

**OLMSTEAD CONSUMER TASKFORCE MEETING**

**March 9, 2018 10am-3pm**

Pleasant Hill Public Library

5151 Maple Drive

Pleasant Hill, IA 50327

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**Meeting Minutes**

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**Taskforce Members Present:**

Jenna Batten

Roxanne Cogil

Kevin Dalin (phone)

Dawn Francis

Annie Gallagher

Kris Graves

Tracy Keninger

June Klein-Bacon (phone)

Kay Marcel

Gary McDermott (phone)

Kathleen O'Leary

Harry Olmstead (phone)

Bruce Teague

**Taskforce Members Absent:** Randy Davis; Frank Greise; Paul Kiburz; Ashlea Lantz; Mary Roberts; Len Sandler; Ingrid Wensel

**State Agency Representatives Present:**

Theresa Armstrong *Department of Human*

Kim Barber *Department for the Blind*

Connie Fanselow *Department of Human*

Terri Rosonke *Iowa Finance Authority*

Lisa Schneider *Department of Human Rights*

**Guests:**

Brenda Boese *University of Iowa*

Alex Bomhoff *NAMI*

Pam Heagle *Managed Care Ombudsman's Office*

Todd Lange *AmeriGroup*

John McCalley *AmeriGroup*

**Staff:** Caitlin Owens

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**Welcome and Introductions**

Dawn Francis called the meeting to order at 10:05am. A quorum was established.

**Review, Additional Items, and Approval of the Agenda**

Roxanne Cogil motioned to approve the agenda, Harry Olmstead seconded. Motion passed.

**Review, Corrections, and Approval of the January Meeting Minutes**

June Klein-Bacon motioned to approve the January meeting minutes, Kris Graves seconded. Motion passed.

**Olmstead Plan Presentation – Connie Fanselow**  
**Handouts (LINK): [Olmstead Plan](#)**

Connie Fanselow provided a walk-through of the Olmstead Plan, and shared that the Plan has been posted on the DHS website. She said the Department plans to take the Plan out to communities around the state for feedback this spring, with a particular focus on reaching individuals and organizations who don't already have a close relationship with DHS. Connie shared that the Plan now includes links to data sources, including results from the Iowa Personal Experience Survey. In the transportation section Connie noted they have not found good sources for how people are served, the information they currently have is on availability rather than access. Roxanne Cogil shared that she is on the Transportation Coordination Council and will ask DOT staff at their next meeting if they have any suggestions.

*Questions/Comments:*

June asked whether there is a plan for other state departments to start developing their own plans or contributing to the current plan. Connie said they are in the early stages of that process. She said they have talked to many of the departments that regularly come to Olmstead meetings, but will need to do more outreach. She said the timeline for that part of the process hasn't been determined.

Dawn thanked Connie and said DHS has done a wonderful job, and she is happy the document is a living document and will be able to be amended and enhanced along the way.

**Department of Human Services Update – Theresa Armstrong**

Theresa Armstrong shared that legislation based on the recommendations made in the Complex Service Needs Workgroup report submitted to the legislature in December has been introduced in both the House and the Senate. HF 2456 passed the House floor unanimously, and a companion bill was heard this week in a Senate subcommittee. She said the two pieces of legislation are very similar and they are hopeful it will be passed out of the Senate subcommittee and passed before the next funnel date. She said the legislation adds more core services which isn't immediately clear when reading the legislation, and suggested reading the report submitted in December for more details.

Theresa shared that Hillcrest in Dubuque is the first provider in the stat to go active with sub-acute beds, though she is not sure if they have started quite yet. Hillcrest will have 11 beds. She said current legislation caps the number of subacute beds a facility can have at 16, and the statewide maximum is 75 so it is unlikely any one facility would be approved to have 16 because the beds have to be geographically distributed around the state. HF 2456 would remove the statewide cap on publicly funded beds and move the entire licensing process over to the Department of Inspections and Appeals (DIA). Currently DHS has to approve applications to ensure they remain under the cap and that the beds are geographically distributed and DIA licenses the facilities, but the proposed legislation would move the entire process to DIA. Individual facilities will still only be allowed to have a maximum of 16 beds due to federal Medicaid requirements.

