***Disabilities Advisory Council Minutes***

**Meeting:**  Disabilities Advisory Council

**Date:** 4/22/2013

**Start Time:**  2:00 P.M.

**End Time:** 4:00 P.M.

**Location:**  Conference Room 1020C Multi-Agency State Office Building

195 North 1950 West

Salt Lake City, UT 84116

**Type of Meeting:** Regular Monthly Meeting

**Members: Present: Excused: Present: Excused:**

Deborah Bowman   John Westling

Shane Sadler   Paul Smith

Kristen Chapman   Krissie Summerhays

Peggy Augustine   Joseph Taggart

Marsha Colegrove   Dustin Erekson

Larry Valdez   Josip Abrenac

**Also in attendance:** Ryan Carrier

**Meeting Open:**

**Joseph** opens the meeting at 2:10 and welcomes everyone.

**Motion to accept Minutes:**

**Deb makes a motion to pass the minutes with minor corrections.**

**Peggy seconds the motion.**

**Council unanimously approves.**

**Amie CS Choice Reports:**

We have completed the survey previously discussed a few meetings ago. We have decided to bring in separate stakeholder groups before we move forward. Last week we met with support coordination groups. Tonight we will meet with parents at the Parent Center. We also intended to meet with People First. The project is currently on hold until these groups have provided their feedback.

**Paul**: what comments did you hear from the CS?

**Amie**: Most questions were about the metrics. We had already agreed to take out the financial metrics. They had some thoughts on caseload turn over. However, we still want to talk to parents about this issue. Some concerns where some companies may choose to move people around as a business practice. They seemed more okay measuring moving from company to company. They referenced some ABI cases might be more of an issue as they move around more often. They suggested names of support coordinators with companies. They were interested in counties they serve, how many people they serve by counties, and counties they would be willing to serve. They suggested rather than reporting exact percentages the Division use intervals. They also suggested “how to” videos for the support coordinators positions to be posted on the website.

**Deb**: Did they mention the video previously?

**Amie**: I am not sure about that, but they suggested a new one.

**Paul**: The major complaint of the previous video was a major support coordinator was in it.

**Amie**: They stated concern on the ISO process. They mentioned a lot of time is wasted on the first person they meet with.

**Jamie**: The intake workers explain on the process. An issue might be the parents are overwhelmed with the literature. They do go through the information to a certain extent, but not all of it.

**Paul**: It is a bit like going to college. The first year is a whole new world.

**Deb**: I sure miss when parents helped in the ISO process.

**Paul**: That might be something we can look into.

**Jamie presents a revised 1.2 eligibility directive:**

There are remnants of the old directive within the new directive. The old directive was two pages long, but the new directive is four. The reason for this increase is the process includes more issues.

Parts of the additions include the use of USTEPs in the process. The 1-1 form was not present in the old directive. The 1-1 (under A) is usually the originating issue when people say DSPD does not respond. Typically, it is because the 1-1 has not been returned.

We had sent out a survey not that long ago and we received some negative feedback on the 90-day period. The process requires the 1-1 being used. We have changed the packet being sent out down to within five business days.

On B, we have relied on families to provide information. We now want a more interactive conversation on this data between the family and DSPD.

We have never defined the credentials for a psych evaluation. We have been fairly broad compared to the other states.

**Paul**: Didn’t we have an internal guideline. We wanted to make sure it was in our directive and clear what we were using.

**Jamie**: Right. I think it is worthy spending some time and looking at this section.

On page 2 on the ICAP, we note the case specialist should provide the ICAP.

**Deb**: They would come to the person’s school and complete the ICAP?

**Jamie**: Yes. However, with less staff, it becomes more difficult. The Division representative has to fill it out.

On D 1, the waiting for service survey is included annually.

**Deb**: Is that individual or everyone at the same time?

**Paul**: It is all at once.

**Jamie**: Under D 3, there are question marks since there is a financial directive for those costs. We are working on that directive for clarification.

On number 5, the ICF is not presented as an ultimatum but a choice.

