



# COMMONWEALTH of VIRGINIA

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COMMISSIONER

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## DBHDS Settlement Agreement Stakeholder Group

Tuesday June 16, 2015: **1:00 – 4:00 p.m.**

Glen Allen Branch Library  
10501 Staples Mill Rd, Glen Allen, VA 23060

### MEETING MINUTES

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**Members Present:** Connie Cochran (DBHDS), Peggy Balak (DBHDS), Heidi Lawyer (VBPD), Elizabeth Poe (VNPP), Norma Draper (Family of individual in the community), Catherine Harrison (DRS and CIAC), TC Bullock (SHRC), Katherine Olsen (Peer Mentor - Voices of VA), Ann Bevan (DMAS), Heather Dooley (DD Case Management), Dee Keenan (DBHDS), Margaret Graham (Loudon County), Rebecca King (for Jamie -ARC), *Lara Lafin (Fairfax-Falls Church CSB)*; Dan H. Reichard III (Stand Up, Inc), Ingrid W. Barber (Alleghany Highlands CSB), Jennifer Faison (VACSB), Gerald O'Neill (Resources for Independent Living, Inc).

**Members Absent:** Debra Ferguson, (Commissioner), Shannon Pociask (Hope House), Dave Wilber (vaACCSES).

**Call To Order Welcome and Introductions:** *Connie Cochran, Assistant Commissioner, Developmental Services*  
The Assistant Commissioner welcomed the stakeholder group as well as the audience for their attendance.

#### Update on the Settlement Agreement

*Peggy Balak, Settlement Agreement Executive Advisor*

Ms. Balak gave a brief update on Settlement Agreement activities including a summary of the status conference with Judge Gibney and the areas the Independent Reviewer and his consultants will be reviewing during the 7th reporting period. Ms. Balak stated that depending on Judge Gibney's response and if the Outcome Timelines are finalized, she will provide more information to the stakeholder group at the next meeting.

Discussion following the presentation included comments about the delay in waiver redesign and requests for the Department's reaction to the concerns outlined in the 6<sup>th</sup> report to the court. Ms. Balak responded that Virginia is still on track to implement waiver design close to the originally scheduled time frame. The Independent Reviewer has expressed his opinion that the proposed waiver redesign seems to have the elements needed to move Virginia's I/DD system forward.

Another member applauded the new method used to collect data related to employment but hopes for improved response rates. DBHDS is working with Department for Aging and Rehabilitation Services (DARS) to tweak the method of collection to continue to improve the data received

### **Budget Updates**

Andrew Diefenthaler, Director of Planning, Budget Development, and Analytics

Mr. Diefenthaler provided a DOJ Funding and Expenditure Update stating the budget is playing out as planned. He reviewed the seven categories that will likely have a balance at the end of the fiscal year and the reasons for the balances. He concluded with a discussion of upcoming Budget activities.

A question was posed about the difference between expended and budgeted funds for bridge funding and if the remaining funds will be carried over to the next fiscal year. Mr. Darr responded that the disbursement of bridge funds has been slower than anticipated. The delayed disbursements are due to (1) discharges not taking place according to the original schedule and (2) the lag between the dates services occur and the dates services are invoiced and expensed. DBHDS projects a balance at the end of this fiscal year. DBHDS will submit a Governor's decision brief to carry forward all DOJ unexpended balances into FY 2016.

### **Training Center Updates**

*Debbie Smith (DBHDS), Director, TC Discharges and Community Integration*

Ms. Smith, shared updates regarding current census, where individuals have moved, progress towards increasing capacity in Region II, the number of individuals who have moved from training centers who have returned and a review of the number of exceptional supports rate applications that have been approved for individuals moving from training centers into the community.

Questions were asked pertaining to how many of the individuals who moved to four, five and six bed homes moved to ICF/ID homes; if everyone moving will be living in the community, and if all of the new provider development is for building/opening waiver group homes. Ms. Smith responded that a few individuals/Authorized Representatives (AR) will choose training center placement and that all of the new home development is for congregate waiver services.

