

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
APRIL 22, 2010
MEETING

8:30 A.M.

Holiday Inn South
Baton Rouge, Louisiana

1. GREETINGS AND INTRODUCTIONS

- A. Val Hiser, Vice-Chair of the Council welcomed everyone to the meeting. She stated there are forms on the table for anyone who would like to address the Council. Time is allowed at the end of the meeting for people to speak for five minutes each. Ms. Hiser reminded those present that Council Bylaws do not allow for proxy voting; anyone representing a Council member cannot vote on any issue.

B. MEMBERS PRESENT
Susan Berry, OPH
Brandon Burris, GODA
Lynn Cannon
Pranab Choudhury
Mary Elizabeth Christian
Hugh Eley, OAAS
Rocky Fuselier
Reginald Garey
Laura Head
Valerie Hiser
Kathy Kliebert, OCDD
Kay Marcel
Andrew Merlin
Heather Mobley
Chasedee Noto
Nanette Olivier, DOE
Olantha Scott
Lois Simpson, AC
Nicole Soileau
Roseland Starks, LRS

C. MEMBERS ABSENT
Sandra Beech
Donna Breaux
Melissa Fayard
Simone Honore-Chretien
Bambi Polotzola
Phil Wilson, HDC

D. STAFF PRESENT
Shawn Fleming
Paige Freeman
Robbie Gray
Kevin Hill
Derek White
Sandee Winchell

E. GUESTS IN ATTENDANCE
Tara Disandro, BHSF
Matt Estrade, GOEA
Joan Guillory for Phil Wilson, HDC
Kara Shupe, FHFGBR
Justin Ward, guest of Reginald Garey
Kahree Wahid, HSSCO/DSS
Tessie DiFalco, Catholic Charities
Staci Suffrin, BHSF

2. SUMMARY OF JANUARY MEETING

Ms. Hiser entertained a motion to accept the Summary from the January meeting.

Motion passed. Motion to accept summary made by Lynn Cannon. Second by Sue Berry.
Passed without objection.

3. CHAIRPERSON'S REPORT – Val Hiser for Sam Beech

Ms. Hiser stated Sam Beech had a family emergency, preventing her from participating in the meeting.

Ms. Hiser recognized and welcomed Reginald Garey and Nicole Soileau as new members to the Council. Bambi Polotzola has also been appointed to the Council but had a conflict with this meeting. She attended orientation on Wednesday morning.

Ms. Hiser encouraged all Council members to attend the Disability Rights Rally at the Capitol on April 28th. She also encouraged all members to attend House and Senate committee hearings on critical bills.

Instead of counting all votes on every issue, the Council will only take a vote on motions for which a Council member indicates objection or abstention. Also, there will be a Summary of the meetings (not minutes) to condense the information presented.

Ms. Hiser stated that the annual evaluation on Sandee Winchell was postponed until Ms. Beech is available. Ms. Winchell has forgone a pay raise due to the financial situation of the Council.

4. EXECUTIVE DIRECTOR'S REPORT – Sandee Winchell

Ms. Winchell welcomed Mr. Garey and Ms. Soileau to the Council. The Executive Committee conducted a brief orientation on Wednesday for the new members. There will be another abbreviated orientation prior to the July meeting.

The Annual Report was included in the packet. Ms. Winchell recognized Derek White for his work on the Annual Report.

Ms. Winchell reminded Council members of the effectiveness of the Council's advocacy efforts. One legislator stated that the Council and LaCAN are the most effective advocacy groups at the Capitol and another quoted the Council's fact sheet during an Appropriations Committee meeting.

Partners in Policymaking is in need of a speaker for the June class on Parliamentary Procedure.

5. BUDGET REPORT – Shawn Fleming

The March budget report was distributed. Shawn Fleming reported that the Council is on track with expenditures.

6. LEGISLATIVE REPORT – Sandee Winchell

Ms. Winchell reported on the list of bills prepared for the Council to consider its positions and advocacy on issues contained in legislation. She went through the list of bills providing a brief explanation on each one and indicating whether any action has already been taken.

Mr. Fleming spoke on HB405 (Restraint/Seclusion) and laws regarding Corporal Punishment (HB 723 & 1343).

The Council discussed HB216. This bill will develop a pilot project in six parishes to provide for a partial tuition voucher program for parents of children with exceptionalities enrolled in private schools that serve their needs.

