

WV DEVELOPMENTAL DISABILITIES COUNCIL  
Quarterly Meeting  
October 23, 2012  
Best Western – Bridgeport, WV

MINUTES

Members present: Greg Bilonick, Sarah Brown, Robert Cain, Stefanie Caldwell, Joyce Church, Jeannie Elkins, Clarice Hausch, Amber Hinkle, Janice Holland, Betty Holliday, Ann Hubbs, Jane McCallister, Beth Morrison, Christina Mullins, Patricia Nisbet, Richard Perry, Clark Queen, Jerry Ramsey, and Stacey Thomas.

Members absent: Kathy Butler, Richard Covert, Ronald Dean, Virginia Gattlieb, Stephanie Jackson, Kelly Miller, Karen Robinson, Robert Roswall, Karen Ruddle, Jim Slinn, LuAnn Summers, and Tina Tanner.

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

Guests: Brent Bush, Patricia Elliott, Jeff McCroskey (Community Access), Joe Olivito (Vocational Services, Inc./S.T.E.P. project) Tara Roush, Jon Sassi, Christina Smith (Arc-WV), Kevin Smith (People First of WV), Tabitha Walter (WV Advocates), and Melvin West.

**Call to Order, Welcome:** Stacey Thomas, Chairperson, called the meeting to order. It was acknowledged that the Council is still awaiting appointment of new Members by the Governor, and that several of those individuals were in attendance.

**Introductions and Announcements:** One announcement followed the introductions. Steve announced the recent passing of Dee Braley Bodkins, Ed.D., a previous Council Member who was very active on the Council during her tenure as the State Director of Special Education.

**Mission Statement Reminder:** Ann Hubbs read the Council's Mission Statement.

**Public Comments:** There were none.

**Approval of July 24, 2012 Meeting Minutes:** Stefanie moved and Janice seconded the motion to approve the Minutes as written. **Motion carried.**

## **New Business**

**Legislative Statements for 2013:** Greg and Stefanie provided the report on behalf of the Workgroup. Greg reported that the Workgroup was made up of himself, Stefanie, and Deborah Davis. Christy was the staff person for this Workgroup. The Workgroup met twice, reviewed last year's Statements, and made suggestions regarding what should be kept and what needed to be changed or added. The draft Legislative Statements were e-mailed or mailed to all Members prior to the meeting for review.

Greg reported on the items suggested for removal, which were: the section on WV Medication Administration by Unlicensed Personnel (AMAP), which was addressed in the 2012 Legislative session; the specific listing of programs under the area of Public Funding; and the removal of the word 'seclusion' from the Education Section, since this was addressed in the new Policy 4373.

Stefanie reported on issues to be added, which were: coverage for dental care of adults; the concept of Employment First; the removal of Article 16 of Chapter 27 of the State Code, dealing with forced sterilization; the monitoring of Policy 4373, *Expected Behaviors in Safe and Supportive Schools*; and *Erin's Law*, which addresses the education of students Pre-K through 12<sup>th</sup> grade on sexual abuse.

Greg moved for the adoption of the Legislative Statements on behalf of the Workgroup, and Ann seconded the motion. Ann then mentioned the need for careful monitoring of Policy 4373 and shared a story of an unfortunate bullying experience involving her son. Steve mentioned that the Executive Committee had discussed some ideas received from individuals awaiting appointment to the Council (community trusts, public guardianships, and changes to DNR language). The Executive Committee agreed these issues could be studied over the next year before determining their addition to the Legislative Statements. **Motion carried.**

## **Other Business**

**Progress on State Plan:** Jim provided an update on progress made in implementation of the Five Year State Plan, (copy included in Members' packets). He said that 20 of 26 State Plan objectives were met or addressed during year one of the Plan (10/1/2011-9/30/2012). Jim said that the Council is also meeting its federal mandate on self-advocacy and leadership training through the Arc of WV- People 1<sup>st</sup> of WV, the Fair Shake Network, and Partners in Policymaking (PIP).

Jim reported that the AIDD (Administration on Intellectual and Developmental Disabilities) now requires Councils to develop more detailed and rigorous methods for reporting and measuring the direct impact and benefit of Council activities for persons with developmental disabilities and their families. He said reporting procedures used by Grantees are being updated by staff to meet the new requirements of the AIDD.

