

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

**Developmental Disabilities Committee  
Meeting Minutes**

**LOCATION**

**Governor's Council Conference Room  
3601 C Street  
Anchorage, Alaska  
Teleconference**

**Meeting Date**

**January 6, 2016  
1:00 p.m.**

**Attendees:**

Jeanne Gerhardt-Cyrus  
Art Delaune  
Alex Gimarc  
Maureen Harwood  
Mallory Hamilton  
Mary Elam  
Colleen Gabriel

**Staff:**

Rich Sanders

**Call to Order – 1:02 p.m.**  
**Roll Call**

**WELCOME FROM THE CHAIR**  
**INTRODUCTIONS, ANNOUNCEMENTS, AND GOOD NEWS**

Jeanne Gerhardt-Cyrus welcomed the committee members to the meeting.

**APPROVAL OF THE AGENDA**  
**APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING**

Due to a lack of quorum, the approval of the minutes from the previous meeting was tabled.

**CORRESPONDENCE**

No correspondence was reported at this meeting.

**REPORTS**

***Chair's Report***  
***Workgroup on FASD***

Jeanne Gerhardt-Cyrus reported that the FASD workgroup developed a white paper that was presented to the Legislative Committee that addressed the needs of the FASD population. It requested that FASD be included in the waiver and have access to DD services and waiver services. The workgroup is working on a statement to present at the Medicaid hearing on the 13<sup>th</sup> of January where Jeanne will attend in person.

***I/DD Unit***

Maureen Harwood reported that the community forums are ongoing, and a schedule of meeting sites is posted on the SDS website. There are also links to more information regarding the (i) and (k) project. She stated that the contractors are gathering information from SDS regarding the processes and are moving forward with their analysis.

Maureen Harwood reported that the Unit is working on the settings rules for the transition plan, and they are meeting regularly with CMS to ensure they understand the heightened scrutiny that must occur with regards to certain settings meeting the “fully inclusive” setting requirement and how to resolve barriers to being considered fully inclusive.

Maureen Harwood reported that they are working on the minutia around conflict-free care coordination. The state, through the Certification Unit, is looking at the needs to ensure that they can state clearly to CMS and to families that their care coordination supports are being delivered in a conflict-free way. They are looking at sites that are either remote, rural, or another designation that might struggle with meeting the requirements.

Maureen Harwood reported that with regards to the DDDR, they are waiting on a response from CMS related to the reduction in the number of people with intellectual and developmental disabilities who are offered waiver services. They have been actively notifying families with reminders to send in their annual updates to their DDDR services. Maureen reported that the current registry review data is as follows:

- 684 people on the DDDR.
- 24% are people with score of 0.
- 4 to 12 years old – 228.
- 13 to 21 years old – 209.

Maureen Harwood noted that they have a few vacancies in their unit, and with the state hiring freeze, the status of those positions is unknown.

### ***AADD, Housing, Peer Power and Key Campaign, Mental Health Trust Authority***

Reports from AADD, Housing, Peer Power, Key Campaign, and the Mental Health Trust Authority were unavailable for the meeting.

### ***Council and Executive Committee Update***

Rich Sanders reported that the Governor has not only ordered a hiring freeze but also a travel freeze, which will affect the way in which the Council does business. Considerations will have to be made in order to

conduct meetings using technology and alternatives to travel. With regards to the Council meeting in February, Patrick Reinhart will be sending a memo that describes the purpose and requirements of the Council, and he will ask for consideration for the Council to travel to Juneau for the February Council meeting. The Council will look at future meetings for the potential of using technology.

### ***Medicaid Ad Hoc Committee***

Art Delaune reported that the Inclusive Community Choices Council had a face-to-face meeting in Anchorage where they reviewed the status of the Council and their future plans. Art stated that a good portion of the meeting involved reviewing public comments, and noted that even though FASD is not a target population, there has been feedback at each forum regarding FASD. The contractors indicated that because so many people had comments, they are going to look at how FASD can be incorporated into the (i) and (k) plans. Art stated that the universal comments related to workforce challenges, transportation, the complexity of Medicaid applications and the constant paperwork, training of in-home workers, and the lack of behavioral health supports.

