

MR/DD Self-Direction
Meeting Minutes – November 14, 2007

In Attendance:

Jon Sassi, MR/DD Waiver
Frank Kirkland, DD Division
Kevin Smith, Participant with Peggy Johnson
Amber Hinkle, Provider (Open Doors)
Susan Givens, WV Advocates/parent
Karen Davis, Participant with Kathryn McCormick
Russell Sickles, Provider (Job Squad)
Ralph Rodegherio, Parent/WV Delegate
Linda Higgs, WV DD Council
Tina Mayer, Olmstead Coord., WVDHHR
Marcus Canaday, BMS
Paulette Justice, APS representing Randy Hill
Cecilia Brown, BMS
Sally Birchfiel, Public Partnership, LLC

Not Present:

Rose Lowther-Berman, OHFLAC
Randy Hill, APS
April Goebel, APS
Check.....

CeCe opened meeting with appreciation of attendance and time to be given by Participants. The Department also hopes that this will be one of the most positive experiences the participants will have in a focus/development group. The developments generated from this group will affect many Waiver members, their families and significantly involved supports.

Roles of the group members will be as a messenger to take information out to the community as a provider, family member, advocate or professional and to bring response to the information back to the group. Second is as a decision maker in developing a unique program for the Title XIX MR/DD Waiver Program for West Virginia. This committee will look at as many options and current programs that are available or needed to make decisions. Lastly, the members will be expected to act as a catalyst for change. To be a catalyst will be to accept that change is a hard thing to overcome for many people and that must be accepted as the general resistance to any new options offered within the MR/DD Waiver Program. So when acting in the catalyst mode, all members will need to help improve self-direction and person centered concepts for Waiver members.

Committee Formation outline

There was a general review of Robert's Rules of Order with highlights to motions, speaker recognition and courtesy of committee members.

Committee members present agreed to accept Robert's Rules as general operating procedures.

Review of Today's Agenda was completed.

Verification of email addresses was completed.

Review of minutes from the last meeting was completed with changes identified. A change was made to page 3 with reference to a missed question and the answer noted. Minutes accepted with the identified change.

The change had to do with the verification of the only decision made going into this development is the use of the Government Model in the use of a fiscal me diary.

Emphasis was again given to the fact that the renewal date for the MR/DD Waiver is 2010.

Frank gave a recap in general of self-direction. To make sure this becomes an option for everyone that is eligible for MR/DD Waiver services not just those "deemed" capable to participate in the self-direction option. We also need to make sure disability level is not a deterrent to this option.

Russell has seen the possibility of this option being used by people.

CeCe stated that this may also emphasize the use of a responsible individual by the member.

Marcus stated agreement with Frank and Russell that everyone should have the opportunity to choose this option.

Jon stated that the use of a "Responsible Person" is being used by other states in assisting individuals with various aspects of services and meetings.

CeCe recognized the input that could be gained from Marcus and Sally from the initiation of the self-direction aspect in the AD Waiver.

Tina stated that the Robert Wood Foundation may be a resource that would benefit this committee.

Frank mentioned that it may be good to generalize possibilities but that we as a group must accept that there will be a need to identify areas that may require unique development.

Sally stated that self-direction in different states is defined differently. Some states are individually directed and/or family directed. There are a multitude of variances that can be used.

Linda identified that there must be a level of self-direction that is done with assistance and is not necessary that the individual do all the direction of services. There must be a choice to select participation level or assistance within the option of self-direction for the member.

Frank made a suggestion for an initial “Guiding Principle” is that we make sure that all MR/DD Waiver members have the opportunity to choose the self-direction option – that there are no pre-requisites for the option.

Kevin responded that even when the chips were down for him he continued to participate in self directing his services. Even on a day when he could not talk, Ken Ervin had rolled in and asked where his staff was. Kevin said he was told he could not have his staff that day. Ken E. called CeCe for him, they talked about the manual and the next day, Kevin received 8 hours of staff support. The use of rights is an important part of self-direction. So teaching the rights available to the Waiver members (involved, responsible persons) is an important aspect to this option also.

