

## **Olmstead Meeting Minutes**

### **May 6, 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.

#### **WELCOME AND INTRODUCTION**

Steve Wiseman, Chair, called the meeting to order at 10:05 a.m.

#### **Attendance:**

Carissa Davis, Steve Wiseman, Ardella Cottrill, Lynsay Frye, Rich Ward, Cara Price, Ann McDaniel, Sally Blackburn, Marcus Canaday, Suzanne Messenger, Nancy Fry, Paul Smith, Amber Hinkle, Teresa McDonough, Jason Parmer, Roy Herzbach, Renee Chapman, Lesley Cottrell, Esther Wright, Liz Ford, Joyce Floyd, Willis McCollum, Elliott Birkhead, Janice Holland, and Rebecca Jennings

Guests: Mark Fordyce – WVUCED and Gina Desmond – Disability Rights of WV

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

Lynsay read the mission Statement.

#### **APPROVAL OF MINUTES**

Ann made a motion to approve February 2021 minutes and Liz seconded the motion and the motion carried.

#### **PUBLIC FORUM**

None

#### **Membership Update**

Ardella and Carissa gave an update. There are openings on the Council for people with disabilities/family members, Home Health and TBI Waiver providers. They will work on a notice for recruitment. Marcus mentioned sending direct mail to provider agencies.

#### **Old Business**

#### **Annual Work Plan**

The Executive Committee will continue to revise the work plan.

### **Bylaws Vote**

Ann presented the changes to the Bylaws. Liz made a motion to approve the changes and Cara seconded the motion. Jason mentioned inviting someone from the Department of Homeland Security to be a member of the Council. Steve said we could invite them to participate instead of making them a member right now. The motion to approve the Bylaws carried. Changes were made to the Guiding Principles, Specific Responsibilities of the Olmstead Council, Number and Composition of the Council (added one person with a disability/family member position, added one advocacy/disability organization representative, added one provider of home and community-based services and/or supports added one state agency representative), Membership Positions (added one at-large advocacy or disability organization, added West Virginia University Centers for Excellence in Disabilities, and added the department of education), Voting, Quorum, Election of Officers, Membership of the Executive Committee, Responsibility of the Executive Committee, and Responsibilities of the Olmstead Office.

### **Olmstead Plan Update**

Steve stated the intent to send a letter to Governor Justice from the Council requesting an executive order for the plan update. Ann mentioned Steve and Carissa meeting with someone on the governor's staff instead of sending a letter. Carissa will try to arrange this meeting.

### **New Business**

#### **Annual Report Committee**

Carissa asked for volunteers to serve on the committee. Steve stated the Executive Committee will be part of the committee. Elliott and Rebecca volunteered to participate. Carissa will set up a meeting and the report will be presented to the Council for approval.

#### **Outreach Activities**

Carissa requested information from members regarding Olmstead related activities in which they participate. We may look at the forms that the WV Statewide Independent Living Council and the Behavioral Health Planning Council use to record activities.

Steve mentioned the discussion of Olmstead and passage of HB 2290 Employment First during the legislative session.

We are looking for ways to get the broader message out about Olmstead. Nancy suggested doing a Zoom presentation.

### **Agency Olmstead Related Updates**

#### **Disability Rights of WV**

Jason discussed a recent situation in Charleston where the police shot a man who was armed with a knife. This raises an issue about de-escalation, which is an Olmstead issue. The mayor has hired Alecia Allen as a mental health coordinator to work in the Coordinated Addiction Response (CARE) Office. She will be responsible for

coordinating a mental health response team comprised of City of Charleston staff, mental health experts, homeless shelter staff, social service providers. Jason will mention the Olmstead Council to Alecia and see if she is able to attend the next meeting. Jason is also going to point her in the direction of Substance Abuse and Mental Health Services Administration's (SAMSHA) direction to seek funding for law enforcement training on de-escalation techniques.

Cara mentioned the legislature passed a bill to require law enforcement to have training on working with individuals with autism. She would like to know if the training will be done by video or hands-on and if the trainers will reach out to the disability, mental health, and autism communities to include family members of individuals in these communities. Steve asked Cara to follow up with the Autism Training Center.

### **Behavioral Health**

Elliott provided an update. Three of the Comprehensive Behavioral Health Centers (FMRS, Presteria and Westbrook) have received SAMHSA expansion grant funding to become certified community behavioral health clinics (CCBHCs). Today, 340 CCBHCs are operating in 40 states, plus Washington, D.C. and Guam. CCBHCS must ensure access to integrated, evidence-based addiction and mental health services, including 24/7 crisis response and medication-assisted treatment (MAT) for addiction. They must meet stringent criteria regarding timeliness of access, quality reporting, staffing and coordination with social services, criminal justice and education systems. BMS is considering submitting a state plan amendment to fund them and BBH will help cover non-Medicaid funded services and supports.

