COMMONWEALTH of VIRGINIA

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DBHDS Settlement Agreement Stakeholder Group

DRAFT MEETING MINUTES

January 7, 2013
9:00 am to 12:00 p.m.
House Room 3, State Capitol
Richmond, VA

9:00 a.m. **I. Welcome and Introductions**

a. Brief discussion of Governor's budget items

Jim Stewart, Commissioner, called the meeting to order at 9:01 am and asked members to introduce themselves. Following the introductions, he noted there would be a public comment period during the last 15 minutes of the meeting and indicated a signup sheet was available.

The Commissioner provided a brief overview related to the Governor's budget. The Governor's budget proposal includes $3. 8 million dollars to round out adult crisis programs. This would increase the total budget to $11 million. There is also a proposal for $1.25 million to begin children's crisis for those with ID/DD. There is an item to allow DBHDS to carry forward unused funds related to the Settlement Agreement. In addition, the Governor has put budget language in the DMAS budget for exceptional rates for individuals residing in training centers who are encountering barriers in moving to the community and those in the community who are at imminent risk of institutionalization.

The Commissioner discussed that there is also plan to study the structure of the ID and DD waiver programs and adequacy of the rates.

9:15 a.m. **II. Review Materials Distributed to Families, Dec 2012**

Heidi Dix, Assistant Commissioner for Developmental Services, reviewed information distributed to Families. On Dec 27th there was a letter issued to all individuals and Authorized Representatives related to the discharge process. A template has been provided for stakeholders. The letter explains how we will be working with families, what the discharge process looks like with targeted dates of discharge for some. Individuals and AR's should also have received contact from the Training Center Social Workers and CSB Case Managers related to this information. After Ms. Dix's overview the following question was asked:

- Ms. Michelle Johnson Developmental Services Council representative asked: Have families contacted the department since the letter has gone out?

Ms. Dix responded yes, a few have called and there has been follow up for each call.

9:20 a.m. **III. Review of Independent Reviewer Report**

a. Findings and Recommendations

b. Virginia's Response

Heidi Dix, Assistant Commissioner for Developmental Services provided an overview of the findings and recommendations. At the end of her presentation, the following questions were asked:

- Ms. Michelle Johnson, Developmental Services Council representative asked: Are the Regional Support Teams (RST) replacing the Admission Management Committees (AMC)? Ms. Dix responded no, AMC's will continue, there will be more discussion in the spring related to the admissions process.
- Jack Bruggeman, Family and Authorized Representative asked is there a census/number of individuals in the nursing home placements that will be targeted to move. Ms. Dix stated that the Department is working collaboratively with the Department of Medical Assistance Services (DMAS) to determine an accurate count of the number of individuals with ID/DD, who currently reside in nursing homes.
- Jennifer Fidura asked: What is the composition and role of the RST? Response, we will be posting more information on the DBHDS website regarding the Regional Support Teams. The Teams include TC Social Services Rep, START Director, Medical Representative (from TC), Medical Representative (from community/CSB), ID Director, SC Supervisor, DD Case Management Provider and additional experts. The initial meetings will begin in January and February 2013. Role: To make recommendations to individuals' personal support teams and the Community Integration Manager regarding barriers to living in the most integrated setting appropriate to their needs and choices.

10:00 a.m. **IV. Review of Training Center Discharges, CY2012**

a. Discharge update

b. Independent Reviewer Findings

Jae Benz, Director of Training Center Discharges and Community Integration, provided a detailed update on the Moving Process. At the end of her presentation, the following questions were asked:

- Michelle Johnson asked: Have we started the Family to Family Mentor Program? Ms. Benz replied yes and Dawn T. reported that Betty Vines, Family Resource Consultant is connecting families to families and has developed a group of mentors.
- Dave Wilbur VaACCSES President asked: Did the Independent Reviewer only visit the Residential programs? Jae said they also visited Individual's day activities.
- Regarding Regional Support Teams, has anyone thought about having self advocates on the group? Ms. Benz responded that the plan is to start with core individuals as outlined in the Settlement Agreement and then re-evaluate.
- Jamie Liban Executive Director of The Arc of Virginia stated concern with sites that have 16 and more people.
- Jamie Liban stated a concern related to SEVTC individuals and others moving to ICF's. Ms. Benz stated that the exceptional rates currently proposed in the Governor's budget should help with moving people to waiver homes as a short term solution.
- Jamie Liban asked if we will be implementing individual budgets. Heidi Dix responded that Individual Budgets will be a consideration as we complete the Waiver Study.
- Jamie Liban asked if folks who have moved to homes with more than 5 beds or have multiple homes on a site have been reviewed by a Regional Support Team. Ms. Benz replied that they were reviewed by the Community Integration Manager; RST's will begin operation this month.
- Jack Bruggeman brother and co-guardian of an individual at Northern Virginia Training Center asked how many times AR's will receive education if they choose an ICF. Ms. Benz

responded that this in an individual process. It is the Department's responsibility to ensure the AR and individual are aware of the options out in the community, as well as to encourage families to visit more integrated settings where that offer similar services to those being provided in an ICF/ID setting.

