

WV Developmental Disabilities Council
Quarterly Meeting
October 28, 2014
Mineral Wells, WV

Minutes

Members present: Donna Ashworth, Greg Bilonick, Brent Bush, Jonathan Chaffin, Joyce Church, Deborah Davis, Clarice Hausch, Amber Hinkle, Betty Holliday, Ann Hubbs (present but not voting), Mary Etta Jones, Jane McCallister, Rickey Meade, Kelly Miller, Beth Morrison, Pat Moss, Christina Mullins, Pat Nisbet, Sheila Paitsel, Wanda Proffitt, Clark Queen, Tara Roush, Jon Sassi, Jenni Sutherland, Tina Tanner, and Melvin West

Members absent: Sarah Brown, Stefanie Caldwell, Pat Elliott, Jerry Ramsey, and Stacey Thomas

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

Guests: Jeff McCroskey – Vocational Services, Inc.

Call to Order, Welcome: Deborah Davis, Chair, called the meeting to order and welcomed all Members.

Introductions and Announcements, Mission Statement Reminder: Deborah invited everyone to introduce themselves. Following introductions, the following announcements were made:

Pat Moss announced that she has been appointed the new Director of the WVU Center for Excellence in Disabilities.

Kelly Miller announced her 8th grade daughter was nominated as Ms. Bobcat at her school.

Melvin West announced that, at a recent banquet, he was awarded the “Best Attendance” and “Employee of the Year” for his workplace.

Clark Queen then read the Council’s Mission Statement.

Public Comment: None

Approval of July 22, 2014 Minutes: Greg made a motion to accept the Minutes as written. Tara seconded the motion. **Motion passed.**

New Business

Legislative Statements for 2015: Deborah explained how the Legislative Statements Workgroup developed the proposed document. Workgroup members were Deborah, Greg, Jonathan, Betty, and Rickey. Statements were added for issues thought to be pressing, and statements were removed that had been previously addressed or were no longer thought by the group to be important.

Joyce pointed out a grammatical error in the paragraph related to Guardianship. Sheila advised Members that the Department of Education is working to address and improve the graduation rate for students with disabilities, beginning as early as next week. Kelly suggested that parents need better information about the ramifications of students working towards a modified versus a regular diploma. Steve informed Members that WV Advocates (WVA) and the Council are working to update the Parent Advocacy Guide (PAG) based on recent changes to Policy 2419. Jim reported the Council has distributed over 700 Guides to families, and Clarice reported that WVA has distributed between 1000-1500 copies. Sheila advised that the PAG is also available on the Department of Education (DoE) website for those who wish to look at it, rather than have a hard copy.

Rickey moved and Clark seconded the motion to accept the Legislative Statements for 2015, with the grammatical fix to the statement related to Guardianship.

Motion passed.

Other Business

2015 Meeting Dates and Locations: Deborah advised that this item would be moved until later on the Agenda, since the Executive Committee needed to meet to determine the dates and locations for next year.

Progress on State Plan: Jim provided Members an update on the current status of the Council's Five Year Plan and information on the development of the next Plan. There are no changes recommended for the plan update for the fourth year of the current Plan, which must be submitted to the Administration on Intellectual and Developmental Disabilities (AIDD) by January 1, 2015. The Council will begin seeking public input by November 1, 2014 prior to the submission.

Rebalancing Long Term Services and Supports (LTSS): Steve provided the Members the Power Point presentation he made to over 60 Congressional staff members on Capitol Hill on October 20, 2014. He was invited by Senator

Rockefeller to present on this topic as part of a series of informational sessions held by Senators Blumenthal and Rockefeller on LTSS. Included were national statistics related to LTSS and people with disabilities, changes in the levels of funding over the last decade in a variety of long-term care settings, and some recommendations for Congress going forward.

Employment Workgroup Update: Jon Sassi, Chair of the Employment Workgroup, reported on the Workgroup meeting held on September 22, 2014. The speaker for that meeting was John Butterworth, Ph.D., who is the Director of Employment Systems Change and Senior Research Fellow at the University of Massachusetts' Institute for Community Inclusion. Jeff McCroskey, President of Vocational Services, Inc. (VSI) also spoke about the agency's current Council grant, the Work Exploration Project at that meeting.