Art Delaune reported that there were discussions related to how the other five states that have existing (i) and (k) plans are structuring and what takeaways Alaska could use to capitalize on in developing a strategy, what worked, what didn't work, some of the barriers they encountered, and areas they struggled in. Art noted that the Council also had a discussion with regards to assessment tools, and in particular the Supports Intensity Scale (SIS) and the Daily Living Activities 20 (DLA-20), two of which look at functionality and what services are needed to maintain complete function. Rich Sanders agreed to forward information on the two assessment tools to committee members for review.

### **OLD BUSINESS**

#### ***Review of DD Committee Objectives and Work Plan***

Jeanne Gerhardt-Cyrus led the committee through a continued review of the work plan. The following recommendations were proposed:

Goal No. 3 – change to:

Support the workgroup on FASD in developing recommendations for providing services to this underserved population.

Goal No. 4 – change to:

Support the Autism Ad Hoc Committee in developing recommendations for providing services to this population.

Goal No. 5 – change to:

Advocate for accommodations for working parents of children with special needs.

- a. Caregiver
  - b. Paraprofessionals and direct service providers
  - c. Family respite
- (Continue to work on Goal No. 5)

Goal No. 6 – change to:

Educate and encourage individuals with disabilities and their families to participate in efforts that improve policies and programs.

### ***Discussion of “Other” Category for Waiver Eligibility***

Jeanne Gerhardt-Cyrus posed the question: If (i) and (k) go through and they use a functionality scale, is that going to change what happens with the “other” category?

Maureen Harwood stated that that is an uncertainty at this point. She stated that the definition of a person with developmental disabilities in (i) and (k) can't be more restrictive than DD eligibility. Maureen forwarded the Rising Expectations: The Developmental Disabilities Act Revisited document; an attachment of a definition from the CMS Waiver Guidance 2015, which cites the public law; and an Alaska's statutory definition as set out in AS 47.80.900(6) to committee members to see the language of each definition. She gave an overview of the criteria for (i) and (k) and how substantial function of limitations is defined.

Jeanne Gerhardt-Cyrus asked the committee members to review the materials given to them by Maureen and note any questions or input they may have, and the topic will be brought up again at a future meeting. Rich

Sanders offered to reach out to other councils for information on how they handle the “other” category in their state.

## **NEW BUSINESS**

### ***Draft Council Comments on SDS Changes to Create a GF Waitlist***

After a brief discussion and a review of the draft Council comments, Jeanne Gerhardt-Cyrus recommended that the committee form a small group of members to take a closer look at the proposed changes and the Council draft comments and give feedback. The comments are due February 10<sup>th</sup>. Jeanne set a meeting of the smaller group for February 26<sup>th</sup> at 9:00 a.m.

## **UPCOMING MEETINGS/CONFERENCES**

### **January 6**

EIC meeting, 10:00 – 11:30 a.m.

### **January 12**

Executive Committee meeting  
12:00 – 1:30 p.m.

### **January 14**

AIEI Management Team  
1:00 – 2:30 p.m.

### **January 19**

E&T Committee meeting  
1:00 – 2:30 p.m.

### **January 20**

Telepractice Committee meeting  
2:00 – 3:30 p.m.

### **January 21**

Education Committee meeting  
1:30 – 3:00 p.m.

### **January 26**

AIEI Policy & Regulations Committee  
1:00 – 2:30 p.m.

### **February 2 – 4**

Governor's Council meeting  
Juneau

### **February 6 – 12**

ASSEC Conference

### **February 11**

SESA Board meeting (tentatively)

### **February 13**

Stone Soup Parent Conference

### **February 17 – 18**

Key Campaign  
Juneau

## **TIME AND DATE OF NEXT MEETING/ ADJOURNMENT**

The next DD Committee meeting has not been scheduled. The meeting adjourned at 3:05 p.m.