Frank responded that yes, that the rights information is even increased in the self-direction option. The increase comes particularly with the involvement of hiring, firing and responsibility as an employer.

CeCe stated that the education of responsibilities and self advocacy are items that will increase in importance with the developments of self-direction.

Marcus stated that this would also include Department commitment to support this level of education.

Susan asked if this would be an all or nothing program.

Frank and CeCe both spoke up that the issue of all or nothing would be part of the aspect that this group would need to incorporate into the development process. Various combinations would be and should be developed. It will come down to what would work best for the system that this committee develops.

Sally added in that everyone must have choice, but that it must be an informed choice.

Amber brought up the concern/fear of liabilities that concern providers. Is there a “safety net” or what would be the real capability of failure or crashing? Example of a person that has exposure issues - where would the provider’s liability lay with a person with this level of legal issues and community relations for the provider.

Ralph wondered if this would be the type of person the program would step in and verify the safety issues being presented.

CeCe offered that some states use risk factor assessments for these issues and concerns.

Further stating there is a need to look at risk factors and not using Medicaid dollars to promote illegal or unsafe activity.

Tina went on to state that the risk should still be addressed.

Marcus emphasized that CMS (Federal Medicaid Department) would not approve such programming without health and safety factors not in place for operation.

Amber stated that some AD Waiver providers have and are currently stating it is an all or nothing issue with services.

Marcus stated that with the AD it is a limited menu of services with only homemaker and case management.

Tina mentioned that you may still hear same thing as a take all services or none form agencies.

Frank replied that a focus on general provision of services and not using the outliers as the basis for development may address health, safety and service acquisition.

Sally interjected that a lot would depend on the process development and how the system addresses the person's needs, as well as, preference on delivery process. And the use of level of care versus the persons needs.

Amber emphasized again that for providers, liability will be a major concern.

This ended the review of information from the last meeting and the understanding the members attained from that meeting.

Jon opened up the issue of the acknowledgement of state representatives versus the members at large in leading to participant consensus on issues and in establishing voting process when necessary. Also was the issue of possibly establishing a Chairperson, Vice chair, Secretary, etc.

Marcus added that in the AD development a dynamic process was used but may not lead to possible fluctuation in up and down attendance and how it may affect the development of this program. Even if votes are complete on an issue, it will come back as other things are discussed in further development processes. Consensus may be the best method for this committee.

Sally said yes, I would agree with that, consensus being the best option.

Marcus then added the possible use of a facilitator rather than a chair.

Linda stated that the group had agreed to the use of Robert's Rules at the beginning of the meeting today. That consensus does not always an agreement and that with Robert's

Rules; issues could be brought up again. Consensus is an easier way to lead/direct a group.

Marcus stated that consensus does require active participation.

Linda replied that consensus allows for weak decisions and lack to address issues that someone/member of the group cannot live with in the development process.

Susan asked, yes, what happens if someone just cannot live with a consensus decision?

Frank interjected that there was a need to continue with the development process by making solid decisions.

Sally started so should we be.....

CeCe began that we do not want formalization to be a hamper in development. Today is a good example of good dialogue without Robert's Rules being overbearing on the committee.....so do we need to be formal or look at something different....?

Linda brought up that she had never seen Robert's Rules shut down anything outside of legislature. As motion is made, then discussion ensues.

Ralph stated that without Robert's Rules this may drag out for years. In legislature, we go with the majority rule rather than unanimous outcomes.

Tina stated that Olmstead uses Robert's Rules loosely for their meetings, but is directed at decisions.

Frank suggested that anything addressing the actual plan and policy should be formal. And with formalization should it be with a 2/3 for majority. And then if consensus, does that mean that consensus issues will be reopened every meeting?

CeCe then suggested that Robert's Rules for minutes and major decisions. Otherwise the committee should use open discussion for procedure.

Linda said that there are lots of things not voted on but are still under Roberts Rules.

Russell asked if we could change operations as we proceed?

Jon suggested the use of Roberts Rules procedures targeted for when others at meetings (public, not just committee members).

