

**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

**March 8, 2017
1:00 p.m.**

Attendees:

Jeanne Gerhardt-Cyrus
Dave Fleurant
Mallory Hamilton
Colleen Gabriel
Mary Elam
Lizette Stiehr
Maureen Harwood
Amanda Lofgren
Oscar Cedano
P.J. Hatfield-Bauer

Guests:

Duane Mayes

Staff:

Ric Nelson
Patrick Reinhart

Prepared by: Sheila Garrant, Peninsula Reporting

Call to Order – 1:00 p.m.
Roll Call

WELCOME FROM THE CHAIR

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

INTRODUCTIONS, ANNOUNCEMENTS, AND GOOD NEWS

No introductions, announcements, or good news was reported.

CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declared at the meeting.

APPROVAL OF THE AGENDA

Lizette Stiehr **MOVED** to approve the agenda as amended, **SECONDED** by Dave Fleurant. Hearing no objections, the motion **PASSED**.

APPROVAL OF THE MINUTES FROM THE PREVIOUS MEETING

Dave Fleurant **MOVED** to approve the minutes from the August 2016 meeting, **SECONDED** by Maureen Harwood. Hearing no objections, the motion **PASSED**.

REPORTS

CHAIR REPORT AND FASD WORKGROUP UPDATE

Jeanne Gerhardt-Cyrus asked Duane Mayes to share a summary of his presentation at the last FASD Workgroup meeting. Duane Mayes reported that at the conclusion of the workgroup meeting, they decided to form a smaller workgroup with support from Steve Lutzky, the contractor paid for by the Trust to help the Division with Medicaid reform to include FASD, the Council, and the Division to begin the process of developing a concept paper using this smaller workgroup as a vehicle to bring that concept paper back to the larger FASD group for their review and comments. Once that is finalized, then work can begin on establishing timelines and benchmarks in

order to move forward.

I/DD UNIT

Duane Mayes reported that the current data reports 558 individuals on the wait list. Maureen Harwood reported that the score range they are drawing from is 0 to 90 and noted that 25 percent of those individuals have a score of 0. Duane reported that from July 1, 2015 to February 9, 2016 there were a total of 245 individuals removed from the wait list for the following reasons:

- 6 passed away
- 6 moved out of state
- 2 requested to be removed
- 29 did not meet eligibility
- 58 were selected for waiver services
- 144 were non-responsive to Division staff's attempts to update the registry

Maureen Harwood noted that the Division is encouraging individuals to update their profiles.

MENTAL HEALTH TRUST AUTHORITY

Amanda Lofgren expressed her enthusiasm related to the infographic that was developed in partnership with the Governor's Council, Key Coalition, SILC, and AADD. She reported that efforts continue with the DD system assessment with a focus on operationalizing the shared vision of the partnership of person-centered care coordination.

AADD

Lizette Stiehr reported that Duane Mayes presented at AADD's last face-to-face meeting on the day habilitation proposal. After the presentation, AADD tasked three providers to develop a white paper designed to show the quality and value of day habilitation and share experiences where day habilitation services have resulted in an individual using less services. Lizette reported that AADD is also working on a separate letter to the Division that will suggest allowing individuals to figure out where a

reduction could come from in their individual waiver.

Lizette Stiehr reported that AADD has developed a matrix that lays out all of the changes of Medicaid reform, including the CMS changes, the changes that the Medicaid final rule has put in place, and some of the state changes being asked for, as well as changes the association members would like to see happen. Lizette noted that the AADD board is planning to update the matrix and post it on their website.

Lizette Stiehr expressed her appreciation to the Governor's Council for their support in hosting a webinar for AADD's Hot Topics meeting on the interRAI, which will be held March 30th.

AHFC

Oscar Cedano reported that the housing and community development plan has been released for a 30-day comment period. The deadline is April 3rd, and Oscar encouraged committee members to review the plan and provide comment.

Oscar Cedano reported that the state finally approved \$3 million from the Housing Trust Fund dedicated to producing rental units.

Oscar Cedano reported that the Continuum of Care Program, which is a federal program that provides funds for state agencies that serve individuals with disabilities, is going to expire June 30th. A new notice of funding availability is due to come out in July or August. It is unknown whether the funding will be tied to a renewal or open for new applicants.

EXECUTIVE COMMITTEE/COMPLEX BEHAVIOR SOLUTIONS

Patrick Reinhart reported that the Executive Committee meeting is scheduled for next week. Patrick also stated that the Complex Behavior Solutions Group has not met recently.

