

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

QUARTERLY MEETING MINUTES

Anchorage, Alaska, October 7 - 8, 2015

October 7, 2015

Council Members Present:

Jill Burkert
Anthony Cravalho - telephonic
Art Delaune
David Fleurant
Angelina Fraize
Dean Gates
Jeanne Gerhardt-Cyrus
Heidi Haas - telephonic
Mallory Hamilton
Alexis Henning
Christine King
Lelia (Lucy) Odden
Amy Simpson - Chair

Council Staff:

Patrick Reinhart, Executive Director
Rich Sanders, Planner III
Brittney Howell, Research Analyst III
Christie Reinhardt, Program Coordinator I
Kristin Vandagriff, Program Coordinator II
Lanny Mommsen, Health Program Manager I
Ric Nelson, Program Coordinator I
HalleliYah Yisra'el, Administrative Assistant II
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Wednesday, October 7, 2015

CALL TO ORDER/ROLL CALL – 9:00 a.m.

ANNOUNCEMENTS AND INTRODUCTIONS

Lucy Odden announced the recent passing of her friend, Rosy.

Council members and guests introduced themselves.

APPROVAL OF THE AGENDA

Alexis Henning MOVED to approve the agenda, **SECONDED** by **Lucy Odden**. The motion **PASSED**.

APPROVAL OF THE MINUTES FROM THE MAY AND SEPTEMBER 2015 MEETINGS

Lucy Odden MOVED to approve the May 2015 minutes as presented, **SECONDED** by **Dave Fleurant**. The motion **PASSED**.

Christine King MOVED to approve the September 2015 minutes as presented, **SECONDED** by **Angelina Fraize**. The motion **PASSED**.

CONFLICT OF INTEREST DECLARATIONS

No Council members had conflicts of interest to declare.

COUNCIL MEMBER RESPONSIBILITIES

Chair Simpson reminded Council members of their duty to be respectful when other people are speaking, and to be sure to allow all Council members the opportunity to speak. She also stated that all Council members need to participate in the Council committees because with fewer Council members going forward, active participation will be of vital importance.

Patrick Reinhart also added that as a reminder, Council members should not be having side meetings that are not part of the public record.

DEMOCRATIC RULES OF ORDER

Chair Simpson reviewed a PowerPoint presentation on the Democratic Rules of Order. She summarized by stating that the Democratic Rules of Order were a more appropriate format to use instead of Robert's Rules of Order, because the Council traditionally has conducted themselves along the lines of the Democratic Rules of Order. She encouraged people to read the 27-page booklet contained in their packets.

AMENDED BYLAWS AND POLICY & PROCEDURES MANUAL DISCUSSION

Chair Simpson stated that through the Bylaws Ad Hoc Committee, amendments were made to the bylaws, and the first reading of the proposed amendments was held at the May Council meeting. She reviewed the proposed changes as follows:

- Moved description of the Executive Committee’s member-at-large from page 9 to page 13.
- Included mention of a forthcoming document titled “Policies & Procedures Manual.”
- Clarifies the evaluation process of the executive director on page 14.
- Distinguishes ad hocs from workgroups on pages 16 – 17.

Brittney Howell stated that the Council members were e-mailed the bylaws revisions as well as the Policy & Procedures Manual. **Patrick Reinhart** noted that several details of the bylaws were also put into the Policies & Procedures Manual because they didn’t necessarily belong in the bylaws. **Brittney Howell** further explained that right now there are two manuals, one for staff and one for Council members. The Council member Policy & Procedure Manual will go through the Executive Committee for edits or revisions.

Dave Fleurant asked if this reading of the bylaws revisions constituted a second reading of the bylaws to be able to then vote on the changes. The general consensus by the Council was that this constituted the second reading, and **Patrick Reinhart** noted that the bylaws revisions were also distributed to Council members for review 30 days prior to this meeting.

Lucy Odden MOVED to approve the bylaws as written, **SECONDED** by **Angelina Fraize**.

Upon further discussion, **Dave Fleurant** noted that bylaws must be voted on by two-thirds of the Council members, and he wanted to ensure that two-thirds of the voting members were present to vote. After a recount of Council members present at the time of this motion, it was determined that two-thirds were not present, and the vote was tabled.

EARLY INTERVENTION COMMITTEE (EIC) REPORT

Angelina Fraize gave the report for the Early Intervention Committee as follows:

Interagency Coordinating Council (ICC)

- Multidisciplinary stakeholder group to encourage coordination of services and to advise and assist the Early Intervention/Infant Learning Program.
- The Council is the ICC, and the EIC does the work.
- Advocate for a minimum of five new or amended state or public programs, policies, or practices per year that improve quality early intervention.

Accomplishments Since June

- Presentation from the Infant Learning Program on the Seven Key Principles for Providing Early Intervention Services in Natural Environments.
- Update on new policies from the Alaska IN! childcare assistance program.

- Staff, an EIC parent, and members from the State ILP program participated in a cross-state collaborative conference on the creation of a five-year plan to improve the social and emotional outcomes of infants and toddlers.

Challenges

- The Early Intervention/Infant Learning Program is exploring options around moving from the Office of Children’s Services to another department. The ICC is very involved in a collaborative exploration of options.

Christie Reinhardt elaborated on the Alaska IN! childcare assistance program by stating that the program had not been very well administered in the past, and as it has now moved into a State department, everyone involved has been very cautious in making sure all the systems are in place for a smooth rollout for parents and child care providers who want to access the program.

AUTISM AD HOC COMMITTEE REPORT

Jill Burkert, co-chair of the Autism Ad Hoc Committee, stated that their most recent meeting was yesterday, and the participants are a very dynamic group of people. The purpose of this workgroup is to develop a shared plan to optimize available talent and resources to make positive and lasting improvements to the autism continuum of care in Alaska. The long-term vision and long-term goal is a service delivery system that includes autism-specific service coordination and braided service delivery to meet the needs of individuals who experience autism and their families across the life span. The following five priorities have been developed for the committee as follows:

Priority Area 1 - Screening and Diagnosis

- Improve the number of kids screened, referred, and evaluated by a diagnostic team.
- Collect accurate data on the age of child at diagnosis, the time between referral and diagnosis, and the cost of screening.

