciences Center is going to incorporate the full Council funded curriculum into their PA program to support and improve the quality to care and access of care for people with disabilities.
- Maria Blanco from HDC has been selected to serve on the Louisiana Department of Education's Early Childhood Care and Education Council. Dr. Blanco will represent the interests of children with disabilities and families on this Council.

ADVOCACY CENTER (AC) – Stephanie Patrick

Ms. Patrick discussed some of the voting rights of people with disabilities and reminded everyone to contact the Advocacy Center if they have problems registering to vote or problems at the polls.

- If someone gets a notice from Medicaid that they are not eligible for a service without an explanation of why they are not eligible or multiple notices citing different reasons for the denial of services, contact the Advocacy Center.

OFFICE OF PUBLIC HEALTH (OPH) – Sue Berry

Dr. Berry reported the Council funded HDC webinars, which were developed in collaboration with Children's Special Health Services will be on the LSU Allied Health website on November 1st. The eight webinars will be a mandatory requirement of every pediatric resident from LSU and Tulane. The topics are medical home, transition to adulthood, care coordination, family centered care, early intervention, navigating the school system, developmental screening and surveillance, and autism. Every webinar has a pre and post-test.

LOUISIANA REHABILITATION SERVICES – Mark Martin

Mr. Martin reported:

- LRS met all seven of its federal performance indicators this last year by putting more people with disabilities to work in gainful employment. First time the agency has achieved this.
- LRS received a \$55,000 grant from the Rehabilitation Technology Assistance Center (RTAC). Two components of the grant are looking at the most effective structure for supported employment provision and assessing vendor performance.
- LRS is in the process of updating its Memorandum of Understanding with OCDD and OBH. Fifty people with intellectual disabilities were identified who can be served immediately.
- LRS has an endeavor with the Louisiana School for the Blind in Baton Rouge to transition age youth that are visually impaired or blind and work with them before the standard age of sixteen.
- LSU is in the final draft of a cost allocation plan study for LRS.

DEPARTMENT OF EDUCATION – Jamie Wong

Ms. Wong reported:

- Early Childhood Committee appointments went to the Board of Elementary and Secondary Education (BESE) and Maria Blanco with HDC was approved. She will represent the role of students with disabilities.

- BESE approved the 23 proposed jump start pathways.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Mark Thomas

Mr. Thomas stated there were no updates since his written report and answered questions from Council members. He said he would talk to Lou Ann Owen regarding the number of waiver slots allocated, offered and certified and send this information to Ms. Winchell. Mr. Thomas also stated the provider questionnaires will soon be available online, but very few providers have completed the survey. Self-direction is available, there is no waiting list. Children can use self-direction for Children's Choice waiver services and still access EPSTD through a provider.

AFTER LUNCH PRESENTATION

Discussion of Collaborative Efforts to Achieve Desired Outcomes in Child Care

The Council reviewed information previously provided by the agency representatives related to improving developmental outcomes for young children with disabilities. Council members discussed gaps and barriers in the system and developed activities to address the gaps and achieve the desired outcomes.

The Recommendations and Collaborative Action Plan resulting from the discussion are attached. (Attachment III)

UNFINISHED BUSINESS

MOTION PASSED. Motion to accept the Natural Supports information sheet made by Stephanie Patrick, second by Patsy White, passed without objection.

NEW BUSINESS

None to be discussed.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

The next Council meeting is January 21-22. Orientation will begin on January 20th.

ADJOURNMENT

MOTION PASSED. Motion to adjourn the meeting made by Chasedee Noto, second by Patsy White, passed without objection.

EVALUATION PROCESS FOR COUNCIL EXECUTIVE DIRECTOR

1. The Executive Committee develops a position description for the Executive Director for the approval of the full Council.
2. The Council develops an evaluation format, which is based upon the position description. The following shall be applied to each job responsibility:

