

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
July 20, 2017
MEETING SUMMARY

Holiday Inn South
Baton Rouge, LA

8:30 A.M.

MEMBERS PRESENT

Patti Barovechio, OPH/CSHS
Hilary Bordelon
Randall Brown Jr.
Sharon Buchert, GOEA
Bonnie Buckelew
Dee Budgewater, BHSF
Donnica Conway
Alan Coulter, HDC
Jill Demeritt
April Dunn
Jill Egle'
Jill Hano
Michelle Hurst
Roslyn Hymel
Mark Martin, LRS
Steven Nguyen
Robert Paddy
Bambi Polotzola, GODA
Stuart Simon
Mary Tarver

STAFF PRESENT

Brenton Andrus
Rodney Anthony
Shawn Fleming
Kourtney Gaines
De'Van Stephenson
Derek White
Sandee Winchell

MEMBERS ABSENT

Kim Jones, AC
Tara LeBlanc, OAAS
Paula Moreau
Tara Smith
Mark Thomas, OCDD
Jamie Wong, LDOE

GUESTS PRESENT

Carlos Amos, SCLHSA
Melissa Bayham, LRS
Donna Breaux, Caregiver Homes
Kirsten Clebert, OAAS
Tiffany Dickerson, OCDD
Chris Fuqua, GODA
Liz Gary
Brian Gool
Julie Foster-Hagan, OCDD
Ann Jayes, Lighthouse Louisiana
Ashley McReynolds, LaCAN
Scott Meche, CAHSD
Rhena Mertz, Transcriptionist
Susan Meyers, Advocacy Center
Kelly Monroe, Arc of Louisiana
Jim Sprinkle, FHF Crossroads
Jamie Tindle, FHF Greater Baton Rouge
Mauricia Walters, FHF Acadiana

Delery Rice called the meeting to order at 8:30 a.m.

Ms. Rice welcomed Patti Barovechio, Dee Budgewater, Jill Demeritt, Jill Hano, Roslyn Hymel, and Steven Nguyen as official members of the Council following their appointment by Governor Edwards since the last meeting.

SUMMARY OF APRIL MEETING

MOTION PASSED. Motion to accept the summary of the April Council meeting made by Michelle Hurst, seconded by Bonnie Buckelew, passed without objection.

CHAIRPERSON'S REPORT – Delery Rice

Ms. Rice made the following appointments to Council Committees: Jill Egle' to the Act 378 Sub-Committee; and, Jill Egle' and Dee Budgewater to the Self-Determination and Community Inclusion Committee. Randall Brown was appointed to represent Ms. Rice at the Annual Conference of the National Association of Councils on Developmental Disabilities.

EXECUTIVE COMMITTEE

Ms. Rice shared a decision to add an activity to the Council's current plan made by the Executive Committee on May 18th, 2017. The change was made to address projections of unutilized funds devoted to two capacity-building initiatives (Activity 2.3.2 related to training Direct Support Professionals and Activity 5.3.4 related to the promotion of competitive, integrated, individualized employment). Activity 3.1.2 was added to provide financial support for the development and initial training of modules to increase the capacity of family support organizations and local school systems in facilitating family and student involvement in Individual Education Plan (IEP) meetings at the cost of approximately \$45,000.

The Executive Committee developed recommendations for the Council's consideration at the meeting on July 19th, 2017.

MOTION PASSED. The Executive Committee's recommendation for the Council's position on national healthcare policy be aligned with the following principles:

- No cuts or caps to Medicaid
- No block grants
- Continued coverage of pre-existing conditions
- No annual or lifetime caps
- No separate risk pools that segregate people with high health care from those with lower cost needs
- Maintain coverage for essential health benefits such as mental health services and pharmacy
- Maintain Medicaid Expansion and increased FMAP for Medicaid Expansion population passed without objection.

MOTION PASSED. The Executive Committee's recommendation for the Membership Committee be granted authority to select two applicants to fill the upcoming Council vacancies prior to the October meeting passed without objection.

