

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL
EDUCATION

Developmental Disabilities Committee Meeting

LOCATION

Alaska Mental Health Trust Authority
3745 Community Park Loop
Anchorage, Alaska
Teleconference

Meeting Date

October 7, 2011

12:00 p.m.

Attendees:

Eric Gebhart
Kathy Fitzgerald, Chair
Kaleene Lamb
Ric Nelson
Lucy Odden
Sean O'Brien
Steve Williams
Steve Lesko
Kelly Donnelly
Art Delaune
Emily Ennis
Tara Horton
Robert Petersen

Staff:

Teresa Holt
Carrie Predeger
Jose Boggs
Marcy Rein

Prepared by:

Paula DiPaolo, Peninsula Reporting

Call to Order – 12:00 p.m.

Roll Call

INTRODUCTIONS, ANNOUNCEMENTS OR GOOD NEWS

Ric Nelson announced that he is going for a double major.

Josie Boggs introduced herself as the master's of social work intern at the Council. She will be attending all the DD Committee meetings as the facilitator of the self-advocacy group.

Lucy Odden announced that she will be participating in the Alliance for Full Participation in Washington, D.C., and she and Josie Boggs will be working on Peer Power.

APPROVAL OF THE AGENDA

Robert Petersen **MOVED** to approve the agenda. The motion **PASSED**.

APPROVAL OF THE PREVIOUS MEETING MINUTES

Ric Nelson **MOVED** to approve the minutes from the September 12, 2011 meeting. The motion was **APPROVED**.

CORRESPONDENCE

Teresa Holt stated that they received some new regulations that they will need to look at and make comments on.

OLD BUSINESS

Update on IAT Meeting

Kathy Fitzgerald reported that they have had some issues with intensive active treatment being time limited in the regulations. She noted that in a recent meeting between the Council, Disability Law Center, Office of Public Advocacy, Center for Human Development, the Center for Psychosocial Development and provider organizations, these services are very specific, specialized services that people need in order to keep people in state, out of jail, in the community, and keep the public safe.

She stated that the first thing they need to do is make sure the plans of care are written to specifically document the need for intensive active treatment. She stated that the bottom line is that if they don't have this very unique service available to this small population of people within the intellectual disability community, they will either be victimized again, or they will perpetrate again.

Face-to-Face Meeting

After discussion, the majority voted to hold the face-to-face meeting in April instead of December. Teresa Holt stated that she and Carrie Predeger will work to see if they can hold the face-to-face meeting outside of the Anchorage area so the DD Committee can do the important work of holding a community forum and visiting with families, individuals, and providers outside of the Anchorage area. Eric Gebhart also noted that the additional \$150,000 they are asking for for Council operations is to help them continue to travel so they can do outreach to rural communities.

Teresa Holt will send out another Doodle to committee members to select dates in April.

NEW BUSINESS

Action Plan to Respond to the Commissioner

Ric Nelson reminded committee members that at their last meeting, they discussed starting a Medicaid reform ad hoc committee. He introduced this to the Executive Committee, and they voted to start the ad hoc committee.

Kathy Fitzgerald added that this committee will address some of the commissioner's concerns about wasteful Medicaid spending.

Teresa Holt added that they need to write a letter to the commissioner to let him know how the Council is going to be addressing his concerns. Eric Gebhart stated that he plans to send a letter to the commissioner to let him know they have formed an ad hoc committee and will continue to be in contact with him through the work of that committee.

Kelly Donnelly and Art Delaune volunteered to be DD Committee representatives on the Medicaid Reform Ad Hoc Committee.

TSA – I Can Fly Program

Teresa Holt and Ric Nelson attended the first meeting of the TSA – I Can Fly Program, which is a national program. Teresa stated that each state TSA is looking at creating a local program where families and individuals with disabilities can go to the airport and practice going through TSA all the way to the airplane. Teresa stated that the local TSA representative is Dan Brown, and he will be attending the AADD meeting next week to also take suggestions. He is going to be meeting with a variety of other groups as well.

