

## **Olmstead Meeting Minutes**

### **August 5, 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 (Randy Hill), Jason Parmer (Susan Given), Roy Herzbach, Renee Chapman, Liz Ford, Joyce Floyd, Willis McCollum, Elliott Birkhead, Rebecca Jennings, Kedron Vrabel (Mark Drennan), Jenni Sutherland, and Susan Beck

#### **Others Present**

Holly Riddle – North Carolina, Shelley Madore – Minnesota, Daniel Gulya – North Dakota, Cindy Beane - Commissioner of WV Bureau for Medical Services (BMS), and Jeremiah Samples – Deputy Secretary WV Department of Health and Human Resources (DHHR)

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

Steve Wiseman, Emily Robinson, Lesley Cottrell, Sally Blackburn, Esther Wright, and Janice Holland

#### **WELCOME AND INTRODUCTION**

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

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

Joyce read the mission Statement.

#### **APPROVAL OF MINUTES**

Ann made a motion to approve May 2021 minutes as amended and Ardella seconded the motion and the motion carried.

#### **PUBLIC FORUM**

None

### **Membership Update**

Ardella and Carissa gave an update. The Membership Committee recommended Becky Spaulding to fill a person with a disability/family member position and Travis Kline to fill the employment position. Ann made a motion to accept the committee's recommendations. Lynsay seconded the motion and the motion carried. There are still openings on the Council for people with disabilities/family members, Home Health and TBI Waiver providers.

Rich Ward has agreed to serve on the Membership Committee and Lynsay Frye has agreed to serve on the Executive Committee.

### **New Business**

#### **Workforce Issues and Path Forward**

Cindy Beane, Bureau for Medical Services Commissioner addressed the Council. She stated that the American Rescue Plan Act (ARPA) of 2021 Spending Plan, Section 9817 is on the BMS website. There is opportunity to make changes. BMS has received questions from The Centers for Medicaid and Medicare Services (CMS) and are awaiting approval. There is 10% FMAP increase to supplement but not supplant. 91% match for the first year. \$40 million first year, \$14 million second year, and \$14 million third year. BMS will draw down \$400 million in federal funds.

The plan to address the workforce shortage is to give providers enough funds for sign on bonuses and retention bonuses. 85% of additional funds must go to direct care workers. Providers will be able to spread the dollars out across the time of ARP. The plan for the first year (April 2021-March 2022) is to increase all waiver rates and personal care rate by 50%. Children with Serious Emotional Disturbance Waiver and behavioral health rates will increase by 70%.

Funds will also be used for additional waiver slots, mobile crisis service, increasing behavioral health infrastructure, workforce development, waiver online case management, incident management system upgrade.

Elliott mentioned the Employment First Task Force. The group has met once, and they need more people with disabilities/family members to participate.

Jason mentioned mobile crisis services and asked if there will be any collaboration with law enforcement. Cindy stated that is the goal as the service gets built. There is a planning grant, and they are partnering with the Bureau of Behavioral Health. Elliott mentioned working on a 988-call line.

Suzanne asked if the spending plan might expand the definition of home and community-based services in West Virginia to allow people who live in assisted living to receive those services or if there is any consideration for looking into increasing our current state supplement (adult residential services) with the goal of increasing providers? Rebecca shared about adult residential services and what the Bureau for Children and Families supplements and how assisted living could help keep people out of nursing homes if Medicaid can help. Rebecca will send information to Cindy. Cindy stated that BMS could look at the State Plan Personal Care program.

## **Old Business**

### **Annual Work Plan**

Carissa stated the Work Plan sent with the meeting agenda will be the plan used going forward. If Council Members have changes, they should be sent to Carissa.

### **Annual Report**

Carissa sent a draft to Council Members and asked them to respond by the end of the day, Monday, August 9<sup>th</sup>.

## **New Business Cont.**

### **Policy Priorities**

Carissa asked for volunteers to review the policy priorities to see if changes need to be made. Ann, Liz, and Jason volunteered. Carissa will contact Marcus, Mark, and Steve who were also on the committee last year.

### **Funding Request**

The West Virginia Statewide Independent Living Council requested \$1,000 to fund the 2022 Youth Leadership Forum. The Executive Committee recommended the Council approve the request. Liz made a motion to approve the request as recommended. Lynsay seconded the motion and the motion carried.

