

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL

May 23, 2019

MEETING SUMMARY

Embassy Suites
Baton Rouge, LA

9:30 A.M.

MEMBERS PRESENT

Patti Barovechio, OPH/CSHS
Kim Basile
Melissa Bayham, LRS
Randall Brown Jr.
Carmen Cetnar
Alan Coulter, HDC
Amy Donarski
April Dunn
Michelle Guillory, GOEA
Julie Foster Hagan, OCDD
Jill Hano
Roslyn Hymel
Enrice Jones
Tara LeBlanc, OAAS
Hyacinth McKee
Steven Nguyen
Robert Paddy
Bambi Polotzola, GODA
Tara Smith
Mary Tarver
Jamie Wong, LDOE

MEMBERS ABSENT

Michael Billings
Lillian DeJean
Jill Demeritt
Mitch Iddins
Jen Katzman, BHSF
Crystal White

GUESTS PRESENT

Jeanne Abadie
Karen Artus, LaCAN Region 9
Yakima Black, LATAN
Erin Federer
Deborah Fontenot, FHF Acadiana
Rebecca Fruge
Liz Gary
Lynsey Hebert, Transcriptionist
Michelle Hurst
Natalie LaRose
Sheryl Matney, ITACCDD
Ashley McReynolds, LaCAN Region 2
Rhea Mertz, Transcriptionist
Kelly Monroe, Arc of LA
Laci Polotzola, FHF Acadiana
Kristen Reed, LACAN Region 6
Susan Riehn, FHF of SWLA
Tory Rocca, Advocacy Center
Chris Rodriguez, Advocacy Center
James Sprinkle, FHF Crossroads
Amy Tresch

STAFF PRESENT

Marilee Andrews
Brenton Andrus
William Eber
Shawn Fleming
Ebony Haven
Hannah Jenkins
Sandee Winchell

April Dunn called the meeting to order at 9:30 a.m. and welcomed new member Amy Donarski to her first Council meeting.

SUMMARY OF JANUARY MEETING

MOTION PASSED. Motion to accept the [Summary of the January Council meeting](#) made by Jill Hano, seconded by Randall Brown, passed without objection.

COUNCIL COMPLIANCE WITH FEDERAL LAW - Sheryl Matney

Sheryl Matney, Director of Technical Assistance for the Information and Technical Assistance Center for Councils on Developmental Disabilities, provided information in a [PowerPoint presentation](#) related to whether the Louisiana Developmental Disabilities Council was in compliance with the DD Act (the federal law governing Councils) and additional requirements specified in regulations. Ms. Matney shared the federal government's oversight processes used to conduct annual compliance reviews on the La. DD Council for programmatic and fiscal issues and presented the following information:

- The Louisiana DD Council is in compliance for membership related to with regional representation, required number of agency members, required number of individuals with developmental disabilities, and required number of family members. The Council has been instructed to work toward ensuring the gender, racial and ethnic diversity of the Council is fully in line with the DD Act guidelines.
- The Council's process for making recommendations of members to the Governor is aligned with federal law. The Louisiana Boards and Commissions application does not ask about disability status, thus cannot determine whether a candidate meets the required criteria.
- It is appropriate and part of the Executive Director's responsibility to review membership applications for appropriateness to ensure the Governor is informed whether the appointments comply with federal regulations. The federal government interfaces with the Executive Director and holds them responsible for all membership information.
- Louisiana has never been cited for a compliance issue in the fifteen years Ms. Matney has served in her role.
- The Council should focus on governance. Council staff should deal with management issues. Since Council members are subject to term limits, staff provide continuity.
- The federal government raised concerns over a perceived conflict of interest regarding Council members participating in Partners in Policymaking. Participation could impact the Council members' ability to be involved in discussion of the state plan and blurs the lines between participation and monitoring during the event(s). Since the FFY19 plan has already been approved no action was requested for this year; however, future plans including Council members as Partners in Policymaking participants would not be approved.

Robert Paddy next shared a [PowerPoint presentation](#) with information to address other concerns that had been shared with Council members. The topics included a recap of La DD Council

the Council's planning process, historical support of People First of Louisiana, decisions voted on by the Planning Ad Hoc Committee, development of the Council's legislative agenda, and the Council's orchestrated systems advocacy campaigns.

Following these two presentations, a discussion ensued over whether to continue discussing issues raised by Council members and others or move forward on the Council meeting business agenda.

MOTION FAILED TO PASS. A motion by Robert Paddy seconded by Kim Basile for the Council to continue discussing the issues raised by Council members and others instead of proceeding to consider Council business **failed to pass by a vote of 10 yeas to 11 nays.**

COMMITTEE REPORTS

EXECUTIVE COMMITTEE – Robert Paddy

There is concern the costs for the 2019 Partners in Policymaking class may slightly exceed the budgeted amount in the FFY19 plan due to the large number of participants initially enrolled in the class. Funding is available from unspent funds in other initiatives.

MOTION PASSED. The Executive Committee recommendation for the Council to increase the funding available to support the Partners in Policymaking class by amending the approximate cost for Activity 1.2.1 in the FFY19 Plan from \$80,000 to \$90,000 **passed without objection; no abstentions.**

In accordance with Section Three of the [Council By-Laws](#), the Executive Committee reviewed the Council position papers for approval prior to submission to the Council. A review of the recommendations in some position papers revealed some were no longer relevant due to some having already been accomplished or were no longer relevant due to changes in policies and practices. The Executive Committee was recommending updates only to the recommendations included in the position papers, not the positions themselves.

