

DS State Program Standing Committee (SPSC)

August 19, 2021

Held Virtually on Microsoft Teams

Attendees

Committee members: David Ballou, Susan Yuan, Bethany Drum, Dawn Danner, Karen Price, Lyn Ujlaky, Barb Prine, Cheryl Thrall

Guests: Tracy Fisher, Sima Breiterman, Shasta Singley, Jess Moore, Marie Lallier, Jen Hayes, Jessica Stehle, Kara Artus, Theresa Wood, Elise Hayden, Julie Martin, Julie Cunningham

State Employees: Jessica Bernard, Amy Roth, Lisa Parro, Susan Aranoff, June Bascom, Kirsten Murphy

Role Call, Review Agenda and Meeting Minutes, SPSC Member Check-In

A roll call was completed, and the meeting agenda was reviewed. The SPSC meeting minutes from the July 15, 2021 meeting were reviewed. Amy Roth noted a correction: ITS and Crisis bed are two different things and need to be corrected in the minutes. Bethany made a motion to accept the meeting minutes with the change, Lyn seconded the motion, and the motion was passed.

The SPSC Nominating Committee has 2 Re-appointment applications to review and are looking for at least 2 additional positions to fill.

Susan will be having some surgery done next month and is pleased that UVS has done a wonderful job in ensuring her son's situation is stable and ready for this to happen.

United Counseling Service (UCS) had a summer fun day! One of their consumers DJ's and played music, and there was a bunch of food and games. It was amazing to get everyone together again. Lincoln Street Incorporated (LSI) have an event planned for today, despite the rain.

DS Payment Reform Update

Vermont Care Partners (VCP) sent DAIL a letter about some concerns they had with the SIS-A assessment and the process. There have been some definite improvements with the process

since the first letter that was sent, and a decision was made that the process will not be paused. VCP has sent a second letter to DAIL about some additional, or ongoing, concerns with the SIS-A assessment and the process. (DAIL received the letter on Tuesday; Marie Lallier will forward a copy of the second letter to the SPSC.)

Dawn reviewed the second letter with the SPSC. Among other things in the letter, some of the main points of the letter included another request to pause the assessment process until things are ironed out, the lack of clarity about how the assessment will be used for funding, the encounter data not reflecting true numbers due to staffing restrictions and COVID, speculation of tasks individuals can do, and scoring done based on current levels instead of what is needed down the road. VCP feels if the assessment process continues it is not supporting Vermont's values, and ultimately, they do not feel the SIS-A is the assessment tool Vermont should be using. VCP is asking the SPSC to endorse the request for a reprieve.

Some discussion followed, which included the following points or comments:

- Cannot keep going in circles, people need to be heard. Institutional based tool that has been standardized, was never created for determining funding.
- Huge changes to a system that is one of the best in the country, it wasn't perfect, but one of the best and is person centered.
- No sense in doing this when there is a severe staff shortage; DAIL needs to address this.
- Vermont needed a system that was inclusive, equity payment regardless of agency, county, case manager, an equal opportunity for receiving services. While a follower of American Association on Intellectual and Developmental Disabilities (AAIDD); Vermont had a process that could have worked if staff were properly trained and monitored.
- Don't know what an ideal situation would look like now.
- Budget neutral to state; don't have information about other states who are using the tool.
- Existing needs assessment for needs right now, no more no less; SIS-A is here are your dollars and your services are within it – a very different construct.
- Have not received anything to show assessments are accurate, seems someone independently should do this.

DAIL has shared their response to the first letter received from VCP. Jessica has not yet discussed the second letter with Clare McFadden or the Commissioner so she does not feel she can respond accurately to the items in the letter at this meeting. She will be meeting with Clare and the Commissioner to respond.

The individual has been given the choice of doing the SIS-A either virtually or in person; most individuals have chosen to do them virtually. Given the COVID wave that is coming, the SIS-A will remain virtual until at least November 1st and it will be reassessed at that time.

DAIL has bi-weekly check-ins with the agencies, have two payment reform workgroups that are meeting regularly, the Office of Public Guardian (OPG) staff is providing feedback on the SIS-A, and there is an e-mail address in which anonymous feedback can be sent. A copy of the survey that is attached to family friendly reports will be sent out.

The SPSC requested that time be added to the September meeting agenda to discuss the letter that was sent by VCP and discussion of the SIS-A. A re-designation is scheduled for the September meeting; therefore, the SPSC agreed to lengthen the September meeting to accommodate both topics.

Encounter Data

The agencies started reporting encounter data on July 1st; however, most of the agencies were doing it before this date. There have been some little bugs with the coding that needs to be worked out with the Department of Vermont Health Access (DVHA). Thank you to the DAs and SSA for submitting the data.

There is a Disabilities Services Payment Reform Advisory Committee Meeting scheduled for 8/26/21. There will be a presentation of all the feedback from the listening session and will try to incorporate information related to the current VCP letter as well. Representatives from AAIDD, and the contractor for the assessment will be attending. To ensure the workgroup has time to ask questions, public comment will be done at the end of the meeting. The DS Directors have been invited to attend. The information about the meeting will also be sent to the SPSC.

