

**Coordinating Subcommittee for
Developmental Disabilities Services
Meeting Summary
March 6, 2012**

The Coordinating Subcommittee for Developmental Disabilities Services met March 6, 2012, at the AIDT Center in Montgomery, Alabama.

The meeting was called to order by Associate Commissioner Ann White-Spunner.

Members Present

Ann White-Spunner, DMH/DD Representative
Willodean Ash, DMH/DD Representative
Jeff Williams, DMH/DD Representative
Jim Dill, Alabama Council Representative
Anne Penney, Alabama Council Representative
Earl Brightwell, MR/DD Representative
Jo Poates, MR/DD Representative
Dianne Durbin/Advocacy Services Representative
Myra Jones, DD Council Representative
Earl Brightwell, MR/DD Representative
Wallace Davis (DeAnna Ferguson), Other Provider Representative
Murray Townsend, The Arc of Alabama Representative
Elouise Woods, People First Representative
Amanda Ward (Tom Holmes), The Arc of Alabama Consumer Representative
Danny Grant, Region 1, Consumer Representative
Blesses Malone, Consumer Representative
Jeff Ridgeway, People First Representative
John VanCamp, Region 2, Provider Representative
Katherine Parker (Lou Vick), Region 2 Family Representative
Susan Klingel, Region 1, Provider Representative
Bill Hoehle, Region 5, Provider Representative

Visitors

Ellen Gillespie, Gary Edwards, Daphne Rosalis, Audrey McShan, Susan Ford, Joey Kreauter, John Oaks, Cynthia Daniels, Barbara Brunson, LaGretta Ratliff, Cassandra Odom, Jerryln London, Mike Martin, George Neal, Susan Ford, Anthony Couch, Andy Slate, Rebekah (Becky) Matthews, Lori Leathers, Kimberly Bell, Ken Oliver, Lee Conner, Bill Summer, Regina Savage,

Recorder

Shirley Hicks

Approval of January 3, 2012 Minutes (A. White-Spunner)

January 3, 2012, meeting minutes were presented to the subcommittee for approval. Mr. Brightwell made a motion to approve the minutes as presented. The motion was seconded by Mr. Ridgeway, and the motion passed unanimously.

Agenda (A. White-Spunner)

The agenda was presented. It was revised to include the following two items: 1) Project SEARCH DVD Presentation, and 2) Nurse Delegation Bill.

A motion was made by Mr. Holmes to approve the agenda as modified. The motion was seconded by Mr. Williams, and the motion passed.

Overview of Project Search/DVD Presentation

Mr. White gave a brief overview of Project SEARCH. He indicated that after members see the DVD of the Minnesota Project SEARCH Program they will have a clearer picture of what this program is all about.

After the DVD presentation, Mr. White continued with the overview of Project SEARCH. He related the Division of Developmental Disabilities is in collaboration with the Alabama Department of Education, the Alabama Department of Rehabilitation Services, and the Alabama Council for Developmental Disabilities to develop and implement a Project SEARCH initiative in Alabama. Project SEARCH is a High School Transition Program that is unique and business led. The program runs throughout a school year and takes place at a worksite. It facilitates a seamless combination of classroom instructions, career exploration, and hands-on training through worksite rotations. This is an international trademarked and copyrighted program model, which focuses solely on employment for Project SEARCH interns.

Project SEARCH sites are currently located in more than 40 states with an overall success rate of employment for students with disabilities exiting school of around 70%. Mrs. Klingel inquired about whether corporate sponsors were obtained yet, and Ms. White-Spunner replied obtaining corporate sponsors is the last step, which is the easiest step.

Mr. White added the plan is to implement Project SEARCH in Alabama in August 2012. He indicated the students who are targeted for Project SEARCH are the students who spend their last year of high school as internship. He indicated that Project SEARCH offers students training school does not offer. It also offers an exciting environment that gives students more creative ways to learn. High school students are assisted with focusing on skills that can be developed instead of the skills they already have. He indicated that it is very important to get the Department of Education on board with the program. His plan is to first choose three sites for Project SEARCH and then use these sites as a pilot.

Budget Status

Mr. Kreauter updated members on the budget status. Currently, he is working on the closeout for February 2012. The FY2011 Medicaid Cost Report and the FY2012 Terminating Cost Report for Partlow have been submitted to the State Medicaid office for final settlement. He has some projections about the outcome but right now he cannot rely on his projections. What is currently showing can go both ways, it could be either a positive or a negative outcome. Right now, he is hoping to break even. Also, he is closely monitoring on the community side and the expenditures for the ineligible clients from Partlow.

