

Olmstead Meeting Minutes

May 5, 2022

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, Steve Wiseman, Lynsay Frye, Rich Ward, Ann McDaniel, Marcus Canaday, Suzanne Messenger, Nancy Fry, Paul Smith, Amber Hinkle, Teresa McDonough (BMS), Joyce Floyd, Annetta Johnson, Elliott Birckhead, Rebecca Jennings, Esther Wright, Jason Parmer (DRWV), Travis Kline, Becky Spaulding, Cara Price, Shawn Allen, Chris Orndorff, David Duke, Aaron Morris, Mark Drennan, and Roy Herzbach

Others Present

Jolynn Marra, Jeremiah Samples, Katie Arbaugh, Matthew McCollough, Abby Volin, Holly Riddle, and Daniel Gulya

Council Members Not Present

Sally Blackburn, Renee Chapman, Lesley Cottrell, Liz Ford, Danny Gray, Kim Nuckles, and Jenni Sutherland

WELCOME AND INTRODUCTION

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

READING OF MISSION STATEMENT

Chris read the mission Statement.

APPROVAL OF MINUTES

Aaron made a motion to accept the February 2022 minutes as presented and Lynsay seconded the motion and the motion carried.

PUBLIC FORUM

None

New Business

Roles and Functions of the Mental Health Ombudsman

Jolynn provided information on the Mental Health Ombudsman position and office. A candidate for the position has been chosen and final approval from the Division of Personnel is pending. This person will work with other advocacy organizations and will file regular reports. There is hope to be able to expand the office to include regional ombudsmen in the future.

Jolynn also stated that the Behavioral Health Program (including Intermediate Care Facilities and Individuals with Developmental Disabilities) is seeing improvement. ResCare has sold their required facilities. A few facilities are receiving extra visits to ensure compliance. Office of Health Facility Licensure and Certification (OHFLAC) has selected a candidate for the Assistant Program Manager for the Behavioral Health Program and final approval from the Division of Personnel is pending. Jolynn will provide the number of full-time employees allocated to OHFLAC and the vacancy rate as requested by Jeremiah.

Status of Virginia Mask Mandate Lawsuits

Abby provided an update on the Virginia Mask Mandate Lawsuits. A judge ruled that the students may be entitled to reasonable modifications from general policies in school settings, but this must be decided on a case-by-case basis. The injunction only applies to the twelve plaintiffs. Some school districts are appealing this decision.

Legislative Wrap-up

Ann and Elliott provided information on bills that passed both houses. Those bills were: SB247, SB261, SB470, SB522, SB647, HB4020 (vetoed by the Governor), HB4112, HB4276, HB4377, and HB4649.

Olmstead Plan Update Planning Committee

Carissa will gather more information on the time commitment and get back to the Council. Carissa and Marcus will discuss funds to obtain a consultant to facilitate the process of updating the Olmstead Plan. Ardella suggested Council members attend the listening sessions for the West Virginia Statewide Independent Living Council and West Virginia Independence Network's State Plan for Independent Living.

Annual Report Committee

Carissa asked for members to serve on the committee. Ardella, Elliott, Joyce, Rebecca, and Suzanne agreed to serve.

Council Members Share Olmstead Related Activities and Issues

Steve shared his comments from the legislature's Children and Families Committee meeting.

Jason and David spoke about the criminalization of people with serious mental illness and community mental health treatment.

Becky spoke about her personal experiences and the need for people's wishes to be known and honored.

Old Business

Executive Order Update

Steve stated that the workgroup is still working on the draft. Carissa requested feedback from the Executive Committee and will follow up.

Agency Olmstead Related Updates

Marcus provided an update on Take Me Home activities. Additional Transition Coordinators and Housing staff will be hired.

Transition and Diversion Program

Carissa mentioned that the application review committee would like feedback from the full Council regarding requesting portable ramps instead of permanent ramps for rental properties. Carissa will send an email to the Council to get feedback and provide a program update.

Other Business

None

Announcements

Steve is retiring in July. Carissa will work with Ardella to setup a Membership Committee meeting.

The meeting was adjourned by acclamation at 12:24 p.m.

Save the Date: Future meeting dates: August 4th, and November 3rd