

WV Developmental Disabilities Council
Quarterly Meeting
Waterfront Place, Morgantown, WV
April 28, 2015

Minutes

Members present: Doug Auten, Greg Bilonick, Brent Bush, Joyce Church, Pat Elliott, Clarice Hausch, Amber Hinkle, Janice Holland, Ann Hubbs, Jane McCallister, Rickey Meade, Kelly Miller, Beth Morrison, Pat Moss, Sheila Paitsel, Clark Queen, Jerry Ramsey, Pam Roush, Tara Roush, Jon Sassi, Jenni Sutherland, Tina Tanner, and Melvin West

Members absent: Stefanie Caldwell, Jonathan Chaffin, Deborah Davis, Betty Holliday, Mary Etta Jones, Pat Nisbet, Wanda Proffitt, and Stacey Thomas

Staff present: Christy Black, Jim Cremeans, Linda Higgs, and Steve Wiseman

Guests present: Michelle Norweck, Fair Shake Network

Welcome, Introductions: Greg Bilonick chaired the meeting in the absence of Deborah Davis. He welcomed everyone and asked everyone to introduce themselves.

Announcements: Clarice reported that West Virginia Advocates (WVA) will be accepting public comments on the agency's priorities and objectives for the upcoming year between May 15th and June 30th. An open forum will be held at the Best Western hotel in Bridgeport on May 18th from 10:00 AM until 2:00 PM.

Linda informed Members that parking passes were being provided which would allow them to exit the parking building for free.

Joyce shared information regarding a new, non-invasive, colonoscopy procedure named Cologuard which might be beneficial for people.

Mission Statement Reminder: Kelly read the Council's Mission Statement.

Public Comments: No member of the public was present to comment.

Approval of January 27, 2015 Minutes: Greg asked Members to review the Minutes, which had been provided previously, for any additions or corrections. Steve reported that Jason Deussenberry had submitted a proposed correction to the Minutes via e-mail. He recommended that the last sentence be changed on page 7, under the Update on Family Support and other DD Division Programs. Rather than “the State Council has primary decision making authority,” it should say “Regional Family Support Councils have the primary decision making authority.”

No other changes or additions were recommended. **Clark moved the Minutes be approved with the suggested change. Tara seconded the motion. Motion carried.**

Budget Update: Steve provided an update on the Council’s budget to Members in preparation for making decisions about funding for stipends and projects. Handouts were provided in Council Members’ packets. He explained the Council has three main cost centers – personnel, current expenses, and grants. Spending is on target, or a bit under in the personnel and expenses lines. Grant expenditures are a bit under target at this point in the year, as some grantees have not billed recently and other grantees will incur more costs later in their grant cycles. They should all be on target by the end of the grant year.

He also discussed the Council’s federal funding allotment and provided a chart showing the downward trend in funding. He pointed out that the Council took a huge hit in the 2013 federal sequestration, from which it has not recovered.

Steve proposed that the Council not advertise for any new grants in the next fiscal year and suggested the Council might also need to look at current grant amounts for future funding. A discussion ensued with several Members suggesting other funding opportunities and methods to achieve the Council’s goals through other means, including grants from foundations. Steve reminded Members the Council has no mechanism for receiving funds other than through the federal grant allocation. The Council could potentially apply for and receive other federal grants, but would need additional staff dedicated to fulfilling those obligations. He agreed to check with the Administration on Intellectual and Developmental Disabilities (AIDD) and the National Association of Councils on Developmental Disabilities (NACDD) to see what options other state Councils may be pursuing that could be feasible for this Council. Joyce expressed her concern that, although

the Council needs more funds, she doesn't want to see the Council become a fund-raising organization.

