

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
July 19, 2018
MEETING SUMMARY

Embassy Suites
Baton Rouge, LA

8:30 A.M.

MEMBERS PRESENT

Patti Barovechio, OPH/CSHS
Kim Basile
Michael Billings
Hilary Bordelon
Randall Brown Jr.
Carmen Cetnar
Alan Coulter, HDC
Lillian DeJean
Jill Demeritt
April Dunn
Julie Foster – Hagan, OCDD
Jill Hano
Roslyn Hymel
Enrice Jones
Tara LeBlanc, OAAS
Hyacinth McKee
Susan Meyers, Advocacy Center
Steven Nguyen
Robert Paddy
Bambi Polotzola, GODA
Mary Tarver
Crystal White

MEMBERS ABSENT

Dee Budgewater, BHSF
Mitch Iddins
Tara Smith
Jamie Wong, LDOE

GUESTS PRESENT

Karen Artus, LaCAN Region 9
Donna Breaux
Wesley Cagle, South Central LA HSA
Corlis Gremillion, Capital Area HSD
Patti Harper
Lynsey Hebert, Transcriptionist
Ashley McReynolds, LaCAN Region 2
Charles Michel, BLFHF
Terese Milner, LRS
Kelly Monroe, Arc of La.
Kristi-Jo Preston, LDOE
Shenitha Smith, Capital Area HSD
Adren Wilson, Governor's Office

STAFF PRESENT

Brenton Andrus
Rodney Anthony
Shawn Fleming
Kourtney Gaines
Derek White
Sandee Winchell

April Dunn called the meeting to order at 8:30 a.m. and welcomed new members Crystal White, Julie Foster Hagan, Enrice Jones and Hyacinth McKee to their first Council meeting.

SUMMARY OF JULY MEETING

MOTION PASSED. Motion to accept the [summary of the April 2018 Council meeting](#) made by Mary Tarver, seconded by Susan Meyers, passed without objection.

Chairperson's Report – April Dunn

Ms. Dunn announced appointments of the following members to Council Committees:

- Self-Determination/Community Inclusion Committee: Kim Basile, Mitch Iddins and Julie Foster Hagan
- Education/Employment Committee: Bambi Polotzola and Crystal White
- Act 378 Sub-Committee: Enrice Jones, Hyacinth McKee and Crystal White

Ms. Dunn shared her participation in numerous legislative meetings and LaCAN yellow shirt days. She was also featured in [a video promoting employment of people with disabilities with Governor John Bel Edwards](#).

Ms. Dunn shared highlights from her participation in the National Association of Councils on Developmental Disabilities (NACDD) Conference in Maryland from July 9th through the 13th. A session on chairperson leadership provided strategies on how to work effectively with council staff and Ms. Dunn brought back a book on emergency preparedness which she offered as a resource to Council members. Since the 2019 NACDD Conference will be held in New Orleans the Executive Committee decided the Council will support as many members as possible to attend next year.

MOTION PASSED. The Executive Committee's recommendation to update the Policy and Procedure Manual: Section VI Number 6, Evaluation Process for Executive Director, to read:

"In conjunction with the January Council Meeting, the Chairperson and the Executive Committee will evaluate the Executive Director on behalf of the Council based on the position description and feedback from Council members."
passed without objection; no abstentions.

Executive Director's Report

Ms. Winchell welcomed the new Council members and congratulated Julie Foster-Hagan on her recent appointment as the Assistant Secretary for the Office for Citizens with Developmental Disabilities (OCDD).

Ms. Winchell shared news of the press conference by the Louisiana Department of Health (LDH) on July 16th to officially announce the new tiered waiver system, eliminating the waiting list.

Ms. Winchell announced the hiring of a new program monitor, Ebony Haven.

Council members were informed the Council followed the recommendation from the Executive Committee and is switching to a new system for sending out LaCAN Action Alerts, through [Voter Voice](#). This system will individualize messages to LaCAN members to make it easier to know which legislator to contact for each issue. It will also improve our ability to track members' actions.

Ms. Winchell also indicated the Families Helping Families (FHF) annual performance report was in the Council packet.

