

Olmstead Council Meeting

Meeting Date: Tuesday, July 17, 2012

Meeting Time: 1:00 PM – 4:00 PM

Minutes Approved: October 16, 2012

MEETING MINUTES

Members Present: Dave Sanders, Brenda Hellwig, David Stewart, Suzanne Messenger, Kim Nuckles, Mark Drennan, Vanessa VanGilder, Ardella Cottrill, Clarice Hausch, Cathy Hutchinson, Steve Wiseman, Jeannie Elkins, Jan Derry, Laura Friend, Ann McDaniel, Marcus Canaday

Member Proxies: None

Members Absent: Roy Herzbach, Nancy Fry, Kevin Smith, Darla Ervin, Rachel Fetty, Tomi Burnside, Mark Knabenshue, Bitsy Shaw, Karen Davis

Public: None

Other: Tina Maher, Olmstead Coordinator, April Robertson, General Counsel/OIG

AGENDA TOPIC	DISCUSSION/RECOMMENDATIONS	ACTION STEPS
WELCOME & INTRODUCTIONS	The Olmstead Council meeting was held at the Summit Conference Center. The chair was unavailable. Tina Maher asked members to introduce themselves. Maher went over the agenda for the meeting.	None
APPROVAL OF THE MINUTES	Suzanne Messenger, Vice Chair introduced the draft minutes from the April meeting. Ann McDaniel made a motion to approve the minutes and Vanessa VanGilder seconded the motion. Messenger asked for discussion and no discussion was held. Council voted to accept the minutes as written with no dissenting and abstaining votes.	Coordinator will email approved minutes to members within 10 working days, and provide a hard copy at the next regular meeting.
GENERAL UPDATES	MFP and ADRC Grants Marcus Canaday provided the Council with an update on the MFP and ADRC grants. The Centers for Medicare and Medicaid Services (CMS) has approved the operational protocol.	Canaday/Maher will continue to provide the Council with updates.

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	<p>The Bureau for Medical Services (BMS) is processing grant applications for the transition navigators and support positions. Once the grants have been approved the hiring will begin for positions.</p> <p>BMS is finalizing the scope of work for the Bureau of Senior Services (BoSS). BoSS will providing the following support for the MFP grant: 1) the ADRC/MFP grant that is for \$400,000 over two years and 2) funding for the Ombudsman to provide support to the grant.</p> <p>BMS is working on the statewide online incident management system that is required of the grant and will be available all HCBS programs.</p>	
	<p>HUD Grant David Sanders reported on the Housing grant solicitation that is been developed.</p> <p>The WV Housing Development Fund is the applicant for the grant and they are partnering with Bureau for Behavioral Health and Health Facilities (BHBF) and BMS are co-applicants. The Coalition to End Homelessness is writing the grant.</p> <p>Dave distributed a summary of the grant opportunity.</p> <p>Members had the following questions:</p> <ul style="list-style-type: none"> • What areas of the state will be targeted by this grant? • Are there any restrictions for the location of the units within the grant? For example, restricting the proximity to other institutional facilities, other large housing units, etc. • Will the grant require participating units/landlords be compliant with fair housing laws? • What is state approved tenant selection 	<p>Coordinator will send electronic copy of the grant summary Dave handed out.</p> <p>Maher will send the questions to Elliott Birckhead and will forward the answers to members.</p> <p>Maher will communicate the concern that the grant adheres to the Olmstead principle of the most integrated setting.</p>

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	<p>processes and criteria that will be used?</p> <ul style="list-style-type: none"> • What commitments are the State Health and Human Services/Medicaid agencies going to make for supportive services to support the grant? • What connections to public services/transportation (connectivity) within the grant? • Will advocacy organizations and others be asked to write letters of support? <p>Members discussed their concern that basic Olmstead principles perspective for the most integrated setting mandate be a priority of the grant.</p> <p>The Olmstead Council expressed their support to the Department in applying for this grant.</p>	
	<p>Behavioral Health Rules & Chapter 27 Clarice Hausch, Mark Drennan, Steve Wiseman, and Maher reported on the progress to rewrite the behavioral health rules and Chapter 27. The behavioral health group has been working on rewriting the rules for the past 18 months. The work to rewrite Chapter 27 of the WV State Code has started in the past 2 months. Chapter 27 covers the state-operated facilities, and comprehensive behavioral health centers, involuntary/voluntary commitment process.</p> <p>Members discussed at length the involuntary commitment process. Concerns were raised about the quality of legal representation during this process.</p> <p>Drennan raised the issue of young people being committed and losing their gun rights for their lifetime.</p> <p>David Stewart cautioned about getting lobbyists and others who can impact this legislation in agreement or on-board.</p>	<p>Maher will continue to provide updates.</p> <p>Maher will communicate with Sheila Kelly and the workgroup the concern about the adequacy of legal representation prior to and during the mental hygiene process.</p> <p>Tina will solicit a workgroup of the Council to look at the involuntary commitment process and make recommendations to Sheila Kelly.</p>