Motion passed. Motion to leave HB216 on Level 2 (report out at the end of the session) and the Council position be neutral made by Mary Elizabeth Christian. Second by Lynn Cannon. For – 8. Against – 7. Abstentions: Roseland Starks, Kathy Kliebert, Brandon Burris and Hugh Eley.

The Council discussed HB225, HCR94, and HB865

Motion passed. Motion to add to tracking list HB 225, HCR94 and HB865 as Level 2 with the Council position in support; to add HB1343 in support as Level 1 and change HB1185 position to neutral and adopt the remaining positions on the tracking list made by Nanette Olivier. Second by Mary Elizabeth Christian. Passed without objection. Abstentions – Roseland Starks, Brandon Burris, Kathy Kliebert and Hugh Eley.

7. COMMITTEE REPORTS

COMMITTEE OF THE WHOLE – Val Hiser

The Council met Wednesday as a Committee of the Whole to review and amend the FFY11 plan. Ms. Hiser reviewed the Committee's recommendations for contractual initiatives in the plan. She asked if anyone had any recommended changes to the proposed funding amounts and initiatives.

Motion Passed. Motion to reduce the amount for the Competitive Employment Education Campaign by \$4,355 and increase the amount for the Voluntary Emergency Registry by \$4,355 by Mary Elizabeth Christian. Second by Lynn Cannon. For – 8. Against – 5. Abstentions – Roseland Starks, Olantha Scott, Brandon Burris and Hugh Eley.

Motion Failed. Motion to deduct \$1,000 from other projects to replace the money for continuing the publication of the TriAngle made by Pranab Choudhury. No second.

Motion Passed. Motion to approve budget for contractual objectives with amended changes as shown below by Kay Marcel. Second by Nanette Olivier. Passed without objection. Abstentions – Pranab Choudhury, Reginald Garey, Chasedee Noto and Brandon Burris.

Ongoing Plan Contractual Objectives

Plan Activity	Proposed Funding
Partners in Policymaking	\$ 78,000
People First w/ My Choice	110,000
Stipends (FHF)	40,000
LaCAN	126,000
Rally	9,000
LaTEACH	88,000
TriAngle	6,693
Total Ongoing Contractual Obligations	\$457,693

Limited Time Contractual Objectives

Plan Activity	Proposed Funding
Dis-A-Boom "My Voice"	\$ 7,500
Competitive Employment Education Campaign	\$ 30,000
Employment Consortium Expansion	\$ 68,655
End the Wait Media Campaign	\$ 10,693
Voluntary Emergency Registry	\$ 14,502
Total Limited Time Contractual Obligations	\$131,350

NON-CONTRACTUAL PLAN CHANGES UNDER SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING – Rocky Fuselier

The committee recommended Plan amendments for Objectives 1 through 14 as follows:

Objective 1

Strategy 1.1.1 Removed sentence "Improve the application form and screening process to ensure selection of participants most likely to successfully complete the training program."

Strategy 1.3 Noted as being accomplished.

Objective 2

Strategy 2.1.2 Develop a plan to obtain alternate means of funding for the organization to become self-sustaining within an established timeframe.

Objective 4

Strategy 4.1.2 Develop a plan to phase out hard copy of newsletter by mid FFY2011.

Objective 6 (Added) Waiver recipients and residents of private ICFs/DD will benefit from increased monitoring by independent monitors.

Strategy 6.1 Participate in developing increased independent monitoring for community-based services.

Objective 7

Strategy 7.1 (was Obj. 6) Removed "(e.g. Department of Health and Hospitals' Outcomes and Indicators across Individuals with Developmental Disabilities, Adults with Physical Disabilities, and Older Adults)"

Strategy 7.2 Replace "Advocate for the full implementation of the DSP registry" with "Advocate for a provider report card."

Strategy 12.2 Advocate for a certain percentage for rates for in-home community based services that employs DSPs be required to go to DSP costs. The percentage would be determined after reviewing provider cost reports.

Objective 13

Strategy 13.1 Replace "for the maintenance of a" with "to expand the capabilities of the Facebook page and Disaboom website specific to people with disabilities in Louisiana."

Objective 14

People with disabilities and their families will benefit from more flexible and individualized community supports and services through the Council's participation on various committees and work groups.