Priority Area 2 – Workforce Development and Training for Professionals, Educators, Families, and Community Partners

- Increase the number of licensed Behavior Analysts (BCBA) and Behavior Techs (RBTs).
- Increase the number of health care providers and teachers who receive autism training.
- Increase the number of school psychologists and Infant Learning Programs who receive training in autism screening.

Priority Area 3 – Early Intervention and Educational Systems (Age 0 – 22)

- Increase the number of schools that have behavioral interventionists or consultants.
- Increase graduation rates.
- Increase school performance.

Priority Area 4 – Integrated and Comprehensive Systems

- Explore creating an Autism Center, an infrastructure for centralized, person-centered, and collaborative autism workforce development, training, research, screening, diagnosis, and support for professionals and families.

- Accurate data on family need to drive targets.
- Increase training with first responders.
- Increase use of Physician’s Health Line.

Priority Area 5 – Funding, Billing, and Systems Issues

- 100 percent coverage of autism interventions by public and private insurers.
- Increase the number of school districts and Infant Learning Programs effectively billing Medicaid for autism interventions.

Christie Reinhardt explained that each one of these priorities is a separate workgroup under the Autism Ad Hoc Committee, and each workgroup has a lead to organize the efforts. Each workgroup will have two-year work plans initially.

EDUCATION COMMITTEE REPORT

Chair Simpson stated that **Margaret Kossler** had to step down as chair of the Education Committee, so she has become the acting chair while they work to fill that seat.

Chair Simpson stated that the State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state of Alaska.

Christie Reinhardt stated that the Council is the Special Education Advisory Panel (SEAP) and delegates the day-to-day business of the SEAP to the Education Committee. The members are educators, administrators, and agency representatives involved in the special education system. The majority must be parents. The Council also governs the Special Education Service Agency (SESA).

Accomplishments Since June

- Presentation by Department of Education and Early Development (DEED) and review of the Part B State Performance Plan (SSP)/Annual Performance Report (APR). This is the State’s annual report to the Office of Special Education Programs (OSEP), and is a required part of the duties as the SEAP.

Stakeholder Input

- Gathered a group of stakeholders who met with Karen McCarthy, Senator Murkowski’s long-time legislative aide, for a meet and greet and open discussion on federal and state education issues.

Comments

- Organized stakeholders and made comments to the State Board of Education on the need for a definition of what a physician is in Alaska school regulations.
- Did the same for a draft regulation on who can diagnose FASD.

Patrick Pillai updated the Council members on the SESA board membership. He stated that they are currently in need of five Council members to serve on the SESA board. Per the bylaws, five

to seven members of the SESA board must come from the Governor's Council.

Patrick stated that SESA was created in 1986 by the legislature for three specific reasons: Outreach services to students with low incidence disabilities, instructional support and training to school district special education personnel, and the third is the category of "other" under which they operate a number of state and federal grants. He stated that SESA has a rural emphasis, because most of the urban schools have their own specialists for services.

Patrick Pillai stated that SESA's mission is to provide consultation and training to support the unique educational needs of individuals and the Alaskan communities that serve them. Their services are primarily comprised of technical assistance in autism, deaf and hard of hearing, emotional disabilities, vision impairment, and multiple disabilities. They provide a number of in-service trainings to staff throughout the course of the year, and they do curriculum modification and adaptation as well as run a learning library.

Patrick explained the responsibilities of the board members and what SESA has to offer them, and he asked Council members to consider serving on the board.

ASPEN AND HEALTH & DISABILITY PROGRAM REPORT

Lanny Mommsen stated that the Alaska Safety Planning Empowerment Network (ASPEN) is a statewide partnership invested in helping Alaska community providers serve the needs of people with disabilities who are victims of domestic violence, sexual assault, or stalking. Each year they select a new Alaskan community to implement the ASPEN project. They do a needs assessment with the community partners and develop and implement a community-wide strategic plan to include services for survivors with disabilities.

Lanny Mommsen stated that the statewide partners are Center for Human Development, Alaska Network on Domestic Violence and Sexual Assault, Statewide Independent Living Center, and Alaska Mental Health Board/Advisory Board on Alcoholism and Drug Abuse. In addition to the statewide partners, they have partners in their focus community as well, such as the developmental disabilities agency, domestic violence/sexual assault shelter, Independent Living Center, tribal organization, and the mental/behavioral health agency.

Activities Since May – FY15 Community

- Strategic plan was implemented.
- "In Her Shoes" training was completed.
- ASPEN satisfaction survey completed.
- All contracts closed out.

Activities Since May – FY16 Community

- Trip to FY16 community and ASPEN presentation.
- Obtained commitment from agencies.
- Received Alaska area IRB approval.

Upcoming Activities

- Tribal review.
- Contracts to be sent out.
- Needs assessment – policy and procedure review, focus groups, key informant interviews.

Health and Disability Program

Lanny Mommsen stated that the steering committee is comprised of herself, Amanda Cooper, and Rain Van Den Berg. They have an extensive list of multiple partners as a part of this program including, but not limited to, Hope Discover Health, the Governor’s Council, Red Cross, Special Olympics, and the Statewide Independent Living Council.

Successes

- Community spotlight on Alaska Health and Disability Program and the Adaptive Physical Activity Program by the National Center on Health, Physical Activity, and Disability.
- The Alaska Health and Disability Program received an “I Can Do It” Community Inclusion Award from the Hope Discovery Center.
- Alaska Health and Disability Program was represented in Finland at the National Congress on Circumpolar Health.

Activities Since May

- Presentations and trainings: Emergency preparedness, nutrition and healthy eating, mental health, and diabetes.
- Conferences and fairs: Senior Center Fall Prevention Fair, FASD Awareness Day, ADA event tent at the Palmer State Fair, Emergency Preparedness Expo in Fairbanks.

FY16 Top Projects

- Adaptive Physical Activity Program going out to three or four more communities this year.
- Friendship and Dating.
- Health Matters.
- Special Olympics.
- Statewide Independent Living Council – emergency preparedness workshop.
- Get Out and Play sponsorship.

DEVELOPMENTAL DISABILITIES (DD) COMMITTEE REPORT

Jeanne Gerhardt-Cyrus gave the presentation for the DD Committee as follows:

FY15 Accomplishments

- Monthly updates from Alaska Housing Finance Corporation (AHFC) regarding housing for people with disabilities.
- Published “Housing Barriers for People with Intellectual and Developmental Disabilities

2015” report.

