



State of Connecticut Council on Developmental Services

DDS

DRAFT Minutes of the June 23, 2022 Special Meeting

Location: Meeting Held Virtually via Microsoft Teams

In attendance: Adrienne Benjamin, Pam DonAroma, Christine Hainsworth-Straus, Diana Mennone, Patti Silva, Deb Ullman, Kevin Zingler;

Absent: Karen Hlavac, Rick Rothstein, Rick Lenz; Arlene Reith; Joe Duffy; Lisa Weisinger-Roland

DDS Staff: Jordan A. Scheff, Commissioner; Elisa Velardo, Deputy Commissioner; Shannon Jacovino, DDS Ombudsperson, Kevin Bronson, Director of Communications, Legislation, & Regulation; Rod O'Connor, Legislative and Regulations Specialist

Introductions

Kevin Zingler, Chair, called the meeting to order at 4:36 PM. Mr. Zingler introduced Elisa Velerado as the new DDS Deputy Commissioner.

Opportunity for Public Participation

None. Mr. Zingler introduced Donna Cohen.

Moment of Silence for those affected by COVID-19

Mr. Zingler called for a moment of silence for those affected by COVID.

Approval of Minutes

The minutes of the May 19, 2022 meeting were approved without correction on a motion by Pam DonAroma, seconded by Adrienne Benjamin.

Commissioner's Report

- Commissioner Jordan Scheff discussed some of the changes in DDS staffing brought on by the wave of recent state employee retirements.
- The Commissioner spoke about DDS's American Rescue Plan Act (ARPA) initiatives and bringing stakeholders to the table. He said that he would share more information about the DDS ARPA initiatives at the July meeting.
- Commissioner Scheff explained about ongoing staffing issues and the ability of both DDS and its qualified providers to hire qualified employees. The Commissioner has had conversations with other state human services agencies, which are facing similar issues with hiring, and with the Departments of Labor and Administrative Services and the Governor's Workforce Council.
- The Commissioner said that in a National Association of State Directors of Developmental Disabilities Services (NASDDDS) Director's Forum there was discussion of the staffing crisis and ways states were confronting it. Commissioner Scheff is currently the Vice-President and President-Elect of NASDDDS.

Topics of Discussion

Council members returned to the discussion of the process of abuse and neglect investigations and their outcomes. Ms. Benjamin cited her concerns about provider agencies investigating their own abuse and

neglect cases and how impartial or thorough those investigations would be. Commissioner Scheff noted that other entities investigate themselves and that it was a decision made years ago to have providers investigate their own abuse and neglect cases. Ms. DonAroma said that the training of provider agency executive directors in how to understand the abuse and neglect investigation process is critical.

Ms. Benjamin asked a question on why some incidents were substantiated and some were unsubstantiated given the facts that there was visible evidence of abuse. Commissioner Scheff explained that there might not be enough evidence to establish who was the alleged perpetrator or if the evidence (in this case bruising) was caused by abuse or as part of a normal routine. He went on to say even with an unsubstantiated allegation of abuse there still can be recommendations made for staff retraining.

Mr. Zingler outlined the abuse and neglect investigation process at his agency which includes hiring an outside investigator, providing training on abuse and neglect to staff twice a year and keeping at staff at arms-length from the investigator and the investigation.

Ms. Benjamin asked why the investigations took so long to complete and why the timelines for completion were not adhered to. Commissioner Scheff noted that during the COVID pandemic that it was difficult to maintain the timelines because interviews and investigation had to be conducted remotely. The Commissioner said Kendres Lally, DDS Director of Investigations, was pushing provider agencies to return to the timeline established for abuse and neglect investigations.

Mr. Zingler noted that an abuse or neglect investigation may take a week to 10 days depending on the workload of the investigator. He questioned whether there was a need for more trained abuse and neglect investigators. Mr. Zingler also said there was a significant cost to the provider agency in hiring an independent investigator, reassigning or placing an employee on leave who is under investigation, and hiring replacement staff or paying overtime for staff to cover the workload of the employee being investigated. Ms. DonAroma added that staff under investigation at her agency were automatically put on leave.

Patti Silva said that she had had a conversation concerning investigations with an employee of Disability Rights Connecticut (DRCT) at the Special Olympics Summer Games. Commissioner Scheff stated that DRCT has a broader mandate to investigate systemic problems and normally does not take on individual cases of abuse or neglect.

Ms. Silva discussed the draft proclamation honoring Beau Doherty on his retirement as President of the Connecticut Special Olympics. Kevin Bronson said that the request for the proclamation could be submitted through the Governor's website and that if the Council members wished to have a legislative citation honoring Mr. Doherty, they could request it from their legislators. A motion was made by Ms. Benjamin, seconded by Ms. Silva to proceed with the submission to the Governor's office of the proclamation as drafted. The motion was approved unanimously.

Ombudsperson's Report

Shannon Jacovino reiterated that if Council members had questions on the Ombudsperson's Report, they should email her those questions prior to the Council meeting so she can be better prepared with answers. She stated that Ms. Benjamin had gotten in touch about the four cases of abuse and neglect that were brought to the attention of the Ombudsperson. Ms. Jacovino discussed the four cases in broad terms and what actions she took in seeking solutions to the issues in each case. Ms. Jacovino added that based on the Council members' discussion of abuse and neglect investigations, she believed that better communications with families around investigations and the development of a fact sheet for families concerning these investigations would improve the understanding of the investigation process. She said that staffing issues were responsible for some of the delay with timely investigation.

Ms. Benjamin thanked Ms. Jacovino for her suggestions on better communication with families on abuse and neglect investigations. She said that there needs to be a better way of handling these investigations with families and suggested more engagement from case managers. Ms. Jacovino explained that DDS case managers were not involved with these investigations so as not to impact the outcomes of the investigation.

Topics of Discussion

A motion was made by Ms. DonAroma and seconded by Ms. Benjamin to table the discussion of the DDS ARPA initiatives until the July 21, 2002 Council meeting. The motion was passed unanimously.

Topics for future meetings

Mr. Zingler summarized the topics being considered for the July 21, 2022 meeting as:
Information on Social Security asset limits from Krista Ostaszewski;
DDS ARPA initiatives discussion tabled from the Special Council meeting; and
Continuation of discussion on abuse and neglect investigations.

Christine Hainsworth-Straus requested that employment and employment incentives be put back on the agenda and agreed that it could be a topic for the September meeting agenda.

Ms. Silva asked if there could be an update on the proclamation for Mr. Doherty.

Announcement of the next meeting

Thursday, July 21, 2022 at 4:30 p.m. via Microsoft Teams

Adjournment

A motion was made by Ms. Silva, seconded by Ms. DonAroma to adjourn. The special meeting was adjourned at 5:55 p.m.