The Executive Committee decided to table any recommendation to the Council regarding a salary increase for the Executive Director, Sandee Winchell, until information regarding salary increases for unclassified employees is available.

EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell welcomed the new Council members and announced Council Orientation will be held on October 17th and 18th, 2017 and the Employment Conference is scheduled for November 9th, 2017 featuring Allan Bergman.

Ms. Winchell shared highlights from the recent state legislative sessions and developments in federal health care legislation. Successes this session included increased funding for the Louisiana Rehabilitation Services, funding to fill vacant waiver slots, a requirement for each regional Human Services District/Authority to dedicate an amount equal to nine percent of their state funds to Act 378 services for people with developmental disabilities and increase representation of people with developmental disabilities or their family members on their boards, and prohibiting the use of corporal punishment on students with disabilities. Other good news is the sale of the land and buildings that were previously the Northwest Developmental Center. A bill supported by the DD Council years ago ([Act 555 of 2006](#)) directs the proceeds from the sale of that property to be put into the Community and Family Support System Fund for people with developmental disabilities. Ms. Winchell also shared the Council member Advocacy-Involvement thermometer.

Ms. Winchell made note of the Families Helping Families (FHF) annual monitoring summary that was provided to Council members in their packet.

BUDGET REPORT – Shawn Fleming

Mr. Fleming stated the state fiscal year 2017 budget report with expenditures through June do not reflect the full year. Payments to invoices for services in June will show up on the final, End-of-Year report. He explained how staff vacancies and issues with contracts impacted expenditures being under anticipated levels.

Conference Report – Randall Brown

Randall Brown shared highlights from his participation at the National Association of Councils on Developmental Disabilities in Salt Lake City, Utah from July 9-13, 2017. National health care was the main concern throughout the week. Mr. Brown passed on praise from a speaker during an advocacy presentation commending Louisiana for the work done by LaCAN. Mr. Brown offered members access to materials he brought back from the Conference.

COMMITTEE REPORTS

MEMBERSHIP COMMITTEE – April Dunn

The committee considered four applicants for two vacancies. Both positions had to be filled by self-advocates to maintain compliance with the DD Act. At the April meeting the Council gave the committee the authority to select the two candidates and submit their names directly to the Governor for his consideration.

The committee selected Roslyn Hymel from Jefferson and Steven Nguyen from Marrero and they have already been appointed by the Governor.

SELF DETERMINATION/COMMUNITY INCLUSION COMMITTEE – Michelle Hurst

Contractual Activities

The Committee received an update on the contract regarding Provider/Direct Support Professional (DSP) Skills Training on Complex Needs. Dr. Brandi Kelly provided information pertaining to provider success and commitment to the training.

MOTION PASSED. The Committee's recommendation for the Council to reduce the approximate cost for Activity 2.2.2 of the Federal Fiscal Year 2018 Action Plan, which provides specialized training and technical assistance to community providers working with and supporting individuals with the most challenging needs, from \$120,000 to \$75,000 passed without objection.

The Committee reviewed information related to the Partners in Policymaking requirement for mandatory attendance for all Partners classes. The Committee suggested the Council Executive Director and Partners Coordinator continue to determine if an absence should be excused.

The Committee reviewed LaCAN's statewide advocacy activity data and discussed recommendations provided by the advocacy leaders and FHF directors at the annual Legislative Debriefing, most notably, for the Council to not hold Disability Rights Day in 2018.

MOTION PASSED. The Committee's recommendation for the Council to remove Disability Rights Day from Activity 1.2.4 of the Federal Fiscal Year 2018 Action Plan. The new language would read "Facilitate and support advocacy events including but not limited to an advocacy leadership conference, legislative roundtables, and advocacy training sessions" passed without objection.

The Committee received an update on the Peer-to-Peer Support, Customer Service and Board trainings offered to nine Centers. Some committee members also expressed their concerns regarding the La. Department of Education's funding reductions to the FHF Centers.