- Submitted Council comment on AHFC’s Consolidated Housing and Community Development Plan.
- Submitted Council comment on new DD determination policies from Senior and Disability Services (SDS)
- Staff worked with the research team at the Center for Human Development on a National Institutes of Health grant proposal.
- Provided input on Medicaid Ad Hoc Committee’s letter regarding reductions in the Developmental Disabilities Registration and Review (DDRR) waitlist draws.
- Staff and committee members facilitated community forums for Five-Year State Plan in Sitka, Ketchikan, Fairbanks, Soldotna, and Cordova.
- Staff and committee members planning community forums for Five-Year State Plan in Anchorage, Kotzebue, Bethel, Homer, Kodiak, Palmer, and Eagle River.

FY15 Ongoing Work Activities

- Provide comment on SDS policy and regulation changes.
- Provide comment on AHFC plans and programs for people with disabilities.
- With the Medicaid Ad Hoc Committee, provide input on Council comment regarding Centers for Medicare and Medicaid Services (CMS) guidelines, final rules, and other Medicaid changes.
- Advocate for a living wage for Direct Service Providers (DSPs).

FASD WORKGROUP

Jeanne Gerhardt-Cyrus gave the report for the FASD Workgroup as follows:

FY15 Accomplishments

- Created mission statement: The Alaska Governor’s Council Workgroup on FASD, in collaboration with stakeholders and partner agencies, advocates for a comprehensive service delivery system so that individuals and their families impacted by prenatal alcohol exposure and Fetal Alcohol Spectrum Disorders have access to effective early interventions and lifelong supports.
- Participated in monthly FASD Statewide Partnership steering committee meetings.
- Had guest speakers from SDS and the Alaska Native Tribal Health Consortium.
- Evaluation of Volunteers of America FAScinating Families Camp, 2015.
- Organized Anchorage FASD Awareness Day event.

FY15 Ongoing Work Activities

- Definition of physician in Department of Education regulations so that advanced nurse practitioners can diagnose FASD on Individualized Education Plans (IEPs) with the Education Committee.
- Review Medicaid changes to 1915(i) and (k) in order to expand DD eligibility to individuals with FASD.

MEDICAID REFORM AD HOC COMMITTEE

Dean Gates gave the report from the Medicaid Reform Ad Hoc Committee as follows:

FY15 Accomplishments:

- Started meeting more regularly.
- Submitted Council comment on changes to the waiver performance measures.
- Submitted Council comment on SDS's proposed reductions in DDRR draws from 200 to 50 per year.

FY15 Ongoing Work Activities:

- Crafting Council comment on SDS's revised transition plan on settings, which was rejected by CMS, from March 2014 final rule.
- Members participating in SDS's Implementation Council to design the system change from 1915(c) to 1915(i) and (k).
- Will write Council comment, with input from the DD Committee, on SDS's conflict-free case management system and other waiver renewal changes (due to CMS on April 20, 2016).

EMPLOYMENT AND TRANSPORTATION COMMITTEE REPORT

Lucy Odden and Kristin Vandagriff gave the report for the Employment and Transportation Committee as follows:

Work Plan Progress – Employment:

- **5.1.1 Oversee implementation of the Employment First Act.** Alaska Association of People Supporting Employment First (APSE) chapter has been fully chartered. **Lucy Odden** received the national award for personal achievement at the national APSE conference. Department champions from the departments as identified in the Employment First Act will be getting together this fall and meeting to develop a common progress measurement tool as well as look at a unified state plan. Also put forward data recommendation letters to these three departments, the Department of Social Services, Department of Labor and Workforce Development, and the Department of Education and Early Development. Wrote an additional letter that was a joint recommendation to the Trust and SDS with respect to a twice-yearly point-in-time survey to collect data from SDS.
- **5.1.2 Increase employment of youth with disabilities in transition from school to adult life.** Continue to support Project SEARCH in Alaska as well as many other projects around transition. Discovery class pilot project work continues, in collaboration with the Education Committee, with potential pilot sites in Anchorage, Fairbanks, Nome, and Palmer. Also looking to hold a transition fair in the winter of 2016.
- **5.1.3 Work with the CHD, the Trust, and other partners to increase provider capacity for employment services and supports.** Continue to offer the financial work incentive navigator training, are working towards the Discovery class pilot, and have

been working at bringing the certificate in employment services training to Alaska.

- **5.1.4 Advocate for changes in the State's I/DD Home and Community-Based Services (HCBS) and Medicaid around supported employment services.** Put forth comments to SDS as well as put forth data recommendations to establish a data baseline.
- **5.1.5 Increase the use of the Provisional Hire Program.** Continue to work with DVR in ways to improve their individual hire programs as well as ways to enhance state hiring manager awareness of the program. Will also be looking to work with the Business Employment Services Team to do employer outreach efforts.
- **5.1.6 Work with partners to develop and implement a plan to double the number of individuals with intellectual and developmental disabilities who are employed by 2016.** Working collaboratively with the Trust to start the development of a Disability Benefits 101 Alaska calculator. Continuing to partner with the Trust to send individuals to CWIC training. Also providing a variety of other employment resources and disseminating trainings widely as well as continuing to support Peer Power and the employment initiative.
- **5.1.7 Increase opportunities for individuals with disabilities to become self-employed using the Microenterprise program.** Continue to support and work to grow the Trust Microenterprise program working specifically to increase the awareness among the DD community.

Work Plan Progress – Transportation:

- **4.1.1 Monitor transportation changes in Medicaid and waiver regulations/policies.** Continue to work with the Alaska Mobility Coalition to monitor changes and ensure that any Council comments available include recommendations around ways to improve transportation for individuals with disabilities. Also have begun planning for transportation conversation with panels of transportation-related entities.
- **4.1.2 Advocate for accessible taxi options in communities around the state.** Continuing to work the Alaska Mobility Coalition regarding this issue statewide.
- **4.1.3 Provide technical assistance to help communities establish coordinated accessible transportation options.** Continue to participate in the Alaska Mobility Coalition efforts as well as Anchorage Transit Advisory Board meetings. Recently advocated for Trust funds for the Alaska Mobility Coalition. Also participate in the Community Transportation Advisory Board.

