

# OLMSTEAD CONSUMER TASKFORCE MEETING

January 13, 2017 10am-3pm

Pleasant Hill Public Library

5151 Maple Drive

Pleasant Hill, IA 50327

## Meeting Minutes

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### Taskforce Members Present:

Roxanne Cogil	Kay Marcel
Kevin Dalin	Reyma McCoy McDeid (phone)
Randy Davis	Gary McDermott (phone)
Dawn Francis	Michele Meadors
Annie Gallagher	Kathleen O'Leary
Kris Graves	Harry Olmstead
Tracy Keninger	Len Sandler
Paul Kiburz	Bruce Teague
June Klein-Bacon	Ingrid Wensel (phone)

**Taskforce Members Absent:** Ashlea Lantz; Mary Roberts;

### State Agency Representatives Present:

Theresa Armstrong <i>Department of Human Services</i>	Connie Fanselow <i>Department of Human Services</i>
Kim Barber <i>Department for the Blind</i>	Kristin Haar <i>Department of Transportation</i>
Brian Dennis <i>Iowa Workforce Development</i> (phone)	Terri Rosonke <i>Iowa Finance Authority</i> (phone)
Page Eastin <i>Department of Human Rights</i>	

### Guests:

Jim Cushing <i>Iowa Association of Area Agencies on</i>	Di Findley <i>Iowa Caregivers Association</i>
Mark Dearden <i>UnitedHealthcare</i>	Frank Greise <i>League of Human Dignity</i>
Marissa Eyanson <i>AmeriHealth Caritas</i>	Kellyann Light-McGroary <i>UnitedHealthcare</i>

**Staff:** Bob Bacon, Caitlin Owens

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### Welcome and Introductions

June Klein-Bacon called the meeting to order at 10:05am. A quorum was established.

### Department of Human Services Update – Theresa Armstrong

CCBHC Planning Grant: Theresa shared that Iowa submitted a demonstration grant application for the Certified Community Behavioral Health Clinic program in October and found out in late-December that they were not one of the eight states awarded funding. The planning grant year was valuable even though it did not result in a demonstration grant, and the three clinics (Heartland Family Services, Abbe Center, and Seasons Center) are all committed to moving forward with some of what they were able to put in place during the planning grant year. She said the Department is also looking at next steps in terms of the inclusive behavioral health model promoted by the CCBHC project, and will also be reviewing lessons learned.

MHDS Redesign Report: Theresa said DHS submitted several reports in November, including the MHDS redesign report which has generated some interest. She said DHS was legislatively directed to write a report

on redesign including the progress the regions have made over the past several years. She said the Department took the opportunity to take a strong look at the MHDS system since redesign went into place and noted that a lot has changed since redesign was first implemented. Theresa said the number of individuals with complex needs and behavioral challenges that make community placement difficult is actually very small, and the Department does believe these individuals can and should be served in the community. She said the big message the Department hopes people will get from the report is that there is a crucial need for improved infrastructure and capacity in order to serve people in the community, which is sometimes obscured by the belief that Iowa needs more psychiatric beds. She said they tried to lay out in the report that there are providers who might be willing to serve people with even the most severe behavioral challenges, but they don't have the capacity to do it right now, and also noted that the percentage of people that present that significant of a challenge is very small. She said there is a need for more services like crisis stabilization and short term residential services, but also a need for housing, transportation, and employment so people can more successfully be served in the community. A workgroup is going to be convened to address the issue of community capacity, but first Director Palmer is starting with focus groups to help guide the process. Thus far he has met with groups of peers, family members, and law enforcement.

Questions and Comments: Randy Davis commented that jobs are a big part of the solution and it is a good idea to include employment in the issues to address.

Tracy Keninger thanked Theresa for acknowledging that while the prevalence of individuals with significant behavioral challenges is very low, they could be living in a more integrated setting. She asked if DHS has any information on what the exact number is and what their needs are. Theresa said they don't have an exact number and it is a hard figure to accurately assess.