*Questions/Comments:*

Dawn asked if it would be helpful to send a letter of support for the complex needs legislation to the legislature. Theresa said yes, and that she thinks this legislation is as strong as the redesign legislation that moved Iowa from a 99 county system to the regional system and there has been a lot of support

from the advocacy community. Annie Gallagher made a motion to send a letter to the Senate Human Resources Committee, Kathleen O’Leary seconded. Motion passed.

### **Executive Committee Report – Dawn Francis**

Bylaws Amendment: Dawn shared that the Executive Committee met and proposes two amendments to the Task Force bylaws. First, changing the Annual Meeting from March to July for the purposes of nominations and officer elections. This is to accommodate the plan discussed and approved at the January meeting to move nominations later in the year so it doesn’t conflict with the legislative session. The only language in the bylaws that needs to be changed to make that happen is referring to the annual meeting as taking place in March. The bylaws state new members begin their terms at the first meeting after the annual meeting. Currently that means new terms begin in May, and with the proposed changes new terms will begin in September.

While discussing this change the Executive Committee discussed also changing the process for amending bylaws because the current process is overly burdensome and not in keeping with processes in place in similar groups. The proposed change would mean bylaw amendments only need to be read once before a vote can take place instead of twice.

For the purposes of these changes the Executive Committee acted as an ad hoc bylaws committee to draft and review the proposed changes, which according to the current terms of the bylaws satisfies the requirement for giving 14 days notice and serves as the first reading.

Dawn read through the proposed changes and opened the floor up for discussion. There was no comment. A second reading and vote to approve the amendments will take place at the May 11<sup>th</sup> meeting.

Presentation to the Johnson County Taskforce on Aging: Dawn shared that she and Harry Olmstead will be presenting on the history of *Olmstead*, the Task Force, and recent advocacy work of the Task Force at an upcoming Johnson County Taskforce on Aging meeting.

Ombudsman’s Office: June Klein-Bacon reported that the Taskforce was mentioned in a recent Des Moines Register article related to the State Ombudsman’s Office and managed care. June noted that she made it clear she was not commenting on behalf of the Taskforce. She shared that the Executive Committee has attempted to get in contact with Cynthia Pederson regarding concerns about the office not commenting on bills or asking for additional funding despite highly publicized cuts made during the last legislative session that restricted ability for staff to travel to facilities, among other things. Cynthia was scheduled to attend the January Task Force meeting but was unable to attend at the last minute due to illness.

### **Iowa Caregivers Association Presentation – Di Findley** **Handouts (LINK): [ICA Infographic](#) ; [ICA 2018 Issue Priorities](#)**

Di shared that one of the most pressing issues the Iowa Caregivers Association is focused on is the direct care worker shortage, which is a particularly acute issue in Iowa because of the rapidly aging population. ICA believes low wages are a big contributing factor. Many CNAs and other direct care workers have to

work more than one job just to make ends meet, and low wages make it difficult to attract and retain high quality staff. These issues impact the quality of life of both the individuals working in these roles and the individuals they provide care for.

Di reported they did a series of regional listening sessions a few years ago to hear from direct care provider organizations what issues they were facing on the ground, and from those conversations developed a set of solutions and recommendations. She said they have been trying to focus on the solutions over the past few years, and the recruitment and retention issues are very complex and require a long term view and commitment to systems change. Di said the system is in need of reform, and while a lot of work has been done to move the needle, there is still more to do.

Di shared an infographic document outlining the efforts over the years and how they build on one another. The efforts include both public and privately funded initiatives and significant stakeholder involvement. Di said the Governor's Future Ready Iowa initiative is focused on those who have the capacity to earn \$16 an hour or more, which unfortunately leaves out this sector of the workforce. She said they have been in contact with the Governor's Office about that and feel it is a missed opportunity because of what a significant portion of the workforce direct care represents.

Di thanked the Taskforce for the support they have provided thus far, including recently expressing support for legislation that would create a central direct care workforce database system. She said currently in Iowa there is a federally funded nurse aide directory at the Iowa Department of Inspections and Appeals that houses the names of CNAs in nursing homes only who are eligible to work, meaning they have completed a federally required minimum 75 hour training and have no record reviews. However, Iowa has no accurate count of those who work in the direct service field. There are about 45,000 listed on the existing registry, but there is an estimated 20-25,000 individuals who work in other settings who are unaccounted for. It is difficult to plan an intervention for the workforce shortage when there is not a reliable estimate of the workforce.

