

# DS State Program Standing Committee Meeting

July 15, 2021

## Microsoft Teams

### Attendees

**Board Members:** Max Barrows, Bethany Drum, Ed Place, Dave Ballou, Susan Yuan, Karen Price, Dawn Danner, Connie Woodberry, Lyn Ujlaky

**Guests:** Ann Shumaker, Lee Reilly, Nancy Breidan, Elise Hayden, Marie Lallier, Kara Artus, Natalie Brewster, Gloria Quinn, Shasta Singley, Julie Martin, Julie Cunningham,

**State Employees:** Lisa Parro, Kirsten Murphy, June Bascom, Jessica Bernard, Clare McFadden, Susan Aranoff, Angela Smith-Dieng

### Roll Call, Review of Agenda & SPSC Member Check-in

A roll call was completed, and the meeting agenda was reviewed. The SPSC meeting minutes from the June 17, 2021 meeting were reviewed. Dave made a motion to accept the meeting minutes as written; Ed seconded the motion and the motion to accept the meeting minutes was passed, with one abstention.

### SPSC Member Check-In

The SPSC Members took a moment to give updates about things that were happening for them.

### DS Payment Reform Update

DAIL received a letter from Vermont Care Partners (VCP) about some concerns and feedback on the SIS Training Assessments. Some of the main parts of the letter were read during the meeting; a copy of the letter will be sent to the SPSC. This morning Kirsten Murphy submitted a letter to DAIL due to multiple people contacting the DD Council about their frustration with the assessment.

It was noted that the assessors were in a training phase in May and June, so the assessments were taking longer as the assessors were learning to use the tools. The vendor has assured DAIL that the time it takes to complete the assessment will be reduced. Meeting participants

requested an approximate timeframe of what can be expected in the future for the assessment in order to help the agencies and individuals in scheduling support staff. The DD Council has requested a plain language document that addresses the assessment questions.

The request to switch the assessments to a Zoom platform cannot be done at this time as the State has determined that Zoom is not a secure platform for sharing Protected Health Information (PHI) information; however, the State is continuing to research this further.

DAIL has met with the vendor on a couple of occasions to work through issues, and they intend to review the additional concerns with the contractor and let everyone know how the accessibility accommodations and issues will be addressed. DAIL welcomes any feedback to ensure the process is feasible and workable for all and will continue to work with the contractor.

DDSD has recently posted some information about the assessment on their website: a PowerPoint for service coordinators, video for case managers, and an informational sheet. The website includes a phone number to reach the vendor for scheduling, and a place where people can provide feedback and comments. Later today, the providers will be asked to send the information sheet to all the people who were chosen for the initial sample so they will understand what is going on. <https://ddsd.vermont.gov/projects-initiatives/dds-payment-reform/dds-payment-reform-standardized-assess-workgroup>

The meeting attendees requested policies for the participation in the assessment, including information about the individual's rights and information about the ability to be excluded from the assessment. Meeting attendees also voiced concerns about continuing the assessment process at this time, or if it should be paused until all issues and concerns have been ironed out.

Clare will meet with the contractor in the next 1-2 weeks, then consider all input to determine how to proceed.

## DDSD Assistant Director Updates

### **National Core Indicators Survey**

National Core Indicators (NCI) is the national organization that provides the In-Person Survey of adults receiving home and community-based services from around the state for the Adult Services Division (ASD) and DDSD. <https://ddsd.vermont.gov/nci-ddsd-vermont> ASD and DDSD have been preparing a request for proposal (RFP) for a contractor to conduct the survey in FY22. However, after looking closely at the plan that is needed to do this, it was decided that a survey would not be done this year. This decision was made primarily because agency staff have a role with the survey so with the difficulty of designated agencies (DAs) and Specialized Service Agencies (SSAs) in hiring staff, getting support workers, and the re-opening of services, the survey would have been an extra burden for the agencies. Additionally, DDSD is in the middle of a number of time-sensitive projects and currently has a vacant Director position, limiting the Division's ability to manage this project successfully. The effects of COVID (which has not gone

away) and limited services due to staffing are additional reasons for not doing the survey this year. It is anticipated that DDS will pick it up again in FY23, a year from now.

June had a conversation with representatives from the National Association of State Directors of Developmental Disabilities Services (NASDDDS) and Human Services Research Institute (HSRI), who jointly oversee NCI, to discuss alternative ways in which Vermont may be involved with serving people in services or their family members. DAIL does not have a database to be able to reach out to directly to people. Last year DAIL was able to work with the agencies and advocacy organizations to do a COVID online survey; however, despite best efforts, it was a struggle to get a good response rate.

### **Direct Care Worker Training**

There is a small amount of funding available (around \$7,500) through the Otto Johnson Trust (a source of funding which originated at Brandon Training School and intended to benefit individuals receiving developmental disabilities services). DDS reached out to Families First and Green Mountain Self Advocates about creating a training, specifically for direct care workers, about ableism and service equality and accessibility. The work will begin in July and continue over the course of the next year.

### **Mental Health**

We have seen the difficulty and impact of COVID in the people DS serves, their families, and the supporters, as well as their resiliency. In the funding proposals for new people and people with increased needs receiving services, many of them mention how the pandemic has affected mental health, and sometimes physical health. Being able to collect this data will be important. With Federal Medical Assistance Percentages (FMAP) funding that will be coming to the State, the State is hoping to train and mitigate impact of COVID so hope this information will be helpful. DAIL/DDS values the input of ideas of how to get information, so don't hesitate to contact us.