## **Agency Olmstead Related Updates**

### **Behavioral Health**

Elliott provided an update on ARPA funds the Bureau for Behavioral Health received. The funds are being run through block grants. They will receive \$6.8 million for Substance Use Disorder (SUD) and \$7.7 million for mental health issues. The funds will be available from September 1, 2021 through September 30, 2025. An initial plan has been submitted and the focus is on COVID related mental health and SUD issues. There will be an emphasis on crisis services. They are still awaiting feedback from CMS.

SAMSHA has announced \$50 million each for SUD and mental health specifically for COVID mitigation. The funds cannot be used for the vaccine. This money will also be made available under the block grant authority but will not have the Block Grant requirements and set asides.

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

Carissa shared Steve's notes: Terry McGee, Program Manager for Long Term Care in the BMS, reported to me that one person (an adolescent) is being served in one of the projected 6 ICF/IID facilities. Two of the operators/providers of the six planned facilities have given notice that they will not proceed with the development and/or operation of two of the facilities. The three others are at different stages of development and do not

have licenses or certification to operate. The intent of the legislation is to provide transitional facilities for children with IDD who are out of state and for adults in Sharpe and Bateman. All individuals must meet the ICF/IDD eligibility criteria.

### **No Wrong Door (NWD)**

Ann and Marcus gave an update on NWD. Mark Fordyce has moved to the Bureau for Senior Services (BOSS) and Lesley Cottrell led the July meeting. The project is ready to start moving toward implementation. Jason asked if law enforcement would be one of the access points. Ann stated she is not sure all access points have been identified and she would take Jason's question back to the committee. Marcus indicated that this would be a key access point.

NWD will play a key part in long-term services and supports systems transformation. BOSS is the lead agency and there will be multiple access points with some hand offs to the Aging and Disability Resource Center offices. The advisory council members will have two-year terms and quarterly meetings will be held. Workgroups will meet outside of the quarterly meetings. State agency representatives will also participate in the meetings.

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

Marcus stated TMH is on about the same pace as last year with transitions. There were 58 transitions in 2020 and the goal was 80. Transition Coordinators are still not back in nursing facilities. There have been 26 transitions from January through June 2021. Outreach efforts are continuing.

The telehealth pilot enrollment was extended to the end of May. Twenty-six people enrolled and the target was 30. Three people are active in intervention phase. Most have completed the intervention phase, and a few dropped out. Some preliminary data has been shared. A final evaluation will be submitted by the end of December.

TMH submitted a proposal for a capacity building grant from CMS. CMS staff had questions and the responses are being reviewed by DHHR grants management staff and will be submitted to CMS by the end of the month. The grant is for initiatives to expand home and community-based services. Part of the \$5 million proposal is to support the ongoing work of the NWD Advisory Council for three years to implement the three-year strategic plan. There is also funding to engage consultants to work with the state to assess our system of access to long term care and revisit the analysis and the continue piece that began in 2014. Funding is also being requested for and Aged and Disabled Waiver online case management system and a three-year project with WVU to evaluate telehealth.

### **TRANSITION AND DIVERSION PROGRAM**

74 applications (65 diversions and nine transitions) have been approved and approximately \$120,000.00 spent. We have approximately \$84,000 available. Applications can be accepted until September 30<sup>th</sup>.

### **Other Business**

#### **Department of Corrections Contact**

Carissa reached out to Commissioner Jividen with the Department of Corrections about participating in Olmstead Council meetings.

#### **Olmstead Leaders**

Shelley and Holly shared some brief remarks and thanked the Council for allowing them to join the meeting. Carissa will send a link to Minnesota's Olmstead website to the Council Members.

### **Announcements**

Jason mentioned individuals in psychiatric hospitals that are ready for discharge and their IDW providers cannot or will not take them back. Suzanne reminded the Council that this is what Ed Hopple discussed with the Council earlier this year. Ann asked the Executive Committee to structure a response from the Council. Holly mentioned North Carolina was sued by the Department of Justice for this issue. Carissa will schedule an Executive Committee meeting.

Jason also mentioned publications on crisis services that can be found on [nasmhpd.org](http://nasmhpd.org).

Amber adjourned the meeting without objection at 11:56 a.m.

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