

# *Disabilities Advisory Council Minutes*

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**Meeting:** Disabilities Advisory Council  
**Date:** 11/26/2013  
**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

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<u>Members:</u>	<u>Present:</u>	<u>Excused:</u>		<u>Present:</u>	<u>Excused:</u>
Deborah Bowman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	John Westling	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shane Sadler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Paul Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kristen Chapman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Krissie Summerhays	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Peggy Augustine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Joseph Taggart	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marsha Colegrove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dustin Erekson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Larry Valdez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tonya Hales/ Josip Abrenac	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Motion to accept Minutes:**

Tonya presented the motion and Marsha seconded the motion to accept the minutes with amendments.

**Parent Provider Rule information is presented by Paul Smith**

The intent of this rule is to address the situation when parents start a company to provide services and their client is their own child. The concern is that they are not compensated for providing care for their child.

The Division has this issue covered in other rules, but not when a parent provider is serving their own child. This rule is necessary to cover this gap.

**Question:** Do we allow compensation for parents in our SAS model?

**Tonya:** Medicaid will not pay a person to be a paid service provider when the person has a financial responsibility (examples: spouse or children under 18).

**Paul:** In SAS we are clear that parents are not allowed to be paid for providing services to their own children. However, there is no rule for this where parent providers are concerned. This rule hopefully clears up this previous confusion.

**Deb:** Is this a self-imposed rule?

**Paul:** The rule has been in place for some time.

**Joseph:** Could the money go to the company, but not go to a parent or spouse as a paycheck.

**Paul:** The company could not be compensated because the parent could indirectly receive benefits. I would like recommendations from the council.

**Deb:** There is a difference between a parent providing services to a child and providing services to an adult.

**Joseph:** What is the original intent of the services? Is it to provide support for the person or provide relief to the caregivers?

**Paul:** The intent is to provide needed services.

**Tonya:** The federal requirements are clear on what is allowed/ Federal law does allow parents to provide services to adult children. They are no longer financially responsible for the adult child.

**Paul:** If we were to redraft the rule, we might look to the federal ruling. The process will be to make recommendations today, send it to the Executive Office, send it to the Utah Dept. of Health, and then allow public comment. We may need to look at how the daily rate is affected when a parent provides a portion of the support during the day and an employee also provides a portion of the support during the same day.

**Joseph:** Are we trying to solve an issue with parents being paid to provide supports?

**Paul:** it has been difficult to decide if the billing is justified or allowed without a rule.

**Becky Goold** (public attendee): I was told I could not be paid for working with my child.

**Tonya:** Historically, public policy in Utah has not been in favor of allowing parents to be service providers for their own children.

**Joseph:** If the budget is tied specifically to the service, why does it matter who provides the service?

**Tonya:** Public policy has been formulated to describe the general prohibiting against parents being paid to provide service to their own child. It is a delicate balance.

**Deb:** I wonder if we could put in an exception for specific circumstances.

**Paul:** Creating guidelines for such circumstances would be difficult. If we can consider those stipulations, we could put it into the rule.

**Paul:** We do not want to limit parent providers. We want to build capacity and choice. We don't want to accidentally shut it down a parent provider company with a rule change. I get the feeling everyone is mostly supportive but we will take this back and revise it and then bring it to the Council again.

### **Attrition Funding Directive is presented by Steve Wrigley:**

The Division is considering a directive on how to provide services to persons on the waiting list with attrition funding.

**Steve:** The new legislative policy for attrition funding does allow for additional funding for people on the waiting list and allows for dealing with crisis. We want to make sure we maintain the same numbers off each waiver so that the smaller waivers maintain their enrollment. We need to be sure the need scores are relevant and up-to-date. People who are in crisis may not have the top need score. However, we look at these circumstances. Any tool will require professional judgment. The intent is to get funding to the most critical cases. This is a systematic way of approaching the waiting list with these funds.

**Deb:** Will this affect additional needs funding?

**Paul:** Yes. However, it will not affect it for another year. In the next two years we will need a bigger building block for additional needs.

**Deb:** This funding is not sensitive to the 15% respite only funding?

**Steve:** No, respite only is not required with attrition funds. This attrition funding has a benefit of keeping our numbers level and we will see people brought into services year round.

#### **The Request for Additional Services process is discussed by Paul and Penny:**

The Request for Additional Services (RAS) has changed greatly over the years. We want to integrate it into our case management system. The Division wants to meet with different groups and get input before it is finalized. We want to develop a process to eliminate the paper system which currently isn't efficient.

**Paul:** Consider the perspective of balance. There are criteria already out there in federal, state, and input from advocacy groups.

**Penny:** We've considered the process and feedback. (Penny) gave a presentation on the process and the time taken by the RAS committee.

**Larry:** In theory, it has become a lot more streamlined in the past few years. Everyone has been assessable to me. That saves paper work and helps "feel out" budget lines.

**John:** Streamline the process and keep it as simple as possible, but be sure we have everything that is needed.

#### **The Interim Meeting is discussed by Tonya:**

The interim meeting on the autism report was a very high level discussion with little consideration on what will come next. Discussion about continuing the pilot will likely be considered in the future. Good results were shown with regard to costs, which were less than expected. We served over 300 children and results were positive. The original goal was 250. We are still estimating ten hours of service a week.

Overall, it was a positive discussion.

**Deb:** Was there any conversation against it?

**Tonya:** There has been previous representatives who have spoken out against it and there are likely others who are not overall supportive.

**Future items:**

**Joseph:** We will need to vote on new leaders as we move forward

**Motion to Adjourn**

Peggy presented the motion and Joseph seconded.

**The next meeting will be: December 17<sup>th</sup> at 2:00pm at the Multi-Agency State Office Building,  
Conference Room 1020C**

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

*Chairperson Signature*

With Amendment  or, Without Amendment