Upcoming Activities:

- Employment First implementation.
- October is National Disability Employment Awareness Month.
- Business Employment Services Team (BEST) employer events – February job fair and federal contractor training.

- Alaska Integrated Employment Initiative (AIEI) advisory meeting.
- Peer Employment Conference.
- Discovery teacher training – Discovery class pilots.
- Certificate in employment services training.
- Project SEARCH expansion.
- Financial Work Incentive Navigator training.
- Disability Benefits 101 Alaska calculator.
- Transition Handbook.
- Transition Fair – winter 2016.
- Transportation community conversation/panel.
- Alaska ABLE Act advocacy – HB 188.

PEER POWER AND KEY COALITION REPORTS

Ric Nelson gave the reports for Peer Power and the Key Coalition as follows:

Peer Power Updates Since May 2015:

- Need a representative on the board from the Southwest region.
- Equal Partners Interstate Congress (EPIC) conference in Seattle in May.
- Plan how to use the EPIC grant to reach rural communities.
- Selected the new administrator for EPIC, Chad Niewendorp.
- Transferred money from People First of Homer to the Peer Power bank account.
- Filed 2014 taxes.
- Working on setting up a job club with Stone Soup Group and other partner agencies.

Key Coalition Updates:

- Met on September 11, 2015 for the board of directors meeting.
- Talked about the reduction of wait list draws.
- Elected new officers.
- Chose the priorities for Key Campaign XXIX.
- Talked about cost savings for Medicaid.
- Set dates for Key Campaign, February 18 – 19, after the Alaska Association on Developmental Disabilities meeting on February 17.

LEGISLATIVE COMMITTEE REPORT

Art Delaune began his report for the Legislative Committee by stating that the committee hasn't met yet because there hasn't been much to do until they get closer to the legislative session.

Art Delaune highlighted bills from the last session as follows:

- HB 161 passed dealing with medical equipment reuse, but there hasn't been any activity on it yet.
- HB 76 removes the word "gifted" from the Council's enabling statute. It passed the House and will be referred to committee when the session starts.

He then gave the report for the Legislative Committee by highlighting bills of interest to the Council as follows:

HB 27 – Child Protection and Opportunity Act

- Reduce the amount of time foster children wait for a permanent home.
- Increase the number of foster parents.
- Improve collaboration with Alaska Native communities.
- Ensure that relative placements are prioritized.

HB 28 – Foster Youth to Success

- Office of Children’s Services encourages independent living by providing programs like education, housing, job training, and counseling.
- Not enough staff to man the program.
- Youth leaving foster care have a 20 percent chance of being homeless and a 24 percent chance of incarceration.

HB 77 – Disability Training and Identification

- Training for all officers, State Troopers, and the public statewide.
- Voluntary discrete marker identification system.
- Language will be added to the DMV handbook.

HB 154 – Civil Legal Services Funding

- Safeguards low-income Alaskans’ access to the civil justice system.
- Appropriate up to 25 percent of filing fees paid to the Alaska Court System for civil legal services.

HB 89 – Civics Exam

- Act relating to civics examinations and secondary school graduation requirements.
- Requires high school students to take a 100-question test, answering 60 correctly.
- Does not indicate how to administer the test.
- Council not currently in support of this legislation.

HB 102 – Educational Services in Institutional Settings

- Provides funding of educational services for students in residential psychiatric treatment centers.
- The goal of this bill is to allow children to fulfill their potential.
- There are many issues related to this bill that the Council will be monitoring.

HB 188 – ABLE Act

- Relating to financial accounts for persons with disabilities who want to save money.
- The Alaska savings program for eligible individuals is created in the department.

SB 104 – Persons with Disability Savings Account (ABLE Act)

- Shall implement and administer the program under this chapter and as required by the

federal authorizing law.

- To be eligible, must establish residency, must be considered disabled, and be receiving benefits.

HB 99 – Voluntary Termination of Life

- Allows terminally ill patients to ease their suffering and hasten an inevitable and certain death.
- This bill preserves dignity and a person's right to live and die on their own terms according to their own desires and beliefs.
- Council will be monitoring progress of this bill closely.

Patrick Reinhart added that in addition to these bills, the Council will also be closely following the Medicaid reform activities as well as the financial cuts to Medicaid that the legislature mandated.

Brittney Howell mentioned an AARP representative that presented to the DD Committee stating that there is a piece of legislation relating to hospital nurses and personnel training family members on how to use medical equipment in the home when people are released. **Art Delaune** stated that he will research that and try to figure it out.

Council members also engaged in a discussion regarding past legislation that passed that dealt with FASD as a mitigating factor in sentencing, noting that not much progress has been made with the implementation of that legislation.

CHAIR'S REPORT

Chair Simpson gave the Chair's Report as follows:

Since May:

- Confirmed committee chairs and convened the Executive Committee.
- Participated in the Trust budget presentation.
- Attended the NACDD face-to-face meeting in Reno.
- Working to establish a process to evaluate the executive director.
- Reviewed regulations and provided comments on the SDS waiver cuts and transition plan.
- Preparing for the creation of the Five-Year State Plan.

What's Next:

- Council staff is working to gather information and feedback for the content of the Five-Year State Plan.
- Executive Committee will complete executive director annual performance evaluation.
- Committees are looking for members. If a Council member is not currently on a committee, contact the chairs of the committees.
- The Council will not be getting as many appointments as in prior years. The Council will function with the membership they have now, 18, and should expect approximately five new appointments soon. This means that Council members may need to participate on

more than one committee.

Chair Simpson commended the Council staff on hiring **Ric Nelson** through the Provisional Hire Program.

UPDATE ON MEDICAID EXPANSION AND REDESIGN

Chris Ashenbrenner, the Medicaid Expansion Program coordinator for the Department of Health and Social Services, stated that Medicaid expansion happened on September 1st with the appreciated support of many people and organizations in Alaska. They asked providers and advocacy groups to do a soft start on expansion so as not to overwhelm the system. They wanted to get people in the door who really needed the services right away, and they are looking towards increased enrollment with the open enrollment coming up with the Affordable Care Act through Healthcare.gov. She stated that the expansion enrollment has been successful with just under 2,000 people enrolled right now. The first people they enrolled were people who were already on the Chronic and Acute Medical Assistance (CAMA) program. The next group of people who were enrolled was on interim assistance, and the remaining were regular people. They also saw their Medicaid applications increase by about 15 percent in September.

