



Jodi M. Rell  
Governor



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## Minutes ~ November 13, 2008

### Members In Attendance:

Jennifer Carroll - Chair, Jack Frost – Secretary, John Pelegano, Kevin Morey, Carlos Colon, Patrick Vingo, Peter H. O’Meara - Ex-Officio

### DDS Staff:

Kathryn du Pree – Deputy Commissioner  
Christine Pollio – Legislative & Executive Affairs Director  
Ed Mambruno – Ombudsperson  
Michael Woodson – Director of Investigations  
Rod O’Connor – Legislative Liaison  
Ivette DeJesus – Executive Secretary  
Nancy McClure – Special Investigator

Jennifer Carroll - Chair opened the meeting.

### Public Participation:

No public participation.

### Minutes:

The October minutes were approved with one change.

### Presenters/Guest:

Chair Carroll introduced our presenters, Captain Michael Woodson and Nancy McClure from Investigations, and thanked them for coming.

- Cpt. Woodson gave an overview on Investigations of this past fiscal year via a power point presentation.

#### He shared the following information for FY2008:

- There are 3 Investigators per region
- There were a total of 1,199 investigations done involving DDS consumers
- 729 were conducted by Private Providers and monitored by Dept. of Investigations (DOI)
- 250 Public sector investigations were conducted by DOI and regional staff who are trained investigators
- Other agencies completing investigations include OPA, DPH, and DCF. These agencies conduct 18% of all investigations.

- Discussed the different types of allegations and investigations
- He shared that 85 new investigators have been trained.
- Today, Investigations held a refresher course for the North and South region.
- He reminded the Council about the Investigation Training class that will be held next month. It will be held December 1, 2, and 3 at the Forensic Lab in Meriden, CT. Let Cpt. Woodson know if you have an interest. He also shared that this class has been reduced from 5 days to 3 days to allow for greater participation.
- He also discussed how desk reviews are conducted as part of death investigations which are mandated by Executive Order 25.
- Commissioner O'Meara commented that the General Accounting Office did a national review of states' mortality review processes. The report was extremely positive about the thorough approach used by DDS. Connecticut is the only state that has a Memorandum of Understanding (MOU) with the State Police. He also shared that our investigators are great leaders and are of great service to our consumers.
- Discussion of comparison data with different states took place. DDS does have comparative data with Massachusetts for about three years. Deputy du Pree will ask David Carlow to share this information with interested Council members.

### **Ombudsperson Report – Ed Mambruno:**

#### **Mr. Mambruno informed the Council of the following updates:**

- He received a call from a Minister who was concerned for the safety of an individual that was allegedly going to be evicted from her residence due to behavioral issues. The Minister was aware of HIPAA/confidentiality laws and the limitations of discussing this individual without her consent. This individual has spoken to this Minister many times regarding her problems and asked him if he could assist her in this matter. According to the Minister the individual had limited contact with DDS and asked whether he could contact someone regarding this issue. He contacted the region, the region checked on the consumer who was safe. Instead of eviction the landlord stated he would wait until alternative housing was found.
- He has been in contact with the region regarding an individual who is now residing in an SNF. First, he received a call from a friend who is concerned with the individual's health and whether he will be able to return to his residence. Again, Mr. Mambruno explained to the individual the limitations of our conversation due to HIPAA laws. He contacted the region that explained that this was a very complex matter due to the uncertainty of his medical issues. They stated they would have DDS nursing staff do a complete assessment. The region is in contact with the conservator who is researching various scenarios.
- Mr. Mambruno e-mailed the long-term care (LTC) case manager (CM) to follow-up on an individual who resides in a Skilled Nursing Facility (SNF). The Administrator would like to have this consumer moved from the nursing home to a group home. The family wanted a placement close to home. The region has taken this into account, however could not guarantee anything. Two homes were chosen, but both were deemed inappropriate for the consumer's needs. The region

- has the individual on the emergency placement list and is reviewing other placements with the family and the nursing home.
- Received a call from an individual who inquired if he could obtain information regarding a relative who resided at the Mansfield Training School. The relative lived at Mansfield during the 20's through the 60's. He spoke to Steven Zuckerman in Central Office who found limited information on the individual. Mr. Mambruno contacted the person back and this person was extremely happy that the department still had some information. He did inform this person that deceased people are also covered under the HIPAA law, (according to Jim Welsh in CO) and proof of his relationship will still be needed. The North Region is reviewing records to see if any additional information exists. A week later, he received a second call regarding another individual at Mansfield.