The Committee reviewed updates of dates, locations, facilitators, attendance numbers and a summary of participant feedback on the self-direction workshops. Dee Budgewater and Tanya Murphy requested participant feedback be shared with their departments to help identify needs around the state for those participating in and/or wanting to enroll in self-direction.

Non-Contractual Activities

The Committee received an update from Sandee Winchell on advocacy efforts throughout the legislative sessions and an update on Money Follows the Person, specifically the pilot program, Residential Options Waiver (ROW) 50, was discussed.

Lastly, the Committee received an update on the national healthcare bill, the effects this bill would have on individuals with developmental disabilities and advocacy opportunities available to share their concerns.

EDUCATION AND EMPLOYMENT COMMITTEE – Bonnie Buckelew

The Committee considered three issues related to education. Shawn Fleming shared advocacy efforts to increase capacity of Special Education staff within the Louisiana Department of Education (LDOE) as part of the Governor's Task Force on the Every Student Succeeds Act.

The Committee considered issues related to stakeholder input. Concerns were raised regarding the Special Education Advisory Panel lacking a majority of members who are individuals with disabilities or parents of children with disabilities as required by federal law.

Third was a discussion on proposed reductions in the amount of funding for family support from (\$805,000 to \$500,000) and changes to catchment areas and deliverables related to family support. These changes to family support were revealed in the Request for Applications (RFA) released by LDOE on June 1, 2017 without stakeholder input as required by federal law.

MOTION PASSED. The Education and Employment Committee's recommendation for the Council to write a letter to Board of Elementary and Secondary Education (BESE) and LDOE requesting:

1. The recent Request for Applications (RFA) be withdrawn due to the lack of stakeholder input into the funding levels and outcomes of each RFA.
2. LDOE maintain contracts for the provision of family support at the Families Helping Families Centers with the same catchment areas, deliverables, and funding levels as in the previous FHF Center contracts for both the quarter of July-September 2017 (\$20,000) and for the next Federal Fiscal Year (October 2017 – September 2018; \$80,500).
3. LDOE be required to provide stakeholders with information related to IDEA funding levels and desired outcomes of various IDEA funded initiatives, including proposed changes to existing operations and programs, prior to releasing RFAs, passed without objection.

The Committee received four reports on employment activities in the plan. Mark Martin provided information on LRS funding for fiscal year 2018 reporting total State General Funds increased from \$6.1 million in FY17 to \$7.4 million in FY18. Mr. Martin shared LRS' plans to provide more services with these additional dollars. LRS will first reach out to the 1,500 people on the waiting list. Once these cases are closed LRS will open up the Order of Selection to serve people with the most severe disabilities first.

Paul Rhorer and Rosemary Morales from OCDD shared updates on progress being made on the Centers for Medicaid and Medicare Services (CMS) settings rule in employment settings. OCDD is aligning waiver rules to fit their transition plan. Louisiana's plan received initial approval in May and OCDD hopes to have final approval from CMS in January 2018.

Bambi Polotzola presented an update on the Employment First plan from the Governor's Advisory Council on Disability Affairs.

Council staff shared issues with meeting desired outcomes in a recently added Council activity of providing peer support to families of people transitioning from sheltered work settings to integrated work environments.

MOTION PASSED. The Education and Employment Committee's recommendation to 1) remove Activity 5.3.4 along with the \$25,000 from the FFY18 Plan; and, 2) Increase the amount of funding for Activity 5.2.1 to support training and technical assistance to build the capacity of supported employment providers in underserved areas serving individuals with the most substantial employment support needs by \$25,000, passed without objection.

MOTION PASSED. A motion for the Council to send a letter to the U.S. Department of Education and copy the Governor's Office expressing concerns that the Special Education Advisory Panel (SEAP) is out of compliance with membership requirements in the Individuals with Disabilities Education Act (IDEA; federal law) and for the Advocacy Center to be made aware of this issue made by Hilary Bordelon, seconded by April Dunn passed without objection. Mark Martin abstained.

MOTION PASSED. A motion to increase the length of Council Committee meetings by one hour (meetings will be held from 3:00 – 6:00 p.m.) made by Robert Paddy, seconded by Bonnie Buckelew, passed without objection.