Teresa stated that they need to create a work group to offer suggestions and feedback on how to set the program up, and she felt they could also offer recommendations on how to make the process of going through TSA better.

Kathy Fitzgerald stated that she thought it is critical for families and individuals to be able to schedule an airport run-through on demand. She also felt it was important that they have at least a monthly training available in addition to the on-demand. Kathy asked committee members to e-mail their suggestions directly to Teresa Holt.

Emergency Preparedness

Teresa Holt stated that the FEMA representative did not make it up to Alaska for a meeting. Teresa noted that the Council had been asked what they were doing for emergency preparedness for people with developmental disabilities. She noted that when they started making contacts with people regarding this, they saw that there are many different groups doing different things in that area. She suggested they make this a topic on their next agenda to have an in-depth discussion about it.

Nursing IAT Services

Steve Lesko stated that one part of the AADD meeting will be a session with the commissioner and his staff. One of the topics will be nursing

IAT, which has undergone some changes and appears to be a challenge in terms of data gathering and reimbursement. He stated that there may be a danger that nursing IAT will go away. If it does go away, most likely children will return to institutional models at a much greater cost.

Steve noted that a meeting has been scheduled between Emily at AADD, Gwen Lee from The Arc, Hope staff, and himself. He also invited any DD Committee members to attend. Kathy Fitzgerald stated that she will be there, and Ric Nelson may be there as well.

Date and Time of Next Meeting

The next DD Committee teleconference is scheduled for November 7th, 2011, from 2:00 to 4:00 p.m.

REPORTS

From the Chair

Kathy Fitzgerald stated that the Trust has a working group that Tom Chard from the Alaska Mental Health Board is overseeing regarding direct service workers' wages. She noted that the purpose of the group is to look across all beneficiary groups and complete a study to determine the effect of increasing DSP's wages so that it does more good than harm.

Steve Williams added that this is taking place as a part of the Trust workforce focus area.

AADD

Emily Ennis stated that the AADD meeting will be October 13 and 14 at the Trust offices. She noted that they have some very interesting topics, and she invited DD Committee members to attend.

Emily stated that she also wanted to echo Steve Lesko's concerns about the nursing oversight services. She strongly feels that this program has allowed for a lot of success for individuals and their families by allowing people to live at home and be healthy and have good lives in their communities because of the wider scope of nursing oversight and

support the DD nurses can provide. They have also provided a helping hand to make sure employees are well trained and have support as they are working with families and individuals with complex medical needs. AADD is very concerned that the new rates and regulations mean a narrowing of the scope of services. She feels that they need to be prepared to respond to the potential impact of this change.

Kathy Fitzgerald also mentioned the issue regarding the acuity rate and needing 30 days of documentation before someone can actually apply for acuity. She also noted that always having a body on someone is an older practice. Steve Lesko agreed that having one-on-one staff in all environments and then ceasing defies good standard behavioral practice.

Teresa Holt offered to send out the regulations to any committee member who would like to review them. She also noted that they have to give comment by the 31st of the month.

Marcy Rein further explained that when the regulations were developed long ago, there were people with varying levels of understanding that were developing them.

A discussion ensued regarding services being cost driven versus program driven.

Kathy Fitzgerald suggested adding an agenda item to the next meeting to have a discussion on programs leading services rather than the Medicaid budget.

Other Information for the Good of the Order

Marcy Rein stated that in terms of being billed for misuse of the 911 system, there is a limit of eight nuisance calls per private residence. People can receive a bill for services/response for those calls. She noted that the people responsible for billing those nuisance calls have noticed a disproportionate amount of calls coming from assisted living homes. She noted that they are still developing the response. She also stated that there is an appeal process for that as well. There is also a law enforcement equivalent of a corrective action plan for those calls.

Marcy stated that she connected them with SDS and QA and protective services, which will be incorporating it into some of their assisted living home training curriculum.

She stated that if the Council is interested in hearing more from the police department perspective, they would be willing to come and speak at either an Executive or DD Committee meeting. Kathy Fitzgerald expressed an interest in hearing from the police department.

ADJOURN

The meeting adjourned at 1:30 p.m.