

Idaho Council on Developmental Disabilities WINTER QUARTERLY BOARD MEETING

JRW Building, 700 W. State Street, Suite 119 - East Conference Room February 6-7, 2020

Draft AGENDA AT A GLANCE

Thursd	lay, February 6, 2020	Page
9:00	Welcome, Introductions, Review Ground Rules, and Agenda Review/Changes - James Steed, Council Chair	.1-2
9:05	Chair Election Announcement - James Steed, Council Chair	.3
9:10	Executive Director Evaluation - Kimberlee Hall, Human Resources	.7
9:40	Shane Facer, State Leader & 2016 Partners in Policymaking Graduate	
9:45	Overview of Legislative Issues:	
	1) Expedited Eviction - Richelle Tierney, Policy Analyst	.9
	2) Proposed Statute Extended Employment Services Program -Tracy Warren, Program Specialist	.13
11:00	Role Play Legislative Visit - Council Members/Advocacy Coalition Members	;
11:30	Legislative Prep (Lunch Provided) - Council Members/Advocacy Coalition Members	
12:30	Leave for Capitol - Council Members/Advocacy Coalition Members	
4:00	Complete Executive Director Evaluation - Council Members	
5:00	Adjourn	

Friday,	February 7, 2020		
9:00	Welcome - James Steed - Council Chair		
9:05	ACTION*: Executive Session: Update on Salary Research Idaho Code Section 74-206		
9:45	Legislative Discussion - Council Members/Advocacy Coalition Members		
11:00	Break		
11:15	 ACTION*: Consent Agenda - James Steed, Council Chair		
	October 17-18, 2019 / November 1, 2019/ November 14, 2019 December 2, 2019 / December 5, 2019		
12:00	ACTION*: Financial Report		
12:10	Announcement Annual Performance Progress Report and State		
1:00	Member Recruitment Update - Tracy Warren, Program Specialist		
1:15	Website Changes - Trisha Hammond, Financial Manager		
1:20	Five Year Planning Discussion & Council Member Hosted77 Public Forums - Christine Pisani, Executive Director		
2:20	Break		
2:30	Quarterly Progress Reports - All Council Staff		
3:30	Council Meeting Evaluation - Council Members		
3:45	Adjourn - Next Council Meeting April 23-24, 2020		

*Items in green are considered "ACTION ITEMS" that may require a decision or a vote by membership.

This agenda is subject to change in accordance with the provisions of the Idaho Open Meeting Law. Items may be addressed in a different order than appears on this agenda. Individual items may be moved from one place on the agenda to another by the Council. Time frames designated on this agenda are approximate only. The Council will continue its business if an agenda item is resolved in less than the allotted time.

Election of Council Chair

Background Information:

Each spring, the Council elects a person to serve as Chair of the Council for the next year. After the Council elects someone their name is sent to the Governor for appointment. This position is limited to Council members who are individuals with a developmental disability, parents, or guardians. The responsibilities of this position and a nomination form follow this page.

Recommended Action:

If you would like to serve as Council Chair, please review the information about the responsibilities of the Chairperson. Talk to the current Chairperson and decide if you have time to do all that is needed for this position. If you think someone on the Council would be a good Chair you may nominate them but be sure to ask their permission.

If you are interested in running for Council Chair, please do these things:

- Complete the "Chair Nomination Form" and get it to Council staff three (3) weeks before the Spring Council meeting. All nomination forms are included in the Council packet so members have time to review all of the Chair candidates.
- Prepare a short speech (2-3 minutes). Please include:

1) why you would be a good candidate for this position and

2) why you wish to serve as Council Chair

Be prepared to share your speech at the Spring Council meeting.

LAM A

Notes:

Council Chair Responsibilities:

Being the Chair of the Council is a significant responsibility and time commitment. The activities and responsibilities, unless otherwise delegated, of the Council Chair shall include, but not be limited to the following:

- 1. Preside at all Council meetings;
- 2. Present policy for consideration by the Council membership;
- 3. Develop agendas for Council meetings;
- 4. May be a delegate at National Association of Councils on Developmental Disabilities (NACDD) activities and assist in the information sharing and policy implementation of NACDD;
- 5. Serve as liaison to other organizations and government entities unless otherwise delegated directly by the Chair, or by full Council vote, whichever the Chair may choose;
- 6. With the Executive Director, initiate and maintain ongoing communication with Council membership between quarterly meetings;
- 7. Report to the full Council at each regular meeting on activities performed on behalf of the Council; and
- 8. Perform Annual Executive Director Evaluation

All other duties as outlined by Council membership, by-laws and policy.

To meet the responsibilities listed above the Chair should be able to commit time and identify local support (as needed) to do many behind the scenes activities such as:

- Represent the Council at public meetings
- Address individual membership issues
- Review and write materials such as:
 - o Council newsletter articles and Chair letter for annual report
 - Letters to other organizations from the Council
 - Help with the development and review of various reports
- Send out and compile all Council member input for annual Executive Director evaluation
- Meet regularly with the Council Executive Director (usually <u>bi-monthly</u> and can be more often during Council meeting months) to discuss Council governance, preparation for Council meetings, and any current opportunities and responsibilities in representing the Council
- Work directly with current members when problems and issues arise (such as attendance issues, discipline issues, etc.)

COUNCIL NOMINATION FORM

Seeking Office As:	CHAIR
Name:	
Address:	
City/State/Zip:	
Nominated By:	
Number of Years on Council:	
Past Committee Assignments:	
Present Committee Assignments:	
Offices Previously Held:	
Outside Associated Groups:	
Other Relevant Activities:	
Reason for Seeking Office:	

Executive Director Evaluation

Background Information:

An evaluation of the Executive Director must be completed by each Council member every year. The evaluation will be completed through online survey. Computers will be made available with the on-line survey in the Council office starting Thursday afternoon, February 6th. Kimberlee Hall (Human Resources Department of Health and Welfare) will work closely with the Council Chair to make sure the process follows all procedures according to state guidelines.

Recommended Action:

Please complete the evaluation and add constructive comments on the evaluation. Council members will need to be available to provide support to one another to complete the evaluation. **<u>Staff will not be available to provide support.</u>** The Council Chair will compile the results of the evaluations. A report will be presented to the Council members in a closed Executive session on April 23rd at our Council meeting.

Notes:

Expedited Eviction

Background Information:

In 2019, the Idaho Apartment Association proposed expedited eviction legislation (HB 138). The key points of HB 138 would;

- Require that all evictions in Idaho proceed along an expedited timeframe, regardless of the reason for said eviction meaning notice to vacate would be served within three days and a court hearing scheduled within twelve days.
- Severely restrict access to due process. The shortened timeframe for an expedited hearing means Idaho renter would have very little time to secure legal counsel, collect evidence and prepare their defense before going to court.
- Prevents landlords from resolving repair demands **unless tenants are in 100% compliance with all terms of their lease**, jeopardizing public health and safety in shared housing space.

The Council was concerned about the legislation due to the broader impact it would have on the disability community. Finding and securing accessible and affordable housing in Idaho is often impossible to find within 30 days, let alone 3. Seniors and individuals with disabilities would be left even more vulnerable.

An **<u>Eviction</u>** is when someone is asked to leave the property that they rent from a landlord. This can happen because a tenant broke the rules they agreed to, because their rental agreement expired, because the landlord sold the property, or other reasons.

- It is very easy to break the rules of a rental agreement. Having unexpected costs can make you late on rent, or even parking your bike in the wrong spot can be against the rules.
- The expedited eviction bill would allow landlords to evict without any notice of cause. This makes it difficult for a renter to prepare their defense.

Expedited means to make something happen faster, in less time.

- If the Expedited Eviction bill became a law, all evictions would be scheduled to go to trial in only 12 days.
- 12 days would not give renters enough time to prepare their defense or find new housing, especially when they do not know the reason they are being evicted.

People With Disabilities are at Risk of Losing Their Housing

People with disabilities may not have control over their own time or money. They may have to coordinate with guardians, conservators, and providers to access their funds, legal documents, and appointments.



40% of Idahoans experiencing homelessness are people with disabilities

People with disabilities already experience more barriers to finding and keeping their housing. People with disabilities need more than 12 days to prepare their defense for eviction court. Expedited eviction could make it profitable for landlords to discriminate. Don't sell Idaho to out-of-state real estate companies with policy changes that allow landlords to evict without a reason!

THE IDAHO COUNCIL ON DEVELOPMENTAL DISABILITIES ICDD.IDAHO.GOV 208-334-2178

- Idaho has a high rate of minimum wage workers, but lags behind in the availability of affordable and accessible housing.^{[2] [3]}
- More Americans rent their homes than at any other point in the last 50 years^[1]
- Most renters report they would prefer to own a home but can't afford ${\rm it}^{\![1]}$
- Black and Latinx households in the United States are about twice as likely to rent their homes as White households^[1]
- Poor women of color, domestic violence victims, and women with children have a high risk of eviction.
 Black women with low incomes were evicted at drastically higher rates than other racial groups.^[1]

Expedited Eviction hurts Idahoans, and people with disabilities face additional challenges that make them more vulnerable to homelessness. Increase access to housing for Idaho residents, not access to policymaking for real estate companies.

[1] U.S. Census Bureau data, Pew Research Center report, 19 July 2017

[2] U.S. Bureau of Labor statistics

[3] National Low Income Housing report, Idaho Statesman, 21 June 2019

Proposed Statute for the Extended Employment Services Program

Background Information:

Extended Employment Services (EES) are paid for with Idaho state funds. The Idaho Division of Vocational Rehabilitation (IDVR) has administered the EES program since 2005, but the EES Program and EES services are separate from IDVR vocational rehabilitation services that are defined by federal law. Federal regulations say that vocational rehabilitation services may not be provided in segregated settings and the services must be intended to lead to a goal of community integrated employment. Because EES services are paid for only with state dollars, those federal policies do not govern the services. Idaho, as a state, must decide how it wants to provide these services and the desired outcomes from these services – the <u>purpose</u> of the services.

There is currently no statute to define the purpose and intent of EES. In 2019, the Idaho legislature expired the EES rules and Idaho Division of Financial Management directed IDVR to draft the EES proposed statute to present to the Idaho Legislature. The Council decided to support the proposed statute as written by IDVR.

The Council supports the proposed definition and purpose of the EES program to change how services are provided to bring the service up to date with current best practice. Our position in support of the proposed statute is aligned with the Council's values, the principles of community inclusion, and meets our mandate under federal law. Related to employment activities, the mandate states "…inclusion, integration, and employment activities that result in individuals with I/DD acquiring, retaining, or advancing in paid employment, including supported employment or self-employment, in integrated settings in the community."

A fact sheet and talking points are on the following pages. The Council recently updated its position statement on segregated employment, also included.

People with disabilities want to participate in and contribute to their communities.

Employment First means that having a job in the community should be what we expect and plan for people with developmental, intellectual, and other disabilities. The **Idaho Employment First Consortium**, made up of people with disabilities, family members, service providers, state agencies and advocacy



organizations, adopted this Employment First message, vision, and values for our state:

"All Idahoans with disabilities have the right and responsibility to work and contribute to their community."

A Positive Vision for Idaho:

- All communities expect people with disabilities to work
- Everyone can work and there is work for everyone
- Full employment results in higher quality of life and strong economy for Idaho
- People have equal opportunity for meaningful work and career growth;
 - ... they are empowered to contribute to their community;
 - ...they have the opportunity for advancement, responsibility, and a fair/equal wage; and ...they have the opportunity, training, and support to realize financial self-sufficiency

It all starts with the belief that everyone can work.

Extended Employment Services (EES) – The Need for a State Law

Extended Employment Services are paid for *entirely with state funds from Idaho taxpayers*. The Idaho Division of Vocational Rehabilitation (IDVR) has administered EES since 2005. There was no original statute establishing EES under IDVR, so there was no authority to put EES rules into action. There is currently no statute to define the purpose and intent of EES. In 2019, the Idaho legislature expired the EES rules and Idaho Division of Financial Management directed IDVR to draft proposed statute to present to the Idaho Legislature.

EES has two services, proposed changes affect the Work Services part of the program:

Community Supported Employment

Long-term employment supports in competitive integrated employment

(employer is a community business). This program is for workers with disabilities without other funding sources (like Medicaid).

Work Services

Short-term training services that are meant to prepare workers with disabilities to get a job in the community. The goal is short-term vocational skill-building toward competitive integrated employment.

ICDD Supports the Proposed Purpose of the EES Program:

- Transform Work Services programs into short-term vocational skill-building program.
- Short-term, not indefinite "training," for community employment.
- Training needs to have a reason, purpose, and outcome.
- Goal: Entering or returning to competitive integrated employment.
- Establishes EES in Idaho law.

Transform for the 21st Century - We need a model that promotes growth.

Currently EES **Work Services** are most often provided in a facility run by a Community Rehabilitation Provider (CRP). Individuals with disabilities do work activities alongside other people with disabilities with supervisors and/or support staff available. This situation is commonly referred to as a sheltered workshop.

12.9 YEARS Combined average number of years

Idahoans with disabilities in sheltered workshops have been in "training" for community employment.

Average wage: \$3.

Dispelling Myths

MYTH: This will close down sheltered workshops and individuals with disabilities will not be able to choose segregated employment.

Organizations that run segregated work facilities would still be able to get contracts to complete specific work and use the money they receive from the contract funder to hire individuals with disabilities to do the work to fulfill the contract. Organizations that have a FLSA 14C certification* would be able to pay sub-minimum wages. This is an employer-employee relationship and the employer (provider/organization) would provide the needed support and accommodations (funded by the contract) to ensure workers are able to do the work.

State funding for EES work services would focus on training toward competitive employment and community supported employment services providing support in a community business/workplace (ie: long term job coaching).

*FLSA 14C is federal certification that authorizes CRPs employing people with disabilities to pay subminimum wages when their disabilities impair their productivity. Box above describes 14C wage data 2017/2018/2019.

MYTH: Community Rehabilitation Providers will have no opportunity to provide input. CRPs and all other stakeholders will be able to participate in robust negotiated rulemaking.

Robust Negotiated Rulemaking

Once the proposed EES statute is established in Idaho law, there would be well-planned, inclusive and active **Negotiated Rulemaking with all STAKEHOLDERS**.

For example: the term "short-term" is not defined in EES statute. This will be defined in negotiated rulemaking meetings with stakeholders involved. Defining "short-term" in rules, rather than statute, increases flexibility.



Possibly "grandfathering" current Work Services customers so that individuals who have been in work services for many years and who may be adversely affected by a change in workplace, can continue to receive support in their current environment.

For more information contact: Idaho Council on Developmental Disabilities at 208-334-2178 or email Tracy.Warren@icdd.idaho.gov



The Idaho Council on Developmental Disabilities supports changes to how services are provided under the Extended Employment Services Program.

Talking Points

Believe in each person's potential.

The biggest barriers that individuals with intellectual and developmental disabilities (I/DD) face in achieving an employment goal are assumptions and low expectations. Services and supports intended to help a person reach an employment goal often do not aim at achieving employment in the community. EES work services planned and provided as short-term training activities that build on a person's abilities and strengths could help Idahoans with disabilities reach their full potential.

A state's vision for its citizens.

the EES program is supported only with state funds and through statute, the State has an opportunity to decide how Idaho taxpayer dollars are used. We hope policymakers decide to support training activities that help a person build upon their strengths, gain skills, and have greater access to a variety of community integrated employment options.

People with disabilities want jobs like everyone else.

Individuals with intellectual and developmental disabilities and their family members across Idaho have told us about their desire to work and earn real wages. In systems change efforts, adults with I/DD have asked for services to support them with career exploration and get the training they need to have a job in the community.

Feeling stuck.

Adults with I/DD have also said they feel stuck in work services in facilities, sometimes for long periods of time – even decades. They report not understanding that other options may be available to them. Work services as short term training would build understanding about, and skills for, other job possibilities.

Different choices and individual decisions.