There is a surplus of \$16,000+/- (out of a \$139 million). As for the current budget, he will be receiving direction and guidance from the Department's CFO. Although, he has not received a lot of information on what to look for, he is hopeful the budget will work out.

For FY2013 budget, as recommended by the Governor, it includes a 10% cut from the General Fund and a 2.37% cut from the Education Trust Fund.

Dr. Hoehle stated he recalled Commissioner Baugh saying the only way the Department can withstand a 25% cut is to close several MH facilities. Ms. White-Spunner replied yes she believes this is the only way the Department can withstand the 25% budget cut.

Dr. Dill related, with all due respect, closing MI facilities within the Department's timeframe has never occurred in history. In fact, this type of plan has never occurred any where else nationwide, but he is not saying that this cannot be accomplished. Currently, there are four to five regional meetings scheduled this month regarding gathering input from the field for the plan. After the regional meetings, the Department will then share its plan in April.

Dr. Dill added that after funds are taken off the top and distributed for forensic and other expenses, there is not enough money to take care of the community on the MH/SA side. Ms. White-Spunner responded that the Department had only two options: 1) the Department could cut the community, or 2) the Department could cut the hospitals (cutting the community was not really an option). In the world in which we currently exist, these were the only two options Commissioner Baugh had, unless the legislature miraculously comes up with some money. Ms. Ash stated she recalled hearing Commissioner Baugh say she really hoped providers will actively participate in developing the plan. This plan will not solely be developed by the Department.

There was an inquiry about the total number of beds, and Ms. White-Spunner replied there are approximately 520 MH/SA hospitals beds, with the possibility of 32 beds belonging to the Division of Developmental Disabilities. Ms. Ash pointed out that only 20 are currently eligible for Division of Developmental Disabilities services, and they are checking on the other 12 beds. The subcommittee held a discussion, and Ms. White-Spunner noted her Division will focus on what it can

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control and is responsible for, and it can control finding placement for the 32 individuals in the community who have DD/ID.

Dr. Edwards inquired about what kind of message should stakeholders convey to the legislators, and Ms. White-Spunner replied we should convey the following message - given the circumstances within which we have to operate, the plan to close facilities that Commissioner Baugh has put forward is the only viable option we have and the only way we can continue serving individuals. Given a different set of circumstances, she is sure a different plan would have been developed.

There was a discussion about the Division's allocation of slots, and she noted the Division currently has 81 slots in its budget. This includes emergency slots.

Mr. VanCamp asked if Commissioner Baugh will be restoring the 9% cut to providers, and Ms. White-Spunner replied she recalls Commissioner Baugh saying that she does not have the funds to restore the 9% cut. Proration is still being discussed for this year. Mr. VanCamp then inquired about the \$800,000. Mr. Kreauter explained the Division was told not to count on the \$800,000. Mr. VanCamp then asked about the savings from Partlow for FY2011. Mr. Kreauter explained that Partlow funds were utilized for bridge and match money. Some funds were put toward placing individuals in the community, some funds were put toward this year's cost at Partlow, and also there are still two outstanding pending Partlow cost reports settlements for Medicaid.

Ms. White-Spunner announced Mr. Kreauter has been given the extra responsibility by Commissioner Baugh to oversee MH/SA budget. The subcommittee applauded Mr. Kreauter on his new responsibilities. Mrs. Klingel commented she is not surprised by the change since the Division always had such a fantastic budget team.

Legislative Update

Ms. Byrd announced that the Alabama Disability Rally will be held at the State House, Thursday, March 8, 2012, at 9:30 a.m. Everyone is encouraged to attend and wear red. The message to the legislators is to "save our services". In fact, individuals will continue to advocate this message. At 9:30 a.m., everyone will gather in the tunnel of the State House for a brief update. From 10:45 a.m. to 12:15 p.m., a press conference will be held. After the press conference, individuals are encouraged to visit their perspective legislators.

Ms. Byrd updated the subcommittee on the Autism Bill (Senate 283 and House 345) regarding insurance. This Bill was dropped by Senator Ward, and there is a good chance it will pass.

Ms. White-Spunner mentioned the Sex Offender Bill. She feels the following are the two problematic issues with this Bill: 1) there can be only one sex offender per house (which means he/she will be living alone) and 2) the sex offender has to be 100 yards from another house occupied by another sex offender. A discussion was held. Dr. Ford pointed out that there is a particular provision in

the Bill that will set some criteria for a certified facility as certain treatment facility. The best thing is to try to get an exemption.