Chris Ashenbrenner stated that another exciting development with this is that people can apply for Medicaid online through the state system as well as through Healthcare.gov.

Monique Martine, a health care policy advisor in the Office of the Commissioner at DHSS, introduced herself and stated she has been working a lot with Chris Ashenbrenner on Medicaid expansion. She stated that one of the things they have been working toward is if someone goes online to Healthcare.gov and enters their information, if they are determined eligible for Medicaid in Alaska, starting November 1st, they will be automatically enrolled in Alaska's Medicaid program.

Monique Martin touched on the legislature's lawsuit against Governor Walker for administratively expanding Medicaid. The court case continues, but until such time as the courts tell the Department to stop, they will continue with enrolling people in expanded Medicaid.

Monique stated that there is also the need for reform, and they are working on it every day because it's really important for the Medicaid program given the current budget situation. They have a couple of different reform contracts out designed to look for ways to save the State money without impacting the Alaskans on the other end of those dollars. One contract they have is looking into the 1915(i) and (k) State Plan Options, which will afford significant savings to the State general funds. The other contract is with Myers & Stauffer looking at increased revenue via a provider tax on institutions such as hospitals and nursing homes. She also suggested the Council invite someone from the Office of Rate Review to present to the group on the provider tax for further information. Another reform contract they have is the Medicaid Redesign and Expansion Technical Assistance contract. Monique stated that she will forward some of the care model sheets to **Patrick Reinhart** for him to forward to interested Council members if they are interested in any more information about the different care models that are being considered with Medicaid reform.

Monique Martin suggested Council members visit the DHSS website and click on the Healthy Alaska Plan to review all of the Medicaid redesign and reform efforts. She also stated that people can view the various webinars from stakeholder and partner meetings on the website as well. She also stated that if anyone has comments or suggestions or would like further information, they can contact the group at Medicaid.redesign@alaska.gov.

UPDATE FROM SENIOR AND DISABILITY SERVICES

Duane Mayes stated that the areas he plans to highlight include the Medicaid reform efforts, conflict-free care coordination, the potential Infant Learning Program move, and the Developmental Disability Registration and Review (DDRR).

Medicaid Reform

Duane Mayes stated that they just signed a contract with Health Management Associates to delve into the State adopting the 1915(i) and (k) State Plan Options. He stated that with the 1915(i), the State could draw down an additional six percent federal match, and they will be able to get some federal dollars with the 1915(k) as well. The first thing they will be doing with this contract is forming a Community First Choice Council otherwise known as the Development and Implementation Council. The council needs to consist of recipients of services or family members of recipients of service. Any providers on this council will only be called upon as advisors. The Council will have its first meeting October 28th. The makeup of the council will be 11 voting members consisting of three individuals who are recipients or family members representing developmental disabilities, three individuals representing severe mental illness, three seniors with experience of dementia or Alzheimer's disease and related dementia, and two with traumatic brain injury.

Duane Mayes stated that with the introduction of the (i) and (k), there have been some concerns that the 1915(c) is going to go away. He stated that he doesn't see that waiver going away because there are certain services in the (c) waiver that cannot be covered through the (k) option.

Conflict-free Care Coordination

Duane Mayes stated that the challenge with conflict-free care coordination has been rural Alaska, and they are already seeing unintended consequences. He stated that even though they haven't come out with the design of the new system yet, they are already seeing rural providers who provide care coordination services dropping their direct service provision to become care coordination agencies.

Duane stated that SDS is going to craft a rural service definition by using the U.S. Census Bureau information that will indicate that the areas of the state that must be conflict free will be Fairbanks, Anchorage, Juneau, and Mat-Su, and then they are going to try to pitch the idea of a rural exception to CMS again.

Infant Learning Program

Duane Mayes stated that the Office of Children's Services scheduled a meeting to discuss that they were thinking that the Infant Learning Program should move elsewhere because OCS's primary focus is child protective services. He stated that they have been having discussions, but they will first have a very robust discussion with the Interagency Coordinating Council and the Alaska Infant Learning Program Association before any decisions are made. He wanted to dispel any rumors that the program is moving or that there are any cuts happening to the program, because this concept is currently only in the discussion phase.

Developmental Disabilities Registration and Review (DDRR)

Duane Mayes stated that with the implementation of the DDRR, they have been able to draw 200 people off the waitlist for services each year, and they have also seen significant increases in the cost of the I/DD waiver in the five years he's been with the Division. In fact, the cost of this waiver went from \$145 million to \$168 million last fiscal year, which is 16 percent growth. He stated that they need to slow the program down and take a look at why the costs have increased so dramatically in that waiver program. He speculated that two of the reasons the costs have increased are due to the number of people being served as well as the generous plans that have been generated. He noted that the top ten most expensive plans in the state start at \$273,000 and go up to \$361,000 per year. He also noted that the yearly average cost per plan is \$85,000, and the average costs for an ICF/DD in the Lower 48 is \$209,000.

Duane stated that SDS did not target this program for a cut. Last year they laid off 24 people within the Division, cut the senior grants, cut the general relief program, and cut the personal care attendant program \$5 million. At the end of the legislative session, they were then asked to actualize an additional \$4.4 million cut, so they proposed reducing the DDRR from 200 to 50 draws per year, but even by doing that, the program will still see an increase. He stated that they will need to closely look at their services to figure out why these costs are going up. They are going to examine all the costs that exist within the plans of care and do an analysis.

Duane Mayes then addressed the work that the Division has done in the area of fraud, and he stated that in terms of cost avoidance, they have probably seen a \$30 to \$40 million dollar cost savings through the fraud work they've done. He stated that he will continue to focus efforts towards quality control.

RECESS

The meeting recessed at 4:45 p.m.

PUBLIC TESTIMONY

Public testimony was heard, and a full transcript was prepared.