The Council recognizes and respects differences in beliefs and practices for self-determination. Based on the culture of the person's family and their lived experience a person may decide to work in a segregated setting. Nothing presented to this point prevents a person from choosing to work in a provider's facility/sheltered workshop. However, this segregated setting does not align with the principles of integration and inclusion that the Council is mandated to uphold under law¹.

Supporting choice.

<u>Informed choice</u> happens when a person has a good understanding of themselves and information about all options available to them. Each individual should be supported to explore possibilities through new experiences and training provided with wider community options in mind. The Council supports language that describes the purpose of EES work services as training for community integrated employment. Training that builds upon an individual's strengths and abilities opens up more choices and options for employment.

Work in facilities can continue.

Community Rehabilitation Providers (CRP) that hold fulfillment contracts with government agencies and community businesses employ individuals with disabilities to do the work of the contract. This is an employer-employee relationship funded by the contract and by the choice of the service provider/owner of the facility. Most CRPs who operate sheltered workshops are able to pay sub-minimum wages based on productivity². Many of these organizations have missions to support people with disabilities and practices that align with this model of employment. State-funded services do not need to support these practices.

Preventing harm to individuals.

The Council supports the idea of "grandfathering" EES Work Services to older adults who have been receiving support in a sheltered workshop for many years; those individuals who may be adversely affected by a sudden change in work environment. The details about how this might work could be determined through robust discussions with all stakeholders. The Council is committed to supporting individuals with I/DD and their families to have a strong voice in this process.

Stakeholder input will be heard in deciding the details.

Through stakeholder meetings and negotiated rulemaking, many voices will have an impact on how EES Program services are implemented. In addition to state agency staff and community services providers, those stakeholders <u>must</u> include individuals with disabilities and family members.



For more information or discussion on this topic please contact: Idaho Council on Developmental Disabilities Tracy Warren, Program Specialist 208-334-2178 – toll free: 1-800-544-2433 tracy.warren@icdd.idaho.gov

- 1. The federal Developmental Disabilities Assistance and Bill of Rights Act (DD Act, P.L. 106-402)
- 2. Federal Department of Labor, Fair Labor Standards Act, Section 14C

Idaho Council on Developmental Disabilities Position Statement on Segregated or Sheltered Employment

What we understand about segregated employment:

- Segregated employment occurs in settings where the majority of workers have disabilities, usually in workshops and enclaves.
- A fiscal year 1998 nationwide study found that the average wage for Vocational Rehabilitation "closed cases" in segregated employment was \$2.54 per hour and \$64.51 per week. Federal minimum wage in1998 was \$5.15/hour.
- A current informal study in Idaho found that the average 14C wage for an individual with intellectual/developmental disabilities is \$3.75/hour with the federal minimum wage in 2019 at \$7.25/hour.
- In 2019, approximately 285 individuals with developmental disabilities are enrolled in facility-based work services (segregated employment) in Idaho.
- Segregated employment workers are isolated from their communities and have fewer opportunities to develop community integration skills.
- Many individuals remain in segregated employment for extended periods of time and seldom transition to community employment.
- Sheltered workshops have been set up as a type of job training program but people are often taught skills that are not relevant or transferable to traditional work enviroments¹.
- If planned correctly, job skills training in work services may be consistent with skills needed for community employment if the service is provided in a time-limited way with an integrated community job in mind.
- The United States Supreme Court in its Olmstead decision upheld the "integration mandate "of the Americans with Disabilities Act, requiring public agencies to provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities".
- The Attorney General of the United States interprets "the most integrated setting" to mean, "a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible".

Our Position:

- The Council agrees with U. S Department of Education regulations that govern state vocational rehabilitation services, in no longer recognizing segregated employment as being an appropriate employment outcome.
- The Council supports use of State General Fund dollars being used for programs that are consistent with integrated employment, federal minimum wage requirements, opportunities to grow and learn within specified time frames and that allow opportunities for choice and achievement of economic self-sufficiency.
- The Council believes that every adult with an intellectual/developmental disability should be supported to explore a variety of work opportunities and make meaningful job choices.

1. Segregated and Exploited: The Failure of the Disability Service System to Provide Quality Work, National Disability Rights Network, January 2011.

Consent Agenda

Background Information:

The Consent Agenda contains items that require a vote by the Members. If there are items on the Consent Agenda a Member wishes to discuss before that vote a Member may make a motion to move the item to the Business Agenda.

Recommended Action:

Review and approve the Consent Agenda:

- > Chair Report James Steed will provide a verbal report at the meeting.
- October 17-18, 2019 regular meeting minutes and special meeting minutes from the following dates: October 29, November 1, November 14, December 2, and December 5, 2019
- Executive Director Report

Notes:

Council Chair Report – James Steed

Summary of Council Chair Activity October -December

January 8, 2020

This past quarter I have continued to have phone conversations two to three times a week with the Executive Director. I have been preparing for, and attended, all of the additional Council Meetings. I also called in for the Community NOW! Armstrong vs. KW Lawsuit call.

I have been working with the Executive Director on letters the Council has received regarding the EES Statute.

I have been in email and phone communication with Kimberlee from the Department's HR department around the Executive Director Evaluation for this year and the Executive Session for this meeting.

Idaho Council on Developmental Disabilities

Council Executive Director Report

Summary of Activity October 1 - December 31, 2019

• October 1-4, 2019

Michigan DD Council Cultural Competency Training via Zoom Work on Living Well Budget Consortium for Idahoans with Disabilities Annual Strategic Planning meeting Attend Living Well Evaluation Plan meeting Planning meeting with Gary Sandusky for Advocacy Coalition Prepare information for Community NOW! Meeting Prepare information for Council meeting Living Well grant work Non-Emergency Medical Transportation Stakeholder meeting Phone discussion with Council Chair

• October 7-11, 2019

NACDD quarterly policy call Meeting with Human Resources First quarter budget review Work on Living Well Budget Living Well grant work Person Centered Planning Implementation Workgroup meeting Person centered planning team meeting with individual Prepare information for Community NOW! Meeting Provide transportation to Community NOW! members Community NOW! Stakeholder meeting Pre-Council staff meeting Phone discussion with Council Chair

• October 14-18, 2019

Meeting with Human Resources Work on Living Well Budget Meeting with DHW and Attorney General's office KW vs. Armstrong Meeting with the Division of Vocational Rehabilitation Prepare information for new member orientation and Council meeting New Member orientation meeting Living Well grant work Fall quarterly Council meeting Phone discussion with Council Chair

• October 21-25, 2019

Meeting with Human Resources Post-Council staff meeting Prepare for Interim Council meeting Planning meeting with Gary Sandusky for Advocacy Coalition Work on Living Well Budget Prepare for Community NOW! Meeting Living Well grant work Attend Community Care Advisory Council Call with DD Council minimum allotment states Phone discussion with Council Chair

• October 28- November 1, 2019

Meeting with Human Resources Caregiver Misconduct Registry Work Group Meeting with ACLU Meeting with Gary Sandusky Living Well Budget meeting Interim Council meeting Direct Support Workgroup meeting Provide TA to Washington DC Council Director Expedited Eviction planning meeting Meeting with Nicole Fitzgerald Domestic Violence Council Prepare for Community NOW! Meeting Living Well grant work Conduct interviews for Policy Analyst position Phone discussion with Council Chair

• November 4-8, 2019

Meeting with Human Resources Prepare for Interim Council meeting Meeting with Administrator, Division of Administration ADA Parking spaces in Capitol Mall area Person Centered Planning Implementation Workgroup meeting Meeting with Mel Leviton SILC Director Prepare for Community NOW! Meeting Living Well grant work Post Culturally Responsive Advisory Group follow-up meeting Living Well Planning Meeting

• November 11-15, 2019

Meeting with Human Resources Community NOW! Meeting Living Well work plan meeting with staff Meeting with Nicole Fitzgerald Domestic Violence Council Meeting with Allies for Change to plan cultural competency training Idaho Coordinated Response meeting with members Prepare for Interim Council meeting Living Well grant work Meeting with Gary Sandusky to plan for Advocacy Coalition work Interim Council meeting Phone discussion with Council Chair

• November 18-22, 2019

Prepare Community NOW! information for Governor's office. Meeting with Human Resources Living Well grant work Extended Employment Services Statute public meeting Work on annual Program Performance Report ABLE Work Group (SILC sponsored) Expedited eviction planning meeting Planning call for Direct Support Workgroup Tour Hewlett-Packard site for potential future training space Facilitate CID participation with the Request for Information on Non-Emergency Medical Transportation Living Well Initial Planning Interview for National Evaluators Prepare for Interim Council meeting Laurie Lowe's Retirement Party Phone discussion with Council Chair

• November 25-29, 2019

- Meeting with Human Resources Living Well grant work Council staff meeting Program Performance Report staff meeting Work on annual Program Performance Report Staff meeting on workplan objectives Phone discussion with Council Chair
- December 2-6, 2019
 Meeting with Human Resources
 Orientation for new staff

Interim Council meeting (2) Council staff work plan meeting Staff meeting on workplan objectives Living Well grant work Work on annual Program Performance Report Meeting with Lisa Hettinger: Council operations Attend Collective Thriving conference

December 9-13, 2019
 Meeting with Sara Stover, Governor's office
 Meeting with Gary Sandusky planning for Advocacy Coalition work
 Meeting to plan 2020 Hands Around the Capitol event
 Call with Vivian Jackson Georgetown Center for Cultural and Linguistic Competence
 Work on Living Well grant
 Direct Support Workgroup meeting
 Living Well DD Network meeting
 Work on annual Program Performance Report
 Phone discussion with Council Chair

December 16-20, 2019
 Council staff meeting
 Work on annual Program Performance Report
 Meeting with Gary Sandusky planning for Advocacy Coalition work

• December 23-27, 2019 Work on annual Program Performance Report Living Well grant partner phone meeting Phone discussion with Council Chair

• December 30-31, 2019 Work on annual Program Performance



Idaho Council on Developmental Disabilities SUMMER QUARTERLY COUNCIL MEETING JRW Building, 700 W. State Street, East Conference Room October 17-18, 2019 DRAFT Meeting Minutes

Thursday - October 17, 2019

Council Members:					
Art Evans	Emily Petersen	Deedra Hunt			
Carly Saxe	La Donna Tuinstra	Adrienne Seamans			
Charlie Silva	lan Bott	Kristie Oakes - absent			
Claudia Suastegui - absent	Jacob Head	Nanna Hanchett - absent			
Colleen Sisk	Jacqueline Watson	Natali Pellens			
Dina Flores-Brewer	James Steed, CHAIR	Valerie Hurst			
Alan Hansen	Julie Fodor	Michael Sandvig			
Danielle Terry Reff (DR) , VICE CHAIR					
Staff Members:					
Christine Pisani	Melissa Morales	Tracy Warren			
Laurie Lowe	Marieke Edwards	Trisha Hammond			
Guests:					
Ryan Waddell, IDVR	Everett Lee	Tami Baker			
	Niki Ambuski	Rachel Easterday			

Welcome, Introductions, Ground Rules, and Perfection of Agenda

James Steed, Council Chair, called the meeting to order at 9:00am. He mentioned those who would be absent and who let us know they would be late: Jacquie Watson and Valerie Hurst.

Introductions with all members. Charlie Silva announced she would have to leave to attend meetings during the morning. Art Evans announced he had to leave at 3:00pm.

Ground rules were read. James asked if there were any additions or corrections to the agenda.

ACTION: Accept Agenda

- > Emily Petersen to accept the agenda as presented.
- Alan Hansen seconded.
- Motion passed.

Chair Report

James Steed, Council Chair, reported the Council Chair duties and activities he did over the last quarter.

Consent Agenda

The Council discussed the consent agenda, reviewed Summer quarterly meeting minutes and the Executive Director report.

ACTION: Accept Consent Agenda

- Art Evans moved to accept the consent agenda as presented.
- Alan Hansen seconded.
- Motion passed.

Financial Report

Council staff, Trisha Hammond, presented the quarter four financial report to members. Explained 5% hold back requested by Governor for all agencies. Questions – what is rent? We pay it for our office space.

Trisha explained that we had to post a revised summer meeting agenda to include a time listed for meeting activity. Noted to members that times are listed on the current meeting agenda and a notation about possible changes to times and items listed. Allows us to have times on an agenda but have flexibility.

ACTION: Accept Financial Report

- Alan Hansen moved to accept the financial report as presented.
- Danielle Reff 'DR' seconded.
- Motion passed.

Zoom Meeting Announced for October 29, 2019

Christine Pisani, Council Director, explained that there is an update to the KW Lawsuit that the Council members will learn about from attorneys involved. Members will discuss and make a decision about possible ICDD action.

Two additional meetings are scheduled for additional policy issues will be scheduled for ICDD members to discuss and determine possible action. Dates and times for presentations are:

KW vs. Armstrong Lawsuit Update Tuesday, October 29 4:00-6:00pm Mountain

Expedited Eviction Legislation Thursday, November 14 6:15-7:30pm Proposed Guardianship Legislation and Southwest Idaho Treatment Center (SWITC) Advisory Board Recommendations Thursday, December 5, 3:00-5:00pm

Possible Upcoming Legislation or Rules

Art Evans – children's enhancement rules will be heard in the Health & Welfare cmtes. The rules are posted (include link). Federal policy changes affected eligibility for Katie Beckett services – letters were sent three times that stated that need to see parent income. To see if they were eligible to receive other kinds of Medicaid. If parents did not respond to letter, Katie Beckett services were dropped. Addressing on a case by case basis to ensure services are turned back on.

As rules go forward it would be helpful to have support in presenting the rules to the legislature this session.

Community Supported Employment (CSE) cost survey with providers. Because of hold backs, Medicaid was not allowed to ask for funds to increase the reimbursement rate to providers for CSE services. Other stakeholders may be advocating for this.

Worked with multiple stakeholders to develop a rate methodology to determine rates to be paid for services. However, at the end of last session all state rules were not renewed. The rules for the rate methodology are included in an omni-bus bill and there will not be hearing specifically for this topic.

Administrative bulletin website.

Governor has required that agencies not develop and present new rules without reducing the current rules.

Alan asked if there are informational resources he could use to talk with his legislators. Art can provide rules docket numbers to find the rules in the bulletin. Jacob asked how to provide testimony or talk with policymakers about issues when you live outside the Boise area. Emails and letters can be sent to legislators and those from constituents has an impact.

ICOA did a clean-up of rules to get rid of old language and eliminate things not happening anymore. Those rules are included in the omnibus package. Any changes to rules that may cause conflict or concern to citizens will be done through an open public process.

Policy Slate Process

Christine explained our focus during this meeting would be presentations on one particular issue. Because we have several new members starting at this meeting and many policy issues can be overwhelming to members. We will spend time needed to

understand the fairly complex issue of Extended Employment Program statute. Additional meetings will be held with members to discuss other policy issues.

Christine explained that there may be a member of the public may come to the meeting today to hear the presentations on the EES program statute. If any person requests time to present their position on an issue to the Council, we can make that opportunity available at a future date.

Christine explained process for Council members to determine the priority, level of support, for each policy issue considered by the Council.

Intern Introduction – Kelly Harwood introduced herself and her work at the Council in conducting research with Marieke on how the trainings on trauma informed care and dual diagnosis provided to mental health clinicians is impacting their ability to better serve the I/DD population.

Council photo at the Statehouse.

Extended Employment Services Program Statute

Tracy Warren provided a presentation on the history of the disability movement related to employment and described the difference between segregated work and community integrated employment. Presentation by Ryan Waddell, Extended Employment Services Program Manager, about the proposed statute for the EES Program. Ryan provided background information about the program and explained the services provided under the program.

Discussion – concern for folks who have been in sheltered work for a long time and if they would want this or experience a difficult transition. The details about how current customers of Work Services will get services going forwards or might experience a change will be detailed in rule development.

ACTION: Set Issue Priority

- DR moved to set priority two in supporting the Extended Employment Services statute
- Alan Hansen seconded.
- Motion passed.

Homework to Prepare for Legislative Visits

Homework assignments for members to prepare to meet with their legislators at the February meeting. Encourage folks to speak with Senate and House Education Committee members – those who will be hearing about the statute.