Next, Ms. Winchell provided an overview of outcomes of the Legislative session

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared details from the budget report for State Fiscal Year 2018 (SFY18) through June. The Council is on track to expend almost exactly the amount of the federal grant award with expenditures expected in the 13th month (i.e., contractual expenses from June). Mr. Fleming shared how he went to the NACDD Conference to discuss a proposed move by our federal partners to reduce the length of time for Councils to perform contractual activities under each grant cycle.

COMMITTEE REPORTS

ACT 378 SUB-COMMITTEE – Bambi Polotzola

Ms. Polotzola indicated the Committee had concerns that every regional Human Services District and Authority was not complying with Act 73 of 2017.

MOTION PASSED. The Act 378 Subcommittee's recommendation for the Louisiana Department of Health to include language in the contracts with the Human Services Districts/Authorities requiring they budget more than the 9% required minimum on Act 378 DD services to ensure the full 9% is actually expended passed without objection; no abstentions.

Next, the Committee learned the income eligibility criteria for Flexible Family Fund program affects very few families, yet consumes a lot of time and energy.

MOTION PASSED. The Act 378 Subcommittee's recommendation for the Council to support the recommendation of the districts/authorities to eliminate the income criteria from the Flexible Family Fund program passed without objection; no abstentions.

Next the subcommittee discussed concerns of the Individual and Family Support program policies and practices which are not all aligned with the values of Act 378 and may restrict Local Governing Entities (LGEs) from using funds to better support individuals with disabilities and their families.

MOTION PASSED. The Act 378 Subcommittee's recommendation for the Council to form a workgroup to review the processes, policy, and local implementation of the Individual and Family Support and Consumer Care Resources programs to determine what changes are needed to address concerns passed without objection; no abstentions. Those who volunteered to serve on the workgroup are Ashley McReynolds, April Dunn, Hillary Bordelon, Sandee Winchell, Crystal White, Murphy, Susan Meyers, Ashley Jefferson, Carmen Cetnar, Nicole Sullivan-Green, Wes Cagle, Liz Gary, Kelly Monroe and Kim Basile.

Finally the subcommittee discussed ways to use money in the Community and Family Support System Fund to improve access to home and community based services for individuals and families.

MOTION PASSED. The Act 378 Subcommittee's recommendation for the Council to request the Louisiana Department of Health allocate the \$509,540 from the Community and Family Support System Fund to Northwest Louisiana Human Services District (approximately 75%) and Florida Parishes Human Services Authority (FPHSA) (approximately 25%). This funding allocated to FPHSA shall not be used to meet their 9% mandatory minimum requirement for Act 378 DD services passed without objection; Patti Barovechio abstained.

SELF DETERMINATION/COMMUNITY INCLUSION COMMITTEE – Randall Brown

AMENDED MOTION PASSED. Motion. The Self-Determination and Community Inclusion Committee's recommendation for the Council to accept the following recommendations developed by the Partners Ad Hoc Committee:

1. One excused absence (for whole or part of the weekend) may be granted based on the specifics of each circumstance which satisfy the condition below:
 - A circumstance or combination of circumstances that is unforeseen when the participant signs the Partners' agreement. It doesn't matter what the circumstance is as long as it is unforeseen and deemed important by the participant.
2. Approved absences will be governed by the following:
 - An absence or tardiness will result in makeup work assignments; and
 - Failure to complete makeup work assignments within the time provided will result in dismissal from the program.
3. No excused absences will be granted for the January or March sessions, regardless of the circumstances.
 - January is the first class and no investment of time in the class has been made by the participant. Also, bonding between participants is missed should the participant be absent.
 - March is focused on legislative advocacy. There is no equivalent way a participant can make up the materials and activities without being present.
4. Participants who complete the program through March and have to withdraw may have the opportunity to complete the program the following year if circumstances allow.

An amendment to the original motion made by Kim Basile was for the fourth item to end with phrase, "as determined by the selection Committee," was seconded by Hilary Borelon and passed without objection.

Motion, as amended, passed without objection; no abstentions.