KEY COALITION

Patrick Reinhart reported that the Key Coalition meeting in Juneau went well. Ric Nelson, Kristin Vandagriff, and Patrick attended Key as Council

staff, and a few Council members participated as well.

MEDICAID UPDATE

Patrick Reinhart reported that the Council will have to address regulations that have come out and will either form a group to review the regulations or forward the task to the Medicaid Ad Hoc Committee.

Patrick Reinhart stated that there is movement starting regarding holding a “lunch and learn” at the legislature on the value of Medicaid waivers, and that may be something that the Key Coalition would be interested in pursuing. Amanda Lofgren offered to be of assistance in that effort.

ADRD HOME/DEAF PROGRAMS/INTENTIONAL NEIGHBORHOODS

Patrick Reinhart reported that the School for the Deaf is looking for host homes for students that come to Anchorage from different communities. He encouraged committee members to forward the names of people they think might be interested in hosting a student.

OLD BUSINESS

CMS Issues Guidance to States on Community First Choice

There was no update on CMS’s guidance to states on Community First Choice.

NEW BUSINESS

Day-Habilitation Limit Proposal

Duane Mayes reported that the Department will see a total reduction of general funds in the amount of \$30 million to the Medicaid component. One of the reductions for the Division is a soft cap of eight hours a week to day habilitation. Duane explained that it is the Division’s responsibility to advocate and defend the program, but they also have to look at the program to identify where they see possible inefficiencies and even possible abuse of some of the services. He stated the intent of day habilitation and noted that they are not seeing much growth and

development from year to year in the goals and objectives specific to day habilitation within the plan of care, but rather they are seeing increases to day habilitation, which is concerning when coupled with the amount of complaints through the quality assurance unit related to day habilitation and the lack of documentation in service notes of outcome. After an analysis, the Division brought forward a recommendation of a soft cap of eight hours a week for day habilitation, and the Division will be working on developing a criterion for exceptions and looking for unintended consequences. The reduction, based on the soft cap of eight hours a week, would amount to over \$5.2 million total, half general fund dollars and half federal dollars.

Duane Mayes reported that one piece that has been discussed at length is to identify a possible rate for a companion rate that could be used for services that aren't appropriate in the definition of day habilitation.

Patrick Reinhart asked which waivers would be affected and the timeline for the changes. Duane Mayes responded that it affects three of the four waivers. The only waiver that lacks day habilitation is the Alaskans Living Independently (ALI) waiver. With regards to the timeline, Duane noted that they expect an aggressive timeline because they have to try to realize the reduction in the next fiscal year, which begins in July.

Limited Supports Waiver

Duane Mayes gave a brief history of the activities related to the mission of the Division to explore Medicaid options that the Division could use to refinance general fund programs currently within SDS. At the end of last session, the Division was tasked to explore home and community-based services reform options 1915(k), the Community First Choice option, and 1915(i). CMS required the Division to form a council, which is the Inclusive Community Choices Council, and they have been meeting on a monthly basis to explore those options. A report was finalized and provided to the Division in early September of 2016.

Duane Mayes stated that the Division is not going to consider the 1915(i) option to refinance the Community and Developmental Disabilities Grant component. That component in its entirety is approximately \$12 million, and after the abstraction of certain grant components unrelated to DD, they plan to refinance 50 percent of that under the 1915(c) limited supports

waiver. Duane noted that Maureen Harwood and the internal committee are working with the contractor in the design and the formation of the limited supports waiver. Maureen noted that there have been a series of letters sent from the Division to relay information and communicate with providers and families.

OTHER INFORMATION FOR THE GOOD OF THE ORDER

Patrick Reinhart recommended that people who are attending the Full Lives Conference combine the trip with the Wrightslaw training that Stone Soup Group is hosting. Mary Elam stated that registration is still open and information is available online. She noted that there is the opportunity to participate in person in Anchorage or by live stream venues across the state.

Mary Elam reported that on March 16th at 5:30 p.m., Stone Soup Group is hosting Ric Nelson from the Governor's Council, and he will be doing a ABLE Act presentation for families. She noted that people can participate in person or via GoToMeeting or teleconference if they are not able to be in Anchorage.

UPCOMING MEETINGS/CONFERENCES

March 22 – 23, 2017

Full Lives Conference
Captain Cook Hotel, Anchorage

TIME AND DATE OF NEXT MEETING

The next regular DD Committee is scheduled for Wednesday, April 5th, 2017 from 1:00 to 3:00 p.m.

ADJOURNMENT

Lizette Stiehr **MOVED** to adjourn the meeting, **SECONDED** by Mallory Hamilton. Hearing no objections, the motion **PASSED**, and the meeting adjourned at 3:00 p.m.