

**THI/SCI TRUST FUND
QUARTERLY ADVISORY BOARD MINUTES
March 1, 2012**

Attending Board Members: William E. Moak, Carol Harbo, Anne Olivier, Andrew Kuyoro, Henry Bateman, Representative Scott Simon, John "Jay" Lyles and Yadi Mark. **Agency Staff:** Program Manager Alicia Smith, Administrative Specialist Valencia Roberts and Hugh Eley. **Public:** BIALA's Brigid Deloach and DHH's Christine Peck and Lavon Johnson.

Call To Order. The meeting was called to order by William E. Moak.

Minutes. In the minutes from the November 2011 meeting, Carol Harbo stated that in the fifth paragraph, under **Major Goals**, the last sentence should be omitted. Jay Lyles made a motion to approve the minutes as amended; seconded by Yadi Mark, and approved.

Resource Center Updates. Carol introduced the new Executive Director of BIALA (Brain Injury Association of Louisiana), Brigid Deloach. Brigid passed out a packet presenting updates on the Resource Center. There is a toll-free phone line managed 5 days a week from 9:00 a.m to 4:00 p.m. Voicemail is provided after hours and call logs are provided monthly. Since the start of the contract in June 2011, they have had 310 callers searching for assistance in numerous areas including the trust fund. There is a printed resource guide with a listing of resources supporting brain & spinal cord injuries and it's also available online at www.biala.org. The Resource Center provides a library with up-to-date material detailing services to help individuals with brain and spinal cord injuries. Expenditures include office expenses (rent, insurance, supplies, etc.), labor and travel. Total expenditures for 2011 were \$43,563 and for 2012 is \$3674. Projected expenditures include costs associated with the website and marketing collateral developments and printing. The Resource Center will be participating in the 5th annual BIALA conference entitled "Finding Your Way Back"; to be held on March 22-23, 2012 in Kenner, LA. Representative Scott Simon is on the agenda to present at this conference. They will also be attending The American Neurology conference on April 21, 2012 to be held in New Orleans, LA and this is a free event.

Financial Report. There have been no updates or changes since the last board meeting for 2011. Previously, Ken Alexander asked for a breakout of the software that will replace the AWARE system. Alicia listed it in the 2012 financial report under Operating Services. The contract for this \$81,000 has just been approved, so the entire amount will not be expended this year.

Program Update. Since the last board meeting, nineteen new cases were opened. Eight cases were closed. We are currently serving 552 individuals. There were 20 new applicants – 10 are spinal cord injury, 8 are head injury and 2 are both spinal & head injuries. On the waiting list there are 307 eligible

applicants that are interested in receiving trust fund services. Individuals that could not be contacted at this time are not included in this number and have been made "inactive" until they are reached. Hugh Eley stated that the DHH staff can work and draft up a policy for making an "inactive" category for those on the waiting list and those who are currently receiving services. Carol suggested that the staff maybe research the state of Georgia and how they addressed their waiting list.

The services that were approved since November 2011 are: medications, medical supplies, auto repairs, wheelchairs and repairs, propane, roho cushions, PCA services, walker, windows, home modifications, mattress, sheets, mattress protector, lasik surgery, dental work, heat massage recliner, home and auto lifts, washer/dryer, batteries, scooter, tires, handcycle attachment to wheelchair, transportation and saebo flex orthosis custom. There were no denials. For the next board meeting, Andrew Kuyoro requested that we find out the trust fund balance of each consumer; and Anne Olivier requested that we obtain from the Case Managers the time lapse since the last purchase that the consumers have made.

Consumer Satisfaction Survey. A draft of the survey was handed out for review. The following suggestions were made: the trust fund address be listed directly on the survey in case the cover page gets separated; the Case Management section be moved to the top and the Program Staff be changed to the third section; add a spot for the consumer to state who their current case manager is; add "and Items/Products" to "Services" under the second section; under the "Services" section where it states "I feel free to complain", add "and results/solutions are offered/made"; add the question, "How can we improve the program?" The survey will be sent out annually to all active trust fund consumers. A "soft" deadline will be given for returning the surveys to our office.

Annual Report. The 2011 Annual Report was handed out. Carol noted that in the report it states that the primary cause of traumatic head & spinal cord injuries are vehicle accidents. Actually, that is the second cause and gunshots are the top cause. This can be corrected on the next report. Carol moved that the 2011 Annual Report be approved as submitted; Yadi seconded and all was in favor.

Legislative Bill. A draft of the House Bill concerning health/head injuries by Representative Scott Simon was passed out and presented by Christine Peck. Christine is an attorney; she serves at DHH as the Governor Relations Director. She noted that where there are asterisks (***) seen in the Bill are staff inserts to show a piece of the Law is being untouched. The changes that will be proposed to the existing Law are underlined or struck through. Christine stated that her role is to know what's going on with the departments and know what programs exist and ensure they are being managed properly. From a legislative front, she has to make sure there is nothing available for vulnerability, including the funds in the program. A weakness that was

recognized is that there are two positions serving on the board of entities that no longer exist and the Bill is proposing that these be removed – the LA Head Injury Foundation and the LA Spinal Cord Injury Association. Also, attendance from the Board of Dentistry has not been active; therefore, the recommendation is to remove them. Some entities were looked at to be added to the board as well. In place of the two entities that don't exist, the LA Physical Therapy or its Designee and the Occupational Therapy Association or its Designee can be added. Also, in place of the Dental Association can be the Director of the LA Rehabilitation Services (LRS), or its Designee, under the LA Workforce Commission. It was discussed that BIALA would be best to continue to attend the meetings and report to the Board, but not serve as a seat on the Board.

