

# Olmstead Council Meeting

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**Meeting Date:** Tuesday, January 15, 2013

**Meeting Time:** 10:00 AM – 4:00 PM

**Minutes Approved:** May 22, 2013

## MEETING MINUTES

**Members Present:** Ardella Cottrill, Jeannie Elkins, Nancy Fry, Clarice Hausch, Brenda Hellwig, Roy Herzbach, Cathy Hutchinson, Suzanne Messenger, Kim Nuckles, David Sanders, Bitsy Shaw, Kevin Smith, Dave Stewart, Steve Wiseman

**Member Proxies:** None

**Members Absent:** Tomi Burnside, Libby Collins, Karen Davis, Jan Derry, Mark Drennan, Darla Ervin, Laura Friend, Mark Knabenshue, Ann McDaniel, Vanessa VanGilder

**Public:** None

**Other:** Tina Maher (Olmstead Coordinator), April Robertson (OIG General Counsel)

AGENDA TOPIC	DISCUSSION/RECOMMENDATIONS	ACTION STEPS
<b>WELCOME &amp; INTRODUCTIONS</b>	Nancy Fry, Chair opened the meeting and welcomed everyone. She asked Members to introduce themselves.	None
<b>APPROVAL OF THE MINUTES</b>	Fry asked Members to review the October 2012 meeting minutes. Roy Herzbach made a motion to approve the minutes with two corrections, and Ardella Cottrill seconded the motion. The motion passed without dissenting or abstaining votes.	Tina Maher will email the approved October 2012 minutes to Members. Hard copies will be provided at the next regular meeting.
<b>GENERAL UPDATES</b>	<b><u>Olmstead Priorities for 2013</u></b> Tina Maher reviewed the draft Olmstead Priorities for 2013. Tina made changes based on Member input. Members reviewed the document. Ardella made a motion to approve the Olmstead Priorities for 2013, and Kevin Smith seconded the motion. The motion passed without dissenting or abstaining votes. Discussion was held by Members. Steve Wiseman stated his appreciation of the Council to recognize the importance of Priority #5 for	Tina will send an electronic copy of the Priorities.  Hard copies to will be made available for dissemination.

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	<p>meaningful day activities and community associations. Tina stated that the priorities reflect Department of Justice guidance and enforcement actions.</p>	
	<p><b><u>Disability Policy Summit and Consensus Agenda</u></b>  Tina reviewed the Consensus Agenda and the process that took place. A majority of Members took part in the Disability Policy Summit. Kevin made a motion to approve/ratify the Agenda, and Jeannie Elkins seconded the motion. The motion passed without dissenting or abstaining votes.</p>	<p>Tina will inform Ann McDaniel the Council ratified the Agenda.</p> <p>The document will be distributed when finalized by the SILC/SRC.</p>
	<p><b><u>AMAP and Health Maintenance Tasks</u></b>  Tina asked Steve Wiseman to provide an overview of the progress to change the AMAP process to include health maintenance tasks. Clarice Hausch offered legal assistance from West Virginia Advocates.</p> <p>Tina is planning to meet with the Director of OHFLAC to discuss this issue.</p>	<p>Tina will keep Members updated on action taken on this issue.</p>
	<p><b><u>Take Me Home, West Virginia – MFP Grant</u></b>  Tina provided an update on the MFP grant. Transition Navigators should be hired in time for the scheduled training scheduled for January 29-31, 2013. The housing coordinator and administrative assistant will also soon be hired.</p> <p>The program is tentatively targeting the beginning of February for accepting referrals.</p> <p>Members had questions on the outreach and marketing efforts for the grant. Tina will follow up on this issue with Marcus Canaday.</p>	<p>Tina will keep Members updated on action taken on this issue.</p>
	<p><b><u>Guardianship</u></b>  Roy Herzbach raised the issue of guardians and other types of legal representatives refusing community placement or discharge from nursing facilities. Members stated this issue also affects the state-psychiatric facilities and ICFs/MR. This was reported to be of particular concern when DHHR is the guardian or health care surrogate.</p> <p>Members discussed the possibility of developing</p>	<p>Tina will send out an email to solicit participation on an ad hoc committee to make formal recommendations to the Council. Non-council members will be able to serve on the ad hoc committee.</p>

