

DDS North Region Regional Advisory Council

May 15, 2024

Meeting Minutes – Virtual Meeting via Microsoft Teams (meeting was recorded)

Members Present: Kim Little, Chair, Shannon Klenk, Cindy Lichtsteiner, Ellyn Little; Marylou O'Connor, Susan Prihar; Adrianna Ramirez, Rick Rothstein, Annette Scully; Tammy Selinger, Stacie Silva, DDS North Regional Director (ex-Officio member)

Guests: Krista Ostaszewski (DDS)– Parent/Guardian Caregiver Presentation
Brian Gresko (DDS)– Project Search Presentation

- Call to Order
Meeting called to order at 5:03 p.m.
- Approval of Minutes – April 17, 2024

Motion to accept the minutes of the April 17, 2024 RAC meeting as presented.

The motion was made by Chair Kim Little and seconded by Annette Scully.

The motion carried unanimously.

- Parent/Guardian Caregiver Presentation
 - Krista Ostaszewski, Department of Development Services (DDS) Health Management Administrator in Central Office was in attendance to briefly talk about a new program that DDS is now implementing for Parent and Guardian Caregivers. The following are highlights of the program:
 - As of May 1, 2024, DDS has been approved to compensate Legal Guardians and Parents of school age children that are providing certain supports through DDS Medicaid waivers.
 - Last year the Legislature required DDS to amend their waivers to allow Legal Guardians and Parents of school age children to provide support through the DDS Medicaid waivers and be compensated for certain supports; DDS was mandated to move in this direction. DDS did move forward with amending their waivers and received approval.
 - The Center for Medicare and Medicaid Services (CMS), federal agency that oversee all Medicare and Medicaid nationally, said that the services could only be related to personal care. The following are the five services that Legal Guardians and Parents of school age childing can provide and be compensated for: (1) Individualized Home Support, (2) Individualized Day Support, (3) Respite, (4) Personal Support, and (5) Senior Support.
 - The State is required to assure that all waiver services and support provided is in the best interest of the individual. Therefore, if a Legal Guardian or a Parent of a school age child is interested in moving forward with providing support and be compensated for, the first step to take is to talk with their Case Manager. The Case Manager will discuss what the support and service is that the parent, caregiver is interested in providing and what the steps are for moving in that direction.
 - For Legal Guardians looking to provide support and services to an adult, there is no additional requirement; it is essentially a conversation with the Case Manager and with the team, and if everyone agrees, the Legal Guardian then must enroll and be qualified as a direct support professional and then can begin to provide support.
 - For Parents of a school age child, there is one qualifying requirement made by CMS that must be met; the support or service that needs to be provided by a Parent must be considered “extraordinary care” and not supports that should be provided to any child at that same age. Therefore, DDS must confirm that the support being provided by the Parent of the school age child is considered extraordinary care. DDS will be requiring that Parents of school age children and their loved one go through an Age Dependency Assessment form. It is a form with questions that drives into the support that the Parent is looking to provide. DDS must verify that the service and support is considered extraordinary. It is something that several other states have implemented and found to be successful in determining extraordinary care, said Ms. Ostaszewski.

Susan Prihar expressed she have two concerns and asked how DDS is planning on having a Case Manager as a gatekeeper; per say a Case Manager that is “sadistic”. Furthermore, she expressed that DDS need to come up with a way for that information to get to individuals that do not go through a Case Manager. It’s important that people who need these services but have an insufficient Case Manager in any way that they are not denied these services because their Case Manager did not tell them about it. She also asked what the condition is where the support is ordinary, but the child is extraordinary. These are both great questions, said Ms. Ostaszewski. In response to the first question regarding the Case Manager being a “gatekeeper”, Ms. Ostaszewski responded that DDS is not holding the Case Manager with the unilateral power around this program. DDS is doing everything they can to get the information out to all families. Yes, the first request does go to the Case Manager, but there are opportunities to work with other staff if a family feel like they are not getting the response that they need or deserve from a Case Manager. This is a new program; Case Managers were just trained, and it is a learning experience for everyone, said Krista Ostaszewski. Ms. Suan Prihar stated that the information needs to be available on the DDS website. Ms. Ostaszewski agreed and explained that information will be available on the DDS website, and it will be provided in virtual forums to make sure that it is accessible to the public. Regarding the second question that Ms. Prihar had about what if the child is extraordinary, but the care is considered average, Ms. Ostaszewski responded that doing the assessment form will determine if the care needed is considered extraordinary. A relatively view on how extraordinary care is defined under CMS. Therefore, Ms. Ostaszewski is hopeful that the assessment form is going to capture when the support necessary is due to the individual’s disability, medical complexity, or behavioral complexity.