The Committee also received updates on LaCAN and FHF Centers, particularly on the status of the Bayou Land FHF Center. Since the last meeting Bayou Land FHF has a new board of directors (Kim Basile is a member), developed a corrective action plan, and hired a new executive director. A request was made for a report on Bayou Land FHF at the next Council meeting.

The Committee also discussed the proposed rate structures for serving people with complex needs.

EDUCATION AND EMPLOYMENT COMMITTEE – Hilary Bordelon

Following a discussion regarding current concerns with employment and Louisiana Rehabilitation Services (LRS), members expressed interest in increasing the Council's focus on advocating for employment issues.

MOTION PASSED. The Education/Employment (EE) Committee recommendation for the Council to form an Ad Hoc Committee to develop outcomes and strategies related to employment advocacy passed without objection, no abstentions.

Volunteers to serve on the Employment Advocacy Ad Hoc Committee included: Jill Demerritt, Bambi Polotzola, Randall Brown, Enrice Jones, Kelly Monroe, Hilary Bordelon, and Crystal White. Representatives will be determined for the Office for Citizens with Developmental Disabilities, the Advocacy Center, and LRS.

Following a discussion on implementation of Act 833 and reviewing a report by the Louisiana Department of Education, the Committee developed three recommendations.

MOTION PASSED. The EE Committee's recommendation for the Council to write the Board of Elementary and Secondary Education (BESE) a letter requesting Act 833 of 2014 promotion requirements be included into Bulletin 1566: Pupil Progression Policies and Procedures passed without objection; no abstentions.

MOTION PASSED. The EE Committee's recommendation for the Council to send the Louisiana Department of Education (LDOE) a letter recommending guidance to Local Education Agencies in complying with Act 833 of 2014 related to promotion of students with disabilities passed without objection; no abstentions.

MOTION PASSED. The EE Committee's recommendation for the Council to convene an Ad Hoc Committee to review implementation of Act 833 of 2014 and provide recommendations to LDOE passed without objection; no abstentions.

Volunteers to serve on the Act 833 of 2014 Ad Hoc Committee included: Liz Gary, April Dunn, Robert Paddy, Alan Coulter, April Dunn, Mary Tarver, Susan Meyers, Hyacinth McKee, and Ashley McReynolds.

Following updates on the Advisory Council on Student Behavior and Discipline, Legislative Workgroup, the EE Committee considered principles being developed to guide recommendations for state laws, policies and regulations.

MOTION PASSED. The EE Committee's recommendation for the Council to accept the principles established by the Legislative Workgroup of the Advisory Council on Student Behavior and Discipline (ACSBD) for moving forward in making recommendations to state laws, policies and regulations:

- A. Infuse R.S. 17:416 with the systemic, proactive, approaches to discipline expressed in R.S. 17:252
 - Emphasis of 17:252 as the overall systems framework for promoting positive student behavior and 17:416 as providing clearly stated actions for addressing student misbehaviors.
 - The need for this infusion of 17:252 stems from 17:416 perceived as the discipline bible while the legal mandate for positive, proactive, approaches to discipline tend to be overlooked.
 - B. Remove explicit zero tolerance mandates that tie the hands of teachers administrators and school boards; excepting weapons, drugs, serious bodily injury and sexual violence.
 - C. Ensure all disciplinary statutes apply to all public schools receiving MFP funding.
 - D. Include language specifying evidence-based social, emotional learning and behavioral interventions.
 - E. Identify areas of current law best left to BESE for promulgating regulations and issuing guidance.
 - F. Establish an appropriate role for the La. Department of Education to provide leadership and support for schools with regards to student behavior, discipline and school climate.
- passed without objection; no abstentions.

The EE Committee also discussed the request by Jamie Wong to consider including efforts to use a differentiated education funding formula for the minimum foundation program. Since this issue is related to the degree charter schools serve a fair share of students with disabilities as required by state law committee members requested that staff share reports detailing enrollment rates of students with disabilities in charter schools.