Mrs. Klingel gave an update on the Nursing Practice Act Bill. This Bill as written will drop the nursing delegation provisions for DD community providers. There is some discrepancy in the language of this Bill which needs to be rewritten. Ms. Jane Davis will be handling the revision. Mr. Vick noted this Bill basically states community providers who provide nursing duties should be exempted from certain nursing standards. As Mrs. Klingel stated, there is only one paragraph in this Bill that will be revised. Mr. Vick stated he will send the Bill out once it has been revised. Again, Ms. Davis is working on this Bill. According to Mr. Vick, everyone is in support of this Bill except the Alabama Council on Mental Health Centers.

The subcommittee held a discussion regarding the nursing delegation standards. Dr. Dill clarified to Mr. Vick that he understands the Arc's desires for community programs under DMH to be exempted from certain standards/regulations under Nursing Delegation Practice Act, but the Alabama Council on Mental Health Center did not participate in this effort because their mental health centers have to actively hire nurses and comply with the standards under the Board of Nursing Regulations. This is what the mental health centers have been told they have to do and they are going to comply.

Ms. Byrd announced there will be a Housing Trust Fund Rally March 20th at the State House. This rally is to promote accessible housing, not just rentals, but also other housing options.

Ms. White-Spunner noted Autism Day at the State House, which was originally scheduled for next Tuesday, March 13, has been moved to Wednesday, March 14, at 12:00 noon. March 13 is Election Day.

Mr. Ridgeway commented a lot of individuals (50 to 100 individuals) did not participate in the February 22 Alabama Disability Rally. These individuals will be participating in the Rally to be held this Thursday at the State House. Ms. White-Spunner congratulated Mr. Holmes on the successful Rally that took place on February 22. He did a super job.

Dr. Edwards explained the email he sent out regarding the EI (Early Intervention) budget. They are trying to get an increase in funds for the Early Intervention budget, and they are targeting the support of 14 legislators who are responsible for designing the Early Intervention budget.

Overview of VOA's CQL Journey

Dr. Ferguson gave an overview of Volunteers of America (VOA) CQL experience. She stated that VOA's journey started about nine years ago. In 2003, VOA looked at several accreditation agencies such as CARF, The Council on Accreditation, and CQL. Based on the feedback they received from DMH and the feedback they received nationally from their different affiliates, VOA decided

to choose CQL. They first hired a consultant, who worked with CQL, to assist with the initial assessment on basic assurances. This was a very critical piece, and surprisingly VOA found out that they were already doing most of the things listed under the standards. The next process was the personal outcome measures. The personal outcome measures consisted of finding out what was important to individuals (everyone - including staff).

During the first two months, there were two things VOA was told to delete from their vocabulary 1) "we always did it that way" and 2) "this is unrealistic". After the self-assessment piece, staff training was conducted. This training was such a new concept because all staff members (including maintenance workers, accountants, CEO Board, etc.) were required to go through this training. Once they went through the outcome measures and the People First language training, an amazing culture change began.

VOA's first review was conducted in 2006, and they received a 2-year accreditation. The second review was conducted in 2008, and they received a 3-year accreditation. During their third review, they received a 4-year accreditation. The review was a two-week review process. They went through basic assurances as well as personal assurance excellence for accreditation.

The cost of the CQL process depends on the size of the agency. It is costly as far as the accreditation. For VOA, the cost was for five reviewers in the five different regions of the state. The application fee was \$2,500 to \$5,000. The cost was worth it. Dr. Ferguson noted that she truly sees a big change that has occurred at VOA in the last six years.

Like any other agency, there are still crisis but now it is a more controlled crisis and they are on the right path and VOA continues to improve each day. She stated that when CQL reviewers visit, they actually sit down and talk to you about ways to improve your system. They really sit down and take the time to find out what an individual's life is like on a daily basis. One of the key components is that VOA also conducts mock surveys and personal outcome measures interviews.

Dr. Ferguson stated CQL is an excellent journey. She knows that agencies are very apprehensive about CQL because they once were initially apprehensive. VOA is thrilled that DMH has partnered with CQL to have them come in and rewrite certain codes. Also, VOA will be more than happy to assist other agencies if they plan to take this route.

VOA will continue their journey with CQL. Before their journey began, Dr. Wallace Davis intention was to go above and beyond DMH minimum standards. Even though VOA is accredited for four years, CQL still does an annual review to see where VOA is with its work plan. VOA also has to report to CQL quarterly regarding its status.

Dr. Ferguson added VOA still has to meet the MAC standards. In fact, the MAC guidelines are covered in VOA's policy manual. It took VOA three years to complete the first process under CQL.

VOA started out with five certified trainers. Each QMRP is required to go through a 4-day training session. Mr. Ridgeway noted that when VOA went through the assessment piece; he got to see first hand how staff learned about what consumers go through and staff was required to learn the People First language. He was lucky enough to go to reviews in North Carolina and Minnesota. Dr. Ferguson pointed out that Mr. Ridgeway was a great help with the People First language.