Council Intern Presentation – Archer Sollars

Council intern Archer Sollars talked about his interest in making films and his work as a

videographer at the Council. His senior project at Sage International School that requires to do 200 hours of work related to a career of interest.

Melissa Morales is supporting Archer's internship in the Council office and explained the goal of creating a film that shows the stories of individuals who experience a lack of access to services and disability advocacy because they are Spanish-speaking and from the Latinx community.

Council Members:					
Art Evans	Emily Petersen	Deedra Hunt			
Carly Saxe	La Donna Tuinstra	Adrienne Seamans			
Charlie Silva	lan Bott	Kristie Oakes - absent			
Claudia Suastegui	Jacob Head	Nanna Hanchett - absent			
Colleen Sisk	Jacqueline Watson - absent	Natali Pellens			
Dina Flores-Brewer - absent	James Steed, CHAIR	Valerie Hurst			
Alan Hansen	Julie Fodor	Michael Sandvig			
Danielle Terry Reff (DR), VICE					
Staff Members:					
Christine Pisani	Melissa Morales - absent	Tracy Warren			
Laurie Lowe	Marieke Edwards	Trisha Hammond			
Guests:					
Griselda Camacho	Jenn Gallup	Tami Baker			
Marsha Bracke		Niki Ambuski			
Gary Sanduski		Everett Lee			

Friday - October 18, 2019

Welcome

James Steed, Council Chair, called the meeting to order at 9:00am.

FY2020 Annual Workplan Update

Marieke Edwards presented proposed changes to activities in the Council 2020 workplan. Staff explained about activities that were changed or eliminated from the original draft of the plan that was approved by members in 2018.

ACTION: Approve 2020 Workplan

- > DR moved to approve the draft 2020 workplan as presented.
- Claudia Saustegui seconded.
- > Motion passed.

FY2020 Annual Budget

Trisha Hammond presented the proposed budget for the FY2020. Question – where did the funds for Partners in Policymaking go into this proposed plan? A: Those funds (\$10,000 for 2020) went into funding our contracts. Q: If we don't allocate funding this year, does that mean Partners in Policymaking is on a two-year hiatus? The idea being considered is to request state funding for a staff position to coordinate Self-Advocacy Training and Partners. If the position and funding are approved, a person might be in place late summer 2021 to begin planning for Partners.

ACTION: Approve Draft Budget

- > Art Evans moved to approve the draft FY2020 budget as presented.
- Alan Hansen seconded.
- Motion passed.

Year End Review and Contractor Reports

Marsha Bracke (Bracke & Associates) presented her work of facilitating the Community NOW initiative meetings and process. She shared products that have been developed by the CNOW workgroups over the past year.

Gary Sanduski (Connexus) presented his work over the last year in coordinating the statewide Advocacy Coalition – Medicaid Matters. Discussion of threats to Medicaid at the national level and work over the last two years to educate policymakers. Council members shared about their experiences helping facilitate Blessings of Liberties film events and participation in the Leadership Academy. Gary described the Organizing Fellow part of the Coalition which is funded through private resources. Organizing fellows are self-advocates partnering with a parent in the same regional area. Current fellows are located in Boise, East Idaho, Magic Valley, and soon will be recruited in the Canyon County area.

Griselda Camacho, Cultural Broker, provided a presentation about activities with, and outreach to, the Latinx community through the past year. Activities a state conference for families who have children with I/DD and adults with I/DD that was attended by 254 people from all over the state.

Four members of the Senoras talked about their participation in activities supported by the Council this year. They expressed their gratitude for the support from the Council.

Idaho Department of Education Update and Policy Issues

Charlie Silva provided a report from the State Dept. of Education (SDE) Bureau of Special Education. Special Education Advisory Panel (SEAP) a panel of parents and

agency representatives. Jacob Head and Carly Saxe sit on that committee. Parent on panel has been promoting dyslexia and would like to have legislation regarding dyslexia. Idaho does have a requirement that educators take a literacy course and has a related screening. Any legislation would need to have resources attached.

Rules from the SDE coming up are: Suicide awareness and prevention training; the State Board of Education opportunity scholarship – proposing opening that up for non-traditional students and provide more flexibility by dropping the Grade Point Average requirement from 3.0 to 2.7 for the scholarship. The Superintendent of Public Instruction presented a budget to the Idaho State Board of Education with an increase of almost 6% with four priorities – teacher pay; expanding mastery-based learning; standards regarding social emotional learning; and funds to expand literacy activities – idea to provide additional supports to children prior to starting kindergarten. Related to social emotional learning will be asking for funding for training opportunities. One idea being explored is creating a social emotional learning course that all educators and pre-service teachers would be required to complete.

Idaho is seeing some gains in learning except for children coming into school with only 40% are coming in ready to read and to learn. Idaho is one of very few state's that does not have mandatory kindergarten and limited access to pre-school. There is an RFP to get proposals about how to create a systemic pre-school program in Idaho. May collaborative stakeholders have been working on it.

Question about modifying graduation requirements for students who can't meet them. Answer: the IEP team is able to individualize and provide accommodations and adaptations that are needed by the student, but there are restrictions. The SAT is operated through the College Board of Education and there are only so many accommodations available.

The Idaho Secondary Transition Institute will be held in November at BSU. Teams come from schools all over the state. Teams plan around transition activities in their districts, resources, presentations, and information is provided. Facilitators are provided for teams, many are students coming from the BSU Conflict Resolution program. Goal is to make the institute regional in future years.

Suicide prevention training – superintendent KISS program, April prevention conference in Sun Valley, and other prevention activities.

Family and Community Engagement (FACE) conference a few weeks ago. The keynote speaker talked about Trauma Informed practices in the classroom.

Blue Cross Foundation has worked with some districts to have community clinicians in schools to provide counseling for students. Like a mental health center within a school on a small scale.

Continue to work on shortage of personnel in special education to meet the needs of schools. Have been successful in recruiting at the national level. The Council for Exceptional Children conference will be in Portland, Oregon next year and Idaho will be going to recruit.

Five-Year Plan Development – Planning Schedule

Marieke Edwards presented a schedule of activities for the next 18 months to develop the Council's next five-year plan. She described the role that Council members play in plan development and ways they can help us do outreach and get public input into the plan. A public survey will be developed that we hope to get to as many stakeholders as possible.

Membership Recruitment Update

Tracy Warren provided an update about members who have been appointed by the Governor and a current vacancy in a position for person with a developmental disability. Membership Committee members have been doing additional outreach.

Member Reports

Carly Saxe talked about her work with the Advocacy Coalition. And as a member of the Special Education Advisory Panel, she attended the Family and Community Engagement (FACE) conference. The theme of the conference was trauma-informed classrooms. The keynote speaker shared many resources and tools to use to help students who have experienced trauma. Carly learned about the school dog program.

Richelle Tierney provided a report (in place of Julie Fodor). She talked about the goals, different projects and activities of the Center on Disability and Human Development - Idaho's University Center for Excellence in Developmental Disability (UCEDD) at University of Idaho. She described the Idaho Assistive Technology project that has locations that are able to loan equipment and staff who can do assessments for AT needs. IdahoCDHD.org website has more information and links to different programs.

ACTION: Adjourn Meeting

- Natali Pellens moved to adjourn the meeting.
- Michael Sandvig seconded.
- > Motion passed, meeting was adjourned at 4:12pm.

Idaho Council on Developmental Disabilities SPECIAL INTERIM COUNCIL MEETING Zoom Video Conference 4-6pm (Mountain Time) October 29, 2019 <u>DRAFT</u> Meeting Minutes

Tuesday - October 29, 2019

Council Members:					
Art Evans - absent	Emily Petersen	Deedra Hunt			
Carly Saxe - absent	La Donna Tuinstra	Adrienne Seamans			
Charlie Silva - absent	lan Bott	Kristie Oakes - absent			
Claudia Suastegui - absent	Jacob Head	Nanna Hanchett - absent			
Colleen Sisk	Jacqueline Watson	Natali Pellens			
Dina Flores-Brewer - absent	James Steed, CHAIR	Valerie Hurst			
Alan Hansen	Julie Fodor	Michael Sandvig			
Danielle Terry Reff (DR), VICE CHAIR					
Staff Members:					
Christine Pisani	Melissa Morales	Tracy Warren			
Laurie Lowe	Marieke Edwards	Trisha Hammond			
Guests:					
Presenters:	Amy Cunningham, DRI	Jen Magelky-Seiler			
Cynthia Yee Wallace	(for Dina Flores-Brewer)	Larkin Seiler			
Molly Kafka	Richelle Tierney	Jessilyn Mathias			
James Piotrowski	208-206-2468	Toni Brinegar			
	208-340-1615	Lori Wixom			
	208-351-4119	Suzette Brown			
	208-395-0286	Mark Azman			
	208-420-3593	Heather			

Welcome: Christine Pisani, Council Director - Ground Rules, Review of Agenda Council member roll call.

Cynthia Yee Wallace, Office of the Attorney General, Attorney for Division of Medicaid Provided background information on the original KW Lawsuit. *Questions:*

Q: When will the Department have to respond?

A: Four months after the date the court enters an order.

Q: Is there a reason why it would take another four years to complete the Community NOW project?

A: Yes, Cynthia will present that in her portion later in the agenda.

Molly Kafka, American Civil Liberties Union Idaho

Provided the reason for the original lawsuit – budget tool transparency. Description of original settlement agreement.

James Piotrowski, Plaintiff Attorney (Plaintiffs are 14 Individuals representing the Class) Discussion of development of budget tool and action items of settlement and timeline. Talked about important lawsuit issues: budget tool, form of notices, appeal process, dispute resolution process.

In 2018, IDHW asked for more time to implement more program changes to services beyond the budget tool. Plaintiff attorneys did not agree because the extension continued to violate individual's constitutional rights while an illegal budget tool continues to be used. Asked original 14 individuals who make up the class (plaintiffs). They said they didn't want to go another 3-4 years. Compromise proposal was to: have a 90-day turnaround on appeals, if budget doesn't provide enough money for skilled workers it is a health and safety issue... (see handout). IDHW said they could not do the proposed compromise, but they could complete the budget tool by 2023. That is why motion came forward to enforce settlement agreement to complete the budget tool as soon as possible. Also asked court to provide more safeguards – people in the program would be protected in meantime: budget appeal ruled within 90 days or person wins, allow argument in appeals that the inability to hire skilled direct support staff is a health and safety issue.

Questions:

Q: What is IDHW willing to do if they are not able to finish the budget tool in the time allowed by the court? Concern what will happen when it comes time.

A: The judge will be the one to decide what has to happen. The Council can weigh in favor of the motion if they want to tool finished sooner.

Q: What about people who may not be able to qualify with the new tool? Don't know if I will qualify for DD services and may not be able to get the help I need. My concern is for myself and others.

A: The main focus of this settlement is the budget tool – not eligibility tool.

A2: The SIB-R (old assessment tool) is going away. IDHW has piloted a couple of different tools, one of them with over 800 individuals.

Q: What is the issue about the 90-day appeal turn-around - if that is already in federal law why are they refusing to do that?

A: I don't know. I feel the appeal process is taking too long and don't know why we can't reach agreement on that.

Cynthia Yee Wallace – Idaho Dept. of Health and Welfare (IDHW) Response to Motion

IDHW could have just moved forward to do a new budget tool but decided to make an investment in changing the services in the program according to what individuals said they wanted through CNOW. It has devoted its administrators, staff, attorneys in getting input from individuals about how things could be improved. But this will take until 2023 to implement changes to the services and DD program.

There are 12 major components of the settlement agreement and a lot of progress has been made on those. Can't do CNOW work and complete work in 4 months, can't even get CNOW input on a budget tool in 4 months.

Progress made in making changes through CNOW:

- Improving the planning process and developing a person-centered model.
- Unbundling Residential Habilitation (Res Hab) services so individuals have more choice in how they spend their day. Choice of more than one provider.
 - IDHW could just work on the tool and unbundling Res Hab services without doing any other CNOW work, but this work probably not able to be completed in 4 months.
- People didn't want a service where they always have to be working on a skill. IDHW is working to create a service for people who just want support. But this work probably won't occur if we just do the tool.
- People also wanted to be able to get DD Waiver service to be able to do job exploration and work towards getting a job. But again, we won't have time to do that if we just complete a budget tool. This work takes time and need until 2023.

Motion to Enforce: The court has ruled that the budget tool is problematic and the Department is in agreement and have put a lot of safeguards in place to make sure rights were not violated and individuals received injunction budgets until the Department fixed their notices, but even once fixed they still are providing injunction budgets. There is also a safeguard for people coming into the program new.

If the Department has to divert its resources to the requirements of the motion, they will likely not be able to continue the work of CNOW.

There are exceptions allowed to the 90-day appeal process – if the parties want to discuss more, etc.

Parties (in lawsuit settlement) agreed to a definition of health and safety, people can ask for an exception review for more budget to address health and safety. Disappointing that the plaintiff attorney is asking for a different health and safety definition now which gives relief for people on self-direction – more money to pay support staff higher wages but needs to apply to the entire class. Only one person has been denied request for additional dollars in budget.

IDHW has done everything they said they would do up to this point and want to have the time to improve the program for everyone.

Questions

Q: I am living in a Certified Family Home right now, if there has been a concern about that, why hasn't it been addressed by the class? If you have concern about increased funds for self-direction – why haven't I heard about this from the Department?

A: The plaintiffs brought that concern. The Department has agreed to provide more money if you can show that you need it for health and safety – since we have that, which applies to everyone, we don't need something special for self-direction.

Q: My (budget) number for Res Hab services was a lot higher than what I get now in selfdirection. I am worried that the budget may be inaccurate if you go from Res Hab to self-direction.

A: IDHW has to take into consideration the reimbursement rates for providers who provide Res Hab services (like Supported Living) when figuring budget needs.

Q: When would the new services being developed be rolled out?

A: IDHW anticipates getting the new services rolled out in 2023. It makes sense to do the budget tool considering the new services so you don't have to do things twice.

Q: Is the software tool you are developing fixed in services and reimbursement rates or did I get this wrong?

A: the old tool was a spreadsheet with calculations that spit a number out. The new tool is a framework that uses a new more positive, respectful assessment. An individual is put into one of 5 tiers depending on their support needs. Each tier gets a certain amount of money and you can use it on the services you want.

Q: What is the purpose of tool, if an individual will be put into a leveled tier based on your score on the SIS?

A: There technically would not be a budget tool or formula – it will be the new tier framework. It is called a resource allocation model.

Comment: Concern that if we go with the ACLU (supporting the motion), the 120 days would not allow IDHW to go out and get individual's input on the tool. Also concern that you would not have all the participants at the table, not just the class (plaintiffs) of the lawsuit.

Comment: Unfortunate that we would move to this (motion) now with all the recommendations that have been made under CNOW and progress on those

recommendations. Not sure why we would now have this motion. Concerned that putting the budget tool above everything else impacts positive changes in the system for all people. Could create a huge barrier to continuing the work and a barrier to adults getting the services they want.

Molly Kafka response to comments: IDHW has been working on this for three years and they would have 120 days to complete the tool. This is not a new lawsuit, it is the KW and IDHW has been working on this. We are excited about the work of CNOW and we believe the Department is invested in the work and we applaud that. We need to make sure that the rights of our clients (plaintiffs) are protected and the settlement enforced. Attorneys are being diligent in defending our clients.

Q: If the judge decides to go with the motion, is there a chance that my disability work will be for nothing?

No response.

Q: Why does the current health and safety definition not work for people on self-direction?

Answer (James P.) If we continue to rely on the old budget tool for another 3 or 4 or 5 years, your budget is stuck in time. People are having a harder time hiring the people they need. It impacts people in self-direction first because they are trying to hire workers and are stuck with budgets and low wage rates as determined by Department. We also proposed changes that would affect everyone equally.

Q: Why do you (Cynthia) think people on self-direction would be treated differently?

Answer (Cynthia L-W.) If your injunction budget is not enough, anyone can request an exception for more money in your budget to address health and safety. The plaintiff attorneys want to add another piece that is a carve out just for people on self-direction.