DDSD Assistant Director Updates

COVID

DAIL is keeping track of the COVID cases, dispersing any information needed, and ensuring protocols are being followed. DAIL is supporting the DAs and SSAs in the protection of consumers and staff. The information about a booster COVID shot at the end of September has just been released and plans will need to begin for that.

Intensive Transition Supports (ITS)

There have been many situations where people need a longer term, interim setting, more than the short-term crisis beds. A Request for Proposal (RFP) was posted for an entity to work with the State for a longer-term transition type crisis bed. Selina did a lot of work on this in the spring but this work was put on pause when Selina left at the end of June. There is a meeting tomorrow with the entity to start moving forward again on this project.

Crisis Bed

Currently there is a crisis bed in Wardsboro and a crisis bed in Moretown. Gloria Quinn, DS Director of Upper Valley Services (UVS), Pat Frawley from Vermont Crisis Intervention Network, and DAIL are working together to create a 3rd crisis bed by October. Gloria is current working with her staff to find a location.

DDSD Vacancies

DAIL has been given permission to double-fill the DDSD Assistant Director position for a couple of months so Amy may help train the new person. (*"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.) Interviews for the DDS Assistant Director position are being held today.

Continuing recruitment for the DDS Director position is being done by the Commissioner's office.

Agency Reviews

The DAIL Quality Management Team is on review at Lamoille County Mental Health (LCMH). DAIL was looking forward to performing the review in person, visiting people in their homes; however, due to the current status of COVID this has changed. DAIL is working with the agency on the safest way to do reviews.

DAIL performed an additional agency review at United Counseling Service (UCS). About a week ago, the DS Director submitted information to DAIL addressing the findings and how they will continue to work with DAIL. Jennie Masterson, the Quality Management Team contact for UCS, is working closely with Dawn Danner for support and to assist with changes.

Workforce Discussions

AHS has a taskforce they brought together to discuss workforce issues. The taskforce includes representatives from the DAs, SSAs, DAIL, Vermont Department of Health (VDH), and the Department of Mental Health (DMH). Some high-level strategizing has been done. Cheryl Wilcox is overseeing the taskforce.

There are also some internal discussions taking place about the workforce issues. DS is only one piece of the overall situation. Amy will share any available information with the SPSC.

Conflict Free Case Management

In July there continued to be questions from the Centers of Medicare and Medicaid Services (CMS) that the AHS Policy Group for conflict free case management was addressing. Amy will check to find out if there is any additional information to share.

Updates from GMSA, VCP, DD Council

DD Council

The DD Council is partnering with VCP for a celebration day, 9/14, to honor direct support professionals. This is a virtual event with some presence on the Statehouse lawn. A video is being created with highlights of the words of self-advocates and families with providers. The DD Council is seeking anyone who would like to contribute and show the positive impact they have on people.

Other Updates

The bill H.243, An act relating to the Working Group on Services for Adults with Autism, did not get through the legislature this session; however, members of the legislature sent a letter to the

DAIL Commissioner and DDSD Director hoping they will take the actions that are described in the draft bill. Rep Theresa Wood stated the legislature received a response from the DAIL Commissioner that essentially stated DAIL would not be taking any action on this, but will continue the planning process with System of Care (SOC) plan. Representative Wood and Representative Pugh are meeting with the DAIL Commissioner next week to discuss many things, including all services, loss of key staff, and leadership.

A question about the payment of a stipend for compensation of qualified SPSC members to attend the virtual meetings was raised, as well as any retroactive payments for past meetings. DAIL will research the possibility of paying the stipend.

Two weeks ago we very sadly lost a person who was integral to the history of how people with developmental disabilities are supported and cared for in our state: Robert Brace. Theresa Wood acknowledged the work Bob Brace had on services for people in the State of Vermont and the impact it has had for people. Bob was extremely proud to create community opportunities for people so they could leave Brandon Training School. He was a role model for thinking about people living their best life.

Addendum to the meeting minutes:

The “Brace Decree”, linked below, led to the eventual closure of Brandon Training School (BTS). Robert and his peers are memorialized in this 1980 legal settlement compelling community mental health programs to develop individualized non-institutional services so that Robert Brace and five other residents could leave the institution within the year. A ten-year timeframe was laid out for transitioning all the other residents out into community-based settings. It took a bit longer for the system to become robust enough to accept the remaining residents, but the state of Vermont under Governor Howard Dean eventually shut the institution doors for good in 1993. Brace Decree: <https://ddsd.vermont.gov/sites/ddsd/files/documents/the-brace-decree.pdf>

In 2013, we celebrated and remembered the 20-year anniversary of the BTS closure. Robert joined Governor Shumlin for this Public Service Announcement, written below with the attached audio. https://ddsd.vermont.gov/sites/ddsd/files/documents/BTS-PublicServiceAnnouncement_Script.pdf

It has been an honor for many of us to work in Vermont’s Developmental Disabilities Services system in support of Robert Brace’s drive, fearlessness and dreams. His legacy must never be forgotten.