Steve asked if all of this relates to reducing the risk of unnecessary institutionalization. Elliott stated that is how he interprets the information.

The Bureau for Behavioral Health submitted its plan for use of its supplemental Mental Health (\$4.5 million) and Substance Abuse (\$7.9 million) Block Grant funds to SAMHSA, which include funding for mobile crisis team services for adults, supporting CCBHCs, and a pilot psychiatric urgent care center, collegiate recovery, therapist loan repayment, naloxone purchases, transportation and expansion of recovery residences.

### **Intermediate Care Facilities (ICF)**

Steve stated there is some activity about the development of new ICFs for people with Intellectual and Developmental Disabilities. There are 24 beds to be added. Only a couple people have been served, which indicates that there may not be much of a need for these beds. The Department of Health and Human Resources is leading a monitoring group for these facilities and alternatives. Gina and Jason stated that some people who are currently in Sharpe or Bateman hospitals may fill the available beds upon discharge. Nancy is concerned that the agencies do not have adequate staffing to provide services. She asked what recourse advocates have with no staff to provide the

services? Gina and Steve both stated that this is a crisis that needs to be addressed. Steve will keep the Council updated on this group.

Renee mentioned a letter to the editor in the Charleston Gazette-Mail written by a direct care worker. Carissa will send the letter to the Council.

### **TAKE ME HOME (TMH)**

Marcus stated that the Money Follows the Person (MFP) was reauthorized for three years and there will be authority to spend the funds through 2025. The number of consecutive days in a qualifying institution required for eligibility was reduced from 90 to 60 effective April 1, 2021. The 2021 budget was approved this week. An additional community transition service that will wrap around the waiver community transition service (\$4,000 for essential household items) was approved. The additional service will provide \$4,500 additional funds and will be able to be used for assistive technology.

The Centers for Medicaid and Medicare Services (CMS) has made available a \$5 million supplemental grant to all states participating in MFP for capacity building. Marcus has drafted a proposal to submit to CMS that is broken down into three major parts. TMH has contracted with West Virginia University Center for Excellence in Disabilities to develop the basic infrastructure for a No Wrong Door (NWD) advisory council and workgroups to implement the activities in the NWD strategic plan. Membership of the advisory council and workgroups is being finalized. The proposal includes funding for staffing and operations of the council for three years. The proposal will also include engaging a consultant to work with the council and streamline access workgroup to assess access to long term services and supports in the state and coming up with recommendations to streamline access to those services and supports. Funding is also being requested for an outreach campaign. Also included in the proposal will be a request for funding some of the TMH sustainability plan activities including an online case management system for waivers. Funds for a three-year project to continue to evaluate introducing telehealth into home and community-based services are also being requested. Marcus will send the draft proposal to Carissa and she will distribute it to the Council. Steve asked for an example of streamlining access to LTSS. Marcus mentioned a unified screening for LTSS and addressing some of the institutional bias.

### **TRANSITION AND DIVERSION PROGRAM**

70 applications (65 diversions and five transitions) have been approved and approximately \$113,000.00 (\$102,346.00 on diversions and \$10,654.00 on transitions) spent.

Recently a social worker inquired about using Olmstead Transition and Diversion funds to help a man be transported by ambulance to Missouri where his family lives. He would be in a Missouri facility for at least thirty days to establish Medicaid eligibility. The

committee denied this request because he would not be transitioning to a residence in West Virginia and he would be transitioning to a facility. Ann mentioned contacting resources in Missouri. Suzanne and Sally will check into the State Ombudsman and Aging and Disability Resource Center resources in Missouri. Suzanne reminded the Council that assistance has been provided to someone who transitioned out of state and said that we should review our guidelines to see if changes need to be made. Elliott suggested contacting the Tiger Morton Catastrophic Illness Commission.

### **Announcements**

Carissa reached out to the Olmstead manager in North Carolina and has been put into contact with staff in other states who plan to have regular calls to discuss issues.

Ann announced the Youth Leadership Forum (YLF) scheduled to take place in summer 2022. TEAM Tuesdays! (Together Educating, Advocating & Making a Difference) is taking place on Zoom on the second Tuesday of every month through May 2022 as a lead up to the YLF.

Suzanne and Steve announced that Jim Womeldorff retired, and Travis Kline is now the CEO of Job Squad Incorporated.

Ardella announced the WV Leadership Academy for adults will take place June 24-25. This training for consumers and families with mental health and substance use issues. Training for youth ages 14-18 will take place July 22-23. This training is open to any youth. A train the trainer event will take place in August.

Steve announced the WV Developmental Disabilities Council will host another Partners in Policymaking seminar beginning in September.

Roy motioned to adjourn. Steve adjourned the meeting without objection at 12:05 p.m.

**Save the Date:** Future meeting dates: **August 5<sup>th</sup>, November 4<sup>th</sup>**