Clarice reported that Dr. Butterworth indicated he did not believe WV's current Medicaid rates for Supported Employment are adequate to provide the service, which is not a role for direct care service providers. She also stated that many states recognize the need to provide and pay for training for providers that are developing plans for transitioning programs and settings to meet the new Home and Community Based Services (HCBS) guidelines for integration.

The Workgroup report was included in Members' packets.

Council Employment Initiatives: Jim gave an update to Members on the history of the Council's employment initiatives, and reported that 35 states have developed some type of formal employment initiatives. A handout was included in Members' packets. The presentation generated a great deal of discussion.

Clarice thanked the Council for forming a Workgroup to look at this issue because it has been helpful in increasing her knowledge and that of her staff. She stated that in every state that has a successful initiative, a State agency such as the Division of Rehabilitation Services (DRS) or the DD agency has taken the lead in developing and pursuing the necessary policy changes.

Donna agreed that "someone has to own it" in order for it to happen. She stated that DRS has wanted to get involved with an Employment First type of initiative for people with developmental disabilities for some time, and that it is now becoming a federal priority. She feels WV is ahead of the game in the area of

customized employment as carving out and customizing jobs is an area DRS has been involved with for some time now. DRS has moved away from supporting sheltered work. She also reported that DRS is posting a new position to maintain and expand the School Transition to Employment Project (STEP), which began as a Council grant with Community Access, Inc., and was supported and continued by DRS. She reported that overall DRS job placement rates are 65%, while STEP rates are 85%.

Several Members discussed their personal experiences with losing benefits due to income earned by working. Clarice reminded everyone that benefits other than Medicaid and Social Security benefits can be cut when individuals make more money (food stamps, HUD, etc.). Brent suggested that individuals who work at least 12 quarters would be eligible for SSDI, which has less restrictive income limit requirements than SSI.

Pat N. mentioned that she had attended the training for Benefits Counselors, which was very good but also quite complicated. She feels it would be beneficial to have a simpler version so that more people could be trained on the basics with more complicated situations referred to those who are certified.

There are currently only three Certified Work Benefits Counselors in WV. Donna reported that she hopes to get the nine DRS Employment Services Representatives certified. This will assist in helping families and individuals with developmental disabilities understand the various requirements and restrictions, along with methods for maintaining eligibility for some needed benefits and services.

I/DD Waiver Update: This update was provided earlier than indicated on the Agenda to accommodate Pat's schedule. She reported that the three Waivers [(Traumatic Brain Injury (TBI), Aged and Disabled (ADW), and Intellectual and other Developmental Disabilities (IDD)] are up for renewal. Applications are due to the Centers for Medicare and Medicaid Services (CMS) by July 1, 2015, but she plans to submit them in time to have them approved by July 1st. A contracted agency, The Lewin Group, was hired to develop the State's Transition Plan, which is due 120 days from October 5, 2014.

The TBI Waiver has 125 slots. 44 people are currently on the program and 81 slots are still available. The Bureau for Medical Services (BMS) is considering lowering the age of eligibility from 18 to 3 in the renewal application. They will

also add anoxia due to drowning as an eligible category. There is no wait list for the TBI Waiver.

The ADW received funding during the last legislative session for extra slots. The funding allowed for 458 slots. 207 have been filled. Letters were sent in October to the next 162 on the wait list. The wait list for this waiver is over 1300 people. Letters were sent to all of those individuals to ask that they go to their local DHHR office for their financial eligibility status to be determined. Of the 1300 letters sent out, only 337 people went to DHHR offices. Of those, 270 were determined to be financially eligible. 930 people will get a second letter to encourage them to have their financial eligibility determined prior to December 5th. BMS, APS Healthcare, and the Aging and Disability Resource Center (ADRC) staff will contact each individual to encourage them to determine financial eligibility prior to removing them from the wait list.