### **Person Centered Individual Supports Plan (ISP) Presentation**

Eric Williams (DBHDS) Community Resource Consultant

Mr. Williams shared information pertaining to the new Person-Centered Individual Supports Plan (ISP). He briefly outlined parts I-V of the ISP including essential information, personal profile, shared planning, agreements, and plan for supports. The new format supports the move from a service life to full participation in community life. Some of the key changes to the plan include prompts to gain informed consent for psychotropic medications, focus on supports needed to achieve employment if desired by the individual, clearer documentation of active medical and behavioral support needs, and any accompanying restrictions, inclusion of a plan to help individuals gain greater self sufficiency which includes a review of the most integrated setting preferred by the individual, and documentation of supports/assistance needed to achieve the desired setting.

A stakeholder shared that a provider is obligated have evidence that the individual/AR are aware of the risks and benefits of psychotropic medications but that the communication regarding informed consent should occur directly between the prescribing doctor and the individual/AR not between the doctor and the provider.

Further discussion revolved around the need for transportation services to assist individuals in getting to a job as well as how to support a person to understand work options if they currently receive services through a sheltered workshop and may not understand community options. Mr. Williams responded that exploring employment options and how to obtain transportation to work should be discussed as part of the ISP planning process.

### **Responder: Person Centered Individual Supports Plan (ISP) Presentation**

John Malone, Developmental Services Director, Harrison Rockingham CSB

Mr. Malone believes there are benefits to the new ISP format. His CSB prepared for ISP implementation by increasing and intensifying their training. To complete an ISP correctly, it takes a good deal of expertise which requires additional resources. Mr. Malone has noticed there can be a large margin of error when CMs are first learning to complete the ISP and that the meetings are lasting longer. Mr. Malone states that some families are resistant to the change until they fully understand the new process and that it is difficult to get an ISP to fit everyone. Mr. Malone emphasized it is important to remember that an ISP consists of both a facilitated conversation to truly understand the individual's wants and needs as well as specific steps and outcomes to achieve what is important to and for the individual.

### **Facilitated Discussion with Stakeholder Group**

*Peggy Balak, Settlement Agreement Executive Advisor*

Ms. Balak explained that the structure for the stakeholder meetings has been to provide updates and then choose one or two topics to present in more detail. These presentations focus on the Commonwealth's progress in the areas of systems change and compliance with the provisions of the Settlement Agreement. Someone external to DBHDS serves as a responder and provides feedback/comments related to the update/presentation. The presentations conclude with an opportunity for dialogue and questions from the Stakeholder Group.

DBHDS has completed a great deal of work around revising the ISP. It was important to review the ISP because it has a great deal of impact on how services are planned and delivered to individuals. Therefore both the feedback from responder and the facilitated discussion with the Stakeholders will provide important feedback to the DBHDS.

Stakeholders were divided into groups and given time to discuss and provide additional feedback related to the new ISP. Four questions were asked about the new ISP. 1) Does it document that choices were given for employment; 2) Does it demonstrate a discussion about the array of living options available; 3) Does it document opportunities for skill building in order to increase independence and 4) Will the new ISP result in changes that will create a more inclusive life?

Stakeholders' responses included 1) requests to see more exploration of employment choices prior to an annual meeting to assist individuals with making an informed choice; 2) interest in providing individuals with a list of potential employees that can be contacted prior to having an ISP meeting, and inviting potential employers to the meetings; 3) interest in knowing how the new ISP will be monitored and how it will align with the Office of Licensing expectations; 4) and interest in understanding how the new ISP will be implemented with individuals with DD. All stakeholders agree that they do not want CMs and providers to be so focused on checking off all of the boxes that they neglect to facilitate a real conversation with the individual.

Ms. Balak stated that DBHDS will continue to monitor the implementation of the new ISP as will Delmarva as part of the new QSR process. Ms. Balak also agreed that it is important to have sufficient prompts within the ISP to ensure all areas are discussed with enough flexibility to foster a natural conversation with the individual and his/her planning team.

**Public Comment** – A mother of a 27 year old son provided comment related to accessing independent housing and the importance of having the needed waiver supports in place to be successful. If key services are not in place then families may be required to be more involved, diminishing the independence of the individual living in his/her own home. Additional comment was provided emphasizing the need for further training for case managers to teach them how to access independent housing vouchers and to assist with searching and applying for housing.

**Closing Remarks, Future Meeting Topics, and Next Meeting Date** – Mr. Cochran thanked everyone for their participation. Ms. Balak stated another meeting will be held Wednesday September 30, 2015.

**Adjournment** – Adjourned at 3:45 pm.