

## **OLMSTEAD CONSUMER TASKFORCE MINUTES**

*Friday March 11, 2011, 10:00 a.m. – 3:00 p.m.*

*Urbandale Public Library Meeting Room B*

**DRAFT**

### **E-Mails and Handouts**

- Agenda March 11 Meeting
- Minutes 12/ 3/2010 Meeting and incomplete minutes 1/ 21/2011 Meeting
- Bylaws proposal dated 3/11/2011 and By-Laws Motions 1-5
- OCTF Membership Roster (updated following this meeting)
- Olmstead State Plan Executive Summary, State Plan Framework dated 1/31/2011, and 18- Month Action Agenda dated 1/05/2010
- Olmstead Consumer Taskforce Activities to Support Plan (Dawn Francis Notes Revised 1/27/2010)
- Advocacy with LPHAs (handout from Liz O’Hara regarding Local Public Housing Authorities)
- Comparison of MHDS Redesign bills as of 3/3/2011
- Handout from Iowa Department of Public Health on Brain Injury called “Your Input Requested”
- Leaflet from Patrick Clancy “Iowa Deafblind Services Project”

**Members attending in person:** Randy Davis, Dawn Francis, Ray Gerke, Alice Holdiman, Jim Paprocki, Casey Westhoff, Janie Woodhouse. **By phone:** Doug Sample, Connie Smith, Geoff Lauer, Linda Moore, Carrie England, and Ben Brandenburg .

**State Agency Representatives attending in person:** Joe Sample (Department on Aging); Kris Weitzell (Department of Corrections); Deb Johnson (Iowa Medicaid Enterprise); Binnie Lehew (Department of Public Health); Patrick Clancy (Board of Regents); Terry Rosonke (Iowa Finance Authority); Becky Flores, Theresa Armstrong, and Jeanne Nesbit (Department of Human Services); Ljerka Vasiljevic (Department of Public Safety). **By phone:** Phil Mescher (Department of Transportation).

**Guests:** Terry Cunningham, Bob Bacon, Liz O’Hara, and Connie Fanselow and Meredith Field (by phone) University of Iowa; Michelle Zuerlein and Christie Gerkin, USPRA; Michelle Fiegl and Christie Ohl, Peer Support Specialists.

**WELCOME** by Vice Chair Jim Paprocki. The Olmstead Consumer Taskforce has agreed that quorum will be ½ the voting members plus one. A quorum was not immediately available, so voting items are delayed until a quorum is present.

## **MEMBERSHIP**

A quorum is now present, so the Taskforce will now address those items that need voting. Alice Holdiman, chair of the Nominations Committee, told the Taskforce that three members have been inactive, and according to the bylaws, can be removed from membership by a vote.

**Motion** by Geoff Lauer to remove members Kathleen Crisp, Richard Muchmore, and Cassie Johannes as inactive. Second by Alice Holdiman. The Motion carried unanimously. Casey Westhoff asked that in the future, the Taskforce do a better job of mentoring and communicating with new members, being especially cognizant of the needs of individuals who have been institutionalized.

The Nominations Committee put forth a **Motion** that these members terms end in 2014, seconded by Connie Smith: Ray Gerke, Randy Davis, Jerri Sloan. Motion carried unanimously.

The Nominations Committee put forth a **Motion** that these member’s terms end in 2013, seconded by Carrie England: Ingrid Wenzel, Doug Sample, Steve Garrison, Carrie England. Motion carried unanimously.

The Nominations Committee noted that though the names of Gennette Simmerman and Jeanne Theis still appear on the Roster, their membership has previously terminated and has not been renewed. If these previous members would like to be reappointed, they should make application to Alice Holdiman, chair of the Nominations Committee.

Summarizing membership activity, there will now be 20 voting members on the roster, with an approximately equal number of memberships expiring each year. A

majority plus one (1) quorum is 11 members. The members are: Ben Brandenburg (2013) Paula Connolly (2012) Randy Davis (2014) Carrie England (2012) Dawn Francis (2014) Steve Garrison (2013) Raymond Gerke (2014) Janice Hoffman (2012) Alice Holdiman (2014) Geoffrey Lauer (2013) Jerry Mayes (2013) Linda Moore (2012) Jim Paprocki (2012) Doug Sample (2013) Jerri Sloan (2014) Connie Smith (2012) Rik Shannon (2012) Ingrid Wensel (2013) Casey Westhoff (2014) Janie Woodhouse (2013).