Tammy Selinger stated that the wages was not taxed when she provided services during the pandemic through Appendix K. She asked if that is going to be the same thing at this point. Krista Ostaszewski responded that the flexibility under Appendix K was different from this. For those that aren’t familiar, Appendix K was flexibility that was allowed by CMS during the public health emergency. There was a lot of flexibility that happened under Appendix K; however, Appendix K no longer exists. This process looks a little bit different under the waivers. If a Legal Guardian or Parent of a school age child is looking to provide support and be compensated, they must enroll and be qualified as a direct support professional. That means they will have wages, they will be able to negotiate their wage and, they will also be afforded the rights that are offered to any direct support professional under the collective bargaining agreement. Hence, those wages are taxable.

Tammy Selinger explained that she talked to her daughter’s Case Manager about this program and there was mention that besides being a Guardian you could not be the Employer of Record. Krista Ostaszewski responded that there is a component of the program specific around the role of an Employer of Record. DDS is not able to pay Employers of Record if they stay in their role as an Employer of Record as it becomes a conflict of interest and the waivers do not allow it. She explained that if you are an Employer of Record, you approve and sign timesheets. But if you are a Direct Support professional, that means you will be approving and signing off on your own time sheets. Therefore, the waivers prohibit an Employer of Record from being a paid employee in any way if they maintain their role as an Employer of Record.

In the case of a single Parent who is also a Guardian; is that one of the situations with some standard approach to, asked Mr. Rick Rothstein. Ms. Krista Ostaszewski explained that this is a new program being implemented and everyone is learning together on this program. They tried to anticipate where there was going to be challenges. This is an item that needs to be worked on; DDS is probably going to have to put out some guidance for families in the same situation. Mr. Rothstein asked what the salary range is permitted under this program. Ms. Ostaszewski responded she does not know exactly what is articulated in the Collective Bargaining Agreement (CBA) which is the agreement between the State and the Union on direct support, professional wages, and employment. Mr. Rothstein asked once approved from DDS, does the Parent have to

go through the fiscal intermediary. Ms. Ostaszewski explained that if the Guardian or Parent were approved for the program and looking to be compensated for support being provided, they would have to enroll and be qualified as a direct support professional with DDS fiscal intermediary.

Annette Scully asked if the program would interfere with the CFC budget. Krista Ostaszewski explained that CFC is a program that has not adopted the ability to compensate Legal Guardians or Parents of school age children. The budget for CFC should not be affected. There is always a possibility that the CFC budget may change a little bit, but that would be on a case-by-case basis. The DDS and CFC are two different budgets. For this program, only DDS Medicaid waivers allow supports and services now to be provided by a Parent and Guardian Caregiver.

There were no further questions.

- Regional Director's Update – Stacie Silva
 - Regional Director Stacie Silva introduced Brian Gresko; Brian is an Education Service Specialist and has been invited to this meeting to provide information on Project Search. Brian Gresko explained that he is with the Employment Day Services unit at DDS. In the course of their work, they oversee a lot of services that are provided, particularly day services and employment services. They also oversee a lot of initiatives and grants. Ellyn Little shared that she is a participant of the Project Search program and will be graduating from the program on June 1, 2024. Mr. Gresko asked her if she had a good experience with the program. Ms. Little stated that she learned a lot and grew a lot; she also learned time management very well. She got into the field that she wanted to get in and into basketball and physical therapy. Mr. Gresko expressed happiness that Ellen is part of the Project Search program. He explained that Project Search has been around since the mid '90s and started in Cincinnati. It is in 48 states now and there's 730+ programs around the country. They have a very immersive internship program that allows individuals to get into. There are areas for exploration in terms of finding out what the individuals like and what they don't like in terms of employment and there's a lot of room to develop skills that can be transferable to other jobs.
 - Susan Prihar asked Stacie Silva if there is a similar project that can be brought to Connecticut for the more lower functioning individuals. Ms. Silva responded that there's been discussions in regard to the challenges surrounding employment for individuals that have different challenges. A reoccurring topic being discussed in the RAC group is about those challenges of individuals trying to find employment and meaningful things to do. DDS acknowledges that it is difficult, and they are working to gather more information and what providers would need from DDS to help support this. Mr. Gresko added that it is a priority area for the Department and specifically for the Employment Day Services Unit. There are recurring meetings that are just dedicated to their high needs' individuals and particularly around deployment. One of the areas that they are looking at is trying to develop alternate internship programs for individuals beyond the scope of Project Search with customized employment. Project Search kind of opens the doors for opportunities to get into an area of interest in the program. Ms. Kim Little added that the project has helped her daughter Ellen a lot. She has seen a huge growth of independence in her daughter. Mr. Gresko shared the DDS website link providing more information on Project Search.
 - Stacie Siliva reported on the following:
 - The next stakeholders' virtual forums are scheduled for May 20th and on May 21st from 5:00 pm to 6:30 pm. These forums consist of the Commissioner and the Deputy Commissioner providing updates; there