- Jennifer Fidura Virginia Network of Private Providers stated that we need changes to the Exceptional Needs amendment; the wording is difficult, currently the way it is in the budget has a one year limit. Another concern is the use of the term in danger of institutionalization; we need an objective method to determine what that means. We also need a unit of service for nursing to 15 minutes. Heidi Dix responded that there will be clarification and clear definition for the term endangered, immanent risk and barriers through the regulatory process.
- Heidi Lawyer asked what is the long term impact of people moving to community ICF's. Ms. Benz replied that it is the hope, that as we move forward and provide more education and support, families will choose more integrated setting. We will also be looking more closely at individuals living in ICF/ID settings to make sure they are asked about their preferences for more integrated setting at least annually. Just because an individual is currently living in an ICF/ID setting, does not mean that is a permanent home, if the individual desires and will benefit from a more integrated setting. This is not something that has been emphasized in the past.
- Follow up Question: Capital outlay funds, has there been consideration for giving a moratorium on building ICF's. Heidi Dix responded that we have no control over funding of ICF projects beyond the capital bond projects that were established in 2009 by the General Assembly (tied to SEVTC and CVTC).
- It was asked if the new cottages are on same property as the training center. Individual stated that it makes sense that people are picking the one closest to their original home since it is on the same piece of property. The Commissioner stated that we do not believe that approach is the best choice for community integration. We anticipate the census of 75 will drop and people will make choices in the community. He said that 14 additional families have expressed interest in looking at community options and we expect more to do so.

c. SVTC campus changes

Dr. Olivia Garland, Deputy Commissioner for DBHDS, presented a status update of SVTC campus changes related to the physical closure, staffing, quality of service and incidents. At the end of her presentation, the following questions were asked:

- Mr. Bruggeman asked if the sale of land and proceeds will go into the trust fund or budget for community services. The response was, yes, proceeds of land will be placed in a trust fund and specifically set aside for use with the DBHDS population of individuals and will be confirmed by the General Assembly.
- Jamie Liban stated that the ARC would like to ensure that the proceeds go to ID/DD Services System.

10:30 a.m.		**BREAK**
10:45 a.m.	**V.**	**Overview of Quality and Risk Management Activities** **a. Licensing** **b. Case Management** **c. Quality Service Reviews**

d. Data Collection

Kathy Drumwright, Assistant Commissioner for Quality Management and Development, presented an overview of Licensing, the Quality Management Project Teams, Data Collection and Analysis. At the end of her presentation, the following questions were asked:

- Jamie Liban stated that the ARC has done a number of town halls and meetings where they have heard that case managers are not knowledgeable about the agreement. She asked if training planned. Ms. Drumwright stated that we are planning action and follow up training for case managers specific to the agreement and it would be online in February 2013.
- Jennifer Fidura stated that administrative cost and time are sometimes difficult for providers. There is a significant impact on the way providers do business. There is an added burden to the provider and it may not be adding quality services for the individual. The response was that we are sensitive to the impact and need to find a balance for this process and are looking to do that. Ms. Fidura said that this process also has an impact on individuals receiving services.
- Mr. Dave Wilber asked if the providers were involved on the Risk Management Teams? The response from Ms. Drumwright was yes.
- Marisa Loais, self advocate, asked if there is a way to get DOJ information to providers without having to go through the modules. Ms Drumwright said that is part of what we will have to look at. We are trying to post some of the structure being developed. The modules may be hard but we can look at how to do that. We can look at content in terms of basic information. She stated that although it will require a lot of effort, the information would be helpful.

11:15 a.m. **I. Update on Housing Plan Development**

Eric Leabough, Housing Specialist, Office of Community Support Services, presented information related to development of a housing plan, base line data, interagency agreements and education. At the end of his presentation, the following questions were asked:

- One panel member asked if Mr. Leabough could tell her about the data being collected and if it accurately reflects how many people choose to live in independent housing. Mr. Leabough stated that we acknowledge it is tough, so we are basing it on surveys that have already been done in VA and what has occurred in other states. The parent voiced some concern with the process.
- Bradford Hulcher asked, how are you educating persons needing Developmental Disability services and their families and how are we working with DD case managers to help all involved understand what is available? Ms. Dix responded that we are trying to figure that out and are open to suggestions.
- Marisa Loais stated that DMAS' survey is not very helpful to those that do not communicate well in that way. Helen Leonard from DMAS stated that the DMAS survey is a face to face survey. Ms. Loais felt the survey is still not helpful. She suggested it may be helpful to get in touch with advocacy groups to see if they can help out. The Commissioner asked Helen if she would take the information back to DMAS and see if the survey can be adapted. She said she would.
- Ms. Hulcher said she had the opportunity to participate in the survey with her son and the home options were not available, it only asked if the person wanted to live in a group home.
- Another panel member stated that she is a little uneasy about the data being taken from other states. She asked how old the data is. She stated that she is requesting to see the data after it is collected. The response was that we will be presenting the entire plan and all of the data by next meeting.

11:30 a.m. **II. Waiver Study and Evaluation**

Heidi Dix, Assistant Commissioner for Developmental Services provided an overview of the Waiver Study, evaluation and RFP. No questions were asked after her presentation.

11:45 a.m. **III. Public Comment**

Comments limited to 3 minutes.
There was no public comment

IV. Additional Questions/Comments

- Jamie L stated that The Arc is concerned with informed choice and making sure people know there are more choices available for living independently.
- Jamie Liban also stated that The ARc would like to see budget transparency, more of what is included in the budget. The Commissioner responded that we can do that at the next meeting.
- Marisa Loais wants to ensure that stakeholders are involved in the waiver study
- Karen Grizzard, stated that her 62 year old sister has MR. We have moved her to a Group Home. The system worked, the home is not ideal, but it worked. I wanted everyone to hear that it worked.

12:00 p.m. **V. Future Meeting Topics and Next Meeting Date**

DBHDS will notify participants of the next meeting date, it will be some time in April.

After the meeting—DBHDS staff noted the following potential topics for the next meeting:

Review of stakeholder participation Settlement Agreement project teams;
Regional Support Team overview;
General Assembly update;
Housing plan review and update;
Other topics will be added to this agenda as the meeting approaches.

VI. Adjournment

There being no further business, the commissioner thanked everyone for taking time to meet today and adjourned the meeting.

updated 01/7/13