

WV Developmental Disabilities Council
Quarterly Meeting Minutes
Summit Conference Center - Charleston, WV
January 25, 2011

Members present: Joyce Church, Richard Covert, Ronald Dean, Jeannie Elkins, Ginny Gattlieb, Sandy Haberbosch, Betty Holliday, Ann Hubbs, Stephanie Jackson, Kelly Miller, Clark Queen, Jerry Ramsey, Karen Robinson, Amber Hinkle, Carlos Lucero, Clarice Hausch, Janice Holland, Pat Nisbet (afternoon only), John David Smith, Christina Mullins, LuAnn Summers, Jane McCallister, and Karen Ruddle.

Members absent: Sarah Brown, Bob Cain, Clint Martin, Richard Perry, Tina Tanner, Stacey Thomas, Julie McClanahan, and Pat Winston.

Staff present: Steve Wiseman, Christy Black, Jim Cremeans, and Linda Higgs.

Guests: Jeff McCroskey, Community Access, Inc., and Melissa Sears, Nicole, Laura, Elizabeth, and Patience, all from Capitol High School Venture Crew 230.

Welcome, Introductions, and Announcements: Jeannie called the meeting to order and everyone introduced themselves.

Jeannie reminded Members to complete and return forms to the Ethics Commission. She also reminded them that any Member wishing to attend the upcoming Fair Shake training to mark their registration form as a Council Member so the Fair Shake can bill the Council for their costs. She informed Members that Stacey Thomas will be accompanying her and Council staff to Washington, D.C. to make Hill visits in February.

Steve reported that Jeannie was accepted to make a presentation on “Positive Transitions in Rural Areas” at the Virginia Transition Forum 2011 in Roanoke, VA in March. Steve will be co-presenting.

Clarice reminded Members of WVA’s upcoming WrightsLaw training being held at Stonewall Jackson Resort; thanked the Council for its support through stipend funds; encouraged anyone interested to sign up now as space is quickly being filled.

Jeannie announced a change to the date for the July Council meeting. Due to a conflict with the national association’s Technical Assistance Institute (which several staff and some Members will need to attend) the meeting will be changed to July 19, 2011.

Mission Statement Reminder: Kelly Miller read the Council’s Mission Statement.

Public Comment: None

Approval of October 26, 2010 Meeting Minutes: Karen Ruddle pointed out a correction needed on Page 6 – ABE Conditions should be ABE ConXtions. **Betty Holliday moved and Clark Queen seconded the motion to accept the Minutes as corrected. Motion passed.**

New Business

Election of Executive Committee Member: Jeannie reminded Members of a vacancy on the Executive Committee with Christy Black joining the Council staff. All Members were solicited for their interest in filling the vacancy. One member, Stacey Thomas, expressed interest. **Joyce Church moved and Ann Hubbs seconded the motion to approve Stacey Thomas to fill the Executive Committee vacancy (term expiring June 30, 2011). Motion passed.**

Appointment of Nominating Committee: Jeannie informed Members that Amber Hinkle, Clint Martin, Christina Mullins, and Betty Holliday agreed to serve as the Nominating Committee. Betty Holliday will serve as Chair. This Nominating Committee will be responsible for suggesting individuals to the Council as new members, along with suggesting new Executive Committee Members for the three expiring terms.

Update on new 5 year State Plan Development: Jim informed Members of the Charge of the State Plan Workgroup, chaired by Kelly Miller. Kelly gave a report on the work of the group to date. A copy is in the Council packet. Jim also told Members that the Survey Monkey tool will be useable on the Council's website this week. A postcard with information on how to access it is also in the Council packet.

COACH Training Project: Jeannie asked Steve to explain the proposal Members received in the Council packet from the WV SenseAbilities Project (formerly the Deaf/Blind Project within the State Department of Education). Steve reminded Members that Annette Carey and Ruth Ann King presented to the Council in January, 2010 on the COACH Training, and that Council Members were very interested in the training and its potential for students beyond those who are deaf/blind. Council staff have been following up with Annette and Ruth Ann to find a way to offer this training to benefit other students with developmental disabilities.

The proposal in the packet offers a budget for either a one day or a two day training for one team in three local counties as a 'pilot project.' Steve informed Members that staff and Executive Committee Members suggest funding the two day proposal, as it allows teams to actually get started and receive a bit of technical assistance while they are in attendance.