June asked if there was a timeline on how long Director Palmer planned on conducting focus groups, and when she expected the workgroup to be convened. Theresa said she expects the workgroup may be in place for quite some time. She said Director Palmer wants to use the focus groups to gather information and help inform who to invite to the workgroup; considering who is necessary to affect change in the community, both official leaders and community leaders. June asked what the Taskforce can do to address the community capacity issues identified in the report. Theresa suggested going to regional meetings and talking with CEOs to make sure they know if gaps in services are occurring. She said they need to hear the broad "here's what is happening" but also specific examples, and they need to hear them both at the same time. She said the conversation has to be ongoing and include not just the gaps, but the strengths too.

### **UnitedHealthcare of Iowa Presentation – Mark Dearden and Kellyann Light-McGroary**

Kellyann Light-McGroary and Mark Dearden shared an overview of UnitedHealthcare's services and supports for individuals with disabilities. Kellyann noted one of the things that sets Iowa apart from other managed care states is that it was one of the first to implement managed care for the whole Medicaid population, including those receiving long term services and supports.

Kellyann shared that UnitedHealthcare wants to look at where people are in the community, and their goal is to serve people in the least restrictive setting with the most supports possible, acknowledging that everyone has different needs based on their medical history, disability status, where they live, and other factors. She said it is important to treat the whole person and if behavioral challenges aren't addressed it isn't possible to address the medical ones either. UnitedHealthcare works with the other MCOs to address some of the larger systemic issues that they cannot tackle by themselves, and are continuing to look at opportunities to collaborate and what lessons can be learned from each other. She said they know there are areas where they need to do better, and with each issue that comes up they try to take away lessons on how they will be able to better serve the next person. She said there is a lot to

learn from what has happened over the last year and she does not shy away from those discussions. She asked the Taskforce for any feedback they want to share.

Questions and Comments: Harry Olmstead said he has been a UnitedHealthcare member for many years, and one thing he recalls being initially concerned about was being assigned a nurse manager who went to his home to discuss his health history. He suggested that kind of thing be presented a little more carefully because it is a little scary to hear your insurance company is coming to your house to talk about your health history especially when you are receiving long term care. Similarly, he thinks education to members in general is important and should be enhanced, from what the actual role of the insurance company to help filling out forms, etc.

June said the Taskforce has had the opportunity to hear what the system should look like from a lot of people, but they also have people who are experiencing what it actually does look like. She reiterated Harry's point that it can be difficult for members to know who to talk to, who to appeal decisions to, etc. She said it's also important to remember that some people receiving long term care have significant cognitive challenges and are sometimes being denied services because they didn't fill paperwork out correctly. Kellyann agreed that education is important and that she knows there is a misconception that providers are the only ones who can appeal decisions, but members have that right too.

Annie Gallagher said providers in small communities are struggling because they aren't getting timely reimbursements. She said she is also concerned about people who don't have the agency to call and ask for help. Kellyann said they are aware of the issue with small providers, and they absolutely need those providers. She said they work on a daily basis with providers who are struggling with the new system and it is complex to figure out where the issue stems from. She said they recently reviewed several cases that were closed to take a closer look at where UnitedHealthcare failed, and how they can make their system better so those issues get worked out quicker or don't happen at all.

Roxanne Cogil said there have been a lot of waiver slots opened recently at a higher rate than usual and asked how long the process takes once they receive names, including how long it takes for them to have someone assigned to work with them. She said a lot of people coming off that list have been waiting for over two years. She said she would also like to know what challenges they are experiencing and how they have been addressed especially as it relates to people having the supports they need to be as independent as possible. Mark said anyone on the waitlist who is a current UnitedHealthcare client will have an eligibility case manager and once a person is approved to start waiver services it is a very rapid process to get services started. June asked what the process would be to let them know if people are not experiencing the transition from waitlist to services in the timeline they are describing. Mark said they want to know when that is happening and encouraged June to email him if she is working with people who haven't been able to get the services they need. Kellyann ([Kellyann\\_light@uhc.com](mailto:Kellyann_light@uhc.com)) and Mark ([mark\\_dearden@uhc.com](mailto:mark_dearden@uhc.com)) requested their email addresses be included in the minutes.

