

## **Olmstead Meeting Minutes**

### **November 4, 2021**

#### **Olmstead Mission Statement**

The mission of the Council is to develop and monitor the implementation of a plan to promote equal opportunities for people with disabilities to live, learn, work and participate in the most integrated setting in the community of their choice through West Virginia's compliance with Title II of the Americans with Disabilities Act.

#### **Olmstead Vision Statement**

The vision of the Council is for all West Virginians with disabilities to live, learn, work and participate in the most integrated setting in the community of their choice.

#### **Staff and Council Members Present:**

Carissa Davis, Ardella Cottrill, Lynsay Frye, Rich Ward, Cara Price, Ann McDaniel, Marcus Canaday, Suzanne Messenger, Nancy Fry, Paul Smith, Amber Hinkle, Teresa McDonough (BMS), Gina Desmond (DRWV) Renee Chapman, Liz Ford, Joyce Floyd, Christine Wilcox (CIL Rep), Elliott Birkhead, Rebecca Jennings, Jenni Sutherland, Esther Wright, Sally Blackburn, Becky Spaulding, and Steve Wiseman

#### **Others Present**

Mark Fordyce, Daniel Gulya – North Dakota, Katie Shelley - Ohio

#### **Council Members Not Present**

Emily Robinson, Mark Drennen, Travis Kline, Kim Nuckles, and Susan Beck

#### **WELCOME AND INTRODUCTION**

Amber Hinkle, Vice Chair, called the meeting to order at 10:07 a.m.

#### **READING OF MISSION STATEMENT**

Cara read the mission Statement.

#### **APPROVAL OF MINUTES**

Ardella made a motion to accept August 2021 minutes as presented and Liz seconded the motion and the motion carried.

#### **PUBLIC FORUM**

Katie discussed what is going on in Ohio with the Ohio Olmstead Task Force.

#### **Membership Update**

Ardella gave an update. The Membership Committee recommended David Duke, Mark Fordyce, and Aaron Morris to fill member with a disability positions. There was a question on whether Mark would be filling a member with a disability position or representing the Bureau of Senior Services. Ann made a motion to approve the memberships of David and Aaron and

hold Mark's application until clarification is received. Liz seconded the motion and the motion carried.

## **Old Business**

### **Annual Report**

Carissa stated that the report is still being finalized by the West Virginia Department of Health and Human Resources staff.

### **2022 Council Priorities**

Ann presented the priorities. Council members selected to use advocate over ensure for priorities two through six. Ardella made a motion to approve the priorities with the change. Nancy seconded the motion and the motion carried.

### **Executive Order Update**

Ann gave an update on what the workgroup has been discussing, which is whether to pursue a new executive order to establish the Council and lay out the purpose of the Council and authority or legislation that would include a line item of funding for the Council and spells out the duties and authorities. The previous Executive Orders do not establish the Council in its current form. Ann has reached out to a legislator on the Government Organization Committee to talk about how this might be structured if we pursue legislation. Marcus stated that statute would seem to be the way to go and asked about any downsides. Ann mentioned that members would likely be governor appointed, which is not necessarily a downside. Suzanne stated that codifying the Council to have stability and formality could be good, but those things can work against us if we want to make changes in the future. Marcus asked if other states have an Olmstead Council in statute. There are no known councils in state code. The workgroup will continue to meet and keep the Council informed.

### **Council Response to Involuntary Hospitalization**

Steve, Suzanne, and Carissa have put together a draft letter using information from Jason Parmer. The group will finalize the letter and determine to whom the letter will be sent.

## **New Business**

### **Council Member Olmstead Related Activities & Issues**

Cara asked about the Country Roads program at West Virginia University (WVU). Gina and Lesley gave some information about the program. Carissa will send the program website link to Council members.

### **Agency Olmstead Related Updates**

#### **Take Me Home (TMH)**

Marcus gave a brief explanation of the program for new members of the Council. He stated there have been about 40 transitions this year with a goal of 80. Numbers are low compared to pre-pandemic numbers. Radio advertisements are running again which should help with referrals. Regional outreach meetings with nursing facility staff will take

place November 15-19. Carissa will send the link to the TMH website to Council members.

The Centers for Medicare and Medicaid Services have approved the five-million-dollar capacity building grant proposal and the initiatives include No Wrong Door (NWD), a telehealth pilot, and online case management system for the Aged & Disabled Waiver program.

Funds will be used to provide for NWD staff and operations of the Advisory Council for three years, develop a media campaign, engage a consultant to work with the state partners to examine access to long term services and supports and develop a strategic plan to make changes. The NWD Advisory Council role is to facilitate implementation of the NWD three-year strategic plan. A scope of work has been drafted and will be submitted to grants management next week.

The final draft of the scope of work for the three-year telehealth pilot has been received from WVU. That agreement will be put in process and hopefully effective by January 1, 2022.

Esther is developing an online training for the housing related resources that she and the TMH Housing Committee developed. She also distributes a housing brief. More information can be found on the TMH website and Carissa will send the link to Council members.

Becky asked if the bill was passed to increase wages for direct care workers. Marcus and Esther gave some information on the American Rescue Plan (ARP) and Build Back Better Acts.

### **Behavioral Health**

Elliott gave an update on adult crisis services. The Bureau for Behavioral Health is in negotiations with two providers to use ARP funds for pilot sites that would be like psychiatric emergency rooms/central receiving units for mental health and substance use disorder staffed by clinicians, peers, nurses, prescriber, and physician or physician extender. The plan is to have services in place by summer 2022 and would be used as an alternative to jail.

Gina asked is there something that would make sure someone with a developmental disability who is having a psychiatric episode would have access. Elliott said this would be a place someone could go in lieu of going to a hospital.

Nancy asked if a mental hygiene petition is filed and a sheriff picks up an individual, would they drop them off at one of these locations? Elliott said they could and there is an ongoing group working on this and he thinks there will be legislation introduced to address this issue.

**TRANSITION AND DIVERSION PROGRAM**

Carissa gave an update on the program. 165 applications were received and 117 were approved. Transitions increased from five (5) in 2020 to 11 this year. Approximately \$22,000 was left and Carissa has requested those funds be included in the next funding cycle. Applications are still being accepted and reviewed monthly. A breakdown of approved applications was requested.

**Other Business**

Council Members requested an update at the February meeting regarding the WV Department of Health and Human Services settlement agreement with ResCare and what is going on with people who are no longer receiving services from the company.

**Announcements**

None

Nancy made a motion to adjourn, and Cara seconded the motion. Meeting adjourned at 12:08 p.m.

**Save the Date:** Future meeting dates: February 3<sup>rd</sup>, May 5<sup>th</sup>, August 4<sup>th</sup>, and November 3<sup>rd</sup>