



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Health and Social Services

GOVERNOR'S COUNCIL ON DISABILITIES
& SPECIAL EDUCATION
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RE: Proposed changes to General Relief Assisted Living Home Care regulations

The Governor's Council on Disabilities and Special Education (the "Council") fills a variety of federal and state roles, including serving as the State Council on Developmental Disabilities (SCDD) under the Developmental Disabilities Assistance and Bill of Rights Act. As the state DD Council, the Council with Senior and Disabilities Services (SDS) and other state agencies ensure that people with intellectual and developmental disabilities and their families receive the services and supports that they need, as well as participate in the planning and design of those services. One of the duties of the state DD Council is providing comments on proposed regulations that may have an impact on individuals with intellectual and/or developmental disabilities and their families.

The Council wishes to acknowledge the difficult fiscal situation that the Department of Health and Social Services (DHSS) is facing. Due to across-the-board budget cuts throughout the entire state government, we recognize that your office is tasked with making reductions wherever possible. However, the Council is concerned that the proposed changes to the General Relief (GR) program will adversely affect those who rely on the program for their basic health and safety.

Individuals who utilize the GR program are the most vulnerable people who need frontline support and often require immediate Adult Protective Service (APS) response. Care coordinators have told the Council that the GR application and approval process is already much more lengthy than it used to be. Instead of getting a determination response in 2-3 days for a crisis placement, now the wait is reported to take up to a month before receiving a determination (personal communication, 12/30/15). The GR program is crucial for individuals in crisis and we fear that a waitlist could keep people in unsafe situations.

Additionally, the proposed article to the regulation requires two additional processes that the Council believes will unduly burden the applicant. First, the new process of creating a waitlist includes removing applicants from it if they do not respond within 10 days. This raises a question about how well DHSS will be communicating with vulnerable, and often homeless, people on the waitlist who experience cognitive impairments and mental illness. The Council

recommends an additional provision in the article that instructs DHSS staff who maintain the waitlist to make every possible effort to effectively communicate with applicants before removing them from the waitlist. For example, DHSS staff should ask the individual the best communication method as well as collecting contact information for two back-up persons. If the department cannot reach the individual or the back-up contacts, staff should next contact the agency or institution with which they are associated in order to reach them. Unless communication has been established and confirmation is documented that the individual no longer needs GR placement or has other resources, no one should be removed from the waitlist.

The new article also indicates that if an applicant is on the waitlist for more than 60 days, they are required to re-submit reports, income, and resource information, which increases the paperwork burden for an individual who is already in crisis and least likely to be able to comply. We believe these two new provisions to the regulation will create a more complicated and confusing system in which fewer people are able to receive the placements they need in a timely fashion, if at all. We request that this provision be removed from the new regulation. Instead, DHSS staff should call the individual, agency, or institution to verify that there has not been a change in the applicant's status.

If a waitlist must be maintained for the GR program, the Council supports the proposed three criterion in which DHSS will prioritize draws from the waitlist. We would like to ensure that staff at APS play a pivotal role in maintaining and drawing applicants from the waitlist. However, we also request that additional discharge/transition planning take place to help the individual better integrate back into the community. We hear from many of our stakeholders that transitioning from institutions, especially from hospitals and the Department of Corrections, is often hastily managed and not supportive for individual success. The Council recommends greater case management in the transition from institutions to assisted living through the GR program.

As always, the Councils thanks DHSS for the chance to comment on proposed regulations that will affect the lives of people who experience intellectual and developmental disabilities. Please let us know if you have any questions or concerns.

Sincerely,



Amy Simpson, Chair
Governor's Council on Disabilities
and Special Education



Jeanne Gerhardt-Cyrus, Chair
Developmental Disabilities Committee &
FASD Workgroup