**GOVERNOR'S COUNCIL ON DISABILITIES
AND SPECIAL EDUCATION**

QUARTERLY MEETING MINUTES

Anchorage, Alaska, October 7 - 8, 2015

October 8, 2015

Council Members Present:

Jill Burkert
Anthony Cravalho - telephonic
Art Delaune
David Fleurant
Angelina Fraize
Dean Gates
Jeanne Gerhardt-Cyrus
Heidi Haas - telephonic
Mallory Hamilton
Alexis Henning
Christine King
Lelia (Lucy) Odden
Amy Simpson - Chair

Council Staff:

Patrick Reinhart, Executive Director
Rich Sanders, Planner III
Brittney Howell, Research Analyst III
Christie Reinhardt, Program Coordinator I
Kristin Vandagriff, Program Coordinator II
Lanny Mommsen, Health Program Manager I
Ric Nelson, Program Coordinator I
HalleliYah Yisra'el, Administrative Assistant II
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

Thursday, October 8, 2015

CALL TO ORDER/ROLL CALL – 8:30 a.m.

APPROVE POLICIES & PROCEDURES MANUAL

Dean Gates MOVED to approve the Policies & Procedures Manual, **SECONDED** by **Lucy Odden**. Hearing no objection, the motion **PASSED**.

ANNOUNCEMENTS

Patrick Reinhart announced that on Monday, October 12th at the Wendy Williamson Auditorium, Bonner Paddock will be doing a free lecture.

Lucy Odden announced that next Saturday, The Arc is having their annual pancake feed from 11:00 to 1:00.

Jeanne Gerhardt-Cyrus stated that she was hoping a woman was going to show up for public testimony last night to share her story, but she didn't. Apparently the woman was having a very hard time getting her child on a CCMC waiver even though they had been approved in the past. The reason she had been given for the delay was that it was because SDS was trying to not put people on the I/DD waiver but instead put them on the CCMC waiver.

EXECUTIVE DIRECTOR'S REPORT

After announcing that this is his one-year anniversary in this position, **Patrick Reinhardt** gave the executive director's report as follows:

Staff Updates/Changes:

- Tragic loss of colleague, Marilee Rivas.
- **Kristin Vandagriff** promoted to program coordinator II and is the lead for all Council employment efforts. Also participated in National Leadership Consortium in DD training.
- **Ric Nelson** hired as program coordinator I and is assisting **Kristin** in employment, Peer Power, and legislative advocacy because there is no intern.
- **Rich Sanders** on long-term leave and will be back October 12th.
- **HalleliYah Yisra'el** hired as new admin II.
- Good-bye to Tracy Golly as Peer Power advisor.

Council Reports, Surveys, etc.:

- Published the GCDSE Housing Barriers Report.
- Revised Certificate of Employment Services Training with CHD and started in Alaska.
- Assisted SDS with conflict-free case management survey of providers.
- Wrote and submitted Council comment on SDS's waiver performance measures, changes in DD determination policies, and proposed waitlist draw reductions.
- Created Council Policies & Procedures Manual.

- Wrote and submitted Council comments on AHFC Consolidated Housing and Development Plan.
- Submitted statement of intent documents for Trust grants.
- Prepared materials on the Council for Commissioner Davidson.
- Bylaws Workgroup report.
- DEED/FASD – Wrote definition and comments regarding definition of a physician.
- Trust report for August meeting including capital requests.
- Provided input on SDS's RFP for Medicaid 1915(i) and (k) plan contractor.
- Provided final comments to Senator Murkowski and Senator Sullivan on the Elementary and Secondary Education Act reauthorization.
- Worked on curriculum of Discovery class pilot in collaboration with CHD, DVR, and ASD.
- Comments to the State Board of Education regarding proposed change in definition of physician.
- Prepared, submitted, and got approved Alaska APSE chapter paperwork as a fully chartered chapter.
- Began work on Transition Handbook.
- Added Department of Education and Early Development transition services narrative to employment matrix document.

Council Training and Presentations:

- Emergency preparedness presentations at Hope and Senior Center.
- AIEI grant meeting, July 28 – 30, Alexandria, VA.
- Nutrition and Healthy Eating, Hope.
- Trust meeting, August 26 – 27, Anchorage.
- SHRM Conference, September 29 – 30, Anchorage.
- APSE Conference, June 22 – 23, Philadelphia.
- NACDD National Conference, July 20 – 24, Sparks, NV.
- 25-Year ADA Anniversary Celebration, July 26.
- Presentation at Aging and Disability Summit.
- Office of Federal Compliance and Control presentation to federal contractors.
- Developing emergency operating plans, train the trainer. Now able to provide technical assistance to school districts.
- SESA board meetings.
- Project SEARCH interviews for KTUU, KTBY, and Peninsula Clarion.
- Chamber of Commerce or community presentations on Project SEARCH in Anchorage, Palmer, and Kenai.
- AIEI Advisory Board meeting in May and letters to Employment First departments on data needs.
- Office of Special Education Programs technical assistance meeting in Chicago on social-emotional indicators.
- LEND fellow presentations on special education.
- Autism Ad Hoc Committee meeting in June and October 6th and follow up on Five-Year Plan.

- State Plan community forums in Fairbanks, Sitka, Ketchikan, Kenai, and Cordova.
- Organized FASD Awareness Day activities in Anchorage on September 9 with First Lady and Mayor Berkowitz.
- DD, traumatic brain injury, and Microenterprise mini grant reviews and award recommendations.
- Planning of Alaska Leadership Consortium.
- AHFC new 811 housing program for people with disabilities.
- CinemAbility event.

Upcoming Priorities:

- HalleliYah oriented and trained.
- Complex Behavioral Solutions Group continues to meet regularly.
- Medicaid Redesign Workgroup and Steering Committee.
- Disability Benefit 101 Design Group, October 13 – 14.
- Comment due 10/15 on SDS transition plan on CMS settings rule.
- Continue on DD, TABI, and MEP mini grant reviews.
- Set up Legislative and Telepractice Committees.
- State Plan forums continue, data analysis and plan writing.
- Annual federal report on DD due in December.
- Homelessness Conference.
- Help create a new home for the Infant Learning Program.
- Peer Support Employment Conference.
- Plan large Transition Fair.
- Veterans Job Fair.
- AIEI Advisory Board meeting in November.
- AADD meeting October 22 and meeting with SDS on October 23.
- Key 2016 planning and scholarships.
- Alaska Brain Injury Network and Alaska Mobility Coalition board meetings.
- Aging and Disability Resource Center Steering Committee.
- Snapshot presentation to Association of School Boards.
- Semi-annual AIEI report due October 31.
- One-on-one orientations with new Council members as they are appointed.