Q: Why the four years? What are the issues or elements that are causing it to be an additional four years? Concern about the increase in cost of living and need for community support workers.

A: An example of CNOW work in 2019, we are working on the person-centered planning process and we have subgroups that work on issues related to the process and system needs to do the process. We have talked with hundreds of individuals and providers about any recommendations coming out of CNOW work so we can get input from many more stakeholders. It is quite a process to get input from people in local areas and travel the state. Plus, IDHW has to meet its other obligations under the settlement – training and piloting the tools, working with consultants and experts, etc.... The Dept. could move faster without getting input from people with developmental disabilities, but we want to get that voice heard. It takes more time and it's been worth it.

Q: We're just gonna have to come to an agreement, compromise somehow and nobody likes compromise. You are asking ACLU to compromise with you so that you can get a better product – is that right?

A: I feel that is a correct statement.

Q: Would the work of CNOW be lost or just on hold for 120 days?

A: The Department would have to focus on litigation and turn our resources to court rather than the work on improving services. I feel that we would end up back in court and fighting instead of moving forward on CNOW.

Q: When motion was filed, was CNOW consulted or informed?

Answer (James P.) This is a class action and 14 individuals are the clients in the case that represent the class. We follow the class as represented by our clients (14 people) appointed by the court – they were consulted.

Answer (Cynthia L-W.) The Department is not saying it is not important to get the budget tool out, but you can't just throw money at a problem to solve issues, we want to work with CNOW and take steps to solve issues.

Council Discussion

Christine: There has been a request from the Department to provide a letter regarding our concerns with the motion to enforce the settlement – continuing to ask for more time to respond with the resource allocation tool and improved services. The consideration is that the Department could spend their resources on the Resource Allocation Model and time in court or continuing the work on improving services and the system with CNOW and also the Resource Allocation Model.

Discussion: desire to have more time to think about this before making a decision. Concern that Council members aren't in a position right now to make a fair recommendation.

Q: Why would going to the new budget tool in 120 days put off all the work of CNOW?

Christine: The Department would need a lot longer than 120 days to complete the resource allocation model (RAM). IDHW does not have enough resources to do the RAM and continue to be at the table for CNOW work. HSRI (consultants) have said that the Department must unbundle rates for supported living (Res Hab) before the RAM can be implemented and this takes their time and resources too. We would not have the Department at the table if we moved forward with CNOW and it would be difficult to make progress without their staff, money, and expertise.

Comment: With my son, it has been services he received that were the problem not the money. So, working with the Department is more important than getting the budget tool ready.

Through Chat: ACLU really did a great thing in rallying the troops and initiating change. This is a great thing. However, it sounds like maybe the representatives in the lawsuit (14 named individuals) may not be aware of the progress and steps being made with Community NOW. I know I hear only negatives about H&W out in public . . . maybe the individuals in the lawsuit are NOT involved in Community NOW (why not?). Do we just need to do better publicity about the progress being made - maybe we are all really headed the same direction and we don't know it?

Christine: Some members of the class have been involved in CNOW and have been invited to attend. Many attended listening sessions around the state and the education tour earlier this year and have opportunities to learn about CNOW work.

Thank you - I am surprised that all 14 wanted to initiate this next step (the motion) - unanimous decisions are rare.

Christine will send an email tonight to see if folks have time to meet on either Thursday or Friday morning. The group could take an hour to review and vote.

Adjourned at 6:15pm

Idaho Council on Developmental Disabilities SPECIAL INTERIM COUNCIL MEETING Zoom Video Conference 10am-11am November 1, 2019 <u>DRAFT</u> Meeting Minutes

Friday – November 1, 2019

Council Members:				
Art Evans - absent	Emily Petersen	Deedra Hunt		
Carly Saxe	La Donna Tuinstra - absent	Adrienne Seamans		
Charlie Silva	lan Bott	Michael Sandvig		
Claudia Suastegui	Jacob Head	Nanna Hanchett - absent		
Colleen Sisk - absent	Jacqueline Watson	Natali Pellens		
Dina Flores-Brewer	James Steed, CHAIR	Valerie Hurst		
Alan Hansen	Julie Fodor	Danielle Reff (DR), VICE CHAIR		
Staff Members:				
Christine Pisani	Melissa Morales	Tracy Warren		
Laurie Lowe	Marieke Edwards	Trisha Hammond		
Guests:				
Lydia Dawson, IACP	Anjie Knickrehm	503-724-5558		
208-340-1615	208-880-9959			

Welcome: Christine Pisani, Council Director - Review of Agenda

ACTION: Approve Agenda

- DR moved to accept the agenda as presented.
- Mike Sandvig seconded.
- ➢ Motion Passed.

Council member roll call - 16 members present at start of meeting.

Review of KW Information Presented

Provided summary of information presented at meeting on October 29th.

Reviewed member questions from October 29 meeting.

Reason for taking so long to complete budget model and new service changes. The Idaho Department of Health and Welfare (Department) is working on five services to be considered along with the new budget model:

- Improving the PCP process
- Increased flexibility in non-medical transportation

- Unbundling Residential Habilitation (ResHab) services so there is more choice and flexibility in services, individual can choose more than one service provider to support them in the supported living model
- A new habilitation service for support in the community. Currently an individual must show they are learning a new skill to justify the service in the community. This would allow for just getting support to do what you want to do.
- A new service to allow for career exploration for employment

Why so long?

Example: must determine details about a new service provider type – the Person-Centered Planning Facilitator. Everything developed through Community NOW (CNOW) workgroups is proposed and reviewed by an Advocate Advisory Committee (individuals with developmental disabilities and family members) and the full CNOW stakeholder membership.

In order to change or create new services, the Department takes stakeholder input then writes service definitions, requirements, reimbursement rates, etc. Must make changes to state rules and the developmental disability (DD) waiver which must be reviewed by the Center for Medicare and Medicaid Services (CMS). Both of these things take several months.

Questions:

Q: James Petroski (plaintiff attorney) said that what the Department was doing is unconstitutional, what was that?

A: He was referring to the budget assessment/determination process the Department had been using. It was not transparent (so people could understand how the budget has been determined) and the court found that it violated individuals' constitutional rights.

Q: James P. said the Department had not completed the budget tool fast enough? A: The budget model is being developed under an IDHW contract with Human Services Research Institute (HSRI). They have completed some work at this point. The Department came to CNOW and said we can work together to work on the budget model <u>and</u> improved services, or we can just work on the new budget model. CNOW agreed that having improved services people really want would be good. Even without waiting to develop the new services, HSRI said that at least unbundling the ResHab rate must happen before the budget model can be completed.

New service descriptions under development – Christine read the drafted service definitions from the Department.

Council Discussion

Clarification on what has been asked of the Council: Christine said that we have been asked to write a letter describing the Council's concerns with the motion and requirement to complete the resource allocation model (budget tool) in 120 days. Main concern is that there would not be enough time for the voice of people with disabilities and family stakeholders to be heard in the process.

Comment that the development of the new/improved services would impact all people using the DD program. Concern is that there are 5,000 adults in Idaho on the DD Waiver and we should have input from more of them as they are considered part of the class of the lawsuit. Another concern is that we would lose the work completed so far under CNOW. After stepping out to focus on the resource allocation model, the Department may not have the ability to come back to continue the work under CNOW.

Would like to the Council to speak to what is in the best interest of the people with developmental disabilities and the service system they use rather than taking sides with attorneys. Think about how this impacts people with developmental disabilities and the services they use.

Discussion to clarify question: Are we writing and letting them know if we are in support of what the lawyers are doing or are we in support of the Department taking the time needed? Comment that it feels like everything takes so long to accomplish with the Department in almost every facet. It would be good for them to try to work on things more quickly. We understand the process needed to create policy with the legislature and the time it takes, but in the long run, we are concerned for the families and individuals receiving services and how long it will take to get those services. We are trying to make the services better through collaboration in CNOW. But what does that mean for people who have been waiting for services (budget tool?). Are we writing about all of our concerns?

The Council has been asked to write a letter of our concerns to send to the court. An additional option is for the Council to take no action.

Questions:

Q: How would it be possible to do a community service that is just for support under traditional services when everything is put into the staff and training etc?

A: It would be a new service created with funds allocated to cover reimbursement rates determined, and the description sent to CMS, etc. Then rules developed at the legislature.

- Q: Is it possible the legislature would not provide the funding?
- A: There is no guarantee that the legislature would approve funds for the new services.
- Q: Where would our letter of concern go?

A: To the judge.

Christine, offered three main concerns to include in the letter that she has heard mentioned:

- Not having the opportunity for the voice of input of PwDD and families with 120 days for completion of the resource allocation model.
- There are 5,000 people on the DD Waiver and would like to get more input than just from the 14 plaintiffs.
- The Department may not have the resources to focus on service development if the motion is upheld, and even if they do, don't know if they would have the ability to expend resources and time to revise the model to incorporate the new services after they are developed.

Comment that 120 days is too short, but three years may be too long. Could we propose a compromise that something in the middle would be appropriate?

- Do you mean the services and the budget tool in a shortened timeframe?
- Yes, shorter timeframe but not 120 days.

Concern regarding supported living: If the judge holds up the injunction, concern there be enough time to advocate on what should happen with supported living with the Department. Response - HSRI has said to do the unbundling of Res Hab (supported living) services allowing more choice in providers.

It seems the primary issue is that the resource allocation model is not flexible enough to allow for new/different services as they go. The Department says they need to have the services determined before the model is done and this may mean that the tool would not be flexible in the future. Response: The resource allocation model has to be built on the services and reimbursement rates that are being offered at the time the tool is developed. Every time new services come up, they would have to be added into the calculations for the model. At this time, the Department could build the model the current services offered plus the unbundled ResHab services.

Concern that the Resource Allocation Tool is being built so that is fixed on current rates and services and not flexible enough to be able to add services and modify rates in the future. I understand that every time there is a change in money they do have to go through the process. The Department has rules they must follow and they have a system that requires a process that takes times to add or make changes to services. Everyone is a little less confused than last meeting but each of us still has questions.

Christine proposed that she draft a letter of concern and members meet again to discuss the letter. The letter needs to be completed and provided to the court by November 18th or members can also choose not to take action. Community NOW members will have an opportunity to weigh in on this issue on November 12th.

Can we meet again after the CNOW meets to hear what their input was?

ACTION: Draft Letter from Council

- Emily Petersen moved that Christine draft a letter of concern for review by Council members.
- > Danielle Reff "DR" seconded the motion.

Discussion: meet again after the CNOW meeting on November 12th to hear their input before drafting a letter for Council review.

Roll call vote was taken. Jacquie Watson and Charlie Silva abstained, all other members present voted yes.

ACTION: Adjourn Meeting

- Danelle Reff "DR" moved to adjourn the meeting.
- ➢ Ian Bott seconded.
- ➢ Motion passed.

Meeting adjourned at 11:09 am

Idaho Council on Developmental Disabilities SPECIAL INTERIM COUNCIL MEETING Zoom Video Conference 6:00-7:30pm November 14, 2019 <u>DRAFT</u> Meeting Minutes

Thursday – November 14, 2019

Council Members:				
Art Evans - absent	Emily Petersen - absent	Deedra Hunt		
Carly Saxe	La Donna Tuinstra	Adrienne Seamans		
Charlie Silva - absent	lan Bott	Michael Sandvig		
Claudia Suastegui- absent	Jacob Head	Nanna Hanchett - absent		
Colleen Sisk - absent	Jacqueline Watson - absent	Natali Pellens		
Dina Flores-Brewer- absent	James Steed, CHAIR	Valerie Hurst - absent		
Alan Hansen - absent	Julie Fodor - absent			
Staff Members:				
Christine Pisani	Melissa Morales	Tracy Warren		
Laurie Lowe	Marieke Edwards	Trisha Hammond		
Guests:				
Kathy Griesmeyer, ACLU (presenter of issue)				

Welcome: James Steed called the meeting to order at 6:03pm

Christine Pisani, Council Director - Called Roll of Members present. Review of Agenda

Council member roll call - six (6) members present at start of meeting.

ACTION: Approve Agenda

- Danielle Reff "DR" moved to accept the agenda as presented.
- Jacob Head seconded.
- Motion Passed.

DR reviewed the meeting ground rules.

Review of Expedited Eviction Policy Issue

Kathy Griesmeyer, Public Policy Director of American Civil Liberties Union (ACLU) of Idaho, presented information about the upcoming legislative bill. First became aware of a previous bill in 2018. Makes it easier for landlords to evict people for a variety of reasons and put it through court quickly making it difficult for tenants (renters) to get a defense put together. Concern for tenant rights.

In 2018, ACLU connected with a number of organizations including Idaho Fair Housing, the Council, a variety of other advocacy organizations, and independent attorneys who

work on landlord/tenant disputes. Advocates were not able to come to an agreement with the Apartment Association. Had over 150 people show up at public hearing during 2018 session. Overwhelmingly people testified in opposition. The House committee voted in favor of the bill with concern for property rights. The bill died on the House floor because of the inclusion of commercial property (businesses).

Summary: Within two weeks a tenant could get a notice of eviction, it could go to court, and the individual could be evicted. Very difficult to get an attorney, gather evidence, and other information to defend against the said reason for eviction.

Anticipate that in 2020 the bill will focus on residential rentals. Lawmaker concern for commercial renters (businesses) has been removed in the new bill.

Will be elevating the stories of individuals who have been impacted. The relationship to lack of affordable housing the possibility of increasing homelessness.

Questions:

Q: If a person gets forced out and they don't have money to replace a damaged carpet, could they be billed a large amount in "damages" and fees?

A: Yes. You could be billed for damages and exhorbitant fees. Some people are made to pay fees for cleaning etc. that have been padded very much.

Natali – legally the landlord can only bill you for the life left in the carpet.

Q: Why isn't HUD (Housing and Urban Development) involved in stopping this legislation?

A: HUD works closely with Intermountain Fair Housing Council who has been working with ACLU to stop bill. They have documented cases of the Apartment Association practicing housing discrimination and other things.

Q: What about Section 8 Housing – could that be affected. What about people who use Section 8 to support their housing?

A: I don't know. A good question to ask Intermountain Housing Council. There are federal laws that drive Section 8 and we hope that federal law trumps state law. But an eviction, even if wrongfully evicted, goes on your record and may affect your ability to rent in the future.

Section 8 (housing) is supposed to get information about what is happening and may get involved in helping you.

Q: Could you use the argument that the court fees etc. would become too expensive and have an impact on the state? Might resonate with conservative legislators.

A: Past research showed that the impact on judges' schedules <u>would</u> be significant.

Q: Would this make it even more difficult for people with disabilities who need accessible and affordable housing?

A: Yes, and it would be very problematic for folks with accessibility needs to find housing within such a quick timeline. It can be very hard to find housing that meets your needs.

Discussion about challenges in finding affordable housing and accessible housing in all areas of the state.

Kathy has provided a fact sheet.

Due Process Rights – Right now, Idaho has an expedited eviction timeframe for only one reason – failure to pay rent. People are given a 3-day notice to fix the reason for eviction and then 12 days to defend eviction notice. When a landlord is alleging that you used drugs or done something else against your lease, you have a certain amount of time to find an attorney and get your defense together. It is much more complicated to defend your case for anything other than failure to pay rent, so people need more time. Discussion of other reasons a tenant might get an eviction notice.

Mike said there are already civil remedies for landlords to evict people. This bill is about being unfair to tenants. Natali agreed and said that it just requires the landlord to put a case together.

Landlords have complained that the current policies and process take too long to be able to evict people and it is costly. In Utah, they passed a similar bill. They made millions of dollars in making it easier to evict and they have publicized this.

ACTION: Set Priority

- Ian Bott moved to set this issue as a priority two (2)
- Danielle Reff "DR" seconded the motion.
- Roll call vote was taken. All ten (10) members present voted yes. No abstentions, no nays.
- ➢ Motion passed.

ACTION: Adjourn Meeting

- Mike Sandvig moved to adjourn the meeting.
- Ian Bott seconded.
- Motion passed.

Meeting adjourned at 7:05pm.

