

Olmstead Council Minutes July 20, 2010

Present: Kevin Smith, Jeannie Elkins, Nancy Fry, Brenda Hellwig, Linda Maniak, Steve Wiseman, Cathy Hutchinson, Vanessa VanGilder, John Russell, Suzanne Messenger, Roy Herzbach, Penney Hall, Elliott Birckhead, David Stewart, Cynthia Parsons

Welcome & Introductions

The Olmstead Council meeting was held at the Erickson Alumni Center at WVSU in Institute, West Virginia. Nancy Fry, Chair called the meeting to order. Fry welcomed members, and introductions were made.

Review & Approval Minutes

Fry introduced the draft minutes of the April 20, 2010 Council meeting. Jeannie Elkins moved to accept the minutes as presented and Kevin Smith seconded the motion. There was no discussion. A vote to accept the minutes was taken with no abstentions or dissenting votes.

Systemic Issues

Updates on Legislation:

Steve Wiseman reported that SB 498, changing the words “mental retardation” to “intellectual disability” which was reported as vetoed by the Governor at the last meeting was brought back before the legislature and the problems were fixed. The bill became effective on June 11.

Suzanne Messenger said SB 664 was passed. This bill dealt with guardianship issues. She also said the Supreme Court has developed an on-line training course for anyone who wants to be a guardian or a conservator. She will send the link to Tina for distribution to the Council.

Waiver renewal:

Cynthia Parsons said the MR/DD Waiver renewal is before CMS. The Bureau has not heard from CMS. The MR/DD Waiver QI Council is meeting on July 21. Tina did get feedback on the comments she submitted on the waiver renewals. The MR/DD Waiver Manual will be posted on-line for a 30 day comment period once it is finished. The Committee suggested Tina contact the Bureau to tell them the compilation of comments she received does not provide much information about what the comments consisted of.

Waiver Wait Lists:

No report

Managed Care and Behavioral Health:

Plans are for people with SSI will be included in the Medicaid Manage Care program. Committee members who were familiar with the issue discussed the issue. A letter for a group of advocates was sent to DHHR. The case management will be done by the managed care organization. John Russell said is association commissioned a study

after the Secretary announced an integration of medical and behavioral health on April 1. The study can be found on their web site at http://www.wvbehavioralhealth.org/pdfs/Can_HMOs_Deliver.pdf . His group is not supportive of this initiative.

The number of beds at Bateman Hospital was increased from 90 to 120 beds. The state hospitals are at capacity. Elliott Birckhead said almost everyone is now being admitted involuntarily because there is guaranteed payment from the state for these admissions.

Fry said ACT requires 12 months of consistent hospitalization to be eligible for case management. Birckhead said the Department will pay for case coordination regardless of ACT. Fry said it does not meet all the needs of the people and Birckhead agreed.

Kevin Smith moved to set up a subcommittee to discuss issues on behavioral Health. David Stewart seconded. Discussion: Need to discuss the needs of people and case management. The motion was amended to read: A subcommittee of the Olmstead Council be created to look at the managed care and case management aspects of behavioral health. Motion passed with abstentions from Birckhead and Parsons. Committee members: Nancy Fry, David Stewart, Cathy Hutchinson, John Russell, Steve Wiseman. Tina is to ask David Sanders to join this committee. Tina to set an initial face-to-face meeting of the subcommittee.

Coordinator's Report:

The Council requests that Tina provide them with a copy of the report she submits to Molly Jordan every month. This can be provided electronically. They felt it would assist them in keeping up with what was happening.

Tina presented at the Olmstead, Mental Health block grant and data infrastructure conferred in July in Washington, D.C. By all reports she did an outstanding job.

Transition Navigator Program:

As of May 31 the total number of people transitioned from nursing facilities in 2010 was 35 and 84 people were diverted. The average cost per person was \$2,014.81. There were questions regarding how long are people who are transitioned from nursing facilities are tracked and how many, if any, who are transitioned end up back in the nursing home.

Health Care Reform:

Elliott said the Kaiser Foundation and the Bazelon Center had some good summary reports on the health care reform as it relates to Medicaid, Medicare and behavioral health. He will share the links with Tina to get out to Council members.

Institutional Bias Report :

Nor information was presented.

Olmstead Annual Report:

A draft copy of the Olmstead annual report was given to Council members. Members are to get any comments they have to Tina by August 2. The Executive Committee will review the report and any comments and present a final draft to the Council at its next meeting for approval.

Other Business/Public Comment:

The Disability Caucus and the celebration of the 20th anniversary of the signing of the ADA will be conducted July 26 to 28 at the Charleston Marriott.

People First Conference will be September 8 to 10 at Jackson Mills in Jane Lew. Registration will be sent out soon. Theme is Personal Safety.

DD Council is conducting Wills & Trusts and Social Role Validation trainings.

The WV Long Term Care Partnership has a request for proposals out to fund four projects between Aug. 1 and Nov. 5, 2010 to work towards addressing certain issues. Steve Wiseman said the DD Council was looking at applying to look at converting ICF/MR facility beds to waiver services to allow more residents of ICF/MR's to live in the community. He would like to partner with the Olmstead Council. Final proposals are due July 30. There was discussion of whether it would be better for the Fair Shake Network to be the lead organization. The Partnership is providing a mini-grant of \$5,000 to the lead organization. Penney Hall moved for the Olmstead Council to partner with either or both the DD Council and the Fair Shake Network to address the ICF/MR issue. David Stewart seconded. Motion passed with no abstentions or dissenting votes.

The next meeting is October 19 at 1:00 p.m.

Stewart moved to adjourn at 4:00 p.m.