**Deb**: It would be nice to include a statement that the 90 days can be extended.

**Jamie**: Yeah, we can put that language in there.

**Public in Audience**: On people coming out of State, is there a residency rule?

**Josip**: DWS uses a process where there is interest and the individuals actually is in the state. I would recommend check with them on the rule.

**Deb**: Perhaps that should include that information.

**Deb**: Does ICF eligibility get determined by DSPD?

**Paul**: No, the Department of Health determines eligibility.

**Deb**: I think this looks really good.

**Jamie**: Should I resubmit it after adding it?

**Joseph**: No.

**Paul Smith discusses the Dept. of Labor Companion Rule**

**Paul**: The Department of Labor is trying to give more people access to protections under the Fair Labor Act. Most workers are covered. However, there are exceptions. This new ruling really tightens those exemptions. Families need to show that no more than 20% of the time is being spent on activities that are considered anything more than…The people you are hiring are doing more than 20% of typical activities, these workers are not exempt. For our providers, there are not exemptions.

**Deb**: If they are host home, they can choose?

**Paul**: But if the DOL questions that, they may come back and say no, you are not exempt.

**Deb**: If a family hires them on salary…would that work?

**Phil**: No.

**Joseph**: The DOL has a list of attributes of how these contracts are defined.

**Paul**: The whole direction is a narrowing of the definition. As a Division, we are looking to see if the State is defined as a 3rd party. We don’t think we are since we don’t tell people what to do on a daily basis. However, Oregon had a question and they were advised they are, but they have a much more direct contact.

The other thing we are doing is going through our service description to make sure we are not forcing someone into a subminimum wage with our rates.

**Deb**: How does the Respite Rate work?

**Paul**: We are looking at that.

**SUCCESS measures and Systems of Care:**

I do not have too much to update on SUCCESS measures. Anne, our executive director, has been working on this with the Governor’s Office of Management and Budget. GOMB is favorably considering goals for the Department.

For Systems of Care, it is now in Department statute. It is a real stepping-stone in institutionalizing System of Care. Youth and family are provided services in a holistic approach. They will not necessary know separate divisions are providing the services and everything should be coordinated around them.

**Deb**: Is this on the radar for more than just kids?

**Paul**: It is certainly a question since DSPD serves across the entire lifespan.

**Peggy**: Perhaps overtime it will be viewed as a benefit for all people.

**Paul**: It is going to be interesting because Mental Health is serviced through Counties. However, it would be very nice for a Utah resident receives these groups together.

**Deb**: Will waivers have to be rewritten for Systems of Care?

**Paul**: I am not sure at this point. The Department of Health and Education is involved. My vision included agreements between the Divisions. But other states created a whole new department for kids and families.

**Peggy**: There is always an issue of education and funding. When funding is shared, there can be infighting. We need to get past that and see what is best for the individuals as a whole.

**Paul**: Lana Stole is heavily involved in this process. It might be something the Council will want to hear more about.

**Kristen**: I would love to see this on a future agenda item. I have seen how important this process is in other situations.

**Paul**: I will work with Joseph and Lana on bringing this item.

**Public Comment**

**Phil**: I am quite concerned about the health of our community support providers. We have entered into a new phase. We are faced with the unemployment rate going down. We have seen large vacancies. Most of us are paying a starting wage basically at minimum wage. We have additional concern about what CMS is defining community programs in other states.

**Paul**: I heard that average turnover rate is around 85%.

**Phil**: It is true and I can see it increasing significantly in Utah.

**Paul**: It will have a major impact. Imagine if every month, 8 people changed in this Council. We would never get anything done.

**Deb**: I would like to have a provider perspective on the provider system. Can you have guidelines for groups v. congregate settings?

**Paul**: It is largely driven in how it is written in the PCSP. No matter how the PCSP is written, it will not fly when looking at the actual situation.

Joseph:

Peggy makes a motion to close.

Deb seconded the motion.

**The next meeting will be: May 27, 2014 from 2 to 4 pm at the Multi-Agency State Office Building, Conference Room 1020C**

Minutes Approved \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

*Chairperson Signature*

With Amendment  or, Without Amendment