NON-CONTRACTUAL PLAN CHANGES UNDER HEALTH/EDUCATION/EMPLOYMENT
– Nanette Olivier

The committee recommended Plan amendments for Objectives 16 through 24 as follows:

Strategy 17.2	Research and advocate for a voluntary registry and data management system that improves first responders' emergency response that provides access to person-specific information.
Objective 18	
Strategy 18.2.3	(was 16.2.3.) Removed
Objective 20	(was Obj. 18)
Strategy 20.1	Noted as being accomplished
Objective 22	
Strategy 22.2	Noted as being accomplished
Strategy 22.6	Provide funding for an education campaign targeting individuals and their family members that emphasizes the benefits of competitive employment.
Objective 23	(was Obj. 21)
Strategy 23.2.1	Advocate for Department of Education to identify LEAs/Schools with success in practices and outcomes of students to study common elements and share with other LEAs.
Strategy 23.2.2	Advocate for Louisiana/OCDD to adopt an Employment First policy with a long range plan for implementation.
Strategy 23.2.3	Advocate for a gradual rate structure change in the waivers to provide incentives for individualized, integrated, competitive employment and disincentives for providing segregated, sheltered day habilitation facilities/services.

Motion Passed. Motion to accept non-contractual changes to the plan recommended by the Committee of the Whole by Mary Elizabeth Christian. Second by Lynn Cannon. Passed without objection.

8. HIGH SCHOOL REDESIGN – Debbie Schum, Executive Director of High School Redesign, Louisiana Department of Education

Ms. Schum provided a presentation on the High School Redesign initiative and the Department's plan to improve graduation rates and other exit outcomes for students.

9. COUNCIL MEMBER REPORTS

A. HUMAN DEVELOPMENT CENTER – Joan Guillory for Phil Wilson

Ms. Guillory described the major activities faculty and staff of the Human Development Center (HDC) completed relative to each of the four core functions the DD Act directs University Centers for Excellence in Developmental Disabilities (UCEDD) programs to address (i.e., Interdisciplinary Training, Research and Evaluation, Community Service, Dissemination).

A discussion followed.

B. ADVOCACY CENTER – Lois Simpson

Ms. Simpson shared information on the various contributions of each agency for the publication of the TriAngle. She said she was not in agreement with the Council's idea to convert the TriAngle to an electronic newsletter. After discussion, it was decided that the joint publication of the TriAngle would be discontinued after readers were given advance notice. Both Ms. Simpson and Ms. Winchell stated that the different goals of the organizations sometimes made it difficult to express positions in the newsletter.

Ms. Simpson also explained that the Advocacy Center staff is far less in number than needed to handle the amount of cases in need of representation statewide.

C. LEGISLATIVE VISITS – Council Members

Kay Marcel met with Senator Mike Michot and Representatives Page Cortez and Nancy Landry. All three legislators support the Governor's proposals for consolidating and closing the Northeast Supports and Services Center. Representative Champagne supports the closure and indicated she received telephone calls from parents stating that employees of the Centers are scaring the parents regarding the closure and consolidation. Representative Taylor Barras supports the reforms and indicated he is referring parents with concerns to the Department of Health and Hospitals (DHH).

Mary Elizabeth Christian met with Representative Foil several times regarding HB216.

Val Hiser met with Senator Edwin Murray who is very supportive of the reforms in DHH. He expressed concerns about parents who want their children to stay in institutional settings.

10. STATE AGENCY REPORTS

A. OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Kathy Kliebert

A target date of April 30th has been set for at least 150 individuals to transition from public to private community homes. Everyone in DHH operated community homes was offered a waiver slot. Twenty-one chose waiver slots and seventy-four chose vacancies in existing community homes. ICF/DD beds have been reduced by 100 since the transition began. Twelve cooperative endeavor agreements with private providers have been completed. These providers are in all areas with the exception of Thibodaux. OCDD is working with two providers in Thibodaux to negotiate for those homes. Columbia Developmental Center will be vacant and transitioned to the Office of Juvenile Justice as of June 30th. The Metropolitan Developmental Center was sold and proceeds of the sale are being transferred into the Community and Family Support Trust Fund.

OCDD received approval to start the transition process of some of the Developmental Centers for next year's budget cuts. Sixteen individuals have already been transitioned from Northeast Supports and Services Center. A full assessment is being done on all individuals and those at the lowest level of needs are being transitioned first. A discussion followed.

B. CHILDRENS' SPECIAL HEALTH SERVICES (CSHS) – Dr. Susan Berry

The Office of Public Health (OPH) has experienced a hiring freeze, unexpected layoffs and an expenditure freeze until the end of the state fiscal year. OPH is able to continue sub-

specialty clinics in all regions. There are two models of care coordination for pediatric medical practices in New Orleans and one each in Kenner and Bogalusa.