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will be Legislative updates and presentations such as workforce development and the new program, Parent and Guardian Caregiver program that Krista Ostaszkeski shared this evening.

- The statewide RAC and the Council will be holding a special meeting on May 23rd at 5:30 pm. This meeting is to give the groups the opportunity to speak and express their concerns and ask questions to GTI which is the new fiscal intermediary for self-direction.
- At the last RAC meeting Ms. Silva had shared that the Individual and Family Service Program Managers are looking at locations for the Transition Life Skills College. At this time, planning is still being done and interns were hired to assist with this project to help with the development of the curriculum and research.
- DDS hired a new Self Advocate Coordinator; her name is Shaunte Taylor and she will be stationed out of the East Hartford office in the Quality Division. Currently there is three Self Advocate Coordinators; DDS need to post for one additional Self Advocate Coordinator position.
- DDS Central Office promoted Kendres Lally to Director of Investigations. Kendres Lally has being promoted to the position and will be supervising the Investigators and the Abuse and Neglect Liaisons.
- The North Region RAC does not meet in June, July and August. Ms. Silva recommended holding the September RAC meeting in person. Chairperson Kim Little agreed.
- Adrianna Ramirez invited everyone to continue to visit their Facebook page detailing the CT Family Support Network upcoming events.
- Stacie Silva also shared with everyone that if there's topics that they will like for the Committee to discuss as part of the Agenda to reach out to her or to Chairperson Kim Little.

- Legislative Update

Rick Rothstein reported the following:

The Legislature did not adopt any of Governor Lamont's recommendations for the 2025 revisions. Therefore, all the work put in last year to get improvements in funding and dedicated money for the waiting list still in place for 2025. The bad news is that DDS was unsuccessful in getting additional funds to further improve the wages and benefits for their workers. Another disappointment was the failure of the Legislature; the Senate to adopt the changes that were made to Senate Bill 432, which required a review by the Office of Policy and Management (OPM) of the overall nonprofit contracting process.

Mr. Rothstein expressed that the other bad news is that this past year DDS did not spend approximately \$50 million of its budget; \$16 million for the State sector, \$24 million in day programs and \$8 million for residential programs. He assumes that the reason for that is due to staffing; that there are certainly people who want services that would love to give them the services but there is not enough staff to take them into any of those programs. The Governor has expanded a sorority to cut budgets or move budgets between agencies in this new budget.

Also, there is now an office of oral health. Although not officially with that title, but Legislature is getting an authority to expand dental services and adding students to provide oral care services to DDS individuals. This information is on the Senate Bill 15.

Susan Prihar asked Stacie Silva why \$50 million that was available to be used was not used. Ms. Silva responded that there is a lot of exploration that goes into the DDS individuals and families searching for day programs and different providers for supports. A lot of providers didn't have the capacity to take individuals that needed substantial amount of support and that might be a 2:1 or 1:1. It is not the lack of trying, said Ms. Silva, is the search and finding the staff and the agencies with the capacity to serve our individuals. There were no further questions.

- Open Forum for Public Participation – None
- Adjournment

Meeting was adjourned at 6:30 pm.

Respectfully submitted,

Ether Diaz
Executive Secretary