ACT 378 SUB-COMMITTEE – Bambi Polotzola

The Committee reviewed data from OCDD on budgets, expenditures and numbers served in Individual and Family Support (IFS) and Flexible Family Fund (FFF). Statewide there were overall reductions to IFS budgets by \$157,549 and FFF budgets by \$262,517.

The subcommittee also discussed issues with the Family Flexible Fund.

MOTION PASSED. The Act 378 Subcommittee's recommendation that the Council form a workgroup to review the processes and policy for the Flexible Family Fund program to determine if any recommended changes are needed passed without objection.

Volunteers for the FFF workgroup are: Hilary Bordelon, April Dunn, Randall Brown, Jeanne Abadie or Susan Meyers of the Advocacy Center, Sandee Winchell, Tanya Murphy of OCDD, and Nicole Green of Jefferson Parish Human Services Authority (JPHSA).

The Committee reviewed the State Personal Assistance Services (SPAS) program which assisted forty-nine individuals through the fourth quarter of SFY17. Eighty individuals are on the waiting list which is down from ninety-three since the start of the fiscal year.

Next, the Committee reviewed the Office of Behavioral Health (OBH) Children/Adolescent Program. Statewide Consumer Care Resources' (CCR) budgets have been reduced by \$11,549 and FFF budgets by \$15,000. The Subcommittee requested OBH include other funding sources, such as block grants, utilized by the districts/authorities on future reports. Kristin Savicki provided the subcommittee with an update on which performance indicators the districts/authorities were being monitored, including timelines. CCR policies and procedures went into effect July 2017.

NOMINATING COMMITTEE – Bambi Polotzola

The Nominating Committee consisted of Bambi Polotzola, Chairperson, Carmen Cetnar, Donnica Conway, Stuart Simon, and Mark Thomas.

The committee met on May 23 and considered all Council members who had indicated a willingness to serve in an officer capacity for a term of office from October 1, 2017 through September 30, 2019.

MOTION PASSED. The Nominating Committee's recommendation for Council Officers beginning October 1, 2017 and ending September 30, 2019 include:

Chairperson: April Dunn

Vice Chairperson: Michelle Hurst

Self-Determination/Community Inclusion Committee Chair: Randall Brown

Education/Employment Committee Chair: Robert Paddy

Member-at-large: Mary Tarver

passed without objection.

COUNCIL AGENCY REPORTS

LOUISIANA REHABILITATION SERVICES (LRS) – Mark Martin

Mr. Martin shared that the budget increase of one million dollars to LRS will result in services for 1,000 people on the waiting list initially, and then an additional 1,000 will be

served from the list. Mr. Martin shared efforts with getting people into integrated employment, particularly individuals transitioning out of sheltered workshops. He also focused on the importance of students graduating with a diploma and job skills/ experience to assist them in gaining meaningful employment after high school.

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

Ms. Polotzola shared information on significant legislation, particularly the prohibition on corporal punishment for students with disabilities (both on IEPs and 504 plans) and two major bills related to people who are deaf and hard of hearing. One bill by Senator Claitor will require closed captioning at the legislative session and a bill by Senator Troy Carter will allow people with disabilities to designate a need for an accommodation on their driver's license.

Ms. Polotzola requested Council members get the word out about the Inclusive Art Contest, the GOLD awards, scheduled for November 15th, 2017, and the Symposium on the Americans with Disabilities Act. She also shared her experience going to Washington D.C. on a bus to advocate against proposed cuts and changes to Medicaid and elimination of protections provided by the Affordable Care Act.

ADVOCACY CENTER (AC) – Susan Meyers (for Kim Jones)

Ms. Meyers highlighted information in the AC report on voters with disabilities, monitoring agencies employing people with disabilities at subminimum wage, ABLE accounts, and a lawsuit filed against a Type 2 Charter School in New Orleans for not providing appropriate accommodations.