Following a discussion of concerns raised regarding students with visual impairments not receiving instructional materials in alternate formats in a timely manner the committee requested staff follow up with the Director of Instructional Materials Center who brought the concerns to us to determine whether the issue persists and recommended actions.

The EE Committee also discussed certification of employment support professionals, customized employment training, capacity building of supported employment providers in underserved areas and IEP training modules to build parent student participation that are being put online.

COUNCIL AGENCY REPORTS

LOUISIANA DEPARTMENT OF EDUCATION (LDOE) – Kristi-Jo Preston

Ms. Preston shared the appointment of Dr. Patrick Cooper as the Interim Superintendent of the Louisiana Special School District and Ryan Golner will be serving as the Interim Director for the Louisiana School for the Deaf.

LDOE launched a new page with information about the Coordinated Early Intervening Services (CEIS). CEIS will require school systems to spend 15 percent of their IDEA Part B funds to address the disproportional outcomes if the school system has significantly disproportionate rates of students of one race being (over) identified as having a disability, or students of one race or having a disability being placed in restrictive settings, or receiving exclusionary discipline treatments relative to these outcomes for students of different races or without disabilities.

Two training initiatives by LDOE include the [Annual Teacher Leader Summit](#), with over 7,000 educators participating in 2018 and the Jump Start Initiative. Ms. Preston indicated she would find out how many teacher leaders are teachers certified to teach special education.

GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – Bambi Polotzola

Ms. Polotzola announced the GODA Conference next week with national experts on the American with Disabilities Act (ADA) and presentations pertaining to education, employment, healthcare, independent living, emergency preparedness and other issues.

GODA has been spearheading Louisiana becoming an Employment First State. A [Louisiana Employment Resource Guide](#) is nearing completion to assist people navigating through the system to find supports for employment. Ms. Polotzola shared a video highlighting Council chair April Dunn and Governor John Bel Edwards promoting employment of people with disabilities.

ADVOCACY CENTER (AC) – Susan Meyers

Ms. Meyers shared a few programs not contained in her report. Through a re-established representative payee program the AC will investigate on behalf of beneficiaries to make sure the payee is acting appropriately. This program is different from previous versions in that internal communication about an investigation is now allowed.

Ms. Meyers also highlighted work by the AC related to voter registration of people with disabilities through a program call, "[Rev up](#)," along with [Rooted in Rights](#) resources by the Washington Protection and Advocacy agency.

LOUISIANA REHABILITATION SERVICES (LRS) – Teresa Milner

Ms. Milner indicated the additional \$852,000 of state general funds in the LRS FY19 budget was matched with federal dollars to provide approximately four million total new

dollars for services. The result is LRS opened services for the order of selection two category, which will allow employment services for 464 more people. LRS expects to select a Director soon. Ten local education providers currently provide pre-employment transition services through a third party cooperative agreement with LRS.

Ms. Milner indicated she would get the Council information on LRS successful closure rates.

OFFICE OF AGING AND ADULT SERVICES (OAAS) – Tara LeBlanc

Ms. Leblanc provided a brief update on an agreement between OAAS and the Federal Department of Justice related to a [finding that individuals with serious mental illness were being warehoused in nursing homes](#). Two of the major steps being undertaken include OAAS assessing individuals in nursing homes to determine if they can move back into the community and the Office of Behavioral Health creating a delivery system of community-based services.

OAAS continues to advocate for additional funding and opportunities to reduce the wait list for waiver services of 24,000 individuals. Discussion has occurred related to prioritizing the individuals on this waiting list; however, one complication is the need levels tend to change more quickly for people who are older than for people with developmental disabilities.

HUMAN DEVELOPMENT CENTER (HDC) – Alan Coulter

Dr. Coulter shared an outcome, and a picture, of a young man who entered the paycheck program at Delgado Community College in January 2018 and earned a 3.571 grade point average. He will graduate from the program next month. This is a large stride for this young man, since previously he was in a self-contained class and living in a group home. He now has 240 hours of internship at the University Medical Center in supplies management, works as a hospital equipment aid and recently moved into his own apartment. There are eleven other students in this program, sponsored through Jefferson Parish Schools.