## **MINUTES**

No vote was taken on the January 2011 Minutes, as they are incomplete. **Motion** by Dawn Francis to approve the December 2010 meeting minutes, seconded by Janie Woodhouse. There were no corrections or additions. The motion carried unanimously.

## **OLMSTEAD STATE PLAN**

The Taskforce has seen an earlier version of the Olmstead State Plan (formally called the ‘State Plan Framework’) at the January 2011 Taskforce meeting. Recommendations for adding specific wording about brain injury were made at that meeting. The Taskforce State Plan Framework dated 1/31/2011 was made available to the Taskforce for this meeting, and at this time the Taskforce is being asked to vote for their formal approval of this final “State Plan Framework (dated 1/31/2011)”.

**MOTION:** Dawn Francis moved, and Janie Woodhouse seconded, that the Olmstead State Plan Framework, formally known as the “State Plan Framework dated 1/31/2011” be approved by the Olmstead Consumer Taskforce. Discussion ensued around the ideas that the OCTF had presented in the past that did not make it into the Plan. DHS emphasized that the Plan is a living document and that they would consider further revisions in the future. Geoff Lauer expressed disappointment on behalf of the Brain Injury Association that their suggested revisions, endorsed by the Olmstead Consumer Taskforce, were ignored in the 1/31/2011 version of the plan.

Deb Johnson, Iowa Medicaid Enterprise, addressed Brain Injury not being added to the PASRR screening process in the state Plan. She assured the Taskforce that their recommendations in general, and that one in particular, have not been ignored. It is a matter of DHS being realistic about what it can do given scarce resources. A vote was taken to approve the “State Plan Framework dated 1/31/2011”. The vote carried with one No vote by Geoff Lauer and no abstentions.

### **ELECTION OF OFFICERS**

Alice Holdiman presented the slate of officers put forth by the Nominating Committee: Jerry Mayes for Chair, Geoff Lauer for Vice Chair, and Janie Woodhouse for Secretary. Vice Chair Jim Paprocki called for further nominations or self nominations from the floor. Hearing none, members present submitted written ballots, and members on the phone agreed to submit voice votes. The slate of officers put forth by the Nominating Committee was elected. There was one write-in vote for Randy Davis for Chair, and one write in Vote for Paula Connolly for Secretary.

**DHS UPDATE** presented by Theresa Armstrong, Bureau Chief of the Bureau of Community Services and Planning of the DHS’s Mental Health and Disability Services Division.

### **MHDS BILL PENDING**

Theresa Armstrong handed out a comparison of the bills pending as of 3/3/2010 on redesigning the mental health and disability system in Iowa. The legislative interest in reform this year is real and many are predicting that a bill will pass. However, it is too early to predict many particulars at this point. There will probably be some sort of regional administration, as opposed to a county by county approach. Looking at the money available for the disability system in the past year is skewed, because one-time Federal money will not continue. Therefore there are holes in the data that need to be filled to show cost savings. In response to a question about additional money to clear HCBS waiting lists, Theresa said it is too early to tell whether this will be part of a final bill compromise.

### **DHS OLMSTEAD IMPLEMENTATION PROJECTS**

Theresa talked briefly about five areas of Olmstead implementation that DHS is working on internally. The five areas are

- emergency crisis services
- mental health legal psychiatric commitments
- employment
- PASRR (Pre-Admission Screening and Resident Review)
- information and referral systems

The Taskforce may want to help with aspects of each of these implementation projects. It is Theresa's understanding that Dawn Francis will lead a discussion today of ways that the Taskforce can help in these areas and in other priority areas that the Taskforce chooses.