There was much discussion about this training and its benefits. Some Members were familiar with COACH training and reported on its positive benefits. Clarice suggested an advocate should be added to the teams. Amber pointed out the budget will need to be adjusted since the State mileage rate recently increased. Carlos requested clarification of the eligibility of students and teams selected to participate. **Ann Hubbs moved and Clarice Hausch seconded a**

motion to fund the two day workshop proposal, and adding an invitation to a representative from the Romney School for the Deaf and Blind, and any Council Members who might be interested in attending the training. Motion carried. Karen Ruddle abstained because she works for the State Dept. of Education.

FFY2010 PPR Submission: Jim reported that the Council's annual Program Performance Report was submitted to the Administration on Developmental Disabilities on December 30, 2010. The Council reported that more than 4,000 people received training, either through the Council's own training initiatives or through Council funded projects. Approximately 1,000 people with developmental disabilities were directly impacted through Council funded projects. Jim also reported that the Council has either met, or partially met, 13 of our 14 State Plan goals.

Legislative Update: The Council's new Advocacy Specialist, Christy Black, provided Members with an update on the current legislative session. She informed Members they could find the Council's Legislative Statements in their packets, along with a letter to Susan Perry, Deputy Secretary, DHHR, outlining the Council's main legislative issues at this time. Guardianship is the biggest concern since family members who are providing residential habilitation services to an adult family member will now have to become agency employees. This presents a dilemma with the current guardianship law, which prohibits guardians from being employees of an agency providing services to the person they are guardian of, and prohibits them from being paid. The DHHR, providers, and advocates are all in agreement that a change should be made to allow family members/guardians to continue to provide the supports as they have in the past. The legislative change being proposed will 'grandfather' in those family member/guardians who are currently providing service requiring them only to notify the court. Any future family member/guardians who wish to provide Waiver services will have to petition the court for permission; either when they petition to become guardian, or when they become the provider of service. The bill should be introduced any day now. Clarice spoke to remind Members how important this issue is and the need for grass-roots advocacy to ensure needed changes are made. Provider agencies will not be able to provide needed staff for individuals on the MR/DD Waiver if the change does not occur, which will be devastating to individuals on the program.

Christy and others are also working to have the Community-based Services Bill re-introduced in the House this year. This bill addresses the *Olmstead Plan* in helping to alleviate institutional bias.

She also reported that the legislation pertaining to AMAP (allowing unlicensed personnel to administer medications) has been reintroduced this year by Senator Jenkins as SB 64 and by Delegates Staggers and Fleischauer as HB 2021.

Other Business: Jeannie informed Members this Agenda item was being moved to later in the Agenda.

School Transition to Employment *Systems Change* Project: Jeff McCroskey, grantee, provided the Council an update on the STEP project, which provides teachers and other school personnel with WV DRS vendor certification. This allows them to be reimbursed for working with students off school grounds and school hours in job development activities. This project is in its fourth year of Council funding, and has also received a second year of funding from DRS to continue making needed change. Jeff provided Members a fact sheet, including counties being served and barriers that have been identified. He reported that the Director of DRS has provided him a letter indicating DRS is committed to training new vendors for the sustainability of this project once funding ends. He also spoke of the partnerships with the Department of Education through Council Member Karen Ruddle and with DRS through Council Member LuAnn Summers. Karen and LuAnn both addressed the Council about the project. LuAnn reported that DRS supports the STEP program and considers it best practice. She said that since there is flexibility within funding rules, many states would look to replicate the model, which allows teachers to act as sole proprietors. Karen reported that the STEP program model fits well in school districts that do not have work exploration programs. A Training Manual has also been developed to assist with sustaining the project and was passed around for Members to review.

Of particular interest was Jeff's reporting on the success of this program in Clay County, where two students have been able to be placed in jobs in the logging and pipeline industry, making an average of \$14/hour!

Karen Robinson expressed concern about the difficulties students may experience in trying to receive needed services if they were able to graduate with a standard diploma rather than a modified diploma. Some programs may look at the diploma as proof that the individual does not qualify for services.

MR/DD Waiver Update: Pat Nisbet provided an update on the status of the new Waiver Manual and the program in general. She reported that she is waiting on rates from the Finance Department of Medicaid and hopes to have them within the next couple of weeks. The new Manual will be posted to the BMS website for comment. She will notify the Council when it is posted.

Pat also reported on the establishment of an independent network of psychologists who will be responsible for completing initial eligibility evaluations for individuals applying for the Waiver program. Training dates have been set for psychologists interested in participating. It is anticipated the program will begin using them for determining eligibility beginning March 1.

Pat reported that APS Healthcare has begun doing provider reviews, which now include disallowances when certain criteria are not met. Paybacks have been in the range of \$100 - \$250,000, and mainly involve staff not being properly trained (including not having current First Aid and CPR training).