Idaho Council on Developmental Disabilities SPECIAL INTERIM COUNCIL MEETING Zoom Video Conference 10am-12pm (Mountain Time) December 2, 2019 <u>DRAFT</u> Meeting Minutes

Monday, December 2, 2019

Council Members:				
Art Evans	Emily Petersen	Deedra Hunt		
Carly Saxe	La Donna Tuinstra	Adrienne Seamans		
Charlie Silva	lan Bott	Vacant		
Claudia Suastegui	Jacob Head	Nanna Hanchett		
Colleen Sisk	James Steed, CHAIR	Natali Pellens		
Dina Flores-Brewer	Julie Fodor	Valerie Hurst		
Alan Hansen	Danielle Reff (DR), VICE CHAIR	Michael Sandvig		

Please recruit for a parent and a self-advocate for candidates to be considered for Council membership.

Welcome: James Steed called the meeting to order at 10:11am

There are only six (6) Council Members on the call, thirteen is a quorum but there is a simple majority bylaw so we may proceed. All on the call are ready to move forward using the simple majority bylaw.

Review Agenda Presented

Amendment: DR cannot be present so Meli read ground rules.

Melissa Morales reviewed the ground rules.

ACTION: Approve Agenda

- Motion: Adrienne Seamans moved to accept the agenda as presented.
- ➢ 2nd: Emily Petersen
- All in favor? Motioned passed

Council Recommendation

Christine reviewed documents sent to Council Members on Friday

- HSRI Work to Date Service Mix
- The proposed Council Recommendation letter to Judge Winmill

Are there any questions or comments? None

ACTION: Accept Recommendation

- Motion: Adrienne Seamans moved that the Council accept the recommendation as presented.
- Carly Saxe seconded.
- Discussion: None
- All in favor? Roll call vote:

Ian Bott - Aye Jacob Had - Aye Emily Petersen - Aye Alan Hansen - Aye Adrienne Seamans - Aye Carly Saxe - Aye Colleen Sisk - Aye

Motion passes.

Christine will send an agenda and the proposed legislation from Cameron Gilliland for the meeting this Thursday, December 5th from 3-5pm. Please plan for a discussion and ultimately a vote by the Council at the end of Mr. Gilliland's presentation.

ACTION: Adjourn Meeting

- Motion: Emily moved to adjourn the meeting.
- Colleen Sisk seconded.
- All in favor? Motioned passed

Idaho Council on Developmental Disabilities SPECIAL INTERIM COUNCIL MEETING Zoom Video Conference 3:00-5:00pm (Mountain Time) December 5, 2019 DRAFT Meeting Minutes

Thursday – December 5, 2019

Council Members:				
Art Evans - absent	Emily Petersen.	Deedra Hunt - absent Adrienne Seamans.		
Carly Saxe	La Donna Tuinstra.			
Charlie Silva	lan Bott.	Michael Sandvig - absent		
Claudia Suastegui - absent	Jacob Head.	Nanna Hanchett - absent		
Colleen Sisk	James Steed, CHAIR.	Natali Pellens.		
Dina Flores-Brewer- absent	Danielle Reff (DR), VICE CHAIR.	Valerie Hurst - absent		
Alan Hansen - absent	Julie Fodor - absent			
Staff Members:				
Christine Pisani.	Melissa Morales.	Tracy Warren.		
Trisha Hammond	Marieke Edwards	Richelle Tierney.		
Guests:				
Amy Cunningham – DisAbilit	y Rights Idaho			
Presenters of issue:				
Cameron Gilliland, Deputy A	dministrator, IDHW FACS			
Stephanie Perry, Program M	-			
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Welcome: James Steed, Council Chair called the meeting to order at 3:04pm

James turned the Chair duties of the meeting over to DR, Vice Chair.

DR asked for Council member roll call – eight (8) members present at start of meeting.

DR reviewed the meeting ground rules.

Review of Proposed Changes to ICDD Position Statement

Tracy Warren presented a proposed update to the language in the Council position statement on segregated and sheltered employment adopted in 2006. Changes include updated statistics related to wages of individuals paid under 14C certificates in Extended Employment work services in Idaho.

Members recommended additional changes to explain bullet about job skills training in workshops and include references to research/information.

ACTION: Accept Revised Position Statement

- > James Steed moved to accept the changes/additions to the Position Statement.
- Charlie Silva seconded.
- > Roll call vote. All members present voted yes. No abstentions, no nays.
- Motion passed.

Eleven (11) members present at time of roll call vote.

Report on SWITC Board Recommendations

SWITC Project – Stephanie Perry

Background of Southwest Idaho Treatment Center (SWITC) was provided. SWITC in Nampa currently has a census of 17 individuals (number of people living at SWITC) and it is one of the smallest Intermediate Care Facility for Individuals with Intellectual and Developmental Disabilities (ICF/ID) in the nation. 9,300 individuals are served on the developmental disabilities waiver with 5,200 of those being adults. In 2019, 24 people served at SWITC, less than 1% of the population served. Ms. Perry provided a reminder of previous conversations with ICDD members around SWITC Advisory Board, what the Board was tasked to do, and the current needs of resident treatment.

Questions:

Question: What is the age range of individuals and how long have they been there?

Answer: Adults over the age of 18 are served at SWITC. Average age is 29-33. Average length of stay is 4 years, but this is skewed by individuals who receive very short-term transitionary services, other people do not have an appropriate placement in the community and may stay longer.

Q: What age is the oldest resident?

A: There was a person in their 70's who recently passed, right now a person in their 50's is the oldest resident.

Q: Has the Advisory Board discussed the need to align the needs of individuals being served with state mental health system in order to prevent individuals from having to enter into the system of crisis services?

A: Yes, the Board has this discussion.

The current treatment model was described. When clients are in crisis, 85% of those individuals are served in the community with support from the Crisis Team. Individuals not able to have their health and safety needs met in the community may be served in the 10 transition beds (located throughout the state) contracted with and managed by Crisis Services. Individuals with greater needs go to SWITC. Individuals transition to

Supported Living in the community, Certified Family Homes, or community ICF's where they receive nursing and/or behavioral support. Blake Brumfield described the challenges to provide services and supporting some individuals who have high support needs.

Updates on work to develop a new treatment model was presented. The proposed treatment model was described. The IDHW Director has accepted the model.

A change in this model is the addition of two community services: Adult Autism Services - specialized level of care and Specialized Skilled Nursing. There is a need to train providers for both services to be effective.

Other services are Assessment, Observation and Stabilization (acute care) and Step-Down Treatment (subacute care). Step Down Treatment is very different from anything we have had in the past.

Individuals may have an easier ability to move back and forth between services if needed.

Questions:

Question: What would be the total number of beds available?

Answer: Proposed model shows 16 beds in different services. But these numbers are not firm.

Q: Is there an average length of stay in the other services?

A: It is early in the process. Assessment... 3-4 months (transitional) Step-Down would be provided as needed (average figured from previous services was about 4 years).

Q: Where will these buildings be located?

A: Too early to answer that now.

System of Care – existing systems were reviewed (see chart in presentation) related to four levels of care (acute, subacute...) IDHW staff reviewed six different licensing types and IDHW put out a Request for Information (RFI) asking provider networks for their response to system of care. They received two responses.

Questions:

Question: Comment from Amy – it does not strike me well that corrections – jail/prison – is included in this chart referred to as a "system of care." Corrections is set up as punishment and seems odd to be included in a system of care.

Answer: To be candid – the last two admissions ended up in jail for two months. Blake and his staff were aghast at this placement because they would not be found competent to stand trial.

Creating Solutions – working now to create solutions related to levels of care and identification of gaps for people with complex needs.

Q: What are you proposing for filling that gap in the need for acute level of care.

Creating a cross divisional Project Team to develop treatment model components. Many questions will be worked through and proposals developed.

Q: Will that team include individuals with disabilities and families who have experienced lack of mental health services and ended up in crisis?

A: Team is sponsored by and within the Department. As part of that project, there is always a component for feedback. There will be rule/statute changes and those processes require stakeholder feedback. Additional stakeholder input (advisory boards, etc.) would still be considered.

Christine reiterated the importance of having individuals and families included in these real-time discussions who have had previous experience with crisis services, as you can not duplicate those conversations in the community meeting asking for public comment.

Q: Is there consideration for having multiple locations for services around the state so people can be near their families?

A: That point is part of the discussion and has not been determined yet.

Project Team members are being identified/assigned and a task plan and communication plan will be developed. Timeline was provided – seek approval in the 2021 session for parts of project. Transition to new services would begin July 1, 2021. Risks that would affect the implementation timelines were explained.

Cameron – we have not been invited to present any information about this to legislature this year, but there will likely be an update to the OPE report from last session.

Presentation of Proposed Legislation – Evaluation Committee Membership

Guardianship evaluation committee membership legislation was provided by Cameron Gilliland. Background and information about the evaluation committees was shared (see presentation). Members are selected by IDHW Director and training is provided. Department has been having difficulty filling membership of committees. Proposed changes were presented (see presentation slides).

Question: Is there potential to pull from pool of trained clinicians who attended Trauma Informed Care trainings?

Answer: Pull from the Department licensed counselors or use a contracted licensed counselor.

Q: What about a parent whose son/daughter is about to turn 18 – what would be recommended? Would guardianship be recommended for people with more significant disabilities and PCP for others?

A: Things have changed for the better. People seeking guardianship are asked what other least restrictive things have you tried? Don't want automatic guardianships just because someone has a developmental disability.

Q: How could someone end their guardianship?

A: May want to talk to an advocate from DRI. Seeing more guardianships overturned in recent times.

Q: Why is there a shortage of social workers?

A: The shortage is with social workers within the Department. Have targeted people (professionals) with specialization in disability to have the skills to do these assessments.

Amy Cunningham said this is consistent with other changes happening to guardianship in Idaho – getting away from the medical model and looking at alternatives to guardianship. LIP was added into other legislation about end of life decisions. In rural areas it can be hard to find a physician.

DR reminded members of the ICDD three levels of priority for policy issues. Need to make a decision about priority for the legislation just presented.

ACTION: Set Issue Priority

- Ian Bott moved that the guardianship evaluation committee membership legislation be set at priority two (2) – lending support.
- Carly Saxe seconded.

Discussion: If we do Priority 2 what would that look like? Lending support means the Council would provide testimony in support of the legislation when it comes up in committee during the session.

Roll call vote taken. Motion passed.

ACTION: Adjourn Meeting

- Ian Bott moved to adjourn meeting at 4:56pm
- Jacob Head seconded the motion.
- Motion passed.

Due to technical difficulties Natali Pellens was unable to vote.

Meeting adjourned at 4:57pm.

Financial Report First Quarter – Federal Fiscal Year 2020

Background Information:

A financial statement reflecting our fund balance and the amount spent to date in this Fiscal Year will be presented at the Council meeting. The Council operates on a federal Fiscal Year (October 1- September 30). The Council is responsible for overseeing and approving the budget.

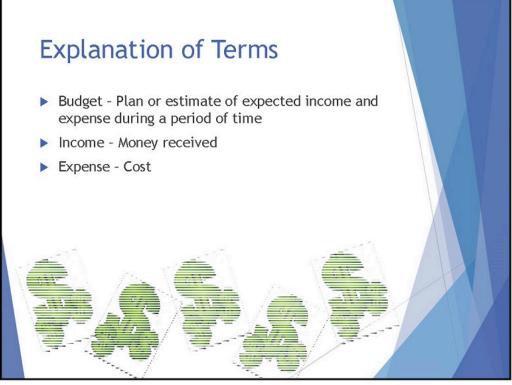
Recommended Action:

Review and approve the financial report that will be distributed at the meeting.

Notes:

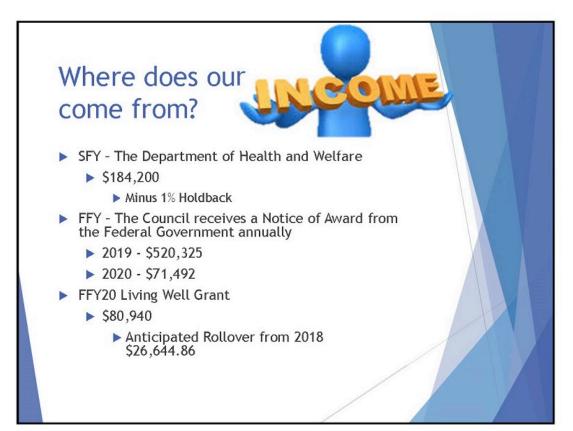


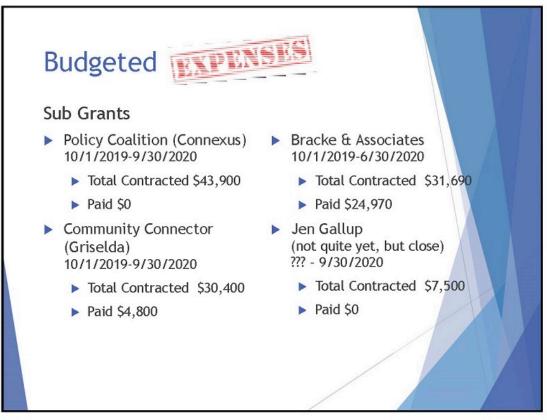
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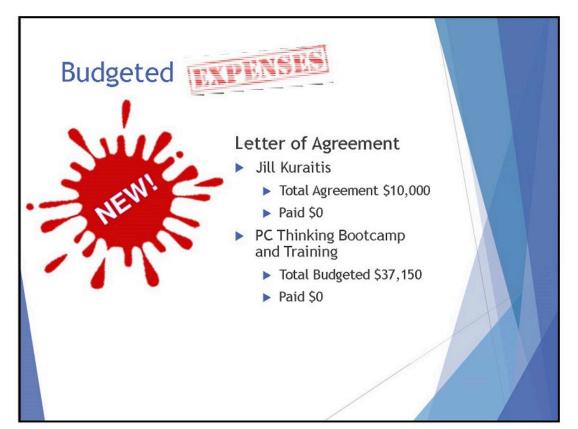


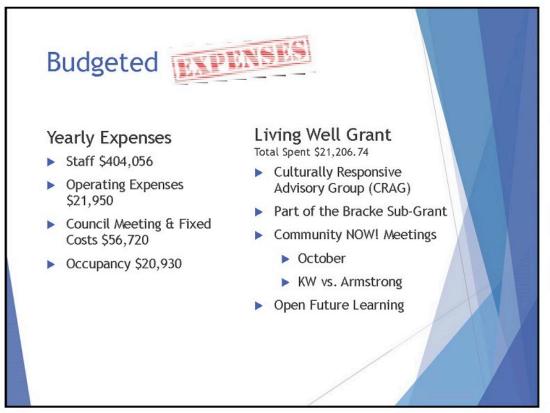




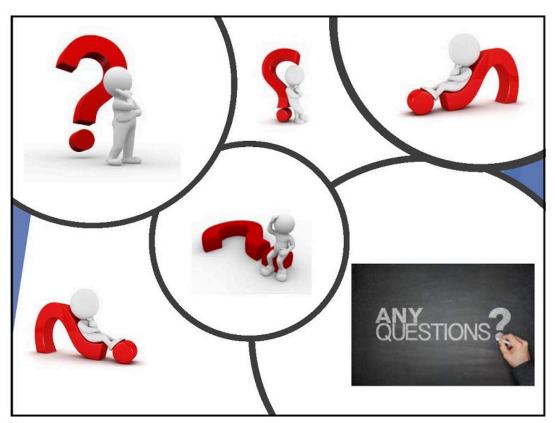


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Annual Program Performance Report and State Plan Update

Background Information:

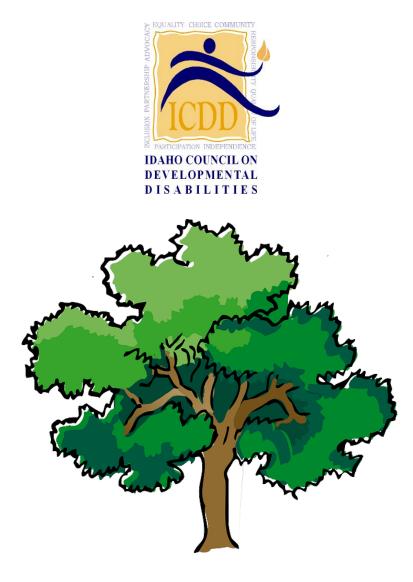
The Council must submit a program performance report (PPR) to the Administration on Intellectual and Developmental Disabilities (AIDD) each year in December. This report provides information about progress the Council made in reaching its goals and objectives during the previous fiscal year. The PPR report for FY2019 was submitted in December. Staff may provide you with a printed copy of the report or send it to you via email as you request.