### **DDS Staff Vacancies and Interviews**

DAIL is in the midst of hiring a new DDS Director. It was wonderful to have David and Ed participate in the interviews that were held yesterday. Amy will be talking with the Commissioner and Deputy Commissioner about holding 2<sup>nd</sup> interviews.

Amy will be retiring in the middle of November. DAIL is requesting permission to double-fill this position for a couple of months. (*"Double-fill" means they want to hire a new person for the position while Amy is still working in the position so that Amy can train the new person.*)

### **Budget**

As passed in legislature, the provider agencies will receive a 3% increase starting July 1<sup>st</sup>. There is a mandate for this increase to be used for Shared Living Providers (SLPs) with some flexibility by the agency for service coordination, transportation, and hiring staff. This increase does not apply to staff who have already received an increase under the Collective Bargaining Association (CBA); these are workers hired through ARIS. The CBA increase applies to the minimum wage rate, it does not apply to people who may already be paid above the minimum wage rate.

Funds for SLP and funds for families who cannot access respite workers. DDS/D hopes to know about how to move forward on this by the end of July. Conversations are taking place about whether conversions will pay families.

Kara noted that people under CBA are getting ½% or 1% increase while others are getting a 3% increase. Families who fully self-direct have not all received increases, some families are unable to pay nurses what other nurses are being paid so they cannot get them; and the cost of living is not available either for these individuals. Amy requested this information to be sent to her in writing and she will pass this along to the staff who are involved in the contract negotiations with CBA.

There has been a lot of conversation about what DAIL should/should not change for the payment model and how this may affect the FMAP funds. The Agency of Human Services (AHS) Policy Division is trying to sort out this information. At this time, it has been decided not to change the COVID payment model which was proposed to be changed on August 1<sup>st</sup>; it was decided to keep everything the same for now.

DAIL has heard that the federal government and the state government will continue the state of emergency until January 1<sup>st</sup>. This information is being shared, but has yet to be confirmed.

### **Intensive Transition Supports (ITS)**

Selina was a strong lead on the conversations about Intensive Transition Supports (ITS) and the payment model. This project has been on hold due to limited staffing in DDS/D, but DAIL is hoping to pick back up the work on this in the next month.

### **Vermont Crisis Intervention Network (VCIN)**

Work is being done to create a 3<sup>rd</sup> Vermont Crisis Intervention Network (VCIN) bed for individuals who are struggling in crisis and at risk of hospitalization.

### **FMAP Funding**

The Centers for Medicare and Medicaid Services (CMS) released guidance in May 2021 and gave the States 30 days to submit a spending plan. Each AHS division had to submit a plan of the 4 areas they felt was most important. DDS/D submitted: housing access and support, workforce development, service delivery enhancement, and infrastructure. These areas of need align with what DAIL has been hearing from stakeholders and agencies about needs.

The AHS Medicaid Unit took the lead in submitting a very broad plan on 6/14/21 that did not include a lot of details. AHS has not yet heard back from CMS whether the plan has been approved, but they should be hearing back from them soon. AHS is planning to hire a contractor to help design and create plan, which should include efforts to strengthen the infrastructure of the program and include the 3% increase. Once the plan is approved by CMS, DAIL will work with stakeholders and participants to work out the details of the plan.

AHS requested feedback from stakeholders on the plan that was submitted to CMS, and AHS plans to submit revisions around mid-October. The public comment period has been extended to August 16<sup>th</sup>, and there is a public hearing for comments on July 22<sup>nd</sup> 11:00 – 1:00.

The next step is to engage the impacted AHS departments (DAIL, Vermont Department of Health (VDH), Department of Mental Health (DMH) to develop the criteria for a larger proposal. The first meeting of this group will be held next week. Angela Smith-Dieng, Director of the Adult Service Division (ASD), oversees the attendant services, Older Americans Act program, Choices for Care (CFC), older Vermonter services, and people with disabilities. Angela is part of the AHS workgroup that working on the plan for the FMAP funding and implementation.

Part of the American's rescue plan has a one-time 10% of FMAP for HCBS for enhancement, expansion, and strengthening services, this includes all HCBS services across all AHS departments. The increase in funding is for services and expenditures from April 2021 to March 2022. Funds can be used until March 2024.

## Updates from GMSA, VCP, DD Council

### **Green Mountain Self Advocates (GMSA)**

More than 45 self-advocates and 10 allies completed week 7 of the person-centered planning training. People were well engaged and like what they are being taught.

Hasan, a self-advocate, and Max did a presentation for NASDDDS on racial equity and how to be responsive with people from diverse backgrounds.

GMSA were hired by Association of University Centers on Disabilities (AUCD) to create additional plain language messaging about COVID.

### **VT Care Partners (VCP)**

VCP is keeping a close watch of two major bills by President Biden for FMAP; supporting the support workforce and better care better jobs.

### **DD Council**

It is time for the DD Council to plan the specifics of their next 5-year plan. It will be posted on their website soon.

## Wrap-up Comments

It was requested that agency directors to reach out to each other about the priority to serve parents with disabilities; this priority and eligibility is not well known.

Families First has been having conversations with the Department for Children and Families (DCF) regarding youth and transition; what to do when a child ages out, how to get youth on home and

community-based services, and to prevent youth from going into institutions. How can education be provided, and how can they support DCF to reach the most vulnerable populations.

Diane Bugbee, DDSD, has regularly conversations with staff in DCF about children in custody who have developmental disabilities, and it is a constant effort to educate people about services available. Diane has quarterly meetings with anyone involved with children at the provider agencies. The work with Families First may be discussed at the next meeting.