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	informational products, and You Tube videos. In addition, Suzanne Messenger recommended the Council sponsor training for legal continuing education on guardianship issues. The targeted timeframe would be Spring 2014.	
<b>COORDINATOR'S REPORT</b>	<p><b><u>General Updates</u></b></p> <ol style="list-style-type: none"> <li>1. Conducted research on nurse delegation of health maintenance tasks and distributed it to the Council.</li> <li>2. Submitted comments to the Bureau for Medical Services (BMS) on proposed changes to the Targeted Case Management manual and distributed it to the Council.</li> <li>3. BMS is working with the Parties of the Hartley case to potentially amend the TBI Waiver program to remove the institutional requirement for application to the program.</li> <li>4. Attended the Comprehensive Behavioral Health Commission meeting (12/16/2012). DHHR reported that they continue to work on the behavioral health rules and Chapter 27. Tina followed up with DHHR on this and will forward their response once it is received.</li> <li>5. Participated in the Disability Policy Summit (11/08/12 and 11/09/2012).</li> <li>6. Participated as a member of the I/DD Waiver QAI Council at their regular meeting on 10/17/2012.</li> <li>7. Participated as a member of the Medley Management Team at the 12/12/2012 meeting.</li> <li>8. Attended new member orientation for the WV Statewide Independent Council (SILC) on 11/30/2012. Participated in the regular SILC/SRC meeting (12/05/2012 and 12/06/2012).</li> <li>9. Participated in weekly meetings for the Take Me Home, West Virginia MFP grant. Attended the first meeting of the Advisory Council on 12/12/2012.</li> </ol>	Tina will begin providing members with regular Coordinator's reports prior to each meeting.

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	<p>10. Continuing to work on the development of a new website for the Office of Inspector General.</p> <p>11. Regular meeting with Molly Jordan, Deputy Secretary for DHHR was cancelled.</p>	
	<p><b><u>Olmstead Transition and Diversion Program</u></b>  Tina distributed a report on funding that has been expended for the program during state fiscal year 2013 (July 1, 2012 – December 31, 2012).</p> <p>Fifty-three (53) people have been supported by the program with eleven (11) people supported to transition and forty-two (42) people supported for diversion.</p> <p>Thirty-three (33) application have been denied due to not meeting the eligibility criteria for the program. Additional information may be provided on any denial to have the application reconsidered.</p> <p>A total of \$72,859.24 has been expended for an average per participate cost of \$1,375.</p> <p>Tina discussed with the Council the need to review and revise the program policy and application, including the appeal process.</p> <p>Member discussed the financial eligibility of the applicant, providing outreach and education, and reviewing the RYPAS and CLSP program processes.</p> <p>An ad hoc committee was recommended to assist Tina with this effort.</p>	<p>Tina will provide monthly updates on the program to Members.</p> <p>Tina will solicit for participation on an ad hoc committee to assist with reviewing and revising the program for state fiscal year 2014.</p>
	<p><b><u>Council Membership</u></b>  Tina discussed membership concerns. The nursing facility representative has missed the last 4 meetings and this position needs to be replaced. The Aged and Disabled Waiver representative has missed 3 of the last 4 meetings.</p>	<p>Tina will assemble to Executive Committee to review the by-laws. The Executive Committee will make recommendations at the next meeting.</p>

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	<p>Tina asked Members to consider re-visiting the membership section of the by-laws to ensure Member representation meets the needs of the Council. In addition, it has been nearly 3 years since the by-laws have been reviewed and it may be a good time to do this.</p> <p>In addition, it was discussed the need for the Bureau for Medical Services (BMS) representative to be able to provide information on Medicaid home and community-based services. It was discussed that the MFP grant needs to also be represented on the Council.</p> <p>The Council recommended the Executive Committee review the by-laws and present recommendations to the full Council in April.</p>	
	<p><b><u>New Member</u></b> The Council voted to approve Mr. Joe Cunningham as a new Council member.</p>	Tina will notify Mr. Cunningham and provide orientation prior to the next meeting.
<b>OLMSTEAD PLAN GOALS</b>	<p>The Council discussed the process to update the Olmstead Plan and a document that was presented by Tina.</p> <p>The Council recommended that Tina draft objectives for each of the 8 goals for the Council to provide feedback and input.</p>	Tina will provide the Council with draft objectives for each Olmstead Plan goal area. This will be provide to Members prior to the April meeting.
<b>PUBLIC COMMENT</b>	None	None
<b>OTHER BUSINESS</b>	<p><b><u>Other Business and Announcements</u></b></p> <ol style="list-style-type: none"> <li>1. The WV Mental Health Planning Council has changed their name to the WV Behavioral Health Council.</li> <li>2. A Statewide Behavioral Health Conference will be sponsored by the BHHF on September 17-19, 2013.</li> <li>3. WV Disability Training Day is February 26, 2013 and the WV Disability Advocacy Day at the Legislature is February 27, 2013. This is sponsored by the Fair Shake</li> </ol>	None

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	<p>Network.</p> <p>4. Applications are available for the Family First Conference. Ardella will send the application to Tina for distribution.</p> <p>5. Wrights Law will be held April 16-17, 2013 and is sponsored by the WV Advocates.</p> <p>6. The WV Developmental Disabilities Council will be sponsoring an Alternatives to Guardianship workshop on May 13<sup>th</sup>. Steve will send information to Tina to distribute to the Council.</p>	
<b>ADJOURNMENT</b>	Cathy Hutchinson made a motion for adjournment and Ardella Cottrill seconded the motion.	None
<b>NEXT REGULAR MEETING</b>	The Council decided to re-schedule the April meeting due to numerous other events being held on April 16, 2013.	Tina will send out an email to solicit new dates for the April 2013 meeting.