Amber stated that there are folks missing if we are looking for a Chair and Vice chair.

CeCe asked if we do want to move forward....

Frank suggested that we move to nominate for the Chair and Vice chair at the next meeting.

All agree to formally address the issue of Chair and Vice chair at the next meeting

CeCe then reviewed the proposed Roadmap to get the Committee on the path with momentum and direction.

Guiding Principles
Framework – decision points

Linda asked what FEA was that was on the handout.

CeCe responded it was the Fiscal Employer Agency
Back to the Path with Rules, Regs and Policy

Ralph asked about payroll and could that be taken off the person?

Frank stated yes, some of that has been done through the AD Waiver

Jon injected that states all do it differently with combined levels available.

Ralph asked if that would be an option we will make?

CeCe/Frank replied that they do usually use the FEA setup.

Marcus added that some states start one way and then make changes along the way.

CeCe said we would look at the AD waiver and see what may work for MR/DD and adopt or change those processes to meet the needs the committee addresses in the development.

NEXT is the MODEL to build upon and discuss.

Support functions are a part of the development. Use of documentation and verifying quality of the program services. Many states have increased use of technology in monitoring part of the system also. Part of the “whats” and “hows” that we will need to look at later.

PLANNING

Ralph asked how long?

That will be part of the development also. The need to establish expectations, needs and satisfaction with the developed program will drive the timeline. Making plans/activity outlines in developing the time to implementation of the project will be part of the planning itself. Recognizing the need for possible policy changes for the renewal of the Waiver application and process changes that may include will affect the planning

process. Education will be important to the total outcome of the planning and the implementation. Running tests, reviewing results, outcome recommendations and addressing the changes at this point will need to be incorporated into the planning by the committee.

Then to implement, continue to run and respond with necessary changes through quality management should be the outcome of the operational program.

The presenters state that they hoped no one is scared off from the possible amount of time and support that will be required by the members.

Frank stated that it will be broke into pieces that can be managed and worked into the bigger picture of the project.

CeCe added that yes that would be the way to go and that the work would precede in a direction that is directed by the plan the committee outlines.

Frank established that it will require sub-groups, small task groups, individual effort and the combination of all that effort directed and guided by the committee.

Then the initial principles were worked on in small group and large group and the decision of the committee generated the following outcomes:

- The MR/DD Waiver member will control and maintain responsibility for the individualized plan, budget and staff.
- It is presumed that any MR/DD Waiver member can self direct their services.
- Quality, health and safety are paramount while promoting independence.
- The MR/DD Waiver member's needs/choices should be respected by all team members.
- There must be ongoing education and support for self-direction for the MR/DD Waiver member.
- The Self Directed option should be a support, rather than a hindrance, to the MR/DD Waiver member and families who choose it.

ROADMAP TO SELF DIRECTION

GUIDING PRINCIPLES

FRAMEWORK

SUPPORT FUNCTIONS

IMPLEMENTATION PLAN

IMPLEMENTATION ACTIVITIES

DRAFT-MR/DD WAIVER SELF DIRECTION COMMITTEE

11-14-07

GUIDING PRINCIPLES

Control of budget
Control of direct workers
Choice of services
Flexible worker wages
Payroll services
Claims services
Consumer/Family education and technical assistance

DEVELOPMENT OF THE CONCEPTUAL FRAMEWORK

DECISION POINTS FOR FRAMEWORK

Model for FEA

Budget or Employer Authority

FEA and Support Broker

Services- in/out

Budget

Personnel/Payroll/Claims

Rules/Regs/Policy

SUPPORT FUNCTIONS

DOCUMENTATION

QUALITY

IT
(INFORMATION TECHNOLOGY)

PLANNING ACTIVITIES

IMPLEMENTATION PLAN

POLICY/PROCESSES

INTERFACE/COORDINATION

EDUCATION

IMPLEMENTATION ACTIVITIES

EDUCATION

PROCEDURES FOR OPERATION

IT
(INFORMATION TECHNOLOGY)

TEST

IMPLEMENT

QUALITY