CREATING SMART, DATA-DRIVEN OBJECTIVES

Brittney Howell led the Council members through a presentation regarding creating SMART objectives. She stated that the Council determined five goal areas at their last meeting, and she noted that those goal areas directly correspond to the Council’s standing committees. She stated that the Five-Year State Plan has three tiers: Goals, objectives, and work plan activities.

Brittney stated that the SMART Method stands for:

- Specific – Who?
- Measurable – How much change is expected?
- Achievable – Can be accomplished given current resources and constraints.

- **Realistic** – Addresses the scope of the DD council purpose and proposes reasonable programmatic steps.
- **Time-phased** – Provides a timeline indicating when the objective will be met.

Britteny stated that they are now required to use the SMART system in a lot of their federal reporting. She noted that the State Plan will need to be extremely detailed this year, and there will be a lot more going into the State Plan than ever before. They will need to anticipate and measure many activities before they even begin to work on them. She then reviewed some examples of SMART objectives and showed how they incorporate the framework of Specific, Measureable, Achievable, Realistic, and Time-phased. She noted that they will be doing a lot of measurements with this Five-Year Plan.

Britteny Howell stated that their activities today will be to draft objectives related to the five goal areas, which were previously determined by the Council during their September teleconference. She also noted that not everything will need to be finalized today because further work can be done through the committees to then be revisited and refined by the full Council at their February meeting.

She stated that another component of the State Plan is not just coming up with the goals and objectives, but they have to come up with the first two years of work plan activities for every committee, and they will further develop those activities at the February meeting.

Britteny Howell stated that the proposed objectives are data driven and have been informed by the recent community forums and the past five years of public testimony data the Council has collected. She stated that the data has shown the following community concerns:

Community Forum Data:

- Aging of people with I/DDs.
- Caregiver supports.
- Fight the reduction in waitlist draws.
- Autism resources and support.
- Parent training and information (improve Stone Soup).
- Improve services and transition planning with families for youth.
- Inclusive childcare (promote Alaska IN!).
- Increase supported employment programs: Improve DVR and vocational center coordination, accessible transportation and supported housing as employment barriers, and train employers on Employment First.
- Services for people with FASD and/or challenging behaviors.
- Hands-on training for aides and paraprofessionals in the school.
- Increased telepractice and distance delivery for waiver services and training for professionals.
- Services for victims of domestic violence and sexual assault with disabilities.
- Integrate DD and Behavioral Health services.
- Advocate for a living wage for direct service providers.
- Conflict-free case management and care coordinator shortage.

- Get ABLE Act passed.
- Increased inclusion into communities, activities, and events.
- Supports for parents with disabilities.
- Medicaid reforms: Extend prescription limitations so villagers can keep a supply and appropriate acuity rate setting.

Brittney Howell stated that each one of the committees developed draft objectives for the Council to review under the five goal areas, and these will be what they will discuss throughout each of the work sessions outlined below.

FIVE-YEAR STATE PLAN: WORK SESSION 1 – EARLY INTERVENTION

Christie Reinhardt and **Brittney Howell** led the Council through a review of the goal and proposed objectives in the area of early intervention as follows:

Goal:

Strengthen policies and programs so that infants and toddlers with disabilities, their families, and caregivers receive appropriate early intervention supports and services.

Objectives:

1. Equitable funding and program parity in Infant Learning programs statewide.
 - a. Identification of funding and financial responsibility
 - b. Telepractice
 - c. Family involvement
 - d. Standards of service delivery.
2. Infants and toddlers with possible or suspected disabilities are identified and receive appropriate interventions.
 - a. Child Find
 - b. Professional development
 - c. Parent training.
3. Expansion of inclusive early childhood learning environments statewide.
 - a. Inclusive childcare
 - b. Inclusive preschool.
4. All toddlers enrolled in Part C that are eligible for Part B services receive timely transition planning before their third birthday.
5. Meet federal requirements as Alaska’s Interagency Coordinating Council for Infants and Toddlers with Disabilities under Part C of the Individuals with Disabilities Education Act.

FIVE-YEAR STATE PLAN: WORK SESSION 2 – COMMUNITY CHOICE AND SUPPORTS

Jeanne Gerhardt-Cyrus and **Brittney Howell** led the Council through a review of the goal and proposed objectives in the area of community choice and supports as follows:

Goal:

Improve service delivery to empower individuals with intellectual and developmental disabilities to live and thrive in their communities with formal and informal supports and services that promote independence.

Objectives:

1. Advocate for early intervention and appropriate life-long service access for all populations who experience disabilities, including those with FASD, TBI, Alzheimer's/dementia, and other disabilities who are historically un- and underserved by:
 - a. Ensuring these populations are included in Medicaid reform
 - b. Having universal access to quality early intervention
 - c. Having appropriate educational supports
 - d. Having access to services based upon needs.
2. Monitor, review, and comment on state law, regulations, and policy changes around the delivery of I/DD services in Alaska and participate in Medicaid reform and related services by:
 - a. Participating in Community First Council on Medicaid Reform 1915(k) plan
 - b. Advocating for increased use of telepractice
 - c. Reuse and recycling program for durable medical equipment
 - d. Review of Medicaid CMS process.
3. Support the Workgroup on FASD in order to develop recommendations for improved services to this underserved population.
4. Explore and create a multidisciplinary, person-centered autism infrastructure for centralized coordination and collaboration to improve referral, diagnosis, education, training, and services for professionals, individuals on the autism spectrum, and their families.
5. Advocate for caregiver/provider support through the lifespan including:
 - a. Access to family leave for appointments
 - b. A living wage, appropriate compensation, training, and support for direct service professionals and paraprofessionals
 - c. Adequate access to quality respite.
6. By the end of each fiscal year, strengthen and expand the opportunities for individuals with disabilities and their families to participate in advocacy efforts that improve policies,

programs, and funding for persons with disabilities by:

- a. Providing ongoing support to Peer Power, a statewide self-advocacy organization
- b. Providing at least one opportunity annually to Council members, self-advocates, family members, and providers to advocate for issues of importance to the Council
- c. Continuing to support and participate in the Key Campaign, an annual advocacy effort with the legislature led by the Key Coalition
- d. Continuing to support Partners in Policymaking at the Center for Human Development.