She pointed out that a provider called her last week asking for a copy of VOA's policy manual and she indicated she will be happy to share any information including forms, but another provider cannot operate its agency by another provider's policy manual because all agencies operate differently. The policies need to be customized for each agency.

Dr. Penney expressed her appreciation to Dr. Ferguson for sharing VOA's CQL journey and experience. She stated it sounds wonderful, but she believes providers have several concerns about the assessment piece and the outcome measures as far as it being objective. How does one keep it from getting in the "eye of the beholder". Dr. Ferguson replied she understand what she is saying but all of their CQL certified trainers had to pass an inter-rater reliability test, and their trainers are required to do this annually. She emphasized she is not picking on DMH reviewers, but sometimes VOA felt the same way – that it appeared to them that DMH reviewers were somewhat subjective whenever they conducted surveys and reviews. Trainers and reviewers who are required to take the inter-rater reliability test will prevent this from occurring.

Mr. Williams was asked to explain the standards process in relation to CQL and DD certification staff. He responded the certification staff will have a CQL reviewer with them whenever they conduct providers' annual reviews. The DD certification scoring process is somewhat different from the CQL process. DD certification scoring requires a provider to obtain 100% on three factors (health, safety, and free from abuse). CQL scoring requires a provider to obtain 100% on all factors. There also will be inter-rater reliability training for all reviewers.

Mr. VanCamp voiced his concerns about subjectivity in the DD standards. He stated with the providers having only six months to prepare and implement the revised standards, he feels this is disastrous for all providers.

Ms. Poates expressed her concerns as well. Her biggest concern is 'the unknown', the type of documented items DD reviewers will be looking for. Dr. Ferguson pointed out VOA's support plan is more tailored to outcome measures and she will be happy to share this information. Mrs. Klingel asked if Dr. Ferguson will be willing to send someone to speak to them and also send them any type of forms that might be beneficial to their programs, and Dr. Ferguson replied she first need to talk to CQL regarding their parameters.

She added orientation and training information and other helpful information will be forwarded to members. She added when VOA started their journey with CQL, she was apprehensive, especially about the focus groups. She later found out that the focus group reviewers are actually very encouraging and very empowering. It was never an adversary review process like she expected. The CQL focus group actually offered ways of improving their system.

VOA is a large agency. They have agencies in Alabama, Mississippi, and Georgia. The agency in Alabama has a North and South region. VOA serves 600 people (with residential programs and five day programs). They have a total of 1,100 employees.

DD Standards Update

Mr. Williams related DD will be doing training on basic assurances. He talked to Ms. Debbie Popwell, Director of DMH Certification, and she informed him that the DD standards will not be posted for public comments until the end of March. The standards will, however, be posted on the website. Dr. Hoehle commented the standards are posted 60 days for public comments. There are concerns about providers not having enough time to prepare and implement the standards.

Other Business

- Dr. Ferguson inquired about the status of the IRBI's project, and Ms. White-Spunner replied DD staff met regarding the IRBI's project and they are looking at how to implement the changes. DD is also looking at assisting providers with doing their IRBI's. Ms. Poates commented it makes no sense to her to make the ICAP apart of the IRBI calculation. She does not know why the middle number is not used in the calculation. Ms. White-Spunner commented she does not know why IRBI's are not done annually.
- Mr. White is charged with having a supported employment related program meeting monthly, following the DD Subcommittee meeting. Mr. White noted he can also look into having meetings in other regions if needed.
- With all of the recent changes and everything affiliated with the changes, Dr. Gillespie related ADAP will be meeting and visiting day programs in the next few months.
- Ms. Rosalis stated the Division sent out an RFP for Financial Management Services Agency (FMSA) services under self-directed services. FMSA will be responsible for payroll on behalf of the family receiving self-directed services. So far, the Division only received two responses to the RFP. Mr. Townsend expressed his concerns about workman's compensation. Ms. Ash did state there will be training for case managers. Mrs. Klingel

inquired about the status of the guidelines for supported employment under the waiver. Ms. Rosalis replied the guidelines have not been developed, and there might need to be an amendment to the waiver. The core definition will be worked on, and Mr. Williams and the Regional offices will be assisting with this. Ms. Klingel would like to start with job development because she has individuals who can benefit from this and Ms. Rosalis replied we cannot start yet.

Meeting Adjourned

With no further business, the meeting was adjourned. The next meeting will be held April 3, 2012 (10:00 a.m.), at the AIDT Center.



Ann White-Spunner, Associate Commissioner
Division of Developmental Disabilities



Shirley Hicks
Recorder