Call for Investments (CFI) Allotment: Following the budget discussion, **Joyce moved that the Council would not advertise a CFI for the next fiscal year due to a lack of resources. Brent seconded the motion. Motion carried.**

Designated Stipends Allotment: Steve reminded Members these funds are used to support the attendance of people with developmental disabilities and their families members at in-state conferences that are addressing topics aligned with the Council's mission and vision. He recommended making \$30,000 available for the next fiscal year. Kelly expressed a concern that she hears from families that the same people get to attend many of these conferences each year and that others then don't get to attend due to lack of funding available. She suggested the Council require agencies to support new/different people with the Council's funding. A discussion by Members followed in which some of the reasons for accepting requests on a first come/first serve basis are necessary.

Tina made a motion that the Council make \$30,000 available for designated stipend funds for the next fiscal year. Tara seconded the motion. Motion carried. Clarice then advised the Council that the newest Office of Management and Budget (OMB) circular requires the use of the terminology "participant support funds" rather than "stipends."

Revision to Council By-Laws: Linda explained the proposed change to the By-Laws discussed during the Executive Committee meeting in March, which will allow the Council to suggest terms of less than four years to the Governor for first term appointments. This will assist the Council in achieving a more balanced rotation of Members each year. She explained the dilemma came about when Council terms were changed from three to four years many years ago. This is causing the Council to have one year in which no terms expire and another year when almost half the Members' terms expire. **Jon moved and Ann seconded a motion to change the By-Laws to read "Non-governmental members shall be appointed by the Governor for four-year terms, with the exception of first terms, which may be appointments of less than four years in order to assure a more balanced rotation of Council Members."** Motion carried.

Revision to Policy on Membership: Linda explained that the change to the By-Laws regarding terms required the same change be made to the Policy on Membership. **Kelly moved and Joyce seconded a motion to change the Policy on Membership to reflect the wording approved for the By-Laws. Motion carried.**

Linda then explained the change proposed by the Executive Committee to clarify the need for Council Members' expenses to be submitted in a timely fashion for reimbursement. **Ann moved and Clark seconded a motion to add a statement to the Policy on Membership, Section IV. C. (2), (5), and (6) to include: "All expenses incurred must be turned in within 60 days of the meeting (or event), or prior to the end of the fiscal year (Sep. 30), whichever occurs first." Motion carried.**

Nominating Committee Report: Amber reported on behalf of the Nominating Committee in the absence of Betty, who chaired the Committee. She informed Members that first terms are expiring for Greg, Stefanie, and Rickey. Stefanie chose not to apply for a second term and Rickey will be ineligible due to his pending retirement. She also advised the Members that Joyce, Ann, and Jerry have second terms expiring and must be replaced. She spoke about the applications received and the decisions the Committee made based on geographic location, type of developmental disability, and positions being vacated.

Amber made a motion on behalf of the Nominating Committee that the Council submit Greg's application to the Governor for reappointment to a second four-year term on the Council. Joyce seconded the motion. Greg abstained. Motion carried.

Amber then made a motion on behalf of the Nominating Committee that the Council submit applications for Delmar Davis (individual w/dd), Angie Breeden (parent of a child w/dd), Julie Dial (parent of a child w/dd), Kristin O'Neal (parent of an adult w/dd), and Sheila Zickefoose (At-Large) to the Governor for appointment to three-year terms on the Council. Pat seconded the motion. Motion carried.

Election of Council Chair/Vice-Chair: Amber made a motion on behalf of the Nominating Committee that Deborah Davis be reappointed as Council Chair and Greg Bilonick be reappointed as Vice-Chair of the Council for terms of

two years. Ann seconded the motion. Greg abstained. Motion carried. Terms begin July 1st.

Election of Executive Committee Members: Linda advised Members of two expiring terms on the Executive Committee – Kelly and Clark. Members were encouraged to submit their names to be placed on a ballot if they were interested. Two people – Pat Elliott and Jon Sassi submitted their names. Greg asked if there were any nominations from the floor to be added to the ballot. Since there were no nominations from the floor, Greg asked the Members to vote to accept Pat and Jon as new Executive Committee Members by voice vote. **Kelly moved and Brent seconded the motion to elect Pat and Jon to the Executive Committee for terms of two years. Pat and Jon abstained from voting. Motion carried.** Terms begin July 1st.