She reported that one agency is voluntarily closing – ResCare North Central. This agency has been transitioning clients to other programs and has 17 left to be transitioned.

Pat reported she also now sits on the committee for CON reviews for new providers. Two agencies have passed the summary review: ADEPTO (a new agency in Wood County), and SW Resources in Parkersburg.

Ann alerted Members to her experience with the Agency closing in her area since they were the Agency providing services for her son. She also spoke of the difficulty in finding staff in the Morgantown area, largely due to the good economic situation enjoyed in that area. She then expressed concern that there is a risk of losing services if AMAP trained staff are restricted from giving medications.

Venture Crew 230 Presentation: Melissa Sears, teacher at Capitol High School, and four students (Nicole, Laura, Elizabeth, and Patience) made a presentation to the Council on the project, which received one time funding of \$1,000 from the Council last year. Venturing is a Boy Scout co-ed program. Melissa reported that 27 students participated in the program last year, and that peer support is a key component of the program. The students shared a Power Point presentation of some of the activities the group has been involved in, including: studying religions and cultures, helping with a food pantry, visiting a prison, and studying the ethical issues around gambling and teen-age pregnancy. They also shared photo albums of various activities.

Other Business

Members' Comments/Concerns: Ginny stated she wished to add to Ann's previously expressed concerns regarding the problems in the Waiver program of providing support to individuals who live with their families. She stated that these individuals seem to be the lowest priority for provider agencies.

Clarice agreed, stating the perception is that Members living with their families will be safe even if the agency doesn't provide needed staff. She indicated this is not client-centered services, and the perception needs to change. Parents and other family members who are supporting a Waiver Member in their home also have jobs, etc., and are not well supported.

Pat Nisbet stated that she believes the program will be making strides in that area with the self-direction component. Agencies will not be able to pull staff to cover other settings when individuals are the employer of staff.

Ann expressed concern about the shift of liability to families in the new system.

Amber reported that as a member of the Self-Direction workgroup, the issue of liability and workers' compensation was raised numerous times. The workgroup was assured these had not been issues in other states who had moved to self-directed services.

Dr. Lucero reminded the Council that two areas of concern for him are nutrition and the environment and the effects on children's health. He spoke of studies showing the by-products of coal powered electric plants are sulfuric acid and mercury. Recent research shows that WV has nearly the highest mercury levels in the environment. He announced that a Washington, D.C. based group will be at the WV State Capitol on Wednesday, January 26, to speak out on this issue.

Stephanie raised the concern of finding staff during the summer months and asked about the possibility of school teachers/aides becoming employees, similar to those now becoming DRS vendors for graduating students (in the School Transition grant discussed earlier). She stated that one barrier is that agencies seem to want their employees to be billing monthly rather than working periodically, causing these potential employees to have to re-apply as employees each summer.

Staff updates and upcoming events for 2011: Christy reminded Members of the Partners in Policymaking (PIP) program, which is now accepting applications for those interested in beginning the program in the fall. She also reported that she has been busy going to the Legislature, has completed two grant reviews, and has taken over as the staff liaison for two Council grants – Fair Shake Network and People First of WV.

Linda reminded Members of the upcoming Social Role Valorization (SRV-10) workshop scheduled for March 28-31. She also reported the SRV related workshop (Devaluation and the Service Worker's Role) held in two locations in December were very well received; she is now representing the Council on the WV Children's Justice Task Force; and has completed six grant reviews for the first quarter.

Jim informed Members that Public Forums are being planned for the development of the new 5 year State Plan. He also reported the Parent Tool-Kit, a collaborative project with WVA, will be available in the spring, and that the next Call for Investments (CFI) released by the Council will be based on input received through the public forums and Unmet Needs surveys.

Steve reported that the Intermediate Care Facilities for people with Intellectual Disabilities (ICF/ID) report, a joint project of the DD Council and Olmstead Council, was well received by the Long Term Care Partnership in November and was recently released by them. He reminded Members that for the next phase of that project, a consultant will be coming in the spring to profile people who live in ICFs/ID and some who live in the community at large. He reported that he, Jan Lilly-Stewart of the FSN, and Ann McDaniels of the WV SILC met with Dr. Lewis (the newly appointed DHHR Secretary) and other DHHR staff as well as some Legislators to discuss our legislative issues and concerns. He also reported that he and Jeannie have not yet scheduled a meeting to meet with Dr. Lewis on behalf of the Council.

Feedback Forms: Jeannie asked Members to please complete and return the Council feedback forms prior to leaving.

Adjournment: Kelly Miller moved and Stephanie Jackson seconded a motion to adjourn.