## EMERGENCY/CRISIS SERVICES

Magellan is a contractor with Department of Human Services for Medicaid funded behavioral health services. DHS has now put more funds toward Magellan's Community Reinvestment fund, and these funds are being used to fund emergency/crisis services at pilot sites across the state. The hope is to expand the system to provide these kinds of services statewide as soon as funding is available. In northeast Iowa, Hillcrest Community Services is funding a crop in center using Peer Support. They are funding a similar concept through Blackhawk/Grundy Community Mental Health Center. An important aspect of these projects is gathering data as to how the preventative services these projects provides kept people out of institutions.

Dawn Francis said Wisconsin has shown how it has kept people out of nursing home using long term tracking data. Bob Bacon said the University of Iowa College of Public Health has done a study of the preventative data from the Community Circle of Care in the Dubuque area that shows the efficacy of using community crisis support to keep people out of institutions.

## MENTAL HEALTH PSYCHIATRIC COMMITMENTS

An ongoing workgroup is working on transforming Iowa law and practice on mental health psychiatric court commitments. The group has gathered lots of information but to date have come up with little resolution. One positive result has

been training has begun with judges and law enforcement to help them become aware of alternatives to psychiatric hospitalization commitments.

## EMPLOYMENT

Lots of people (counties, providers, communities) have been working on projects to help improve our system that currently has limited competitive employment options for people with disabilities. There is a need for lots of local support from communities to get people with disabilities into competitive employment. DHS recently did a four or five question survey of providers and case managers asking: What would it take to switch from sheltered work to competitive employment? Results of that survey are being evaluated now.

The state has joined a national movement called SELN, State Employment Leadership Network. The SELN is doing research and assisting the state in setting up policies and procedures that increase competitive employment options in Iowa.

Through Vocational Rehabilitation and Iowa Workforce Development, Iowa has an online resource for employers called the Employers Disability Resource network, or EDRN, found at <http://www.edrnetwork.org/>.

## PASRR (PRE-ADMISSION SCREENING AND RESIDENT REVIEW)

PASRR is a federal requirement to ensure that individuals who require a nursing home level of care get access to appropriate services. Level I screening of nursing home residents looks for evidence of intellectual disabilities or mental or behavioral health issues. Level II screening then identifies the types of services needed by these individuals so that a determination can be made as to how to provide them—either by the nursing home or elsewhere, as necessary. Like many states, Iowa has not been in compliance with Level 2 requirements. Nursing homes currently conduct these assessments as opposed to an independent entity. DHS has issued an RFP for an entity to conduct these assessments, and hopes to have the contract in place and under execution by July 1. As of that date, CMS will not allow Medicaid reimbursement for nursing home care until the Level 1 and level 2 PASRR screenings are complete.

## INFORMATION AND REFERRAL SYSTEM

There is a committee working on coordinating multiple in-state disabilities information and referral systems, using the most up-to-date technology, social media, support from Family Navigators and Peer Support Specialists, and on-line training resources to make information available to individuals with disabilities and those that provide services to them and support them. The goal is to train people who do the work. Joe Sample of the ADRC (Aging and Disability Resource Center) has been very involved with this, as has Casey Westhoff of the Arc, Ann Riley of Center for Disabilities and Development's COMPASS, Deb Johnson at IME, and Becky Flores and Connie Fanselow at the state. Since Joe and Casey are members of the Taskforce, and on the DHS Information and Referral workgroup, they agreed to report to the Taskforce information about what is happening in this area.

## **HOUSING FOR PEOPLE WITH DISABILITIES**

Liz O'Hara spoke about the handout she prepared for the Taskforce. She prepared this as a talking point guide that Olmstead members can use in advocating for disability housing.

Local Public Housing Authorities (Terri Rosonke says there are 71 of them in Iowa) control priorities for people getting "Section 8" housing vouchers or on waiting lists for Section 8 housing. In many communities the waiting lists for Section 8 housing are long. Liz encouraged Olmstead members to identify the meeting times and place for the Local Housing Authority meetings in their community, and show up and advocate for priorities for people with disabilities if that is seen as a need. Liz said that the Des Moines Authority is meeting next Wednesday. Unfortunately Des Moines advocates were not successful in getting 200 new disability housing units approved by HUD (Housing and Urban Development Agency).

Len Sandler from the University of Iowa College of Law is an expert in disability housing. He could perhaps team with Terry Cunningham to teach the Taskforce how to do local advocacy on housing issues.