Greg mentioned there were other issues discussed at the Executive Committee which he wished to call to their attention. He stressed the importance of Members' responding to meeting notices so Council staff can make needed arrangements. He then asked Steve to discuss the other issues.

Steve reported that the Executive Committee decided at the March meeting that they will begin following the Council's Policy on Membership regarding absences. This section of the policy had not been followed in recent years, and Executive Committee Members felt it was important to do so. They also felt it was important to advise all Council Members of the intent to do so.

Steve then mentioned the attendance letter used by the Early Intervention Interagency Coordinating Council (EIICC), which the Executive Committee recommends using for State Agency Members. The letter is sent yearly to the Council Member advising them of who their appointed representative is (if applicable) and their attendance record.

Steve also reported on the vacancy in the Higher Education position, and the Executive Committee's recommendation that he contact the Higher Education Policy Commission (HEPC) to find a replacement. Several members mentioned possible representatives from various universities around the state in lieu of someone from the HEPC. Clarice expressed her opinion that the representative should be someone from the HEPC to discuss and look at the overall issues, rather than from the perspective of any one university. Sheila then shared that she

agreed, but that possibly having someone from a large university, affecting a lot of students, would be better than having a vacant position.

Other Business:

Grantee presentation - Fair Shake Network (FSN), Michelle Norweck, Director: Michelle offered a presentation on the history of the FSN, what the network is doing during this grant year, and the benefits of membership. She also shared information on some of the current needs of the FSN.

Final Legislative Report – Christy Black: Christy briefed Members on several pieces of legislation. A report was included in Members' packets. Ann asked for clarification on HB 2160, which she believed was vetoed by the Governor. Christy discussed HB 2902 The WV Achieving A Better Life Experience (ABLE) Act which was introduced the last day for bills to be introduced. It passed with the help of legislators with whom Christy has built good relationships. They are supportive of issues that reflect the Council's vision for people with developmental disabilities.

Five Year State Plan Process – Jim Cremeans: Cancelled due to time constraints.

Presentation on ITACC website information: Cancelled due to time constraints. Steve told Members he would email them the website address so they could look at the information available as a resource to Council Members.

Disability Policy Seminar Report: Christy reported on the Disability Policy Seminar in the absence of Deborah and Jonathan, who also attended with her, Steve, and representatives of the Arc of WV. They met with all of WV's representatives (or their staff) in both the Senate and House to discuss topics on Healthcare, Social Security, Medicaid, Community Living, and Education affecting people with developmental disabilities. The Council Members spoke about the need for increased funding for DD Councils.

Christy then informed Members that she and Christina Smith (Arc of WV) were invited by the Association of University Centers on Disabilities (AUCD) to attend the Leadership Conference on Human Civil Rights to discuss the reauthorization of the Elementary and Secondary Education Act (ESEA) in Washington, DC.

Council Members' Comments and Concerns: Ann raised concerns associated with the transition to adult life for individuals with complex needs. She feels that more than just the cost must be taken into account when looking at legislation, and urged people to think about those with the greatest needs. She has concerns that there is a lack of communication between Public Health and the community as a whole relative to data showing the disability rate of children born to older parents, and feels that the cuts to the waiver will have a huge impact on older parents.

Melvin spoke about his sister who used a wheelchair and was injured in an accident. He would like to see legislation preventing people from using wheelchairs on highways.

Brent spoke of receiving notification that his sister will receive a Waiver slot effective July 1st, and finding there are no community residential service options available for her to live in her county. She currently resides in an ICF group home.

Ann expressed a concern about what will happen to individuals living in larger group homes who will have to transition to something smaller.

Clarice reported that some of those larger Waiver group homes were developed to serve people who left Colin Anderson Center when it was closed. They are Medley Class Members, and many are "medically fragile." She reported that providers have said they will not be able to serve those with such complex needs in settings of fewer than four people, but the Bureau for Medical Services (BMS) has said they will not approve any settings for more than three people. (BMS has since agreed to allow settings for four people.)