ICDD Strategic Plan: Council staff must submit any updates or amendments to our annual workplan for the coming year to AIDD. Changes to the FY2020 workplan was presented and approved by Council members at the fall meeting. The FY2020 plan was submitted to AIDD as a "state plan update" through the Administration on Community Living online interface in December. The revised 2020 Annual Workplan is included on the following pages.

Recommended Action:

Review the workplan. Listen to the report. Ask questions if you have them.

Notes:



Oak Packet 2020 Annual Work Plan

October 1, 2019 to September 30, 2020

Year Four of the Five-Year Plan

REVISED November 2018 for ILW Grant Presented and approved at the October 2019 Council meeting REVISED December 2019

Goal 1: Adults with intellectual/developmental disabilities experience improved quality in Home and Community Based Services **Objective 1.1**

Recruit and support individuals with intellectual/developmental disabilities and family members, to participate in collaborative stakeholder meetings to review and-define Home and Community-Based (HCBS) developmental disability services and develop state quality indicators by October 2020 that will affect ongoing quality assurance activities for HCBS.

Activities

Year 4 (Oct 1, 2019 – Sept 30, 2020)

- Working with Idaho Living Well (ILW) Grant partners, support individuals with I/DD and family members, including those from the Latinx community, to participate in Community NOW! activities
- Provide information to state agencies and policymakers at the state and federal level about the importance of quality Medicaid HCBS Services
- Build awareness within Community NOW! about cultural competence
- Support Culturally Responsive Advisory Group members to be fully included and integrated in Community NOW!
- Support and facilitate the Community NOW! Advocate Advisory Committee
- Support Cultural Broker activities in educating Latinx families, youth and (young) adults about advocacy/self-advocacy and Home and Community-Based Services

Objective 1.2

Working with the Idaho Department of Health and Welfare, service providers, individuals with disabilities and families, develop and implement a plan for organizational change and support staff development in person centered practices by September 2021.

Activities

- Work with Living Well Grant partners to develop a plan for a direct support staff professional development model aligned to person-centered practices
- Conduct four two-day Person-Centered Thinking Bootcamp trainings for direct support professionals

Objective 1.3

Work with individuals with disabilities, their families, and other partners on systems change and policy development so that by July 2021, people with intellectual/developmental disabilities have access to Medicaid person-centered planning (PCP) services provided by trained, qualified PCP specialists by July 2021.

Activities

Year 4 (Oct 1, 2019 – Sept 30, 2020)

- Develop policy and system infrastructure for PCP services through the Community NOW! initiative
- Develop and establish PCP Facilitator qualifications and related training model
- Provide Person-Centered Thinking Training to individuals and family members in four locations

Objective 1.4

Work with the Idaho Department of Health and Welfare to build capacity in mental health services available to individuals who experience the dual diagnosis of mental illness and intellectual/developmental disability by July 2021.

Activities

- Collaborate with IDHW to update the current managed care mental health contract, making sure the voices of individuals with a dual diagnosis are heard
- Conduct a research study to identify the impact of Skills System training for clinicians
- Sponsor Dr. Karyn Harvey to present at the NAMI conference in Boise, and sponsor two clinicians to attend the conference
- Work on improved services for individuals with dual diagnosis through Community NOW!
- Support the current Council Chair to serve on the Advisory Board of the Mental Health and Developmental Disabilities National Training Center

Goal 2: Youth and young adults with intellectual/ developmental disabilities transition from school into an adult life that includes competitive integrated employment, community engagement, and full citizenship.

Objective 2.1

Each year of the plan, provide/support education and training for families, teachers, and other team members, to increase the number of youth/young adults with intellectual/developmental disabilities who experience a gift-focused and strength-based assessment and planning process.

Activities

Year 4 (Oct 1, 2019 – Sept 30, 2020)

- Create and distribute Supported Decision-Making information for families, youth, young adults and others
- Support the development of communication strategies for strength-based assessment and planning with individuals with I/DD who experience communication barriers
- Participate in the planning of the Transition Institute and Secondary Transition Council

Objective 2.2

By September 2021, increase the percentage of youth/young adults with intellectual/developmental disabilities that achieve competitive integrated employment in the community by working with Workforce Innovation and Opportunity Act partners and Medicaid to implement best practice in customized employment.

Activities

- Advocate for implementation of Customized Employment Services
- Inform policymakers about the importance of supporting individuals to achieve their employment goals

Goal 3: Leaders with intellectual/developmental disabilities are engaged with other people with disabilities and families in a statewide coalition that has a strong, collective voice on policy issues and systems change.

Objective 3.1

Build the capacity of individuals and parents to advocate, lead, and mentor others by providing leadership development and advocacy training to adults with intellectual/developmental disabilities and parents of children with intellectual/ developmental disabilities.

Activities

Year 4 (Oct 1, 2019 – Sept 30, 2020)

- Work with Idaho Living Well (ILW) grant partners to support a Self-Advocacy Training Workgroup to develop a plan for sustaining a self-advocacy training model
- Work with ILW partners to establish Self-Advocacy Training Coordinator position, recruit Coordinator

Objective 3.2

By September 2019, establish a statewide, culturally diverse coalition of people with disabilities and families who have been trained and are supported each following year of the plan to advocate at the local and state level on policy issues.

Activities

- Work with contractor to support activities of the statewide policy coalition.
- Support 7 Coalition members in a fellowship focused on local community organizing
- Provide information to coalition members about policy issues and opportunities to participate in systems change efforts
- Ongoing outreach to Latinx community about policy involvement and mentoring of interested individuals in policy activities
- Organize Fred Riggers Disability Awareness Day at the State Capitol
- Provide Coalition members with the (communication) support needed to fully engage in Coalition activities

Member Recruitment

Background Information:

Each year some Council positions become vacant because terms expire, people resign, or choose not to re-apply. Council members help with member recruitment by sharing announcements and helping to identifying possible candidates to apply. **Applications are due by March 1st**.

An ad-hoc Membership Committee will be formed from Council members who are **not** reapplying for membership this year. The Committee will review applications, conduct interviews with applicants, and make recommendations to the Governor for appointment. <u>All</u> applications are sent to the Governor for his consideration.

This year the following terms expire and will need to reapply if desired or required:

- Ian Bott, Person with a developmental disability
- Jacob Head, Person with a developmental disability
- Charlie Silva, State Department of Education
- Jacquie Watson, Maternal and Child Health
- Claudia Saustegui, Non-Profit Organization

We currently have, or will have, the following vacancies to be filled:

- Vacancy, Parent (we have one application, one pending)
- Vacancy, Person with a developmental disability
- Maternal and Child Health Title V Jacquie Watson, resigned her position at IDHW. Katherine Humphrey, Director of Maternal and Child Health, is applying to be appointed the representative of the program.
- DisAbility Rights Idaho Amy Cunningham has applied as the new representative and her application is under review at the Governor's office.
- Non-government Private Organization Colleen Sisk, has completed 3 full threeyear terms and we will need to recruit applicants for this position.
- Community Non-Profit Organization Claudia Saustegui has decided not to reapply for this position.

Recommended Action:

- 1. Discuss open Council positions and member recruitment process. Ask questions.
- 2. Volunteer to be on the ad-hoc Membership Committee if you are not reapplying for a position this year and you can fulfill the responsibilities (see ICDD Membership Recruitment).

Notes:

COUNCIL MEMBER TERMS FY2020

Seat	Held By	Date Appointed	Term Expires	Reg.
Aging Agency	Deedra Hunt	9/27/2019	7/1/22	4
Education Agency	Charlie Silva	6/17/2015	7/1/20	4
University Center for Excellence in Dev. Disability/U of I	Julie Fodor	7/9/02	7/1/21	2
Protection & Advocacy	Amy Cunningham	4/18/96	7/1/20	6
Rehabilitation Agency	Nanna Hanchett	9/27/17	7/1/21	4
Maternal & Child Health - Title V	Katherine Humphrey applying	7/1/11	7/1/22	4
Medicaid – Title XIX	Art Evans	10/17/16	7/1/21	4
Non-Government/Private Org.	Colleen Sisk All Terms Completed	7/1/11	7/1/20	1
Local Agency/Non-Profit	Claudia Suastegui – not re-applying	7/1/17	7/1/20	3
Person w/Dev. Disability	lan Bott	7/1/14	7/1/20	4
Person w/ Dev. Disability	Danielle Reff "DR", VICE-CHAIR	7/1/18	7/1/21	4
Person w/Dev. Disability	Jacob Head	6/17/2015	7/1/20	6
Person w/Dev. Disability	Vacancy		7/1/22	
Person w/ Dev. Disability	Carly Saxe	7/1/16	7/1/21	4
Person w/Dev. Disability	Alan Jack Hansen, Jr.	7/1/19	7/1/22	4
Parent of Child	Valerie Hurst	7/1/18	7/1/21	4
Parent of Child	Vacancy		7/1/20	
Parent of Child	La Donna Tuinstra	7/1/19	7/1/22	4
Parent of Child	Adrienne Seamans	7/1/19	7/1/22	7
Parent of Child	Michael Sandvig	7/1/19	7/1/22	7
Parent of Child	Emily Petersen	7/1/16	7/1/22	5
Parent of Child	Natali Pellens	11/1/17	7/1/21	1
Person living in an Institution	James Steed, CHAIR	6/17/15	7/1/21	6

*Members in **green** need to re-apply by March 1st to continue for another term. **Orange** are positions that will be vacant upon term completion. **Yellow** is a current vacancy that needs to be filled.

ICDD Membership Recruitment Process

Recruitment

RECRUITMENT PACKETS FOR MEMBERSHIP: The Council member applications are always available on our website or by request throughout the year. However, at the beginning of each year, the Council begins a recruitment process to encourage members of the public to apply for open positions.

All Council members are encouraged to have recruitment packets and talk to people in their communities about applying to be a member. We pay attention to the current position openings and area of the state where the Council needs representation. The packet includes:

- A brochure about Council membership and how to apply
- A flyer about time commitment as a member, both the ICDD application, and the Governor's application, and a general Council brochure.

CURRENT MEMBER RE-APPLICATION: Before the February Council meeting an updated list of member terms is shared that identifies current members whose terms are coming due that year on July 1. The list also includes any vacancies from member resignations. Members wanting to reapply are encouraged to let Council staff know about their intentions to reapply at the Winter Council Meeting. This process helps the Council know of any additional upcoming vacancies if a current member chooses not to re-apply. Current members reapplying for a Council position will be considered alongside new applications.

AD HOC MEMBERSHIP COMMITTEE: At the Winter Council meeting, staff makes a request for Council member volunteers to serve on a temporary Membership Committee. Volunteers *should not* include members who are re-applying for appointment to the Council. This ad hoc Committee is responsible for reviewing membership applications, conducting interviews with new applicants, and meeting to determine recommendations to the Governor for member appointments.

Council staff collects completed/submitted applications. The deadline for applications is March 1. If the Council has a vacancy mid-year, recruitment activities can happen during the year and a different deadline set for applications.

Applicant Interviews

Mid to late March, Council staff sends an announcement to the ad hoc Membership Committee members that we are to begin reviewing member applications and conducting interviews. Staff shares all submitted applications with this group. Staff works with the ad hoc Membership Committee and applicants to schedule interviews. All interviews should be completed by the Spring Council meeting.

Interviews with applicants usually last about 20-30 minutes. All applicants are asked the same questions—it is important to have consistency throughout the interviews. Current Council members reapplying for a position are asked different questions than applicants who have not served on the Council. All questions are sent to every applicant and committee member prior to the interviews so that all involved feel prepared for the interview. During all interviews, Council staff takes notes to record a summary of the applicant's answers to the interview questions. The applications as well as the notes taken by the Council staff person detailing the interviewee's answers are all sent to the ad hoc Membership committee members. ALL INFORMATION IS TO BE KEPT CONFIDENTIAL.

Membership Committee Application Review Meeting

The ad hoc Membership Committee members meet to review applications and interview notes. This meeting can happen before or during the Spring Council meeting. During this meeting, committee members discuss each applicant and people who were involved in the interviews share their perspective. The committee uses a rating sheet to identify a list of top choices of applicants for the open positions.

Applicants Recommended to Governor

Council staff creates a packet to be submitted to the Governor's office. All applications are submitted, along with the list prioritized by the Membership Committee members, as well as an introduction letter describing our open positions and a summary of the process followed by the Membership Committee to make recommendations.

The Governor considers all the applications and makes a decision on who will be appointed for each open Council position. Normally, the Governor's office notifies the Council office of his/her choice a few weeks before the Summer Council meeting. The Governor's office notifies selected candidates via mail.

New Member Training

The Summer Council meeting is normally the first meeting for new members. This meeting will happen on Wednesday afternoon the day before our Summer Council Meeting. This year, we hope to have two vacancies filled before the Spring Council meeting in April.

COUNCIL MEMBER APPOINTMENT APPLICATION

You must also fill out a Governor's application available online at:

http://gov.idaho.gov/pdf/ApplicationForAppointment1.pdf

Double-clicking on the gray boxes below allows you to select "checked." Mark a printed form with a pen.

LEGAL NAME:			STREET ADDRESS				
NAME YOU GO BY:			CITY				
E-MAIL ADDRESS				COU	NTY	ZIP CODE	
HOME PHONE WORK PHO		WORK PHONE	FAX				
l identi	fy as:		I am: CAUCASIAN HISPANIC/LATINO				
ПМа	ale Female		AFRICAN AMERICAN NATIVE AMERICAN				
OTHER:							
Preferr	ed pronouns: She/her	/hers					
Circle	one He/him	/his	I SPEAK WRITE a language other than				
	They/th		English. The language(s) I speak:				
1.	I am applying for:	IRST TIME Appoir	ntment		Reappointment		
2.	I am applying as:						
	Person with a Developmental Disability						
	Parent of a Child with a Developmental Disability						
	Person with a Developmental Disability who currently is or was in an institution						
	Local Non-governmental Agency Representative						
	Private Nonprofit Organization Representative						
	Protection and Advocacy Org. Representative						
	University Center for Excellence in DD Representative						
	State Agency Representative, agency name:						
	Immediate Relative, Parent, or Guardian of a Person w/ Developmental Disability who is or was living in an institution <u>OR</u>						
	Person with a Dev. Disability who is living in an institution or has lived in an institutio						
	Other (please list)						

3.	Tell us what qualifies you for the box you check in # 2.
4.	What are your specific disability-related interests or concerns?
5.	What have you done to address/resolve your specific disability related interests/concerns?

6.	As a Council member, what do you expect to contribute that will improve the lives of Idahoans with disabilities?
7.	 A. My commitment level for working on my disability related issues/concerns is: EXTREMELY HIGH HIGH AVERAGE LOW B. My commitment level for working on other issues affecting people with developmental disabilities is: EXTREMELY HIGH HIGH AVERAGE LOW C. My comfort level for speaking in and before groups and making presentations is: EXTREMELY HIGH HIGH AVERAGE LOW D. My comfort level for presenting information to state and local elected officials is: EXTREMELY HIGH HIGH AVERAGE LOW
8.	Do you have commitments or conflicts that might prevent you from attending quarterly Council meetings in Boise? NO YES If "YES", please explain:

9	Please list three (3) non-family references with addresses and phone numbers. At least two of these references should be professional (employer, child's teacher, civic leader, elected official, clergy, etc.). A. B. C. C.
11.	Provide any other information that will help us to know you better. (Use additional paper if needed.)