A discussion of two HDC programs closing, the Teams Intervening Early to Reach All Students (TIERS) program and the Louisiana School Internship Psychology Consortium (LAS*PIC), ensued.

MOTION PASSED. A motion by Crystal White, seconded by Mary Tarver, for the Council to send a letter to LDOE regarding the termination of funding to programs such as the TIERS Group and LAS*PIC, and whether any funding has been offered to LEAs to offset the loss of these programs, and to express concerns over Louisiana Autism Spectrum and Related Disabilities (LASARD) ending in June 2019 without a clear plan for continuation passed without objection; Alan Coulter abstained.

Lunch Presentation – Dr. Adren Wilson, Deputy Chief of Staff of the Office of Governor John Bel Edwards,

OFFICE OF PUBLIC HEALTH (OPH) – Patti Barovechio

Dr. Barovechio shared information on the Family Support Program, the [Family Resource Center at Children's Hospital](#), and two [resource information workshops](#).

Council members were encouraged to access the Louisiana birth defects monitoring network data available on LDH's online data exploration tool, the [Health Data Portal](#).

BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Dee Budgewater

Ms. Budgewater shared highlights related to a recent meeting on Self-Direction where the Louisiana Medicaid office (i.e., BHSF) listened to people on Self-Direction and developed a long list of items to research and provide information. It was revealed that the numbers of people reported for Self-Direction includes people on both Developmental Disabilities waivers and OAAS (i.e., Community Choices) waivers. Less than 100 of the 1,073 individuals participating in self-direction are on the OAAS waivers.

The Medicaid office is also in the midst of developing new contracts for managed care.

A discussion regarding the Money Follows the Person grant program status occurred. The Money Follows the Person grant is expiring; however, at the National Association of State Directors of Developmental Disabilities Services meeting a representative of the President's Office shared the expectation the program will continue for another two or three years.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Julie Foster-Hagan

Ms. Foster-Hagan expressed appreciation for all the advocacy to move Louisiana to a tiered waiver system. These changes required OCDD to adjust how it reports data related to the Request for Services Registry. Ms. Foster-Hagan offered brief descriptions of what is meant by an Offer (i.e., People receiving a letter saying, "Congratulations, you have a waiver and need to send OCDD paperwork by a due date."), a Linkage (i.e., OCDD receives the paperwork from the person with the selection of a support coordinator and they are linked in the system to that support coordinator), and a Certification (i.e., plan of care is approved and services are authorized to begin).

Ms. Foster-Hagan also described the Screening for Unmet Needs (SUN) and answered questions about the process. Among some issues needing further clarification is the selection of the waiver at the beginning of the process. The waiver should be selected which best meets the person's needs. Ms. Foster-Hagan agreed to consider adding a visual flow-chart of the process to the information OCDD is preparing to update on their website.

As of July 2nd, the number of people with urgent or emergent unmet needs without a waiver offer (SUN score of 3 or 4) is ZERO!

Other changes resulting from advocacy efforts are increases to provider rates in the waiver program. As of August 1st, the night rate will increase from \$8.68 to \$11 per hour, which is still less than the day rate of \$14.44 per hour. Also, OCDD is working on developing a per diem (or additional daily rate) for services provided to people with complex behavioral and medical support needs.

Council Input on Advocacy Center's Education Priorities – Susan Meyers

Ms. Meyers requested input on the [draft of the Advocacy Center's education priorities for 2019](#). Feedback received included consideration into looking at schools changing instructional materials frequently without ensuring students needing materials in alternate formats have access and the need for specificity regarding the segregation of students through referrals to alternative schools or sites. Ms. Meyers indicated the AC staff would consider these issues prior to submitting recommendations to the AC Board.

UNFINISHED BUSINESS

None

NEW BUSINESS

None.

ANNOUNCEMENTS

The next Council meeting will be October 17-18, 2018 at the Embassy Suites, Baton Rouge.

ADJOURNMENT OF BUSINESS MEETING

MOTION PASSED. A motion to adjourn by Jill Hano, seconded by Steven Nguyen, passed without objection.