Roxanne asked how many advisory groups they have and what the membership is like. Mark said they have a stakeholder group that meets quarterly and membership is open to all members, they just need to talk to their case manager. The meetings are conducted in Des Moines and Davenport and there is an option to connect via webinar or phone. In addition to members there are also community providers involved. He said half of the meeting is usually dedicated to one topic- like transportation or housing. Roxanne asked if anyone can attend. Mark said he is not sure but will check with the Director of Marketing and Quality.

## **Executive Committee Update – June Klein-Bacon**

Strategic Priorities: June shared that the executive committee discussed setting time aside at this meeting for committees to meet in person to talk about strategic priorities, and if people agree that it is beneficial to meet in person look at setting time aside at future meetings. She suggested the committees take a look at the 2016 strategic priorities and determine whether they are still priorities for the committee, add to, remove, or edit the priorities and areas to monitor if needed. June said it was discussed at the last meeting that the Taskforce might have more impact if they focus on a few issues that are really important, and monitor/support other issues that are important but being prioritized by other groups. She encouraged committees to really think about what is important to them, what will impact the lives of individuals with disabilities, and what is attainable for the committee to focus on.

Nominations/New Leadership: June shared that applications are still open for Taskforce membership and hopes everyone has been able to share the announcement with individuals or groups who may be interested. She said several applications have been submitted already and the application will remain open until February 8<sup>th</sup>. She said any Taskforce members who are not reapplying are welcome to participate in reviewing applications and recommending new members. New members will be approved by the full Taskforce at the March meeting and terms begin in May. Additionally leadership positions will be voted on in March and begin in May. She said if anyone is interested in the chair, vice-chair, or secretary positions they should let her or Caitlin know. All three executive officer positions are one year terms, with a limit of two consecutive terms.

Questions and Comments: Randy Davis said he has been an advocate for a long time and part of the way he advocates is by doing projects. He said one of the biggest projects he has ever been a part of is the CCO, and the fact that people can use community choice across all waivers is amazing. He said he thinks it is necessary to create a roadmap of how people can use the CCO as a tool to independence, opportunity, employment, and education. He said because of the CCO he gets to guide his life and has the ability to stay involved in the community. He said he thinks the partners need to get the partners back together, including DHS, Veridian Credit Union, vocational rehabilitation, and the new MCOs to make a handbook to help people clearly understand the services and supports available to them through CCO and how to utilize them. June thanked Randy and suggested discussing this project in greater detail with the community access committee.

Tracy asked if there were any updates on the progress DHS is making on the Olmstead Plan. June said there is not. Tracy proposed the Taskforce take some action because the lack of progress is unacceptable. Roxanne asked who is on the Olmstead Committee and June said it has mainly been her and Dawn since last spring, and they share the frustration. Kathleen asked if the Taskforce could create their own Olmstead Plan. June said the document DHS has created is excellent and actionable when compared to the previous plan, and a lot of work has gone into it. She said recreating the plan would be a significant undertaking and she isn't sure the Taskforce has the time or resources for that. Roxanne suggested sending a letter to the Governor's office and possibly having further discussion with DRI. Frank Greise suggested the letter include a specific request for what the Taskforce wants to have accomplished and within what timeframe.

Len said he thinks the Taskforce should request a copy of the plan, and that DRI found the version of the plan they saw to be completely unacceptable. He said the executive order doesn't require them to do an ongoing plan, but it is a protection from getting sued that the state could use as a defense to show progress being made. Len also suggested the Taskforce add a count to their website of how many people are on waitlists and update it as often as it is reported in order to make the Taskforce more relevant to the rest of the state. Len made a motion for the executive committee to send a letter regarding the progress of the Olmstead Plan, Harry seconded. Motion passed.

