

## **Olmstead Council Meeting**

Tuesday, April 7, 2015 10 a.m. – 3 p.m.

Bureau of Senior Services, Charleston Town Center Mall

Attending: Nancy Fry, Jenni Sutherland, Richard Ward, Ardella Cottrill, Steve Wiseman, Suzanne Messenger, Brenda Hellwig, Linda Maniak, Michelle Norweck, Jeannie Elkins, Pat Moss, Marcus Canaday, Mark Fordyce, Lewis Newell, Elliott Birkhead, Angela Breeden, Roy Herzbach, and Laura Friend (all Council members), Vanessa VanGilder (Olmstead coordinator) and Jack Turner (guest).

Executive Committee member Steve Wiseman chaired the meeting, which began at 10:05 a.m.

### **Welcome and Introductions**

Members were welcomed and introductions were made. New members Angela Breeden, Mark Fordyce and Lewis Newell told a little about themselves.

### **Reading of the Mission Statement**

Vanessa VanGilder read the mission statement.

### **Approval of February 2015 meeting minutes**

Michelle Norweck made a motion to accept the minutes of the February 2015 meeting. Linda seconded the motion. Steve Wiseman requested to add to the minutes that David Stewart, who was elected as chairperson, was not in attendance at the time of the elections. The motion carried.

### **Public Forum**

There was no one from the public in attendance to address the Council.

### **Take Me Home WV Sustainability Plan update**

Marcus Canaday gave an update on the Take Me Home WV sustainability plan, which was sent out to members prior to the meeting. The plan will be submitted to CMS and will show how West Virginia will continue to actively support moving persons out of institutions following the conclusion of its Money Follows the Person demonstration program. Marcus explained the mandatory section of the plan and optional elements. Comments will be accepted until 5:00 p.m. on April 17, 2015.

Suzanne Messenger joined the meeting and as vice chairperson, she chaired the remainder of the meeting

### **Current Olmstead membership/report from membership committee**

Vanessa gave an update on membership. The Council still has slots available for an AD waiver provider, an IDD waiver provider and someone from housing.

### **Policies and Procedures and By Laws**

A committee, made up of Steve Wiseman, Kevin Smith, Ann McDaniel, Roy Herzbach and Vanessa VanGilder met to look at bylaws and policies and procedures.

Vanessa went over the key changes to the bylaws. Most significantly, “most integrated setting” was added to the mission and vision. The Olmstead decision was a ruling that requires states to eliminate unnecessary segregation of persons with disabilities and to ensure that persons with disabilities receive services in the most integrated setting appropriate to their needs.

Under guiding principles, gaining competitive employment was added.

In the membership section, the EMS-TSN Medley/Hartley Advocacy Project is being removed because it no longer exists. The program still exists but now falls under other agencies. The group discussed adding an older adults group, such as AARP and also under housing possibly having someone from the WV Housing Development Fund or the Economic Development Office. Nancy made a motion to move the Housing position to Home and Community Based Services. Ardella seconded the motion. Nancy amended the motion to add that the category say “providers and/or knowledgeable presentation” of home and community based services. The motion passed.

There was discussion on Section 3 regarding term limits and attendance for both agency representatives and people with disabilities and family members. It was decided that the Executive Committee will look at the issue of term limits and will have something prepared for the July meeting.

The bylaws will be voted on at the July meeting. They will be sent out 30 days prior for members’ inspection.

Vanessa requested that membership make a decision on changing the mission and vision statements so that work could be completed on the display, website and brochures. Suzanne will send out an email to Council members requesting their agreement on the change to the mission and vision by the end of the week.

### **Policies and Procedures**

Vanessa went over the policies and procedures. Ardella made a motion to accept the policies and procedures and Linda seconded it. The motion carried.

### **Transition and Diversion program**

Vanessa gave an update on the Transition and Diversion program. So far, the program has assisted 131 people at a cost of \$96,797.76, an average of \$738.91 per person. The money for two items that were approved has been returned. One person passed away and one person had gotten the item that was needed from another source. Only 7 of the purchases have been for transitions from facilities. It was suggested that maybe the application had too many questions on it that didn't really apply. A committee made up of Jenni Sutherland, Ardella Cottrill, Pat Moss and Roy Herzbach agreed to meet and look at the application. There is still \$64,864.84 available.

Vanessa reported that several people have called and thanked the Olmstead office for assisting them or have sent cards or thank you notes with receipts.

There have been two appeals made for the program. One was a person requesting whole house air conditioning. The Executive Committee reviewed the request and upheld the decision. A letter is being prepared to send and will be reviewed by a lawyer in the OIG office. Suzanne suggested that the appeal committee be the Executive Committee and then other people with expertise be added as needed.

Vanessa has been working with the Centers for Independent Living and several agencies who work with older people and people with disabilities to get information out about the program. She has also visited several of the state facilities. It was suggested that information about Olmstead be presented at the People First Conference, The Integrated Behavioral Health Conference and the Housing Conference. People First is also having a midyear meeting on May 12 in Ripley.

### **Grants and Funding**

The Olmstead Council meeting and training money is used for meeting expenses, stipends and for assistance with trainings with an Olmstead component. So far, there has been a grant to the Fair Shake Network for their 2015 Disability Day and training for \$2,000; a grant to the WV Statewide Independent Living Council for \$4,000 for the Disability Caucus; a grant to the Developmental Disabilities Council for \$2,300 for a Partners in Policymaking Scholarship and a pending grant to the Developmental Disabilities Council for \$2,000 for PASSING training.

### **Legislative Update**

Michelle Norweck gave a legislative update. There were 1,607 bills introduced and 262 of those passed. The Fair Shake Network tracked 167 of those bills with 61 still being alive on crossover day. Michelle highlighted a few bill including AMAPS legislative rules, CHIP moving to DHHR, the Board of Review appeals process and two bills concerning drug overdoses. One bill allowed first responders and the general public to administer Naloxone for drug overdoses and the other is a “good samaritan” bill that gives immunity to those who call for emergency services for medical attention to someone who has overdosed. A bill changing the term "mentally retarded" to "intellectually disabled and the term "handicapped" to "disabled” was also passed. The WV ABLE Act was passed that mirrors federal legislation and allows for tax deferred savings accounts for people with disabilities. This bill is awaiting signature by the Governor.

The interim schedule has received a makeover and will be shortened. There will be a one day meeting on Monday, April 13 and then two day meetings in June, September, October and November. The April meeting should be dedicated to what specific issues the legislature is planning to study.

Michelle also reported that all three waivers are out for public comment.

A rally is planned for Thursday, April 9 at 5 p.m. at the WV Capitol to express concerns regarding the new changes proposed for Title XIX Wavier. The event will be held on the Kanawha Boulevard side of the Capitol.

### **Open Discussion/Announcements**

Steve spoke about the IDD Waiver application and transition plan and complying with federal HCBS rules and also Olmstead rules. There are changes to supported employment and also pre vocational services. Information is available on the DD Council website. A meeting on this is planned for Wednesday, April 8.

Nancy made a motion to adjourn the meeting at 2:40 p.m. Mark Fordyce seconded the motion.

**Next meeting – July 7, 2015**