FIVE-YEAR STATE PLAN: WORK SESSION 3 – EDUCATION

Amy Simpson, Christie Reinhardt and Britteny Howell led the Council through a review of the goal and proposed objectives in the area of education as follows:

Goal:

Enhance practices so that children and youth with disabilities will have access to appropriate curriculum, inclusion, support, and resources to acquire the skills necessary for educational success and future independence.

Objectives:

1. Improved graduation rates for students with disabilities.
2. Improved post-secondary transition.
3. Training, recruitment, and retention of highly qualified educators, administrators, and related service personnel and paraprofessionals to meet the needs of students with disabilities.
 - a. Teacher training
 - b. Telepractice
 - c. Paraprofessional development
 - d. Career track in behavior for high school students.
4. Promote inclusion of students with disabilities in the classroom and school community.
 - a. Suspension and expulsion
 - b. School climate
 - c. Behavior intervention training and supports.
5. Meet federally mandated requirements as Alaska’s Special Education Advisory Panel under the Individuals with Disabilities Education Act.
6. SESA governance.

FIVE-YEAR STATE PLAN: WORK SESSION 4 – EMPLOYMENT

Lucy Odden, Kristin Vandagriff, Patrick Reinhart, and Britteny Howell led the Council

through a review of the goal and proposed objectives in the area of employment as follows:

Goal:

Alaskans with disabilities and their families will receive the necessary employment services and supports needed to become competitively employed in an integrated setting.

Objectives:

1. Oversee implementation of the Employment First Act.
2. Advocate for Alaska ABLE Act legislation, and upon passage, oversee implementation.
3. Increase employment of youth with disabilities in transition from school to adult life.
4. Work with partners to develop and implement a plan to double the number of individuals with intellectual and developmental disabilities who are employed by December 2021.
 - a. Work with the Center for Human Development, the Trust, and other partners to increase provider capacity for employment services and supports.
 - b. Advocate for changes in the State's I/DD Home and Community-Based Services and Medicaid around supported employment services
 - c. Increase the use of the Provisional Hire Program
 - d. Advocate for more accessible transportation options for individuals with disabilities in Alaska.
5. Increase opportunities for individuals with disabilities to become self-employed using the Microenterprise program.
6. Coordinate and advocate for Alaskans with disabilities to obtain accessible transportation across the state.
7. By the end of each fiscal year, increase housing options for persons with disabilities so they can live as independently as possible in the community of their choice.

FIVE-YEAR STATE PLAN: WORK SESSION 5 – HEALTH

Lanny Mommsen and **Brittney Howell** led the Council through a review of the goal and proposed objectives in the area of health as follows:

Goal:

Alaskans with disabilities will have greater access to needed health care services that will improve their quality of life.

Objectives:

1. Increase the number of individuals experiencing disabilities who are prepared for a local or statewide disaster.

2. Provide training to individuals experiencing disabilities, direct care professionals, and caregivers regarding emergency preparedness.
3. Provide training to individuals experiencing disabilities, direct care professionals, and caregivers regarding health promotion for individuals with disabilities.
4. Increase the number of individuals aging with I/DD that have appropriate support systems in place.
5. Implement the Alaska Safety Planning Empowerment Network (ASPEN) in at least two communities to better meet the needs of individuals with disabilities who are victims of sexual or physical assault and/or stalking.
6. Support Council members, self-advocates, and family members to comment on proposed health regulations that impact the lives of people with disabilities.

Discussion ensued among Council members about the exact language of the goal as stated above. After suggestions were made, **Lanny Mommsen** restated the goal to read: Alaskans with disabilities will have greater access to needed health, safety, and wellness services that will improve their quality of life. **Dean Gates MOVED** to accept the goal as **Lanny Mommsen** stated above, **SECONDED** by **Christine King**.

Further discussion ensued, and **Jeanne Gerhardt-Cyrus** proposed an **AMENDMENT** to the motion as follows: Alaskans with disabilities will have greater access to needed health, safety, and wellness services that will support their quality of life. **SECONDED** by **Alexis Henning**. The motion **PASSED** as **AMENDED**.

Throughout the work sessions under each of the goal areas, it was noted that regional differential data needs to be collected and analyzed. It was also stressed that the Council needs to look back at previous accomplishments or failures on State Plan goals to determine a baseline for future work moving forward. It was suggested that they should also set a time period after which they will review and measure the margin of success of each overall goal.

Council members and guests provided extensive comment and input related to each of the proposed objectives under the five goal areas. Council staff reiterated that further work on the objectives will be done through the committees and again at the February full Council meeting to refine the language of the proposed objectives.

APPROVE BYLAWS

Chair Simpson stated that since two-thirds of the Council has been convened today, the Council can vote on yesterday's tabled motion to approve the amended bylaws. Hearing no additional discussion or objection, the motion **PASSED**.

COMMITTEE SELECTION

Chair Simpson stated that a few Council members have approached her to volunteer for different committees. She will meet with **Patrick Reinhart** to review the current committee composition and will send out e-mails or letters to the people on the committees to confirm their interest in remaining on the committees. This will also help to clarify the bylaws requirements of committee composition. If any committee chair has a Council member that approaches them directly about committee participation, please relay that information to **Chair Simpson**. **Chair Simpson** added that she will also send out a list of Council members and the committees they are currently assigned to. She asked that Council members present at today's meeting confirm with her the committees they wish to be on before they leave.

INFORMATION FOR THE GOOD OF THE ORDER

Patrick Reinhart gave the following announcements:

- The Council office will be closed on October 30th for an all-staff retreat.
- Council members interested in participating in Key Campaign February 18 – 19 should let him know. Space will be limited for Council members to attend due to reduced funding, but the Council will continue to sponsor families and consumers to attend. Any family members or consumers who wish to apply for a Council sponsorship should turn in their application by November 10th.
- His cell phone number was provided to Council members if they need to reach him after hours or on the weekends, and he encouraged Council members to contact him at any time.

Council members and guests shared their appreciation to the Council, staff, and **Chair Simpson** for all their hard work.

DATE OF THE NEXT COUNCIL MEETING

- February 2 – 4, 2016, Juneau, Alaska

ADJOURN

Mallory Hamilton **MOVED** to adjourn the meeting, **SECONDED** by **Christine King**. The motion **PASSED**, and the meeting adjourned at 4:34 p.m.