### **SNF's:**

- He visited the Water's Edge Center for Health & Rehabilitation formerly known as Harbor Hill Care in Middletown. He visited with five consumers. He spoke with one consumer at length who has lived there approximately 10 years. Another individual was on his way to his Day Program. Two consumers were attending church in-house. The records were very thorough and complete.
- He met with VITAS' Public Affairs Director to discuss hospice services that they provide to our consumers. He asked for and received pertinent materials. He is planning on having a meeting with a clinical professional from one of their programs.
- He asked Dr. Wagner if he could provide a list of consumers who reside in Long Term Care Facilities using DSS Title XIX data. Central Office is in the process of developing and testing revenue automation data. The report should be available in a few months and will be shared with Ed.
- Ed attended an OBRA meeting on October 7<sup>th</sup>, many recommendations were made to improve oversight of DDS consumers.
- Working with the Aging Coordinator and the CO Utilization Nurse to develop a standardized checklist for LTC Case Managers to use when visiting DDS consumers in SNFs. One thought was to have a centralized intake for CO individuals who could receive, review and research checklist data.

### **Legislative Report - Christine Pollio:**

#### **Ms. Pollio informed the Council of the following updates:**

- As everyone knows, elections were November 4<sup>th</sup>. The State House and Senate seats were up for election. Handouts were provided and discussed.
- The next legislative session that starts in January will consist of:  
House: 114 Democrats and 37 Republicans

Senate: 24 Democrats and 12 Republicans

- There will be a joint Appropriations and Finance Committee meeting at 1pm on Nov. 18<sup>th</sup> to discuss fiscal accountability reports issued by OPM and OFA.
- The Appropriations Committee will hold a public hearing at 3:30 on Nov. 18<sup>th</sup> to discuss projected state agency deficiencies. It may be on CTN. You may be able to view it by going to the CTN website.
- A Special Session is planned for November 24<sup>th</sup>.
- DDS is still waiting to hear on the legislative proposals.
- Check the legislative website often as the session approaches.

### **Commissioner's Updates:**

- The Commissioner shared that the Governor is taking many steps in trying to keep the budget in control. There will be less opportunity to refill positions as the department moves forward.
- The department is trying to be pro-active and looking into consolidating certain functions, job sharing, and so on in order to fulfill job responsibilities as we move forward without filling certain jobs that are vacated.
- The \$300 million dollar figure for FY'09 continues to grow. The problem we are facing is that it is a growing number and not a set one. DDS will continue to update the Council on a monthly basis.
- There will be a significant impact across the board for both the public sector and private providers.
- He will be meeting with Secretary Genuario next week for a general discussion about DDS's budget options.
- The revenue projections have declined between September 2008 and now.
- Ms. Carroll expressed how happy she was to keep hearing that the priority is keeping our population safe. She expressed how important that is to families.

### **Old Business:**

N/A

### **New Business:**

- The 2009 Calendar was discussed and approved.
- The following members were selected as the nominating committee to report back at the December meeting: Jack Frost, Kevin Morey, and John Pelegano.
- Ted Walen will be the new STS Board of Trustees representative effective at the December meeting.
- Ms. Carroll thanked Ivette for all her assistance and wished her luck as she moves on to a new adventure on behalf of the Council.

**\*\*The next meeting will be held on December 11, 2008.\*\***

**There being no further business, the meeting was adjourned: 8:05 p.m.**