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	<p>Direct Worker Registry/Curriculum</p> <p>Mark Knabenshue provided Maher with a written update to share with the Council. Maher discussed the legislation passed during the 2012 session on the in-home worker registry (HB 4062). A work group has been working hard to develop a curriculum and credentialing process.</p> <p>Laura Friend discussed the need to be mindful about focusing on the home care environment and not looking at an institutional model. Most standardized curriculums she has seen are institutional based.</p> <p>Members expressed the concern that this curriculum will be developed to cover multiple disability groups. In addition, concerns that the standard of using CNAs will be seen as a medical model is not appropriate for all populations.</p> <p>Members expressed the concern of the misunderstanding (even from federal level) that all disability groups and seniors have same needs and need same supports.</p>	<p>Maher will continue to keep the Council updated on issues related to the direct care worker registry and curriculum.</p>
	<p>Upcoming Legislative Issues</p> <ul style="list-style-type: none"> • Community-Based Services Act/Olmstead legislation • Health Maintenance Tasks and Unlicensed Personnel legislation – Steve provided a copy of an editorial from the Dominion Post about an individual need for ventilator care. May need to do a separate piece of legislation to address ventilator care. WV Advocates did a study on the costs. • Behavioral Health Rules and Chapter 27 • Medicaid issues and need to watch extra close. Budget issues will be critical. • Advocates will work for increases in independent living and RYPAS funding. • An Olmstead Improvement Package will be requested to support additional 	<p>Maher will pull together a workgroup to discuss the legislative priorities for 2013.</p>

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	<p>funding for the Transition/Diversion Program.</p> <ul style="list-style-type: none"> Affordable Care Act (ACA) and the Medicaid ruling by the Supreme Court. What will WV do? Will the benefit package be watered down for the expansion population? 	
	<p>Waiver Updates</p> <p><i>TBI Waiver</i></p> <ul style="list-style-type: none"> total of 1 member has been enrolled since February 2012 (and they chose self-direction). <p><i>I/DD Waiver</i></p> <ul style="list-style-type: none"> 619 people on the wait list as of May 31, 2012. 231 people are participating in self-direction. This is 6.2% of the total waiver population. <p><i>AD Waiver</i></p> <ul style="list-style-type: none"> 939 people on the wait list as of July 12, 2012. 948 people participating in self-direction as of May 31, 2012. 	<p>Maher will continue to provide regular updates to members.</p>
Coordinator's Report	<p>Olmstead Transition & Diversion Program</p> <ul style="list-style-type: none"> The program served a total of 67 people in state fiscal year 2012. Thirteen (13) people were assisted for transition. Fifty-four (54) people were assisted for diversion. The average per person cost for state fiscal year 2012 was \$1,848.84. In four (4) fiscal years the program has served 492 people. A portion of grant funded was carried over for a three (3) month extension. This will help with the typical delay in getting the grant approved through the state system. The extension ends on September 30, 2012. 	<p>Maher will continue to provide regular updates on the program to members.</p>
	Olmstead Contacts	<p>Maher will continue to</p>

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	<ul style="list-style-type: none"> In state fiscal year 2012, the office received a total of 462 documented and unduplicated contacts. There was a 22% increase in the number of contacts from last year. 	provide regular updates to members.
	<p>Olmstead Plan Update & Public Forums Maher briefly discussed the public forums.</p> <p>Members discussed how to proceed to revise the Olmstead Plan.</p>	<p>Coordinator will notify members of the October meeting changes. Coordinator will secure a facilitator.</p> <p>Executive Committee will meet with the facilitator to develop the agenda for the October meeting.</p>
OTHER BUSINESS	<ul style="list-style-type: none"> Mid-Atlantic ADA Update meeting will be held September 13-14 in Baltimore. David Stewart passed out information on this event. SILC/SRC will sponsor Disability Policy Summit on November 8-9, 2012. The WV ADA Coalition and the Fair Shake Network are sponsoring an ADA Celebration at 12:00 p.m. on Wednesday, July 25, 2012 at the Division of Rehabilitation Office. The Office is located at 4701 MacCorkle Avenue, in Kanawha City. 	None
PUBLIC COMMENT	None	None
ADJOURNMENT	Messenger asked for a motion to adjourn. McDaniel made a motion to adjourn and Jan Derry seconded the motion.	None

NEXT REGULAR MEETING

October 16, 2012: The next regular Olmstead Council meeting is scheduled from 10:00 AM – 4:00 PM with the location to be determined.