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

Ms. Clebert directed attention to the number of recipients for each waiver, Long Term Personal Care Services, and the waiting lists. In response to an inquiry regarding additional information for OAAS to consider in the report Ms. Clebert responded they will consider things such as the date of the waiver waiting lists currently served, the type of disabilities represented by people on the waiting list, and information on other programs under OAAS such as Adult Protective Services.

OFFICE OF PUBLIC HEALTH (OPH) – Patti Barovechio

Dr. Barovechio highlighted a recent Education Resource Fair held by the Family Resource Center at Children's Hospital in New Orleans with 247 hospital staff participating. Other highlights included the Children's Special Health Services Transportation Assistance Program which offers stipends for transportation for families to attend medical appointments; the Hearing, Speech and Vision Consortium; and high ratings for the Louisiana Healthy Homes program for supporting intervention activities related to the St. Joseph water emergency.

BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Dee Budgewater

Ms. Budgewater highlighted the 433,102 new Medicaid recipients as a result of Louisiana's expansion of Medicaid. Another program highlighted was Applied Behavior Analysis (ABA) which will transition to managed care beginning February 1, 2018. The

Louisiana Department of Health (LDH) has been meeting with providers, managed care organizations and stakeholders to work out the details for this change.

Ms. Budgewater highlighted how the Money Follows the Person (MFP) initiative has exceeded benchmarks with 443 individuals transitioning out of institutions.

Self-Direction of waiver services is currently operated through an emergency contract with Acumen as the Fiscal Agent. BHSF will issue a request for proposals to determine the Fiscal Agent beginning January 1, 2018.

The Electronic Visit Verification (EVV) phase-in is going well with 129 providers having volunteered to participate in the pilot. The first phase for home and community-based waiver services is complete and personal care services are being phased-in now.

HUMAN DEVELOPMENT CENTER (HDC) – Alan Coulter

Dr. Coulter highlighted the impact of the Louisiana School Psychology Internship Consortium which brings school psychologists from across the nation into an internship program in Louisiana. Eight of the last cohort of ten school psychologist interns remained in Louisiana at least an additional year after the program.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) - Julie Foster Hagan (for Mark Thomas)

Ms. Foster Hagan highlighted a number of activities in the OCDD report. First, the million dollar reduction to the EarlySteps budget will result in a change in the eligibility criteria and an increased expectation for families to pay what they owe for their child's EarlySteps' services.

Ms. Foster Hagan shared information regarding the federal government extending the length of time for states to come into compliance with the home and community-based settings rule. Louisiana received initial approval on its transition plan. After considerable outreach to providers and family members, OCDD decided Louisiana will shoot for being compliant by 2020, not using the full three years of the recent extension.

OCDD offered Residential Options Waiver (ROW) slots to 400 people on the NOW waiting list who live in intermediate care facilities for people with developmental disabilities (ICFs/DD) and had 15 people accept the waiver offer. By October OCDD will offer a ROW slot to each of the remaining 400 people living in ICFs/DD who are on the NOW waiting list.

OCDD has screened 8,200 people on the waiver waiting list with the Screening for Urgency of Need (SUN) tool and plans to have everyone on the list screened by December 2017. This screening is designed to move Louisiana toward a tiered system of delivering services through a consolidated waiver.

GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Sharon Buchert

Ms. Buchert shared information about the Aging and Disability Resource Centers which operate under the principle of No Wrong Door, and the senior prescription program,

which assists people with disabilities and seniors in buying their prescriptions. She also reported that Elderly Protective Services was returned to GOEA.

Input on Draft Employment First Plan – Bambi Polotzola

Ms. Polotzola shared a draft of the Louisiana Employment First report. She described the major sections of the report and the desire to have the final version be more user friendly. A discussion followed.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

Next Council meeting will be October 18th and 19th, 2017 and Council orientation will be October 17th. Both will be held at the Embassy Suites, Baton Rouge.

ADJOURNMENT OF BUSINESS MEETING

MOTION PASSED. A motion to adjourn made by Mark Martin, seconded by Robert Paddy passed without objection.