

*Department of Development Services
North Region
Regional Advisory & Planning Council
Meeting Minutes of January 20, 2010*

In Attendance: Nancy Bilyak, Carlos Colon, Sara Glad, Deb Godsell, Florence Guite, John Houchin, Susan Miller, Kathleen Perrier, Patti Silva

Guests: Rod O'Connor, Anita Russell, Jackie Lindsay

Kathleen Perrier called the meeting to order promptly at 6 pm. The meeting began with the introduction and welcome of two potential new Advisory Council members, Anita Russell and Jack Lindsay.

Rod O'Connor, DDS Legislative Liaison was this evening's guest speaker. The main focus of Rod's discussion was regarding the upcoming legislative proposals, and the scope of the budget and legislative session. Rod shared a copy of the 3 proposed DDS legislation for the 2010 Legislative Session that impacted on the DDS:

1. *An Act Concerning the Department of Development Services.* In summary: Birth To Three, this proposal would correct several references to federal law that are incorrect and acknowledge that we establish rates for services. There is one change on the Birth to Three section: Section 4 of this bill has been reworded to alleviate concerns from last session that resulted in the section being deleted from the bill. Changes include clarifying that nothing prohibits DDS from providing the early intervention services and that "otherwise arranging" is actually arranging with other state agencies. This reflects Birth To Three's relationship with BESB. Section 7 currently, there is a 6-year maximum on the number of consecutive years a member of the Council on Developmental Services may serve. If a successor is not picked, there is often times a lag between when a member stops serving and a new member is appointed. This proposal would allow the member to serve until a successor is appointed even if the member has served for more than 6 years. Section 8 of the bill replaces a specific member of the Camp Harkness Advisory Committee. Section 9 clarifies the option of agency designees to serve on the Family Support council. Section 10 removes DDS's abuse and neglect registry from the sunset review process under which it is scheduled to terminate on July 1, 2012 unless reestablished.
2. *An Act Concerning Regional Advisory & Planning Councils of the DDS.* This proposal makes technical changes to the language to update current terminology and clarify membership requirements. The regions have had difficulty recruiting attorneys with a background in the field of intellectual disabilities. The regions believe that families and consumers are the most important members on the committees and therefore the proposal adds a consumer of DDS as a member.

3. *An Act Concerning the Sharing of the DCF Investigation Summaries for the purposes of Eligibility, Enrollment and Service Planning in the Voluntary Services Program (VSP) Operated by the DDS.* This proposal allows DCF to share specific information with DDS related to DCF investigations, without the consent of the subject, for the purposes of eligibility, enrollment and service planning for clients in the DDS Voluntary Services Program. DDS has full responsibility for voluntary services for children who have mental retardation and are eligible for VSP. Information regarding previous DCF services or investigations is important to DDS in order to develop appropriate supports that will address any important family dynamics that might otherwise preclude the child being able to stay home. The goal is to keep children at home with the appropriate behavioral and in-home family supports.

These are non-budgetary proposals which do not cost any money. Anything that would cost money would go through a different set of proposals. This is a short session which begins February 3, 2010 and ends May 5, 2010.

The 2010 budget ends on July 1, 2010. The projected budget currently is between 300 and 500 million dollars in the deficit. In December we tried to fix the budget but things did not go well and the Governor vetoed it. The Governor has rescission authority and can do up to a 5% rescission. There was a cut in the day program of 3.5% which has already happened.

Rod encouraged everyone to be vigilant on what you hear and see, that there will be things coming forward on the local level and as council members will have to be the front line for families. The Commissioner has already forwarded a reduction option package to OPM. Recessions are temporary but reductions are permanent.

On the DDS website there is a link "Legislative Affairs" that has a wealth of information which highlights the most current bills that may affect families and consumers. The site also has a lot of information on How to Contact your Legislator, DDS Annual Legislative Summary Reports, Amending DDS Regulations and other helpful links. DDS is in the process of updating Birth to Three regulations. DDS is also in the process of updating licensing and other regulations regarding CLA's, CTH and support services.

Budget hearings are scheduled February 8-18. At this point we don't know when DDS will be testifying in front of the Appropriations Committee. Commissioner O'Meara, Deputy Commissioner duPree, and Vince O'Connell will be there. Advisory Council members will be notified of the date. Rod suggested that council members and any other families you may want to contact, should consider testifying on things that impact on their personal lives if that service was cut, e.g. respite. Also, if you know your Legislator, you should contact them.

Concentration this year will be on the VSP. John explained the Voluntary Service Program (VSP). DCF used to have the VSP exclusively. Now there is a MOU between DDS and DCF that we would provide services to children who meet the criteria. They have to be dually diagnosed and the goal is to maintain the child in the family home with supports. We use in-home services and the family has to be involved. 50%. Out of home placements are very costly and it is very difficult to find homes within the state.

The DDS issued a new policy *DDS Respectful Language* (II.A.PO.003) that was implemented on January 15, 2010. This new policy applies to all DDS-related written and verbal communications and requires the use of “people first” language when referring to individuals who receive supports and services from DDS. It requires the avoidance of language that implies the person as a whole is disabled. The policy replaces the term “mental retardation” with “intellectual disability”. You can find the policy on the DDS website.

Rod plans to attend the March 10, 2010 Legislative Breakfast and indicated that he would be happy to introduce any of the Legislators.

On March 11, 2010 there will be a meeting of the DDS Council and Regional Advisory Council chairman have been invited to attend. The Self Advocate Coordinators will also be at this meeting.

Regional Director’s Updates:

John reported on the implementation of the Governor’s Budget Rescissions:

- The proposed reduction of \$3.6 million in day services is in addition to the previous rescissions of \$1 million in the FY09 base account.
- Starting in February DDS will begin to implement attendance based payments, while not changing the current rates, which differ across the provider’s current contract amount. The rate of reimbursement will be based on attendance and will use an attendance factor of 90%. It will be a computerized attendance process.
- Structural change in our payment system. Fee-for-service rate-based methodology that would link authorized service levels to the Level of Need (LON) assessment and bases all payments on an attendance factor.

As a means to reduce the deficiency, State Employees will have furlough days, no salary increases and we are not rehiring positions if an employee leaves except for nurses. The department got 10 new case managers and the North Region got 3 out of that group. The region moved forward on the conversion process. Staff will be reassigned to vacancies from those who retired. The region will be closing 4 group homes.

Minutes of November 18, 2009 were reviewed and approved.

Planning for Legislative Breakfast -

Everyone agreed to invite back the same four sponsors from last year's 2009 Legislative Breakfast. They would include State Senator Paul Doyle, State Senator Anthony Guglielmo, State Representative Tony Guerrero and State Representative Russell Morin. Council members will contact sponsors and confirm with Linda.

There was a discussion of what topics should be presented at the Legislative Breakfast, which will be finalized at the next meeting.

Mary Stark and Janet Wagner, DDS Transitional Coordinators for the North Region will be invited to attend the January meeting to talk about what is their role in working with the school and in helping families.

A motion was made to adjourn the meeting at 7:54 pm.

Florence Guite and Deb Godsell will provide refreshments at the February meeting.

Respectfully submitted,

Linda A. Angelica
Executive Secretary