A discussion ensued regarding whether to follow the By-Laws or to have each Council priority committee first consider the recommendations in the position papers related to each Committee's areas of focus.

MOTION. The Executive Committee recommended amendments be made to the Council's Education position paper.

SUBSTITUTE MOTION PASSED. A substitute motion made by Jamie Wong, seconded by Tara Smith, to send the Council position papers on to their respective Council Committees prior to review of the full Council **passed by a vote of 10 yeas to 6 nays, with 4 abstentions** (Abstentions: Randall Brown, Jill Hano, Roslyn Hymel, and Mary Tarver).

For the past several years the Council has hosted a conference every other year and the proposed FY20 plan includes a conference. Recent conference themes have been advocacy and customized employment. The Executive Committee considered possible themes for the 2020 Conference and recommended Navigating the System Across the Lifespan.

MOTION PASSED. The Executive Committee's recommendation for the theme of the Council's conference to be Navigating the System Across the Lifespan **passed without objection; no abstentions.**

The Executive Committee approved the timeline and process to develop the Council's next five-year plan and will present this process for consideration at the Council's July 2019 meeting.

The Executive Committee received an update on the Council's transition to Voter Voice with a list of benefits and challenges of the system. The Committee agreed it is appropriate to evaluate the system after this legislative session to determine if the Council should continue using it.

SELF DETERMINATION/COMMUNITY INCLUSION COMMITTEE – Randall Brown

On April 1st, the Louisiana Department of Health (LDH) announced a restoration of provider rates for the four DD waivers and support coordination to 2008 levels for the remainder of FY19. The restoration was only temporary and did not include restoration of rates for Medicaid long term personal care services, EPSDT and the OAAS waivers. The rate restoration for FY20 was added to the Council's legislative agenda. As a result of the Revenue Estimating Committee recognizing additional revenue, nearly \$15 million was deposited into the NOW fund.

MOTION. The Self Determination and Community Inclusion Committee recommends using \$15 million from the NOW Fund to continue the rate restoration for DD providers and support coordination in the FY20.

Since the April Committee meeting, the Council has been informed the Division of Administration has included the NOW Fund dollars in the budget to cover annualized costs for waiver slots, the IFS night rate and the complex care rate. According to [Act 665](#) of 2018 regarding the NOW fund, the Louisiana Department of Health shall consult with the Council to develop a plan for appropriations out of this fund. The Council was not consulted on the use of the NOW funds for the costs associated with annualizing these services.

SUBSTITUTE MOTION PASSED. A substitute motion by Bambi Polotzola, seconded by Amy Donarski, for the Council to write a letter to DOA regarding the use of the NOW Fund for annualization costs without consulting the DD Council

as required by law **passed without objection and three abstentions** (Patti Barovechio, Julie Foster-Hagan, and Tara Leblanc).

PLANNING AD HOC COMMITTEE – Robert Paddy

The Planning Ad Hoc Committee reviewed recommendations submitted and developed recommended activities for the Council's FFY20 action plan, the fourth year of the Council's current five year plan.

MOTION (as amended) PASSED. A recommendation for the Council to adopt the [Federal Fiscal Year \(FFY\) 2020 Action plan as proposed by the Planning Ad Hoc Committee](#) was amended twice and **passed as amended without objection; no abstentions.**

The Council received guidance to avoid the perception of conflicts of interest by not having Council members as participants in Council initiatives.

AMENDMENT NUMBER 1 PASSED. A motion by Steven Nguyen, seconded by Alan Coulter to amend the recommended plan by removing Activity 1.2.2 **passed without objection, no abstentions.**

Following a discussion of the recommended FFY 2020 action plan the Council discussed offering more support for People First of Louisiana.

AMENDMENT NUMBER 2 PASSED. A motion to amend the recommended plan by Kim Basile, seconded by Amy Donarski to decrease recommended funding for Activity 1.4.1 from \$23,000 to \$13,000 and provide \$10,000 of funding for Activity 1.1.2 to provide training for People 1st of Louisiana **passed without objection, no abstentions.**

To address the limited time remaining for the meeting and the large number of agenda items, the Council considered which items to consider next on the meeting agenda. Agency representatives were offered an opportunity to share any pressing issues with the Council.

Julie Foster-Hagan with the Office for Citizens with Developmental Disabilities OCDD informed the Council the people on the waiting list for the Flexible Family Fund program will no longer be required to submit annual income information.

Bambi Polotzola with GODA informed the Council of upcoming Employment Regional Capacity Building Planning Sessions in Regions three and four.

MOTION PASSED. A motion by Tara Smith, seconded by Kim Basile, to forgo agency reports and move on to new business **passed with no objections, one abstention** (Abstention: Jill Hano).

The Council discussed allowing Council members to have their contact information be made publicly available.

MOTION (as amended) PASSED. A motion by Tara Smith, seconded by Kim Basile, for each Council member to determine any personal contact information to be made available on the Council website **passed without objection, no abstentions.**

PUBLIC COMMENTS

The following people turned in a public comment card to speak:

Deborah Fontenot

Erin Federer

Tara Smith also read a comment from Katie Corkern who was not present.

ANNOUNCEMENTS

The next Council meeting will be July 17-18, 2019 at the Embassy Suites, Baton Rouge.

Ms. Dunn adjourned the meeting at 5:15 p.m.