



COMMONWEALTH of VIRGINIA

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COMMISSIONER

DEPARTMENT OF
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DBHDS Settlement Agreement Stakeholder Group

Wednesday, August 13, 2014

1:00 – 4:00 p.m.

Tuckahoe Library
1901 Starling Drive
Henrico, Virginia 23229

MEETING MINUTES

Members Present: Michelle Johnson (Henrico CSB), Peggy Balak (DBHDS), Connie Cochran (DBHDS), Ann Bevan (DMAS), Katherine Olsen (Peer Mentor - Voices of VA), Jamie Liban (ARC), Heidi Lawyer (VBPD), Elizabeth Poe (VNPP), Josie Williams (Commonwealth Catholic Charities), Norma Draper (Family of individual in the community), Karen Grizzard (VACSB), Bradford Hutcher (Autism Society of Central Va), Dave Wilber (vaACCSES), Maureen Hollowell (VACIL) Lisa Moore (Mt. Rogers CSB),

Members Absent: Cathleen Lowery (Family member of Individual in a Training Center), Marisa Loais (Peer Mentor - ARC), TC Bullock (SHRC), Jennifer Acors (RACSB Case Manager), Catherine Harrison (DRS and CIAC), Pat Bennett (Family member of Individual in a Training Center), Vicki Beatty (Family member Of Individual living in the community),

Call To Order: *Connie Cochran, Assistant Commissioner, Developmental Services*

Welcome and Introductions

Dr. Ferguson, Commissioner for the Department of Behavioral Health and Developmental Services (DBHDS)

The Commissioner welcomed the stakeholder group as well as the audience for their attendance. She encouraged members to continue to use the stakeholder meetings as a forum for active participation and healthy discussions around state initiatives as well as a way to express concerns.

Update on the Settlement Agreement

Peggy Balak, Settlement Agreement Executive Advisor

Ms. Balak gave a brief update about the status conference, held on April 28, 2014 with Judge John A. Gibney Jr., United States District Judge, to discuss the DBHDS implementation of the Consent Decree.

Ms. Balak listed the areas in which Judge Gibney was particularly pleased, including 1) the creation of waivers, 2) the creation and implementation of the training center discharge planning process, and 3) the development of a team of

experts within the Commonwealth to ensure compliance with the consent decree. Ms. Balak discussed areas of the consent decree that all parties agree have been more challenging to implement. These areas include 1) developing crisis services for youth, 2) establishing a crisis team capable of responding in two hours, 3) developing sufficient number of integrated day opportunities, 4) prospectively monitoring quality and risks, and 5) creating more housing opportunities, particularly in Northern Virginia.

Ms. Balak shared that the Independent Reviewer's 4th report, now includes a compliance chart. It is posted on the DBHDS' website. The Independent Reviewer's 5th reporting period runs from April 7 – Oct 6 2014 and will include visits, and a review of Serious Incidents, the Quality and Risk Management Systems, Case Management and Licensing, Integrated Day and Crisis Services. Ms. Balak informed stakeholders about several draft plans that are posted on the Developmental Services webpage, and open for public comment.

The group's discussion following the presentation included the waiver design charts and how the Waiver Redesign Committee will address concerns.

Presentation: Integrated Day - Summary of Draft Plan, Response to Draft, Discussion

Heather Norton, Director of DD Operations, DBHDS

Ms. Norton explained a new stakeholder presentation format is being implemented. A DBHDS staff will present information and then a stakeholder, who has received the presentation material in advance, will have an opportunity to respond to the information. Ms. Norton shared information about the *Draft Integrated Day Plan* to include definition, philosophy, plan development, plan structure and implementation.

Tonya Fowler, Executive Director for The Arc of Southside, served as responder and shared a provider perspective about how her agency developed a strategic plan in 2011 to move from providing sheltered workshops to offering opportunities for supported employment and integrated day services.

The group's discussion following the presentation included the timeline for moving individuals off the campus and into their own homes, that the state should have a plan to mentor other providers, clarification about the definition of integrated day versus community integration, as well as ensuring the definition is tied to proper reimbursements, and more timely and wider dissemination of information to encourage stakeholder/public comment.

Budget Updates

Don Darr, Assistant Commissioner, Finance and Administration

Mr. Darr, shared updates to the DOJ Settlement Agreement 10 Year Budget Summary including explanation of the funding sources and expenditures, the basic assumptions used to determine the budget, and how facility savings based on closure projections affect the overall cost of the SA. Expenditures tied to the \$800,000 multi year housing initiative are expected to increase in fiscal year 2016 and 2017. There were not any expenditure tied to the licensing system update last year. Bridge Funding was implemented last fiscal year. Expenditures were incurred but bills were not paid in 2014.

Discussion following the presentation included that the full budget for ID/DD services should be shared to see how savings from training center closures can be redeployed to support individuals in the community, and that there are not sufficient waiver slots in place to prevent/divert institutionalization of those needing waiver funding.

Regional Quality Councils

Dee Kennan, Acting Assistant Commissioner, Quality Management and Development

Ms. Keenan gave updates about the purpose of the regional quality councils as it relates to the DOJ S.A including frequency of meetings, membership, expectations, data sources, accomplishments and next steps.

Discussion following the presentation included that quality management and monitoring in the community is a concern for families who have loved ones moving out of the training centers, and the analyzing of regional data.

Health Support Network - Summary of Draft Plan, Response to Draft, Discussion

Dawn Adams DNP, ANP-BC, CHC - Director of Health Supports, DBHDS

Dr. Adams shared the revised draft plan for the Health Support Network including the history of the plan, the need for community medical supports for individuals with ID/DD and the two-stage plan for implementation.

Ms. Rudolph, Deputy Executive Director for the ARC of Prince William, talked about how she supports individuals with significant medical needs in her community homes and her community day programs. The agency currently runs 13 group homes, 26 apartments/townhouses with shared living, and 3 homes with 24 hour nursing. All homes have access to have 24 hour nursing oversight. Ms. Rudolph shared her model for providing access to various levels of nursing support including access to an acute care nurse, nurses on call, regional nurses, and nursing case managers. She also shared ways she has engaged community medical professionals to provide support to individuals with ID/DD with the oversight of her staff. She mentioned some challenges such as large amounts of paperwork and that the ID/DD waiver does not currently provide reimbursement for dental services for adults.

Public Comment – There was no public comment

Closing Remarks – *Debra Ferguson, Ph.D. – Commissioner*

Commissioner Ferguson, commented that it is important that everyone knows that she considers the DOJ Settlement Agreement as an opportunity to change and transform our system. She is committed to making this a participatory process. Transparency is important, as well as hearing all opinions even those that are different than “our own”. Commissioner Ferguson asked for patience and stated the best ideas are the product of collective, healthy and robust participation.

Future Meeting Topics and Next Meeting Date - *Connie Cochran, Assistant Commissioner, Developmental Services*

The following areas were suggested as potential topics for the next meeting.

- Share data from the Regional Quality meetings
- Updates about the Waiver redesign – including development of a draft emergency protocol to prevent institutionalization based on limited waiver slots.
- VACSB, VaACCESS, The Arc of VA present on their legislative priorities
- SB627- update on decisions made based on SB627 Committee meetings

Suggestions Made:

- Members receive power points in advance
- Continue to hold Stakeholder Meeting at Tuckahoe Library
- Continue to follow format of presenting and having a responder.

Adjournment – Next meeting will be in November