Agency Member Updates: Jane reported the Bureau for Children and Families applied for and received a 4E waiver. This waiver allows for funds to bring children, including children with developmental disabilities, who are out of state back into WV with wrap around services to try to keep them in their home. This will begin as a pilot program in DHHR Region 1 and some of Region 2.

Janice reported that the West Virginia University Center for Excellence in Disabilities (WVU CED) has submitted a request for proposals from the Social Security Administration for the Work Incentive Planning and Assistance (WIPA) program that Jennifer Tenney manages at the CED currently. If they receive this

grant it will allow for funding through 2020 to provide statewide coverage of staff for the program. The current funding expires August 31st. Janice reported that the WVU CED was awarded a federal grant for second year funding for their Traumatic Brain Injury program. This grant will provide funding for extensive training for family members and caregivers. The trainings are June 9 -10 at Glade Springs, June 16-17 in Martinsburg, July 14-15 in Huntington, and July 15 – 17 in Charleston. Janice reported that specialized family care is opening up new homes. They are trying a new marketing effort at the State Fair of WV.

Pat Moss reported that she has been working with the WVU Office of Diversity and Disability to accommodate a population of students with disabilities. (Approximately 3,000 WVU students self-identify as having a disability.) The Office of Accessibility Services is serving 90 students who are deaf or hard of hearing, and the Mountaineer Academy offers tutoring support to these students so they do not have to “play catch up.” The CED helps with assistive technology. Pat states that the CED has developed a good working relationship with the Office of Diversity and Disability.

Sheila reported the Department of Education (DoE) is still working on the State systemic improvement plan, including the improvement in graduation and drop-out rates as well as transition outcomes.

Pam reported the Children with Special Health Care Needs (CSHCN) program can provide care coordination for those under age 21 on the Waiver wait list who do not have Medicaid.

Doug reported that the Division of Rehabilitation Services (DRS) is still planning for the changes to school related services as a result of the Workforce Investment Opportunity Act (WIOA). DRS school counselors were not allowed to provide services in the past, but now they can. There will also be a change to how caseloads are handled. A counselor role will be created to work just with students while they are in school, then transferring them to a different counselor when they graduate. This will allow DRS Pre-Employment Transition Services (PETS) counselors to serve many more students and get involved with them at a younger age. An employee in the Morgantown office will administer the Student Transition to Employment Program (STEP) and will be responsible for its expansion to schools statewide. (This program began as a Council grant.) He reported that 50% of supported employment funds will be spent on transition age youth (24 and

under). WIOA discourages the use of programs that pay sub-minimum wage in segregated settings.

Teresa reported that the Traumatic Brain Injury (TBI) Waiver application was submitted to the Centers for Medicare and Medicaid Services (CMS) last week. She thought the Aged and Disabled (A/D) Waiver application would be submitted today (4/28). She also reported that the Intellectual and Developmental Disabilities (I/DD) Waiver application comment period was extended through Monday (4/27) because of confusion with an away message on the email account accepting comments. She said the Secretary of the Department of Health and Human Resources (DHHR) and staff at the BMS would read and consider the comments. She also reported that school-based health services are also housed in the Medicaid Waiver Unit. These are school-based services that are billed to Medicaid. The Policy Manual for this is being written now and may be out for public comment on May 20th. Cynthia Parsons is the contact person at BMS.

Jenni reported that the Bureau of Senior Services (BoSS) is still working on the No Wrong Door initiative. A statewide stakeholder engagement meeting is coming up. They will then develop a three year Plan, which will be submitted to the Administration on Community Living (ACL) for funding. She also reported that as of July 1st, BoSS will prioritize services based upon need rather than first come/first served. The Senior Conference is scheduled for May 19-21.

Clarice reported that WVA has hired a full-time employee to monitor ICFs and hopes to begin July 1st.

**Adjournment: Jane moved and Jenni seconded the motion to adjourn.
Motion carried.**