The IDD Waiver released 176 slots on July 1st, 15 on August 1st, and one will be released on November 1st. As of September 30th, the wait list was at 868 people. It is now over 900. As of September 30th, 860 people were using the self-direction model.

Pat also reported that BMS will have to cut \$40 million from its budget. Since HCBS Waivers make up 20-25% of the Medicaid budget (with the IDD Waiver being the largest), they can expect to make reductions of \$8-10 million from those programs. She acknowledged that it will not be easy to determine where cuts could be made and reported that decisions related to cuts will be made by the DHHR Secretary and the Governor.

Pat informed Members that a CMS grant to reform Criminal Investigation Background (CIB) checks is available to the State, but funds are needed from the Legislature to obtain and implement the grant. Last year the legislation did not make it out of the Health and Human Resources Committee. She was asked to share information regarding the grant and legislation with the Council.

Work Exploration Project: Jeff McCroskey, from Vocational Services, Inc., spoke about his grant with the Council. The Work Exploration Project serves three rural counties – Roane, Clay and Lewis. He reported there is no mandate for the DoE to offer work exploration programs and only 24 counties have them.

He also reported on two previous projects that continued following Council funding. 1) The Individual Work Readiness Certificate (IWRC) project focused on getting more students with developmental disabilities into local career technical centers and on having those students earn certificates of completion. Several training areas where helper jobs are available have been identified, and completion standards (and certificates) have been established by the DoE. 13-14 counties are participating in IWRC. 2) The Student Transition to Employment (STEP) project was continued through DRS. 100 teachers have been trained and 140 students successfully placed through the STEP project.

More discussion by Members was held around employment and how people can be trained to understand the benefits issues in order to counsel families locally. Pat N. suggested a simpler training than the one provided by Certified Benefits Counselors be available. Donna would like to see a small workgroup focus on this that could come up with a few suggestions on how to assist. Greg mentioned that the late Dave Hammis was able to help people understand PASS plans, which most people do not know about. Kelly stated that many families feel they have worked hard their entire lives to get their children what they need, and they are not willing to lose it. Clarice agreed it would be good to have someone locally who could talk with families. She reported that WVA's advertisement concerning benefits has been more successful than any other Protection and Advocacy for Beneficiaries of Social Security (PABSS) program in the past 10 years. Sheila mentioned that the DoE has a two page document of transition resources and is planning to update the document to help spread the word to parents. Betty reminded Members that people can also be productive and contribute to society through volunteer work.

Workforce Innovation and Opportunity Act (WIOA) and the implications for

WV: Donna spoke about WIOA and its implications for DRS. She reported DRS can use money to pay students minimum wage in work experience settings, rather than asking the employer to pay. DRS will not be paying for any sheltered work, and no one will be paid less than minimum wage. Individuals transitioning from school to work will now be the first priority. There will now be increased accountability. She reported that as of July 22nd, independent living programs were moved from the federal Rehabilitation Services Agency to the Department of Health and Humans Services, Administration on Community Living. Donna reiterated that she believes the timing is right for an "Employment First" policy.

2015 Meeting Dates and Locations: Deborah reported that the Executive Committee met and determined the dates and locations for quarterly meetings for 2015. They are as follows:

January 27, 2015 – Charleston
April 28, 2015 – Morgantown
July 28, 2015 – Beckley
October 27, 2015 – Parkersburg

Members' Issues and Concerns: Sheila raised concerns about some of the items listed on the Special Education Fact Sheet that was included in Members' folders.

Christy shared with Members that Kevin Smith recently presented on People First at the Arc of the US conference. They were impressed and are going to have a link from the Arc-US web page to People First of WV's YouTube videos/training. Christina Smith (Arc-WV) also attended the National Conference of Executives of the Arc in New Orleans. The Arc Director of Louisiana was honored. In his acceptance speech spoke about the Health and Wellness program of the Arc of the Mid-Ohio Valley, which he learned about at a national conference. That program is now going strong in LA. The Health and Wellness program began as a Council funded grant project.

Clarice mentioned that WVA will be offering Wrightslaw special education training on April 8th - 9th in Charleston.

Adjournment: Greg made a motion to adjourn which was seconded by Tina.