Five-Year Strategic Plan – Development Activities

Background Information:

Every five years the Council must develop a 5-year strategic plan that includes goals and objectives that will drive our work between October 1, 2021 and September 30, 2027. This planning process begins many months prior to finalizing the plan. Council members are integral to the planning process.

Staff will share a model for gathering public input with Council members taking an important role by facilitating community conversations and focus groups in their local areas.

Recommended Action:

- 1. Listen and discuss the activities proposed to gather input into our 5-year planning process and ask questions.
- 2. Commit to supporting an event in your local area as you can.

Notes:



Quarterly Progress Reports

Background Information:

The Council has a number of objectives and activities in the current annual plan. Some are part of large projects and some are ongoing smaller efforts. The quarterly report to members is an opportunity to share the highlights of progress on our plan goals during the past quarters.

Included on the following pages are highlights of progress on our plan goals during **quarter four** of last year – July 1st through September 30th.

The progress report for **quarter one** of this year – October 1^{st} – December 31^{st} will be provided at the meeting.

Recommended Action:

Read through the report. Staff will provide highlights and have a discussion about the progress report at the meeting. Once you review the updates and please feel free to contact Council staff to ask questions or provide comments if you have them.

Notes:

Fourth Quarter Progress Report

July 1 – September 30, 2019

1.1 HCBS DD Services Quality Assurance

Objective Goal Individuals with intellectual/developmental disabilities and family members have the information and support needed to meaningfully participate in Home and Community-Based developmental disability services stakeholder meetings and to develop quality indicators.

Progress:

Idaho Living Well Grant

Three Idaho Living Well (ILW) grant partner meetings were held this quarter and facilitated by Marsha Bracke. Meetings included the update/development of an evaluation plan to reflect desired outcomes. Council staff met to revise ILW work plan objectives and develop a budget for FY2019 activities. Staff participated with ILW partners in meetings to outline FY 2019 activities and timelines.

Community NOW!

The Council committed an additional \$25,000 toward Marsha Bracke's contract to facilitate Community NOW! through December 31, 2019. The agreement with Bracke and Associates is shared between IDHW, ICDD, and the Office of the Attorney General.



ICDD staff established two new groups under Community NOW!: the C-NOW! Advocate Advisory Committee (self-advocates and family advocates) and the Self-Advocacy Training Implementation Workgroup. The groups met to review and understand their role and responsibilities related to the full scope of work undertaken by Community NOW!.

The purpose of the Advocate Advisory Committee is to review work progress by Community NOW! working groups, provide input/feedback to those groups, and make recommendations to the full C-NOW! stakeholder group. The group is currently made up of four individuals with I/DD and four family members. The group is recruiting two additional self-advocates – individuals who are using DD supported living/traditional services. Moving forward this group will review work products and answer questions from five different implementation workgroups at different times throughout each year. The C-NOW! Charter established a structured process for work groups to provide information to the Advocate Advisory Committee with scheduled meetings that follow a regular timeline. This will enable the Advocate Advisory Committee to get information in a way that is understandable and have enough time for thoughtful review and development of feedback and input into the work and C-NOW! process.

ICDD staff coordinates the group and facilitates its meetings. Information sharing and processes between this group and other C-NOW! working groups and stakeholders will be coordinated by C-NOW! facilitation contractor, Marsha Bracke.

ICDD staff developed visual materials to support understanding of the C-NOW! organizational structure and work processes. These materials were provided to the full C-NOW! membership and translated into Spanish for Culturally Responsive Advisory Group members who will be joining the full C-NOW! stakeholder group in October.

Culturally Responsive Advisory Group (CRAG)

The CRAG met twice this quarter to prepare self-advocates and family members from the Latinx community to join Community NOW!.



CRAG members learned about the Court and Crisis team and provided input on the barriers they experience to accessing the DHW service system. CRAG members identified areas of cultural incompetence that reduced the quality of DHW services they could receive, such as the lack of reliable interpretation. CRAG members received presentations on the history of institutionalization, the DD Act and role of the Council, and the advent of Home & Community Based services.

CRAG members were engaged in meaningful conversations on the purpose of the CRAG and the need for their input to make sure services are accessible to the Latinx community and provided in a culturally competent way. The language in federal law that emphasizes cultural competence and outreach to underserved communities was also discussed. Members were briefed on the work and decision-making practices of Community NOW!. The group participated in practice scenarios to become more acquainted with what they could expect as Community NOW! members and reviewed the Service and Support Recommendations from Community NOW!. All attendees expressed interest in becoming contributing members of Community NOW!.

All presentations and informational materials were provided either in Spanish or with Spanish interpretation.

1.1 - Outcomes/Work Products:

- ILW evaluation plan, budget and timelines
- 2 new groups under C-NOW!
- C-NOW! Charter
- Visual materials of C-NOW! organizational structure in both English and Spanish
- 2 CRAG meetings

1.2 Best Practice in Services and Supports

Objective Goal Increase the use of best practice in providing direct services that are based on quality person-centered practices through organizational change and training for direct support staff.

Progress:

Training Strategies for Direct Support Staff

Council staff participated in the first Direct Support Staff workgroup on Sept. 6. This work is being led by the Center on Disabilities and Human Development. The workgroup is facilitated by Marsha Bracke and includes six individuals with I/DD, two parents, four direct care staff, five service provider agency administrators, a representative from Licensing and Certification (IDHW), a representative from the DD Bureau within the Division of Medicaid, two Center staff and two Council staff. This work addresses two objectives in the Living Well grant:



1) Establish direct support professional qualifications, competencies, training requirements and propose a reimbursement model guided by evidence-based practices and quality indicators identified by individuals with DD and family members.

2) Deliver sustainable, accessible training for direct support staff taught by selfadvocates, family members and professionals guided by evidence-based practices in person-centered thinking and planning, trauma informed care, supported decision making, total & functional communication, and principles of positive behavioral intervention supports. Council staff is preparing for four two-day trainings for direct support professionals on person-centered thinking. The first DSP Workgroup meeting as part of the Idaho Living Well Grant took place. The purpose of this group is to develop a plan for a direct support staff professional development model aligned to person-centered practices.

1.2 - Outcomes/Work Products:

- First DSP Workgroup meeting
- Plans for person centered thinking training

1.3 Person-Centered Planning Services

Objective Goal People with intellectual/developmental disabilities have access to Medicaid person-centered planning (PCP) services provided by trained, qualified planning facilitators.

Progress:

Person-Centered Planning Model for Idaho

The contracted CNOW facilitator scheduled meetings and helped in drafting documents/reports for the PCP Implementation Workgroup (IWG). Council project staff met with contractor to review work products and update meeting materials prior to scheduled meetings.

The IWG met four times this quarter and reviewed feedback/input on products completed by workgroups. Decisions were made about proposed criteria, qualifications, and core competencies for person-centered planning facilitator – a new provider category under development. The potential PCP public awareness campaign previously planned was abandoned after a discussion with PCP IWG members. No workgroup members had the capacity to coordinate this work.

The proposed plan for Person-Centered Thinking training and People Planning Together train-the-trainer was revised to reflect in-state capacity building and presented to the workgroup. Council staff worked on drafting Request for Proposals for a contract to provide two different trainings: two-day PC Thinking Training to Direct Support Professionals and one-day training for people with I/DD and family members. In addition, the RFP includes training a group of Idahoans to become PC Thinking trainers and mentors. We hope the Request for Proposals will be completed soon and a contract in place in the Spring.

Staff participated in three meetings of the Idaho NCAPPS team and worked with technical assistance consultants under the grant. Staff attended a meeting with all IDHW divisions to develop a unified definition of person-centered planning across all

programs where a shared vision and definition was drafted. ICDD staff participated in an NCAPPS training webinar titled Brain Injury Informed PCP.

Staff also attended a Charting the LifeCourse Tools training conducted for the IDHW Children's Services program in Boise. Staff met with LifeCourse Tools administrator, Jennifer Turner, from the University of Missouri Kansas City UCEDD, after the training. Staff learned how other states have implemented the model with success. The Idaho NCAPPS team participated in a phone call to hear Indiana's perspective on utilizing the Charting the LifeCourse planning



model and embedding into the state DD services planning and quality assurance system. Information from these activities will be shared with the PCP IWG in October.

The PCP Advisory Committee met via video conference one time this quarter to review the Community NOW! charter and discuss the transition of this committee into an Advocate Advisory Committee that would review work progress from all C-NOW! implementation workgroups and provide input/recommendations to workgroups and the full C-NOW! stakeholder group.

ICDD Staff attended two training webinars this quarter specific to person-centered planning: The Role of Culture in PCP and WISE training – PCP in Practice. Information from these trainings is shared with PCP IWG and NCAPPS team members.

1.3 - Outcomes/Work Products:

- Decisions about proposed criteria, qualifications, and core competencies for person-centered planning facilitator
- Revised plan for Person-Centered Thinking training and People Planning Together train-the-trainer
- Unified definition of person-centered planning across all programs with a shared vision

1.4 Services for People with Dual Diagnosis

Objective Goal People who experience dual diagnosis of mental illness and developmental/ intellectual disability have access to mental health services from skilled service providers.

Progress:

Education in best practice serving people with dual diagnosis.

A follow-up survey was completed by 27 clinicians who attended the Boise Skills System training in May. Twenty respondents (67%) stated that they were intending to serve more individuals with a dual diagnosis. Clinicians described how they have applied the new knowledge and skills in individual and group settings with clients.

Council staff started planning a research study to determine what the impact of Skills System training has been on clinicians' capacity to meet the needs of individuals with a dual diagnosis.

1.4 - Outcomes/Work Products:

- 27 clinicians completed follow-up survey
- Research plan for study on Skills System

2.1 Secondary Transition

Objective Goal Increase the number of children and youth who experience a giftfocused, strength-based, person-centered transition planning process.

Progress:

Strength-based Planning - Core Gift Assessment

Dr. Jenn Gallup, Assistant Professor of Special Education at Idaho State University and coordinator of the ISU Avatar program, completed the scope of work and research to pilot Core Gift interviews with students who experience communication barriers. The research report describes the efficacy of this model and additional strategies that may be utilized for the successful identification of student strengths, interests, and Core Gifts.

Council staff participated in 2 meetings of an international conversation facilitated by Bruce Anderson. Strategies to identify the strengths and gifts of individuals who experience unique and complex communication needs are discussed. The video conference meetings are held with service provider organizations in Canada, Washington state and California interested in reaching the same population of individuals with Core Gift assessment. ICDD staff was able to share the progress of research conducted with Dr. Gallup.

Staff member and contractor, Bruce Anderson, conducted Core Gift interviews with all ICDD staff to prepare for gift centered planning activities at a staff conference held in September. Staff developed a team gift that reflects the strength of our group efforts in supporting Council members and implementing work plan activities.

Contractor Bruce Anderson completed his scope of work related to Core Gifts and TA to Idaho Teachers under a subgrant to the Council. His final report describes successes and challenges with this work.

Secondary Transition

Council staff participated in the planning committee for the 2019 Idaho Secondary Transition Institute scheduled for November 2019. The team outlined the Institute agenda and logistics; over 40 district teams are registered to attend. The Council will provide logistical support at the conference and purchase supplies district teams need to complete planning.



Our signature gift is seeing advocates live their best lives. We give it by...

- Seeing that individuals with intellectual/developmental disabilities and their families are heard.
- Meeting individual needs.
- Not investing in the way things have always been done.

ICDD staff participated in the summer meeting of the Idaho Interagency Council on Secondary Transition (IICST) and reported on Council projects and learned about potential collaborations to help the Council meet its objectives and goals.

Supported Decision-Making

ICDD staff partnered with DRI staff to plan a presentation on supported decisionmaking and alternatives to guardianship at the Secondary Transition Institute scheduled in November. DRI's legal director worked with the Council's contracted cultural broker to create a supported decision-making training for people who attended the 2019 Señoras conference. ICDD staff updated SDM publications including Spanish versions that were provided at the Señoras conference for Spanish-speaking families.

Educating Families about Planning for Transition

The conference, "Construyendo Mi Futuro – Yo Soy El Cambio! Building My Future – I am the Change!" was held on September 28 at the Hispanic Cultural Center in Nampa. A total of 249 people attended the conference: 41 adults with a developmental disability, 123 family members of a child or adult



with a developmental disability, 22 children with a developmental disability, 21 children who are family members of a child or adult with a developmental disability, and 42 others.



The conference featured keynote speaker, Vanessa Sapien, a person who experiences both a physical disability (spina bifida) and learning disability. Lucy Olmos (Parent/Case Manager) presented information on how to access Children's Services, Joe Gonzalez and Rosario Beagarie (IPUL) presented information on IPUL services to families. A panel of adult advocates talked about what it means to be a person with a disability. The Knights of Columbus volunteered their time to serve lunch and provided entertainment that included a young man with a physical disability who sang during lunch. During a panel that included attorneys, DRI staff, Catholic Charities and other professionals, the group had many questions about citizenship and benefits.

Surveys were completed by 161 attendees; 96% stated that they were satisfied with the conference. Many family members commented that they had learned a lot about

resources available to them and they intended to share the information with others in their community.



2.1 - Outcomes/Work Products:

- Research report on Core Gift interviews with students who experience communication barriers
- Council staff team gift statement
- Final report from contractor on Core Gifts and TA to Idaho Teachers
- Updated SDM publications including Spanish versions
- Presentation on SDM in Spanish at the Señoras conference
- 249 people attended conference for Spanish-speaking families

2.2 Customized Employment

Objective Goal Increase the number of youth and young adults with I/DD who achieve integrated community employment.

Progress:

Customized Employment and System Change Advocacy

The Customized Employment (CE) pilot – coordinated by Idaho Division of Vocational Rehabilitation (IDVR) is stalled and waiting for decisions by the agency on how to move forward.

Council staff met with IDVR administrators and other advocacy organizations to discuss strategies to support upcoming legislation to introduce statute establishing the Extended Employment Services (EES) program.

2.2 - Outcomes/Work Products:

• Plans for strategies to support upcoming legislation to introduce statute establishing the EES program

3.1 Leadership Development

Objective Goal Build the capacity of individuals and parents to advocate, lead, and mentor others by increasing their leadership and advocacy skills.

Progress:

Self-Advocacy Training Development

The purpose of the Self-Advocacy Training Implementation Workgroup is to develop a sustainable self-advocate train-the-trainer model to conduct statewide training on specific topics including: self-advocacy, self-determination, individual rights, supported decision-making, principles of person-centered thinking, how to report abuse, neglect, and exploitation, and post-secondary employment and education opportunities.

At the first meeting of the SA Training IWG the group reviewed the purpose as detailed in the Idaho Living Well (ILW) grant objective. The group discussed previous input about training from Community NOW! stakeholders and talked about the role of workgroup members and the importance of all perspectives on this working group – self-advocates, family members and local service providers as partners in supporting future training. The expected outcomes and products to be created by this group were explained and discussed: developing a plan for a training model that will work in Idaho. The group reviewed and agreed on the training topics described in the ILW workplan and the tentative timeline for trainings. The group decided that the agenda item to be addressed at the next meeting is to draft a job description for the Self-Advocacy Training Coordinator position.

Partners in Policymaking

Council staff notified the Executive Director of her intention to resign her position as of October 1, 2019. With this resignation the Council is not able to host a Partners program for 2019/2020. All applicants were notified by mail that the Partners program would be postponed until further notice.

3.1 - Outcomes/Work Products:

- SA Training Implementation Work Group created
- First SA Training IWG meeting conducted

3.2 Idaho Advocacy Coalition (Medicaid Matters)

Objective Goal Establish a statewide coalition of people with disabilities and families who advocate at the state and local level on policy issues.

Progress:

Coalition Building and Awareness Events

The Council renewed our subgrant with Connexus, Ltd., for their final year of service to develop and support the statewide advocacy coalition. The award amount was \$43,900 from October



1, 2019 through September 30, 2020. The Coalition is currently supporting three individuals with I/DD and one parent to provide outreach and organizing in their local communities of Twin Falls, Idaho Falls, and the Treasure Valley.