Di shared that one intervention is to expand the existing Direct Care Workforce Registry to include these additional professions. She said expanding the existing Direct Care Workforce Registry would provide the infrastructure needed to ensure training portability and maintenance of accurate data that would align with various workforce pipeline initiatives. She said it would also help to ensure that workers, employers, and consumers have access to information related to Direct Care Worker training and credentials. Di shared that Representative Heaton sponsored legislation to expand the registry (HF2177).

#### *Questions/Comments:*

Kay Marcel said as a family member of a person with a DD who needs support she believes it is important to have a core set of competencies like CPR. She said a model she believes is promising is a person-centered training approach that works after a person has a core set of competencies and then receives training from the family specific to the needs of the individuals they will be working with. She said this workforce development issue is a challenge around the country, and asked if Di has seen any impact either positive or negative on this issue with managed care. Di asked John McCalley if he had any thoughts. John McCalley said that developing the direct care workforce is not something the MCOs are compelled to do according to their contracts, but it is an issue AmeriGroup cares about but cannot fix alone. He said Di is raising a larger public policy issue that needs ongoing and persistent advocacy across all fronts, including adequate funding to address shortages, retention, training, competitive pay, and other issues.

Dawn Francis said this is an issue that has frustrated her for a long time, and no one entity has the resources to solve it themselves. She said she believes the legislature needs to be involved in the solution and more funding is needed.

Harry Olmstead suggested connecting with Iowa Vocational Rehabilitation Services as they may be able to help fill some of these open positions. Dawn suggested talking to Dave Mitchell, IVRS administrator.

## **State Agency Reports**

Iowa Finance Authority (Terri Rosonke): Terri shared that the HCBS rent subsidy program had 319 participants for the month of February and 160 people on the waitlist. She said the growth of the waitlist has been slower than expected since opening applications to individuals on the habilitation waiver.

Terri shared that IFA is just about through with the Low Income Housing Tax Credit (LIHTC) funding cycle. She said they usually fund about 1/3 of the applications they get, which is usually 10-12. This year a change is that at least 10% of all the apartments funded through those funds have to be fully accessible. She said each awarded project also has to partner with an approved and qualified local lead agency and let that agency know when vacancies come up. The primary goal is to have the agency affirmatively market those apartments to people with disabilities and make sure those fully accessible units are going to people who need them. They will still require the addendum to the lease that if someone is in an accessible unit who doesn't need the accessible features they will be moved to another available apartment at the landlord's expense if someone who does need the accessible features wants to move in.

Tracy Keninger noted that many times the Taskforce advocates to make things happen that are positive for people with disabilities, and Terri does that within IFA by making things happen when she sees a need. She said Terri is a tremendous advocate for accessible housing.

Department of Human Rights (Lisa Schneider): Lisa shared that Page Eastin with the Client Assistance Program has accepted a new position at Iowa Workforce Development and will be leaving DHR on April 5<sup>th</sup>. Page will continue to advocate for individuals with disabilities in employment in her new role.

Lisa shared that *The Great Debate: The Shift from Sheltered Workshops to Competitive Integrated Employment* will be available in hard copy and electronically in English and Spanish on March 30, 2018.

Lisa also shared that DHR and the Center for Disabilities and Development, in partnership with Disability Rights Iowa and the DD Council, will be hosting eight screenings of the documentary *Bottom Dollars* across the state in April and May. The documentary is about the use of subminimum wage employment for people with disabilities and will include a panel of four people. Final dates and venues will be sent to OCTF for dissemination.

Iowa Department for the Blind (Kim Barber): Kim shared that the IDB VR portion of the Iowa Unified State Plan is open for public comment until March 14<sup>th</sup> and comments can be sent to Keri Osterhaus at [keri.osterhaus@blind.state.us](mailto:keri.osterhaus@blind.state.us).

Kim shared there has been a \$19,020 cut to IDB proposed in the Governor's budget and both the House and Senate bills. IDB's director has said they will be able to absorb the costs with restructuring already

done to employee health care, but any additional cuts would mean cutting services. She said they are thankful to the House and Senate leadership for preserving this program.

Kim reported that WINTAC and IDB have collaborated to create four short training simulations whose goals are to recognize consumer service, promote service design, and achieve full inclusion. The videos will be available on YouTube very shortly.

**Public Comment**

None

**Adjourn**

Harry Olmstead motioned to adjourn, Kris Graves seconded. The meeting adjourned at 1:57pm.