**Jim provided a summary of new projects, events and activities planned for FFY 2013:**

Self-Advocacy

- Training on the importance of, and learning ways to project, a positive personal image of people with developmental disabilities (Goal 1.5). Steve spoke about the importance of personal image of people who are devalued;
- A training initiative on tenant rights and responsibilities to include a series of statewide workshops and the development and distribution of the WV Landlord and Tenant Rights Handbook. (Goal 1.7). Steve said that the housing project (Northern WV Center for Independent Living) is partially funded by the WV Advocates and Olmstead Council.

Family Support and Training

- Parent Advocacy Guide to Special Education is expected to be completed by early 2013 (Goal 2.2). Part of the Guide distribution and “rollout” will be to identify at least 250 parents to report back to the Council on the benefits (or problems encountered) resulting from the use of the Guide. The Council and WV Advocates plan to distribute 1,000 copies of the Guide. Meeting was scheduled for end of month but had to be cancelled due to Hurricane Sandy;
- Formation of a representative group to develop recommendations for improving communication and working relationships between families and service providers (Goal 2.5).

Protection against Abuse, Assuring Safety and Rights Protection

- Individualized self-protection training/support, policy improvement around data collection, and range of training aimed at reducing risk and incidence of abuse. Workgroup has been formed (Goal 3.1 & 3.3.).

### Direct Support Personnel Development and Training

- Formation of advisory group to plan, conduct/support research, and engage in public policy advocacy to create new competency standards for the direct support workforce. (Goal 4.1);
- Identification of competency based core curriculum and demonstration for direct support personnel. Jim said that the Council has previously endorsed the College of Direct Supports Curricula (Goal 4.2);
- PASSING training (Goal 4.4).

### Inclusive Education

- New, permanent credential (Individualized Work Readiness Certificate) authorized for Career and Technical Education programs by the WV Department of Education (Goal 5.1).

### Competitive and Valued Employment

- Training for service provider personnel on Employment First approaches (Goal 6.2);

### Accessibility and Accountability in Public Services

- Study and report on the quality of services provided by behavioral health providers (Goal 7.2);
- Formation of advisory group to develop methods for cross-system and cross-agency exchange of information for people with developmental disabilities (Goal 7.3);
- Study on human and economic costs caused by lack of dental care (Goal 7.4);

- Study and report on comparison of the lives of people with developmental disabilities who live in ICF/ID facilities and people in the community with similar support needs (Goal 7.5)

Jim reported that he is developing the 2013 Work Plan. Beth asked if the Council is working with any new partners this year. Those mentioned were APSE, community building through the Job Squad, Inc. (JSI) grant project, the Putnam Co. Chamber of Commerce through the Community Access, Inc. (CAI) CTE grant project, and the WV Council of Churches on legislative issues.

Melvin informed Members that he had been approached at the sheltered workshop to see if he wanted to work in the community and that he told them he does.

Ann offered to make contact with the dental school and encourage them to study the issue of providing dental care to adults.

Janice suggested that (WVU) dental school students could offer care to people with developmental disabilities in the area of the school (Morgantown), as a means to gather information and data to be used to work to change policy.

Christina also volunteered to do some checking on this issue through her Agency.

Pat Nisbet mentioned that “Donated Dental” will pay for dentures after teeth are pulled, and that “Goods and Services,” under Self-Direction in the I/DD Waiver, can be used to pay for dental care.

Pat Elliott mentioned that West Liberty dental hygiene students will do free check-ups and screenings.

In the area of abuse/neglect/financial exploitation, Clarice reported on a coalition that was formed around the issue of financial exploitation which resulted in the Bankers’ Association spear-heading legislation that would more easily allow them to report it when they feel a vulnerable individual is being exploited.

Clarice also reminded the Council that dental care and employment are inter-related, and that if people with developmental disabilities were employed they might have access to dental care through their employment, as many others do.

**Progress on Grants as of Sep. 30:** Linda gave Members a final overview of the Child and Youth Advocacy Center (CYAC), Restoring Safety to a Vulnerable Population (RSVP) project which concluded its third and final year on Sep. 30. (The review was included in Members' packets.)