Exceeds Expectations (4) Meets Expectations (3) Needs Improvement (2)
Unsatisfactory (1)
3. The Executive Director concurs with responsibilities outlined in the position description and evaluation format.
4. Every six months the Executive Director compiles information from the quarterly Executive Director reports and organizes it according to the responsibilities in the position description.
5. Biannually the Chairperson solicits input from all Council members on the Executive Director's performance, using an anonymous survey. Council members will have the option to self-identify.
6. Six months prior to the annual evaluation, the Executive Committee will conduct a "mini" evaluation, providing feedback to the Executive Director.
7. At the Council meeting immediately following the Executive Director's anniversary date, the Chairperson and the Executive Committee evaluate the Executive Director on behalf of the Council based on the position description and feedback from Council members.
8. Based on performance, the Chairperson and Executive Committee make a recommendation regarding a salary increase.
9. The Chairperson and Vice-Chairperson complete a draft written summary based on the evaluation responses and finalize the evaluation with the Executive Director.
10. The Chairperson will provide a summary of the Evaluation to the Council.
11. A newly hired Executive Director will be evaluated on a quarterly basis for the first year of employment. Thereafter, the Executive Committee will determine if quarterly evaluations are necessary.

October 2014

DD Council Legislative Action Plan

DD Council Members are the leaders in the disability community and set an example for others. Self-advocate and parent members are encouraged and will be supported to participate in grassroots advocacy activities.

Legislative Round Tables

- Attend the Legislative Round Table in your region
- Recruit other family members and self advocates to also attend
- Tell your legislators you will be there and extend a personal invitation to them

Legislative Visits

- Contact the LaCAN Leader and LaTEACH Leader in your region to introduce yourself and/or reconnect. (If one of these positions is vacant in your region, contact the FHF Director.)
- Tell them you are ready and willing to visit the legislators in your region with them
- Make visits together if there is more than one Council member in your region
- Inform your leader if certain days/times are better for you to make legislative visits
- Develop a relationship with your legislators – now is the best time!

Disability Rights Day

- Plan now to come to Baton Rouge in April for our Disability Rights Day in support of home and community supports at the State Capitol
- Bring your friends and family and recruit others to also attend
- Ride one of the chartered buses with advocates from your region
- Talk to your legislators about the importance of home and community based supports while at the Capitol

Yellow/Purple Shirt Days

- Answer the call on “Yellow Shirt Day” or “Purple Shirt Day” and attend a legislative committee meeting at the Capitol on a day when one of our issues is being heard
- Recruit your friends and other advocates to attend as well

Action Alerts

- Take action!! Respond to LaCAN and LaTEACH action alerts.
- Personalize your message
- Reply that you took action so we can keep track of our numbers
- Urge others to take action also

Coming Soon.....

A list of key legislators by region

Fact sheets on the Council's advocacy/legislative agenda

DD Council's Child Care Recommendations and Collaborative Action Plan October 17, 2014

Additional funding is needed to fully implement Act 3

- Department of Education (LDE) will inform the Council of their funding request to fully implement Act 3 (upon submission of the LDE budget to the Division of Administration)
- Council and other advocates will consider supporting this request

Data is needed regarding children with disabilities and early childhood.

- Human Development Center (HDC) will determine what data from LDE is needed (by early November 2014)
- HDC will assist by obtaining data from Early Head Start and Head Start (by mid November 2014)
- LDE and HDC will analyze cost of serving children with varying needs (by early December 2014)

Child care centers need higher rates to serve children with disabilities and clarity in determining which children are eligible for higher rates.

- Inclusion Work Group will continue advocating for a higher rate to serve children with disabilities and appropriate language in policy regarding eligibility for the higher rate.
- This higher rate should not be limited to the Child Care Assistance Program (CCAP). Other agencies should consider contributing to the additional cost.

Medicaid funds supporting children in Pediatric Day Health Care Centers should be used to support children in inclusive settings.

- Council will write letter to the Department of Health and Hospitals with this recommendation. (by mid November 2014)

Publicly funded educational settings should receive additional funding to serve children with disabilities.

- Council will write letter to LDE and Early Childhood Advisory Council with this recommendation. (by mid November 2014)

A complaint process is needed for parents not able to access an appropriate early childhood/child care setting.

- Council will write letter to LDE and Early Childhood Advisory Council with this recommendation. (by mid November 2014)

Training and technical assistance must be provided for early childhood/child care programs to serve children with disabilities.

- Council will write letter to LDE and Early Childhood Advisory Council with recommendation to expand the Early Learning for All Inclusion Grant to all areas of the state. (by mid November 2014)
- The Inclusion Work Group will monitor the availability of training and technical assistance and inform the Council of additional needs and/or issues. (ongoing)
- The Office of Public Health/Children's Special Health Services will explore opening up their care coordination training resources to EarlySteps Family Support Coordinators and providers. (by end of January 2015)