In response to a question, Liz said that local public housing authorities are autonomous, and can decide how much importance they want to attach to the needs of people with disabilities in their housing plans.

## **OLMSTEAD STATE PLAN PRIORITIES**

Dawn Francis went over the handout of the DHS Olmstead State Plan Priorities. After she read each to the Taskforce, the Taskforce discussed how they could help on that priority. Details are included here only on Priorities 8 and 10.

### **PRIORITY 8 DIRECT CARE WORKFORCE**

Meredith Field gave information about the Direct Care Workers Advisory Council. This group was formed by the Legislature to develop a plan to train and credential direct support workers. Originally the focus was very much on facility based care and on Certified Nursing Assistants, and disability issues were not well understood. That is no longer the case. Ann Riley is on the Governance Committee, Ann Riley and Meredith Field are on the Curriculum Committee, and others on the Workforce Data and Outreach Committees.

The Curriculum Committee is developing a competency-based, train-the-trainer core curriculum using Health Resources and Services Administration (a Federal agency) funds. Modules include home and community living, instrumental activities of daily living, and personal support. They hope to complete development of the first modules in June. They plan on pilot testing the core curriculum modules in the fall. There will then be follow up mentoring so the providers can put the learning into practice. The HRSA funding will allow them to gather data through June 2014. Forty MFP providers are already using the web-based College of Direct Support's "learning management system" to train their staff.

Early on the needs of workers in home and community were not adequately addressed, and the training tended more to a medical model. However the current Curriculum Committee is totally focused on supporting workers in homes in community, as well as employment supports and job coaching. Workers in individuals' homes are an increasing trend. It is predicted that by 2016 2/3 of people using supports will be at home.

The Taskforce could be helpful advocates by showing up at the Iowa Department of Public Health planning meetings, and also show up at the Direct Care Advisory Council meetings. Dawn Francis proposed that the Taskforce write a letter explaining their views to both the Curriculum Committee and to the overall Council. The Taskforce's legislative Committee will address this.

#### **PRIORITY 10: OTHER STATE AGENCIES AND THE OLSTEAD PLAN**

Priority 10 is "Implement an effective accountability infrastructure". At some point the Taskforce should ask Chuck Palmer, Director of the Department of Human Services, to touch base with his peer Agency Directors and the State Agency Representatives that work on the Olmstead Consumer Taskforce regarding the Olmstead State Plan. This will lead to an opportunity for each State Agency Representative to bring information to their Directors on the Olmstead effort and to bring back to the Taskforce information on what the agency is doing in this area.

#### **BYLAWS AMENDMENTS**

Jim Paprocki, Chair of the Bylaws Committee, explained that the committee grouped the proposed amendments into those that did not appear to be controversial, and those that the Taskforce may want to discuss further. The amendments are shown on the Bylaws handout.

**Motion #1:** The Bylaws Committee recommended adoption of all of the proposed amendments with the following exceptions:

- a. Article III Membership, Section 3.2 ( A ) (3)
- b. Article III, Membership, Section 3.3( A )
- c. Article III, Membership, Section 3.5( F )
- d. Article Vi, Officers, Section 6.2 ( C )

The motion was seconded by Dawn. The motion was approved unanimously, with no abstentions. Therefore the first reading is complete and those amendments have been adopted.

**Motion #2:** The Bylaws Committee recommended amending Article III Membership, Section 3.2 by adding #3 that reads:

3. *Peer support specialists shall not be considered providers of disability related services solely because of such status.*

The motion was seconded by Casey Westhoff. Discussion centered on whether it demeans peer support specialists by singling them out. No other group with dual roles or representations is specifically identified in the Bylaws. The motion was approved, with abstentions from Doug Sample and Rik Shannon and one "no" vote from Alice Holdiman. Therefore the first reading is complete and this amendment has been adopted.