She also gave a brief end-of year synopsis on the progress of continuing grant projects, including: the Arc of WV, People 1<sup>st</sup> of WV (State Plan Goal focus – Self-Advocacy); the Fair Shake Network, Statewide Cross-Disability Coalition (State Plan Goal focus – Self-Advocacy); Step-by-Step, Stand Up to Bullying (State Plan Goal focus – Protection against abuse, assuring safety and rights protection); Vocational Services, Inc., CTE Pilot Project (State Plan Goal focus – Integrated Learning and Work); and West Virginians for Affordable Health Care (WVAHC), People with DD and the Affordable Care Act (ACA) (State Plan Goal focus – 1] Direct support personnel development/training, 2] Family support/training, and 3] Accessibility and accountability in public services).

Following lunch, Steve reported on the feedback the Council provided the Bureau for Medical Services (BMS) on the proposed changes to the I/DD Waiver Manual. He extended thanks to Pat N. for the clear and complete information she brought to the Quality Improvement Advisory (QIA) Council, detailing the comments received and changes resulting from those comments.

He reported that thus far, one of the Council's recommendations is being used (to keep the 180 day period for an individual to access a service once being awarded a slot, rather than lowering the time to 90 days. This is important particularly for those individuals trying to leave institutional settings.).

He also thanked WVA for providing comments, and remarked that they generally concentrate on different issues than the Council which allows for good coverage of the entire program.

## **Other Business, continued**

### **Workgroup Updates**

**Abuse/Neglect:** (Summary report in folder) Jim reported that the workgroup (Ann Hubbs, Clarice Hausch, Jane McCallister, Amber Hinkle, Jim and Steve Wiseman) did not meet during last quarter but will meet again in November. Since the last workgroup meeting, Jim said that he and Steve spoke with Nora Baladarian, Ph.D., Director, Disability and Abuse Project, Los Angeles, CA for ideas and advice.

Nora suggested that self-protection training and services be individualized: workforce training (especially on topics such as social role valorization) be emphasized, and plans put into place to strengthen data collection about people with developmental disabilities who are abused, neglected or exploited.

Ann expressed concern that following the sexual abuse scandal, the Boy Scouts of America (BSA) require two individuals work together when they are interacting with Scouts, but vulnerable individuals with developmental disabilities typically only have one staff assigned.

**Employment First:** (Summary report in folder) Jim said that the workgroup (Greg Bilonick, Jeannie Elkins, Clarice Hausch, Beth Morrison, Pat Nisbet, Karen Ruddle, Russell Sickles (WV APSE), LuAnn Summers, Jennifer Tenney (WV CED), Jim and Steve) last met in September. The September meeting included a conference call with Macey Chovaz, national APSE. Macey is providing technical assistance to states that are developing Employment First plans and policies. The workgroup will focus on high performing states (Washington State, Kentucky, Wisconsin, others) to learn strategies to address policy, practice, training and other key issues related to employment. The group will meet again in December.

Janice spoke, saying it is critical that the group have a united definition of employment. Pat N. reported that BMS is waiting on a ruling from the Centers for Medicare and Medicaid Services (CMS) on whether or not they will pay for segregated work settings in the future. Clarice reminded Members that the Department of Justice (DOJ) decisions are clear that segregated services designed for people with disabilities are a violation of *Olmstead*. She also put forth that when the Council defines “employment,” it should not be different for people with disabilities, and advised there is a Department of Labor definition of employment.

Janice agreed and reminded Members that when Supported Employment began, programs took people out for a couple of hours (to meet the bare minimum standards), and did not really develop employment as it could have been.

Steve put forth that Employment is the first, preferred option; but there are also a range of options of meaningful ways for adults to spend their time during the day.

Ann reminded everyone to be concerned that the most vulnerable also be included in the community.

Melvin reported that he has been given the option to work at a fast food restaurant and not lose his SSI or food stamps.

### **Members' Issues and Concerns**

Jerry provided a report to Members on how to handle bed bugs in your living space and when you travel. Beth requested a copy of the report Jerry gave, so it will be included with the Minutes.