On August 8th Idaho Falls hosted a Blessings of Liberty community conversation with 41 people attending and 4 legislators. On August 12th Coeur d'Alene hosted a community conversation with 21 people and one legislator. A total of 142 people attended the Blessings of Liberty events statewide with 9 legislators at the four locations, but 20 legislators have met with coalition members to discuss the value of Medicaid Home and Community Based services Medicaid and the harm that could be caused to individuals with disabilities and seniors by block granting Medicaid.

The Council sponsored a Leadership Academy on August 22-24 at the Riverside Hotel in Boise, attended by 43 Coalition members. The Center on Disabilities and Human

Development and DisAbility Rights Idaho provided additional support to host the event. Members learned about the effective use of stories of community organizing by Kevin Borden of Manufactured Home Action, the ACLU and the Intermountain Fair Housing Council presently jointly about tenant rights and housing evictions, Medicaid block grants and Home and Community Based Services, and what to expect to see in the



2020 legislative session. A highlight of the Academy was the practice of story-telling provided by Bruce Anderson with Community Activators. The last part of the academy was spent with coalition members divided by region to discuss region by region strategies. The Council provided all materials in English and Spanish and arranged and paid for accessible transportation, personal attendance support, and provided for Spanish interpretive services for all Coalition members who requested this support.

There are currently 238 people involved with the Coalition which includes 57 individuals with disabilities and 116 family members. 60 Coalition members submitted public comment during the Department of Health & Welfare's public comment period on work requirements for people benefitting from Medicaid coverage as a result of Medicaid expansion. Nancy Grant, parent and Coalition member stated her experience best about why she is involved with the coalition, "Be more informed of not just Medicaid issues, but why it is important to me, my family and to policymakers. We are still fighting for these issues like I was when my child was young - I feel like I owe it to someone who doesn't know."

3.2 - Outcomes/Work Products:

- 3 self-advocates and one parent supported to provide outreach
- 2 Blessings of Liberty events with 62 attendees and 5 legislators
- 43 Coalition members attended Leadership Academy
- 238 people involved with the Coalition, including 57 self-advocates and 116 family members
- Public comment provided by 60 Coalition members



First Quarter Progress Report

October 1 – December 31, 2019

1.2 HCBS DD Services Quality Assurance

Objective Goal Individuals with intellectual/developmental disabilities and family members have the information and support needed to meaningfully participate in Home and Community-Based developmental disability services stakeholder meetings and to develop quality indicators.

Progress:

The Council sponsored the Collective Thriving conference in the amount of \$2,500. This conference was hosted on December 4-5, 2019, by the Idaho Coalition Against Sexual & Domestic Violence. The Council's funding supported the Arizona Council on Developmental Disabilities and the Arizona Department of Economic Security to present the work taking place in Arizona to address sexual abuse of people with developmental and other disabilities. The presenters provided their *2019 Legislative and Regulatory Recommendations for Prevention* which helped to provide a road map for organizations in Idaho to begin similar work under the Living Well grant.

In November the Council learned that DisAbility Rights Idaho would not be able to conduct the work on the Living Well grant for Objective 2: Create an innovative, collaborative, community-based, peer-to-peer self-advocate-led quality assurance monitoring and reporting system. Council staff initiated one on one meetings with state agency staff and private non-profits who would be interested in partnering on the work to accomplish Objective 2. The information provided by the Arizona DD Council has been helpful in providing a road map to begin this work. A date for a first workgroup to begin this work has been identified for early March.

Community NOW!

The Community NOW! (C-NOW!) stakeholder group met twice this quarter. One meeting included a review of Person Centered Planning (PCP) Facilitator proposed qualifications, core competencies, and a proposed certification process. Nine people with I/DD and six family members were supported to participate in the



meeting. Four members of the Culturally Responsive Advisory Group (CRAG) participated – one parent and three self-advocates. Twenty-nine others, including five Department of Health & Welfare administrators also participated in the meeting.



The second meeting this quarter was a special

presentation to C-NOW! members about a recent court action to the KW vs. Armstrong lawsuit. C-NOW! members were presented information from the American Civil Liberties Union and the Office of the Attorney General about the court action. A survey was created for individuals with I/DD and family members who are C-NOW! members to provide anonymous input into the position the Council would take on the issue. Twelve people with I/DD and 11 family members attended this second meeting.

The C-NOW! Advocate Advisory Committee (AAC) met once this quarter. AAC members reviewed the C-NOW! Charter, process for review of materials and timeline with scheduled meetings for the coming year. The Charter was updated to include a process for providing material to the AAC for review and how the communication between the AAC and various workgroups will take place. AAC members reviewed the Charting the LifeCourse model and shared their thoughts about Idaho choosing this model. As directed by AAC members, a Glossary of Acronyms was created for C-NOW! workgroups. The AAC is made up of members who are either people with I/DD (4, recruiting 2 more) or family members (4). Meetings of the group are staffed by the Council and 4 support staff also attend.

Planning for the Community NOW! / Council member cultural competency training was conducted. A venue has been secured and Georgetown Center for Cultural and Linguistic Competence has been selected to provide the May 5th training.

Culturally Responsive Advisory Group (CRAG)

In addition to the large C-NOW! stakeholder meetings, two pre meetings and two post meetings were held to prepare all CRAG members for the Community NOW! stakeholder meeting. Time was spent checking for understanding and gathering their additional thoughts and recommendations that were not shared during the C-NOW! stakeholder meetings. One-on-one support took place with CRAG members through email and by phone.

Members unanimously agreed that a pre-meeting is helpful to them. It helps to provide a clear expectation of how stakeholder meetings take place. There was discussion of the role of parents in the larger meetings, with one parent asking whether he should share his opinions or whether only the opinions of self-advocates



would have significance.

In the post C-NOW! meeting, advocates made several recommendations about the qualifications of the Person-Centered Planning Facilitator. Members stated that the requirement of a degree and experience is a barrier to finding culturally competent and bilingual providers of this service and they shared their current experience with

the lack of culturally competent and bilingual service coordinators and support brokers. This recommendation was forwarded to the Advocate Advisory Committee. The post meeting gave members more time to have in-depth discussions on how the qualifications would impact the Latinx community. Members discussed ways to support each other to participate in the C-NOW! meetings more confidently. There was also discussion about which formats work best for each individual to receive information and to share ideas. Transportation was identified as a significant barrier to full participation. A request was made to develop a glossary of important terms and titles for CRAG members to connect the English and Spanish terms for each.

A Council protocol was created to drive more efficient interpretation practices at Council events and activities.

Educating Latinx families about (self-)advocacy and HCBS

Informational materials on Respectful Language and Supported Decision-Making were distributed at a Family Evening organized by and for Latinx community members. A Spanish-language training for Certified Family Home providers was organized and scheduled for Quarter 2.

1.1 - Outcomes/Work Products:

- 2 C-NOW! meetings
- 1 C-NOW! Advocate Advisory Committee meeting
- Updated C-NOW! Charter
- Recommendation from CRAG
- 4 CRAG meetings



1.2 Best Practice in Services and Supports

Objective Goal Increase the use of best practice in providing direct services that are based on quality person-centered practices through organizational change and training for direct support staff.

Progress:

Training Strategies for Direct Support Staff

One Direct Support Workgroup meeting was held on December 11, 2019. The purpose of the workgroup is to find ways to help support and maintain quality direct support staff. The workgroup came up with ideas on how to share information with other direct support professionals and agency administrators. The workgroup reviewed and discussed input from members of C-NOW! in response to the question: *What does quality direct support look like?* A review of research took place about what other states are doing to help members create ideas about what Idaho could do to support a quality direct support workforce.

A request for proposals for Person Centered Thinking Training and Train-the-Trainer Capacity-Building was drafted over this quarter and released in January.

1.2 - Outcomes/Work Products:

- One DSP Workgroup meeting
- Plans for person centered thinking training

1.3 Person-Centered Planning Services

Objective Goal People with intellectual/developmental disabilities have access to Medicaid person-centered planning (PCP) services provided by trained, qualified planning facilitators.

Progress:

<u>Person-Centered Planning Model for Idaho</u> The Person-Centered Planning (PCP) Implementation Workgroup (IWG) met 2 times this quarter to work on recommendations for PCP Facilitator qualifications based on feedback from C-NOW! membership. The document was revised after research, technical assistance, and discussions of the IWG. A final version of the recommendations document was sent to the C-NOW! Advocate Advisory Committee for review in January. PCP IWG members did research and discussed the Charting the LifeCourse planning model with the possibility of using the model in Idaho's service system. This model

would help with planning and quality assurance activities for adults using Medicaid DD Services. Other Medicaid programs such as the Children's DD Services Program are also looking at using the model and planning tools.

1.3 - Outcomes/Work Products:

- Two PCP IWG meetings
- Revised recommendations for PCP Facilitator Qualifications



1.4 Services for People with Dual Diagnosis

Objective Goal People who experience dual diagnosis of mental illness and developmental/ intellectual disability have access to mental health services from skilled service providers.

Progress:

Education in best practice serving people with dual diagnosis.

Council staff met with the Deputy Administrator of the Benefits Division of Medicaid to discuss the Council's desire for specific contract requirements to meet the mental health needs of individuals with an intellectual and/or developmental disability. A Request for Information (RFI) regarding the behavioral health contract was released on January 7, 2020. The Council has convened members from the Consortium for Idahoans with Disabilities including Disability Rights Idaho, Idaho Parents Unlimited, the State Independent Living Council, and the Idaho Anti-Human Trafficking Coalition to provide a comprehensive response to the RFI due February 6, 2020.

The Council will sponsor the Annual National Alliance on Mental Illness (NAMI) conference on May 29-30, 2020, hosted at the Riverside Hotel in Boise. Council funding will be used to pay for Dr. Karyn Harvey to present on trauma informed care to conference attendees.

This past quarter the Council's Executive Director was recruited to become a member of an editorial board for a new academic journal focused on scholarship by and about DD network programs. This editorial board is supported through the Utah Center for Persons with Disabilities. The overall intent of this journal is to develop a scholarly venue to publish research and articles by individuals, family members, staff and faculty who work in UCEDDs, DD Networks, and P&A programs, to encourage rigorous scholarship about DD network programs, and to highlight research and evaluation that demonstrates the value and impact of the DD network. The primary function of the editorial board will include recruiting peer reviewers, establishing peer review criteria, writing editorials or commenting on special issues, and serving as reviewers of articles when there is a high volume of submissions. The Developmental Disability Network journal site is up and ready to go. You can check out the site here: http://demo.usu.bepress.com/ddnj/.

The Council intern conducted a pilot interview with Kimi Eames, LCSW, who attended the Skills System training in Boise. Based on this interview and Ms. Eames' feedback, the interview guide was improved, and questions related to trauma were added.

1.4 - Outcomes/Work Products:

- RFI regarding behavioral health contract
- Improved interview guide for study on Skills System
- ED participating on editorial board

2.1 Secondary Transition

Objective Goal Increase the number of children and youth who experience a giftfocused, strength-based, person-centered transition planning process.

Progress:

Strength-based Planning - Core Gift Assessment

ICDD Staff worked with Jenn Gallup to draft a new Scope of Work based on recommended next steps from her research on communication in Core Gift interviews done in FY2019. Staff reviewed and discussed a new federal grant opportunity. If submitted, the proposal would outline work related to the Scope of Work and grant funds needed to support activities.



Secondary Transition

ICDD staff participated in 4 planning meetings this quarter and helped host the twoday 2019 Idaho Transition Institute at BSU in November. About 350 educators, Vocational Rehabilitation (VR) Counselors and school administrators attended the Institute and received information about best practice in secondary transition planning. Seventy district teams created transition plans to improve post-secondary outcomes for students with disabilities in Idaho. Staff partnered with DisAbility Rights Idaho staff to provide two sessions on supported decision-making to educators, VR Counselors, school administrators and some family members. The sessions were attended by a total of 35 individuals including 3 family members.

Supported Decision-Making

Supported Decision-Making (SDM) publications were updated and two new booklets were added this quarter. SDM publications and handouts were given to educators, VR Counselors, school administrators and some family members at the 2019 statewide Transition Institute in November. The publications were well received with many educators requesting more copies and additional information to provide to students and their families.

2.1 - Outcomes/Work Products:

- Draft Scope of Work for research on communication in Core Gift interviews
- 2019 Idaho Transition Institute
- Two sessions on Supported Decision-Making
- Updated Supported Decision-Making publications
- Two new topical booklets

2.2 Customized Employment

Objective Goal Increase the number of youth and young adults with I/DD who achieve integrated community employment.

Progress:

Customized Employment and System Change Advocacy

Staff had meetings with Idaho Division of Vocational Rehabilitation (IDVR) staff and stakeholders about a proposed statute to establish the Extended Employment Services (EES) Program in Idaho. Council members were educated about the history of employment services and current services available in Idaho related to the upcoming legislation. Staff drafted responses to letters from family members/stakeholders about our support for the proposed EES statute and copied identified policymakers and Council members.

A site visit was conducted to a local Community Rehabilitation Provider (CRP) with a state legislator. The CRP provides facility-based work services in a segregated setting. Staff met with the provider administrators about concerns related to changes to work services.

2.2 - Outcomes/Work Products:

- Meetings about proposed EES statute
- Responses to letters from family members/stakeholders about our support for the proposed EES statute
- Site visit to local CRP

3.1 Leadership Development

Objective Goal Build the capacity of individuals and parents to advocate, lead, and mentor others by increasing their leadership and advocacy skills.

Progress:

Self-Advocacy Training Development

The Self-Advocacy Training Implementation Workgroup (SAT-IWG) held two meetings this quarter, attended by 4 people with I/DD and 5 others, plus 1 Council staff who serves to host the meetings. Meetings are held via video conference once a month. The group reviewed input from C-NOW! stakeholders related to self-advocacy training needs for people with I/DD who are using DD services. One of the C-NOW! recommendations is to establish a statewide training coordinator position.

The SAT-IWG drafted an outline for a self-advocacy training model for Idaho and decided a statewide training coordinator is key to creating a model that will last. The group drafted a training coordinator job description, including required education, qualifications and core competencies. The Statewide Training Coordinator Job Description and draft Self-Advocacy Training Model Outline were sent to the C-NOW! Advocate Advisory Committee for review and feedback.

3.1 - Outcomes/Work Products:

- Statewide Training Coordinator Job Description
- Draft Self-Advocacy Training Model Outline

3.2 Idaho Advocacy Coalition (Medicaid Matters)

Objective Goal Establish a statewide coalition of people with disabilities and families who advocate at the state and local level on policy issues.

Progress:

Coalition Building and Awareness Events



The Coalition's work this quarter focused on collecting stories for "Medicaid Mondays", a series on Facebook. Nine stories were posted this quarter – five individuals with I/DD and four family members. A total of 238 individuals are part of the coalition which includes 58 individuals with I/DD and 110 family members.

Currently there are three organizing fellows focused on local community organizing: one in Eastern Idaho, one in Boise, and one in Kimberly. The Coalition is working on job coaching support for the fourth organizing fellow in Twin Falls. One fellow from Eastern Idaho moved out of the area.

Medicaid Matters in Idaho (MMII) produced a one-page newsletter on the three top policy issues that were identified to work on in 2020. It was sent out to 39 people who attended the Leadership Academy. It covers Expedited Eviction, Medicaid Block Grants, and protection of Medicaid Expansion.

Staff formed a planning committee and met two times to discuss logistics, theme and agenda for Fred Riggers Disability Awareness Day at the State Capitol. Four volunteers were recruited and 19 organizations committed to participating in the event.

Existing relationships with members of the Latinx community were strengthened and four new individuals interested in participating in policy activities committed to attend trainings and policy advocacy opportunities at the state legislature this year. Culturally competent training materials on the legislative process and Council policy priorities were prepared and translated. Interpretation was provided for the training and the Fred Riggers Day event, plus transportation for advocates from rural counties.

3.2 - Outcomes/Work Products:

- 9 stories collected and shared
- 238 Coalition members, including 58 self-advocates and 110 family members
- Newsletter on three policy issues
- Plans for Fred Riggers Disability Awareness Day
- 4 individuals from Latinx community recruited to participate in policy activities