**Motion #3:** The Bylaws Committee recommended amending Article III Membership, Section 3.3 (A) by making the following changes:

A. Voting Members

The membership shall be *twenty-one (21)* voting members, designated as follows:

1. Over one-half *of* the members [at least *eleven (11)* members] shall be people with disabilities or long term care needs or family members of people with disabilities or long term care needs.
2. At least *two (2)* of the members shall be people over age 60 who can effectively represent the interests of older lowans with disabilities or long term care needs.
3. At least *two (2)* of the voting members shall be people who can effectively represent the interests of children and youth with disabilities or long term care needs.
4. At least *one (1)* of the voting members shall be *a person* who currently resides or *has* resided in an institutional or congregate care facility and can effectively represent the interests of institutionalized persons.
5. At least *two (2)* of the voting members shall be people who represent statewide advocacy organizations which promote community integration for people with disabilities or long term care needs.
6. The remainder of the voting members shall be individuals who represent advisory or governing boards, county governments, providers of disability related services, or other groups with an interest in promoting community integration for people with disabilities and long term care needs.

The motion was seconded by Ray Gerke . Given the votes on membership this morning, there are now only 20 members, with roughly 1/3 renewable each year. The motion carried unanimously, with no abstentions. Therefore the first reading is complete and this amendment has been adopted.

**Motion #4:** The Bylaws Committee recommended amending Article III Membership, Section 3.5 by adding (F) that reads:

*F. No Taskforce member shall serve for more than two (2) consecutive three (3) year terms. Upon completion of two (2) full terms, a Taskforce member must leave the Taskforce for one (1) year before being eligible for a new appointment.*

The motion was seconded by Ray Gerke . Discussion acknowledged that the purpose is to get new blood into the Taskforce, but there was concern that it will be difficult to find seven new committed advocates each year. Dawn Francis suggested that the Taskforce develop a recruitment plan prior to changing the bylaws. There was general consensus with this idea, and the Bylaws committee and the Motion second were withdrawn. Randy Davis **Motion:** have a committee work on a recruitment plan and table consideration of this bylaws change until the recruitment plan is in place. This motion was seconded by Dawn Francis. The motion carried unanimously, with no abstentions. Randy and Dawn agreed to work on the recruitment plan.

**Motion #5:** The Bylaws Committee recommended amending Article VI Officers, Section 6.2 by adding (C) that reads:

*C. The Taskforce may re-elect an officer for another term but no officer shall serve for more than two (2) consecutive one (1) year terms.*

The motion was seconded by Ray Gerke. Discussion acknowledged that the purpose is to rejuvenate leadership on the Taskforce, but there was the same concern as with Motion 4. There was discussion of tabling this motion along with the one above, but there was also strong opinion that this is not tied to recruitment planning but rather is internal to leadership within the membership. A voice vote was taken on the motion and because it was difficult to tell whether the ayes or nays carried the motion, the membership was individually polled. The result: The motion carried with seven voting aye (Ray, Alice, Dawn, Casey, Rik, Ben, Linda) and 4 voting nay (Janie, Randy, Carrie, Doug). Therefore the first reading is complete and this amendment has been adopted.

## **STATE AGENCY REPORTS**

Joe Sample (Department on Aging): The Governor signed HF 45 into law which means the Aging Network will undergo an overhaul. He will be looking at other

state's informational referral systems to get insight into how to proceed with Iowa's ADRC (Aging and Disability Resource Network). Alice Holdiman recommended that an Olmstead Consumer Taskforce member work with Joe and the Department on Aging so that the Disability side of the ADRC remains at the forefront.

Patrick Clancy (Iowa Board of Regents): Patrick has reported before on the anticipated closing of the residential portion of the Iowa Braille School in Vinton, Iowa. As the Iowa Braille School will now have an enhanced mission to serve people across the state in their home communities, rather than in a residential setting. Patrick asked for continued advocacy from the Taskforce for resources to enhance community living for the constituents the Sight Saving school serves.

Patrick handed out and briefly spoke about the leaflet "Iowa Deafblind Services Project." Deafblind describes a condition that combines both hearing and visual impairments. Iowa now has a grant that builds the capacity of those who live and work with children and youth ages birth to 21 that have this condition.

Binnie LeHew (Iowa Department of Public Health): Binnie realized today that she could gather information from a wider array of sources within Iowa Department of Public Health than she has so far to bring to the Taskforce. For instance, there are some things going on with Title V funding (Federal funding stream for Maternal and Child Health) that she could bring to the table.