## State Agency Reports

Iowa Economic Development Authority (Leslie Leager and Nichole Hansen)

Handout: CareerLink Overview ([link](#))

Leslie and Nichole gave an overview of the federal Community Development Block Grant program, particularly focusing on programs that may be of interest to the Taskforce. The Iowa Economic Development Authority administers the federal Community Development Block Grant program, and has an annual allocation from HUD of about \$21M. As a state they do a method of distribution based on public comment as long as it is within the parameters and it is in line with an established national objective. Their main method of distribution is sewers and water; they also have a small owner-occupied housing rehabilitation program, a program focused on job creation, retention, and enhancement, and funding for downtown revitalization.

They shared an overview of CareerLink noting there are two main components: job training and employment related transportation. A detailed overview of the program is contained in the handout linked above.

Questions and Comments: Roxanne asked for more details about the eligibility limitations and criteria for the employment related transportation program. Leslie and Nichole shared that because they use federal block grant funding they are prohibited from using these funds in 11 entitlement cities in IA because they get their funding directly. They have limited the scope of the program to actual transportation costs-operational costs. They cannot fund a person directly; funds must flow through a transportation organization.

Harry said a concern many advocates share is the hours of transportation, sharing the example that in Johnson County busses run until 10pm. He asked if they have any influence over that. Nichole said they recently fielded a question from a transportation agency in Southwest Iowa about an employer who wanted to add a second and third shift but were concerned that people wouldn't be able to get there to cover those shifts. She said they would need to look at the need, but it could be possible to apply for funds to add a route for second and third shift employees.

Len shared that he did a workshop around the state about how to change the state's consolidated plan, especially for renters, but money did not get set aside. He asked if there would be interest in setting aside money for rehabilitation to rental properties. Leslie said they would consider it, but in the past when they have considered making changes to the owner occupied program there has been a lot of push back. She said the point is well taken and they welcome additional comments because the only way they can change things is by hearing about the need from community members. Nichole shared that IEDA takes seriously their ability to change the program every year within reason, so if people have ideas on how they can make their programs more usable they encourage groups to share thoughts and ideas. Leslie added that the time they can make larger changes to the method of distribution would be during the consolidated planning process which will take place again in 2019.

Len added that the entitlement communities referenced earlier administer all of this at the local level, so Taskforce members in those areas should consider attending open meetings. The eleven entitlement communities are: Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Sioux City, Waterloo, and West Des Moines.

### Department of Human Rights (Page Eastin)

Page shared that DHR has been involved in the state Workforce Development Board which has a standing disability access board, and the regional boards are in the process of forming similar committees. She said phase one for the disability access committee is accessibility of workforce development centers, and phase two is going to be program accessibility. She said they are working with staff from the Iowa Department for the Blind and Iowa Workforce Development who have been trained on how to do accessibility reviews. The second piece will be a little more comprehensive and look at the different programs the one stop shops and workforce development centers are offering.

Page shared that a final MOU was sent out that talks about the roles of DHS, Vocational Rehabilitation, and Iowa Department for the Blind in the HCBS settings implementation and Section 511. She said the new requirement under section 511 is that VR can only count a successful employment closure if a person is employed in a competitive setting and making minimum wage or higher, and the agreement spells out the details of how those agencies will need to work together to define that.

Page shared that the Governor's budget recommends a decrease in funding for DHS by \$106,000 which would mainly impact community and advocacy services which serves seven specific underfunded groups in the state including people with disabilities.

Questions and Comments: Harry asked if Page was aware of any action being taken regarding the large population of people with disabilities in the prison system. Page said she does not work in that division, but they do have staff working on issues related in incarceration, and there have been discussions with her office about the high number of people with disabilities who are incarcerated. She said they mainly do data collection and research, but if anyone has specific questions they can contact Page.