Clarice thanked the Council for its generous support with designated stipends for the WrightsLaw training being held in April, 2013 and reported that registration will begin in January.

Clarice also reminded Members of a discussion in a previous meeting about the end of funding for the Work Incentives and Planning Assistance (WIPA) federal grant program, and informed them that WVA is waiting to hear about its Protection and Advocacy for Beneficiaries of Social Security (PABBS) federal grant funding. As of now, WVA has a no-cost extension to continue to serve its current nine clients, but can take no new clients, provide no training, and print no brochures.

### **2013 Meeting Dates and Locations**

Stacey directed Members to the handout in their packets and asked that they make note of next year's Council meetings. She informed Members that the Executive Committee took into account things such as where meetings have been held in the past, what areas of the State are most easily accessible by the majority of Council Members, and the need to stay in the Charleston area when the Legislature is in session.

The dates and locations agreed upon by the Executive Committee are:

January 22 – Charleston area

April 23 – Mineral Wells

July 23-24 – Stonewall Jackson Resort (this will be a Council Member retreat)

October 22 – Charleston area

Janice reported that she has been asked whether the Council will go to the eastern panhandle of the State for Council meetings. Steve replied that, in addition to the issues taken into account that were reported by Stacey, the Council has had the experience of going to the area for a quarterly meeting and only having eleven Members in attendance (with no State agency Members), and of the need to have a quorum to conduct business. He also reminded Members that the Council does go

to that area to hold public forums, and also provides training in that area. Several Council Members acknowledged that no one has yet come forward to speak during the Public Comment section of the Agenda.

### **Informational Session**

**Youth Advocacy:** Kevin Smith (People First of WV) and Christina Smith (Arc of WV) gave an informative presentation on the first People 1<sup>st</sup> Youth Advocacy Conference and several other activities People 1<sup>st</sup> has been involved with. (Mason Co. had 21 people at a People 1<sup>st</sup> meeting the previous week.) They reported that when the Arc of WV received the grant five years ago, there were 3 People 1<sup>st</sup> groups from the previous organization's grant. Now there are 23 groups around the State, with four more emerging. Kevin was one of 15 self-advocates invited to the White House for a meeting; he is on the Board of the *National Council of Self Advocates* (a part of the Arc of the US); he was featured in an article in *Apostrophe* magazine; he attended the Allies in Self-Advocacy Conference in Baltimore with Council Members and others from WV; and he just found out he will be representing the US in the closing plenary session of the Arc's national conference. People 1<sup>st</sup> of WV has also collaborated with WVA on training and registering people to vote. Christina distributed order forms for People 1<sup>st</sup>'s 2013 calendar fund-raiser. (*Apostrophe* magazine was made available for all Members.)

**S.T.E.P: (School Transition to Employment Project)** Jeff McCroskey, with Community Access, Inc. gave a presentation on the S.T.E.P. project, which was originally funded by the Council. He reported there are two mechanisms for the continued sustainability of the project: 1) teachers who have been trained and supported a graduating student typically continue to work with other students, and 2) for counties and/or teachers who have not been previously involved, the Division of Rehabilitation Services (DRS) has agreed to train teachers so that new people can continue to learn and carry out the project. Jeff also passed around copies of a booklet about the project which was developed, and explained that the second generation of the booklet will include more pictures of actual students (rather than the stock pictures) and a greater variety of actual jobs students have. It may also include teacher/vendor stories. He also reported that DRS funding in Year Four will concentrate on CTE staff that are already on board. Also, each State Vocational Rehabilitation system submitted a program exhibiting best practices to the Institute for Community Inclusion/UCEDD (University of Massachusetts, Boston) last February. This project was submitted and was chosen as one of the top two new employment ideas in the country.

**Voting Information:** Tabitha Walter, with WVA, spoke with the Council about the PAVA project. PAVA is Protection and Advocacy for Voting Access and is part of the Help America Vote Act. Information was distributed, and T-shirts and other promotional items were available for Members who were interested.

**Completion of Feedback Forms:** Stacey reminded Members to complete the Feedback form in their packets prior to leaving.

**Adjournment**