Binnie handed out a one pager regarding brain injury called "Your Input Requested" that gave this information

- The Iowa Department of Public Health, in partnership with the Advisory Council on Brain Injuries and the Prevention of Disabilities Policy Council, will begin work on two strategic plans in the coming month. We would like to invite interested parties to participate in this process.
- The ACBI will begin work on updates to the Iowa Plan for Brain Injuries. The current plan has been extended through 2011 and a new plan will be adopted for the period 2012 – 2017. The Council is seeking people with brain injuries and/or their family members to participate on task groups and the overall advisory committee. If you are interested, or have more questions, please contact Megan Hartwig, TBI program manager at (515) 281-8465 or [Megan.Hartwig@idph.iowa.gov](mailto:Megan.Hartwig@idph.iowa.gov).

- The Disability and Health Program will be developing a plan for 2011 – 2017 beginning later this spring. The plan will focus on short- and long-term recommendations to improve the health of people with disabilities, increase access to health care services for PWD and to reduce the development of secondary health conditions. We are also interested in identifying community providers, individuals with disabilities and other advocates to assist us with the plan development and review process. If you are interested in participating or have more questions, please contact Binnie LeHew, Office of Disability, Injury & Violence Prevention at (515) 281-5032 or [Vivian.Lehew@idph.iowa.gov](mailto:Vivian.Lehew@idph.iowa.gov).

Becky Flores on behalf of Jean Johnson (Department of Economic Development). Becky reported that since Jean was new as a state agency representative, she met with Becky to find out more about Olmstead issues and how she (Jean) could better advocate for Olmstead in her agency. Though Jean could not attend the Taskforce meeting today, she is enthusiastic about pulling together information from Donna Grurich, the former agency representative to the Taskforce, and other sources within the Department of Economic Development so that she will be able to update the Taskforce at the next meeting on the status of Olmstead issues within that agency.

Terri Rosonke (Iowa Finance Authority). Terri has information about the HCBS (Home and Community Based Waivers) Rent Subsidy that she will summarize and bring to future meetings. There were 59 organizations applying for IFA's Low Income Tax Credit programs, with not enough funds available to fund all applicants. Ten of those applications are Supportive Service plans to support individuals with special needs, a category which includes those experiencing domestic violence, the frail elderly, and individuals with disabilities. An unwelcome development is that boarding home developers are now less likely to serve disability populations than in the past. They are scared off by the new state regulations that license boarding homes and lack of clarity between Boarding Home Licensure and Health Care Facility Licensure. The stricter standards for Health Care Facilities include strict handicap accessibility requirements.

## PUBLIC COMMENT

At a member's request, new guests introduced themselves. Michelle Fiegl from Council Bluffs has disabilities herself. She is interested in becoming a peer support specialist. In the past she worked in a civil rights office. She is her to

learn how the Taskforce works. Christy Ohl is a Peer Support Specialist at Glenwood. Michelle Zuerlein is president of the Iowa Chapter of USPRA, the United State Psychiatric Rehabilitation Association. Christy Gerkin is an intern for USPRA studying at Drake for a master's degree in psycho-social rehabilitation. She has done CIT (Crisis Intervention Training) training for police officers. She is now working on a project regarding knowing your rights and disability disclosure to employers.

Bob Bacon gave an update on Money Follows the Person, a project to transition individuals from state resource centers to community living. Bob is happy to report that of people transitioned out and then returned to a Resource Center to live, 14 are now having a second chance at community living. One sad statistic is that few of those that have transitioned have competitive jobs. His agency, CDD (Center for Disabilities and Development), will be hiring an employment specialist to work on employment issues coming out of the Money Follows the Person placements and out of SELN, the State Employment Leadership Network.

Dawn Francis is working with Randy Davis and others to assure that state funding for the Centers for Independent Living is intact this year. They are working with Senator Bob Dvorsky, who has been a great supporter in the past. The Governors budget cut out \$50,000 for Special Olympics, so Dawn ask that members advocate for that also.

The meeting adjourned at 3:00 PM.

Next meeting Friday May 13, 2011, location to be announced.

Respectfully Submitted, Becky Flores, DHS