### Iowa Finance Authority (Terri Rosonke)

Terri shared that there are currently 77 people on the HCBS rent subsidy program waitlist which is slightly lower than usual. She said the Governor did not recommend any reductions in his budget for the program which is a positive, but they had asked for an additional \$200,000 to clear the waitlist and that funding was not recommended.

Terri shared that Walden Point, an affordable assisted living property in Des Moines, has moved to decertify as an assisted living facility. She said they were originally financed by IFA through the low income housing tax credit program (LIHTC), and they found out about the decertification the day before it was published in the papers. She said IFA's position is that Walden Point is under obligation to continue as an assisted living facility and they are in ongoing discussion with the Attorney General as well as the owner. She said it is their understanding that the owner lost their service provider and was not able to find a new one, and is still in the process of trying to find a replacement. She said they are hopeful that between the Attorney General's Office and working with the owner a solution will be found. She said some tenants have moved, others have found services elsewhere, and new tenants who do not require services have moved in; and their main concern is what is happening with each of those groups.

Questions and Comments: June said she really appreciates that IFA thinks through the ramifications of policy and programming on the lives of individuals with disabilities, and the Walden Point issue has made her think about the need to encourage other state agencies, policy makers, and groups to do the same.

Len said there is a disconnect between people who are looking for housing and say they cannot find adequately accessible and affordable units, and owners who say they have accessible units that they cannot find tenants to occupy. He asked Terri if she had any additional information on the owner/property

management side because they want to fully understand this issue before proceeding. Terri said she doesn't have any data, everything she hears is anecdotal. She said again this week she got a request from a developer and community doing workforce housing who are required to include four accessible units but did not think they would be able to rent them out. She said she is unsure if the system they use to report vacancy data quarterly can drill down to accessible units, but she would talk to their compliance manager to see if she could get any additional information to answer Len's question.

#### Department of Transportation (Kristin Haar)

Kristin shared that DOT is planning another statewide Passenger Transportation Summit which will be held on the DMAAC Campus in Ankeny on May 18th. She said they have been holding it in Marshalltown but want to mix it up, and welcome any agenda suggestions in addition to those already provided in a letter from June that recommended an NEMT panel which they are working on developing.

Kristin shared that currently there are seven mobility coordinators around the state as well as a statewide mobility manager who does his best to cover gaps in services. She said they will be adding an additional position in Johnson County and the hiring process will begin this spring.

Finally, Kristin shared that DOT has been working on providing education to transit agencies on the HCBS settings rules and how much could change in the next few years as more people are working and moving about in the community. She said they see it as a positive thing, but it will present some challenges to transportation authorities as more people will be going to separate locations, and needing transportation outside of current hours of operation, etc. She said they have been working with a pilot transit agency in Southwest Iowa and have been trying to get others to start working with their community service agencies to see what services will be needed and how soon they might be implemented, with the overall goal of encouraging change to happen in stages in anticipation of the March 2019 HCBS settings implementation deadline.

#### **Taskforce Member Comment**

Len said if anyone wants more information on the workshops the law clinic put together a few years ago he would be happy to share. He said cities were supposed to learn how to change the priorities in their own communities, and it was mainly directed towards entitlement cities. He said up until a few years ago HUD didn't even require disability issues to be called out.

#### **Public Comment**

Frank Greise thanked the Taskforce for the action they are taking on the Olmstead Plan. He said he got an update on the DOJ complaint filed by a group in Iowa City saying the waitlist violates Title II of the ADA. He said DOJ has expressed interest in the report and would like to follow-up. He said he will make sure the Taskforce is aware of any additional information that is shared. He said the complaint was filed based on a case in Ohio.

#### **Adjourn**

Harry motioned to adjourn, Len seconded. The meeting adjourned at 3:03pm.