

## **Olmstead Meeting Minutes**

### **November 5, 2020**

#### **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, Jenni Sutherland, Rich Ward, Cara Price, Ann McDaniel, Sally Blackburn, Angie Breeden, Marcus Canaday, Suzanne Messenger, Nancy Fry, Paul Smith, Janice Holland, Amber Hinkle, Teresa McDonough, Jason Parmer, Amber Moore, Mark Fordyce, Kevin White, Roy Herzbach, Renee Chapman, and Lesley Cottrell

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

Angie read the mission Statement.

#### **APPROVAL OF MINUTES**

Mark made a motion to approve August 2020 minutes and Ardella seconded the motion and the motion carried.

#### **PUBLIC FORUM**

None

#### **TAKE ME HOME WV UPDATE**

Marcus gave an update. Ninety-one Intakes have been submitted this year and fifty-one people have transitioned through the end of October. Four Hundred and fifty-three people have transitioned throughout the program. Two hundred and eighty-six individuals have completed 365 days.

Online Case Management Pilot – The provider/user phase ended June 30<sup>th</sup> and the Bureau for Medical Services is drafting a final report of recommendations and considerations to be submitted to Medicaid leadership.

Telehealth Pilot – People have been enrolling for seven months and will continue to be enrolled through February. Sixteen individuals who transitioned with Take Me Home have enrolled and the target is 30.

No Wrong Door – Mark Fordyce is the Program Manager for the one-year initiative to help implement first year activities of the three year No Wrong Door strategic plan. Mark has met with the steering committee, the Administration for Community Living, and peer-to-peer states. Committees are being developed to work on activities.

Scott Wiley is the new Quality Manager with Take Me Home. He will be working with the State to help implement the Electronic Visit Verification (EVV) system. The EVV vendor was recently selected. He will also be working with the State on the Incident Management System (IMS) and Metro Area Agency on Aging to implement technology infrastructure for No Wrong Door.

The invitation to submit a budget request has not been received. A budget amount will be requested to support 80 transitions each year for a couple ore years. Two to two and half years of transitions are anticipated. Funding will also be requested to support IMS and potentially other projects.

CMS has made up to five million dollars available to states participating in the Money Follows the Person initiative. State must request funds by June 30<sup>th</sup>, 2025 and funds must be spent by June 2025. West Virginia will make a request for funds to be used for systems change activities.

### **MEMBERSHIP UPDATE**

Members are still needed to fill individuals with disabilities/family members, TBI Waiver provider, and Home Health provider positions. Steve, Ardella, and Carissa have reached out to individuals and agencies to fill these positions.

Membership Committee Election – There are three positions open on the Membership Committee. Ardella and Joyce are eligible for a second term and both are interested. Liz Ford also stated she would be willing to serve. Mark made a motion to accept the slate for the Membership Committee. Cara seconded the motion and motion carried. Ardella abstained from voting.

### **TRANSITION AND DIVERSION PROGRAM**

- Startup budget was \$192,950.00 - \$183,396 spent
- 119 Approved – 7 Transitions

Carissa and the Executive Committee will work on getting funding to continue funding requests through the last quarter of the year, which is currently not possible.

The Executive Committee discussed some issues for the Olmstead Transition and Diversion Program and Carissa provided the minutes to the Council. After Council member discussion, the Executive Committee will again discuss the issue of couples applying at the same time and

requesting the same or different items to provide clear guidance to Council members reviewing applications.

## **Old Business**

### **Annual Report**

The Annual Report was accepted by DHHR with some changes and was submitted to the Governor's Office.

### **Olmstead Plan Update Status**

Carissa is working with DHHR staff to get an Executive Order from the Governor.

## **New Business**

### **2021 Policy Priorities**

A workgroup met to revise the policy priorities and Carissa sent them to the Council prior to the meeting. Ann made a motion to approve the policy priorities. Ardella seconded the motion and the motion carried. Teresa abstained from voting.

### **Council Letterhead**

Amber submitted letterhead ideas to the Executive Committee, and this was shared with the Council. Carissa will ask about adding the logo to the Olmstead Transition and Diversion Program application and letters that come from the Olmstead Office.

### **Announcements**

The Executive Committee will meet on November 20th to develop the 2021 Workplan. Steve mentioned the Developmental Disabilities Council Training taking place on November 30<sup>th</sup>, December 2<sup>nd</sup> and December 4<sup>th</sup>.

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

Jason gave an update. Disability Rights is following up on individuals with I/DD and dementia being committed in the mental hygiene process and individuals discharging from prisons who need nursing care. Nursing homes will often not take someone who is being discharged from prison. They are trying to use state nursing homes, but sometimes the Department of Corrections has dropped off individuals at county courthouses when there is no other place for them to go, which often results in the person being homeless or re-arrested.

Disability Rights is also working on an agreed order with DHHR to set up an Office of Mental Health Ombudsman regarding the Hartley case which is scheduled to close by the end of the year. The Ombudsman parameters would be similar to those of the Court Monitor. Also, DHHR is seeking to lift the moratorium on ICF beds.

Jason mentioned House Bill 4009 and House Concurrent Resolution 133. HB4009 would reform the involuntary commitment of people in the criminal justice system. Currently, West

Virginia puts people in Sharpe Hospital for the maximum sentence if they are found incompetent to stand trial. The Prosecutors Association opposes this bill and there will be discussions in the Senate Judiciary Committee during the interim sessions. HCR133 was passed in February 2020 to reform civil commitment procedures. The Resolution states that the Legislature wants to adopt a psychiatric deterioration standard for involuntary hospitalization and to require a written treatment plan to submit to the court.

Suzanne mentioned the Ombudsman Program has been part of a workgroup regarding dealing with where individuals go when they are released from prison and not unnecessarily sent to a nursing home or dropped off on the street. Some providers have been identified with the WV Healthcare Association. Suzanne also discussed the safety measures that have taken place in nursing homes. The nursing home census is low right now and there is an opportunity right now for advocates to look at policies and priorities to make it easier for individuals to access Home and Community-Based Services and other services to enable them to stay in the community.

Jason stated that Connecticut has a state nursing home to house people discharging from a correctional facility who need nursing care and maybe there could be dedicated wings in state nursing homes. Ann brought up that in the spirit of Olmstead, home and community-based nursing services need to be looked at for these individuals and there needs to be better transition planning. Suzanne stated that we need to make sure everyone has equal access. The possibility of using CARES Act money to help this situation was mentioned. Attendees also discussed issues that people who are mentally ill face coming from incarceration or from psychiatric hospitals.

Ann mentioned what she has heard is possibly going to happen with the 2021 legislative session. She, Christy Black, and Paul Smith plan to put together guidance on how to develop relationships with legislators that people do not know since they will most likely not be able to visit their office.

Ann made a motion to adjourn. Cara seconded the motion and Amber adjourned the meeting at 11:53 AM.

**Save the Date:** Next meeting date **February 4<sup>th</sup>, 2021.**