CSHS will have the results of the Five Year Needs Assessment Surveys available at the July meeting.

C. GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) – Brandon Burris

Mr. Burris thanked the Council for its support of the Governor's budget.

GODA has a new employee, Jennifer Bolanger, the Statewide Independent Living Council (SILC) Program Coordinator.

Every Thursday GODA hosts a conference call to review bills in the legislature that affect the disability community.

The last Governor's Advisory Council on Disability Affairs (GACDA) meeting focused on the budget. LATAN is not in HB1 so it will not receive funding.

The Foundation Search website is anticipated to start July 1st.

Mark Ford, Director of the Governor's Office of Indian Affairs, obtained a job with the federal government. Janet Mora, Director of the State Inter-Agency Coordinating Council (SICC), retired.

A discussion followed.

D. OFFICE OF AGING AND ADULT SERVICES (OAAS) – Hugh Eley

The new waiver for the elderly and people with adult onset disabilities (EDA) will be submitted in the next few weeks. Mr. Eley will email the FAQ sheets to Sandee Winchell for distribution.

The EDA Waiver is being changed so that people in the waiver will no longer have access to the Long Term/Personal Care Services (LT/PCS) but will have the same and additional services.

Implementation of the Resource Allocation Model is almost complete and is in compliance with Centers for Medicare and Medicaid Services (CMS). OAAS is closely tracking the impact Resource Allocation has on people remaining in the community. There has been no increase, but in fact, a very small decrease in the number of people admitted into nursing homes. Most of the reduction is attributed to companion service in waivers as a result of negotiations with the Advocacy Center.

Money Follows the Person (MFP) is continuing to transition people out of nursing homes. CMS is providing 100% federal funding for MFP efforts.

There is a substantial reduction proposed in the LT/PCS program next year. It is not a rate cut but a reduction in hours for recipients.

A discussion followed.

- E. BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Tara DiSandro
Don Gregory is the acting Medicaid Director.

May 1st is the implementation date for the Residential Options Waiver (ROW) which has been approved by CMS.

The request for reimbursement for Direct Support Workers (DSW) services provided when people are hospitalized was not approved by CMS.
A discussion followed.

- F. LOUISIANA REHABILITATION SERVICES (LRS) - Roseland Starks
LRS has been meeting with the Department of Social Services (DSS), DHH, and the Louisiana Workforce Commission (LWC) preparing for the Agency's transition out of DSS. The four federal programs at LRS are going to the LWC and the four state programs are going to DHH. OAAS will receive the Traumatic Head and Spinal Cord Injury Trust Fund and the PCA program. This transition is expected to be complete by the end of the first quarter of SFY2011. All regional and satellite offices will remain the same.
A discussion followed.

- G. GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Matt Estrade
Dr. Jay Bulot is no longer with GOEA. The executive board anticipates selecting a new Executive Director by July 1st.

GOEA received a grant from the Administration on Aging called the Chronic Disease Self Management Program. This program teaches people to manage a chronic disease through exercise, nutrition, and communication with their physician.

GOEA applied for a "Life Respite" grant to build a data management infrastructure that will locate both private and public respite options throughout the state.

- H. DEPARTMENT OF EDUCATION (DOE) – Nanette Olivier
The Positive Behavior Support (PBS) project is not being funded after June 30th.

Families Helping Families contracts are being reviewed since the DOE is very focused on outcomes down to the student level.

The Race to the Top was awarded to Tennessee and Delaware in the first round. Louisiana is applying for the second round of funding.

A family survey is going out to 22,000 families as a requirement for the Annual Performance Report and State Performance Plan.

Kay Marcel suggested sending a letter to the appropriate person at the DOE regarding the cancellation of the contract regarding PBS. There was not a quorum present for a formal vote to be taken, but a general consensus among present members for a letter to be sent to Superintendent Pastorek expressing the Council's concern over the discontinuation of this project.
A discussion followed.

11. UNFINISHED BUSINESS
None to discuss.
12. NEW BUSINESS
Kay Marcel suggested advocating for the restoration of cuts to community providers. There was a general consensus among present members to add this to the Council's advocacy agenda.
13. ANNOUNCEMENTS
The next quarterly Council meeting will be held on July 21-22, 2010.
14. ADJOURNMENT OF MEETING
Meeting adjourned at 3:45 p.m. with general consensus.