Carol had some questions and suggestions that were passed out and discussed. Attached is the handout from Carol. Also attached, is a copy of the amendments to the Bill that Christine made and included everything that was discussed and agreed to during the meeting. She will be sending those to House Health and Welfare staff for final processing.

Public Comment. None.

Adjourn. There was a motion by Andrew and a second by Carol to adjourn the meeting.

**THE DATE OF THE NEXT TH/SCI ADVISORY BOARD MEETING IS
~~May 10, 2012~~ June 14, 2012 and begins at 10:00 a.m. held at PACE,
7436 Bishop Ott Dr., Baton Rouge, LA 70806.**

Respectfully submitted,
Valencia Roberts, Admin. Prog. Spec.

QUESTIONS ON DRAFTED LAW

Page 2 –the department *may* take into account any recommendations of the board.

CHANGE: "The department *shall* take into account any recommendations of the board." would be more meaningful and encouraging to the Board members who are agreeing to serve. *May* raises the doubt that the volunteers' suggestions are going to have any influence whatsoever. This is a seemingly small change but important.

Page 2-(3) Money in the fund may be used to match available federal funding ...

QUESTION: What does this mean? Clarify the impact on our clients' services.

Page 2– E (1)– "the department shall determine the eligibility of **programs** to receive funding."

QUESTION: What *programs* does this refer to?

Page 2--E- (3) "establish priorities and criteria for disbursement of the fund and act to obtain maximum benefits available."

QUESTION: This eliminates the existing system of first come, first served. What happens to people who are already on the waiting list?

Page 2-E.-(6) - "and shall make a full and complete report to the board *annually*."

CHANGE: Substitute *quarterly* for annually.

Page 3- (2) OMIT: The president of the Louisiana Physical Therapy Association of his designee

CHANGE: A representative of an organization recognized for its work in advocacy programs for persons with Traumatic Head Injury.

Page 3 – (3) OMIT: President of the Louisiana Occupational Therapy Association or his designee.

CHANGE: A representative of an organization recognized for its work in advocacy programs for persons with Spinal Cord Injury

Page 3-D – "A majority of the individuals appointed to the board shall constitute a quorum."

CHANGE to "A simple majority of 7 board members shall constitute a quorum."

OR OMIT: If we want this determination to be established by the Rules of Conducting Business (By-laws), then omit the topic of quorum from this legislation entirely.

Page 4 – A.- *including the administrative costs.*

ADDITION/CHANGE: *including the administrative costs attributable to services provided to the Trust Fund Program.*

Par. 2635 Expenditures:

Page 4 – A – "*Source of last resort after private and governmental sources have been expended for Louisiana citizens. "*

ADDITION: *The Department is specifically prohibited from collecting the individual or family private financial information from potential or existing Trust Fund clients.*

Page 4 – B –QUESTION: What is *administrative rule*?

Page 4 - C – . . . "home or vehicle accessibility modifications and equipment necessary for activities of daily living, provided that such expenses are related to the spinal cord injury or traumatic head injury."

CHANGE to read, . . .home accessibility or vehicle modifications, and such equipment or services as to improve activities of daily living and community participation

And OMIT: "provided that such expenses are related to the spinal cord injury or traumatic head injuries."

COMMENTS: We currently have in place, in Rules for Conducting Business 5/02/02 ARTICLE VI Section 9 a Rule that covers ethical problems which might apply to BIALA's membership: "No member of the Board shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under State Law. The Board member should make clear when a potential conflict of interest arises and have the meeting minutes so reflect his//her refusal [sic] from casting votes or otherwise influencing decisions of the Board in such matters. Chapter 15 Code of Governmental Ethics shall bind all matters."

Where does the process of appealing decisions exist?

Law

Policy

Procedures

Rules for Conducting Business

AMENDMENTS TO HB 591 by Rep. Simon

AMENDMENT NO. 1

On page 2, line 2, after “department” change “may” to “shall”

AMENDMENT NO. 2

On page 2, lines 9, after “that” insert “sufficient”

AMENDMENT NO. 3

On page 2, line 25, after board, change “annually” to “quarterly”

AMENDMENT NO. 4

On page 3, line 11, delete “president of the Louisiana Physical Therapy Association or his designee” and insert “A representative of an organization recognized for its work in advocacy programs for persons with traumatic head injury appointed by the governor from a list of names submitted by such advocacy organization.”

AMENDMENT NO. 5

On page 3, line 13, delete “president of the Louisiana Occupational Therapy Association or his designee” and insert “A representative of an organization recognized for its work in advocacy programs for persons with spinal cord injury appointed by the governor from a list of names submitted by such advocacy organization.”

AMENDMENT NO. 6

On page 3, line 24, after “determinations.” delete the remainder of the line

AMENDMENT NO. 7

On page 3, line 25, delete “shall constitute a quorum.”

AMENDMENT NO. 8

On page 4, line 21, after “costs” insert “attributable to services provided to the trust fund program.”

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