

FAMILY CARE COUNCIL FLORIDA
Pauline Lipps, Chairperson
January 17, 2015, Meeting Minutes
Embassy Suites, Orlando Airport

MEMBERS PRESENT:

Patty Houghland, Chair FCC 1
Mary Smith, FCCF Vice Chair, FCC 4
Dan Bayley, FCCF Treasurer, FCC7
Patricia Oglesby, Chair, FCC 8
Karen Oberg, Chair, FCC 9
Jean Sherman, FCCF Past Chair, FCC 10
Marty Norris, Co-Chair, FCC10
MES, Rep. FCC 11
Karen Huscher, Chair, FCC 13
Betty Kay Clements, FCCF Secretary, FCC13
Michael Daniels, Co-Chair FCC14
Melody Hearn, Chair, FCC15
Paula James, Rep. FCC SC West

GUESTS:

Lynn James, FCC8
Laura Edmonds, FCC4
Jackie Aikens, FCC7

Stephanie Rogers, APD FCC Liaison
Clarence Lewis, APD Central ROM

GUEST SPEAKERS:

Lisa Robertson, APD Director of Performance
and Accountability

CALL TO ORDER: FCCF Chairperson, Pauline Lipps, called the meeting to order at 8:30 am. She welcomed everyone, and had all in attendance introduce themselves. She acknowledged the recent FCC Governor Appointments in Area 7, 9, 10 and 13, that are very much appreciated.

The contents of the FCCF information packet include:

- FCCF January 17, 2015 Agenda
- FCCF November 15, 2014 Meeting Minutes (Draft)
- FCCF FY 2014/15 YTD Spending Plan Expenditures
- FCCF 2015 Summary Balance Report by Region and Area Council
- Legislative Platform 2015
- Motivational Quotes
- January 2015 Updates for the Family Care Councils
- Senator Hukill Press Release for Bill regarding Economic Independence for Individuals with DD
- HCBS Settings Rules regarding changes in services
- Home Care Rule Court Decision Update DOL
- Exceptional Student Education Directors/Student Services Directors Florida Counties

Patty Houghland provided a separate packet for a report on the 2015 FDDC Consortium:

Following introductions Chair Pauline introduced a short film titled "Even Eagles Need a Push" from Simple Truths, www.simpletruths.com, an inspirational/motivational website that sells books with a video attached. Videos can also be viewed on the website as well. She said that she shared the film as an indicator of the importance of the role of families play in the lives of their loved ones .

II. BUSINESS:

November 15, 2014 Meeting Minutes: Draft minutes sent to members prior to the meeting were reviewed. **A motion to accept the minutes as written was made by Patty Houghland, and was seconded by Patricia Oglesby. Motion passed.**

FCCF Budget Report: Howard Fetes reporting for Treasurer Dan Bayley stated that the FY 2014/15 spending plan shows expenditures of \$5990.28, indicating a budget balance of \$9009.72. Updated summaries in the packet reflect a balance YTD of \$8,767.73. Chair Pauline announced that state audits will begin in 2015 for fiscal year 2013-14. Stephanie Rogers stressed that meeting minutes, spending plans and all pertinent documents, need to be approved, up to date, and readily available. FCC's are audited over 3 years, 2 regions at a time.

III. APD Update-Chair Pauline introduced Lisa Robertson, APD Director of Performance and Accountability. Lisa said that Director Palmer is ill and sends her regrets. Lisa will be presenting the APD Updates. Lisa has been in charge of the oversight of the workgroups developed from the Town Hall meetings of 2013. She expressed that the Director and staff have been busy with several legislative committees. She urged all to link into the websites to watch the legislative committee meetings live or in the archives. Stephanie Rogers will provide the FCCs with the links. Lisa began the APD updates by highlighting the four goals of the APD Long Range Plan (LRP):

1. Increase Employment opportunities for individuals with developmental disabilities
2. Increase access to community-based services, treatment and residential options
3. Improve management and oversight of agency and provider services
4. Manage agency budget within fiscal allocation

APD Legislative Update: Lisa noted that it is a priority within the APD Legislative Budget Request (LBR) for a fund shift of \$12 million for staffing needs; \$7.9 million waitlist critical needs; \$3.2 million GR with match from government; \$ 1 million GR for the Employment Enhancement Project (EEP) and requesting it to be reoccurring; \$2.9 million for the Client data management system. Lisa will be the APD project coordinator. A vendor has been chosen for this project named Harmony. Once approved, APD will be seeking input from APD staff, WSC, providers and families. It was noted that the QSI would be online and printable upon completion of this project; Extended Foster Care legislation is being sought to allow individuals with DD to remain in foster care and also receive the APD waiver. An agreement between DCF, Community Based Care (CBC) agencies and APD is being worked on that will ask for reoccurring money for annual maintenance; Proviso language is being suggested for APD's development and implementation of a five year plan for downsizing institutions with transition to the community; APD has an Abuse Prevention Proposal asking for statutory change that would ensure that verified perpetrators of abuse, neglect, and exploitation would be denied the ability to work with children and adults with DD. At present there is nothing inhibiting providers from hiring staff who are a verified perpetrator unless there has been a successful prosecution and conviction. Stephanie Rogers distributed a folder for each FCC with all state legislators contact information, including Area FCC information. It will assist the FCCs implementation of a legislative phone tree.

Work Groups Activity/Update:

- Dual diagnosis/Intensive Behaviors- a pilot is being considered for each. Recommendations are:
 - ❖ A Crisis Assessment Prevention (CAP) team would be established that stabilizes the individual at their current residence, with training and education for family and providers
 - ❖ A short term residential placement up to 90 days or in a treatment center for stabilization and behavioral respite
 - ❖ Development of Dual Diagnosis Treatment Centers for individuals not ready to return home after short term residential placement. Still short term but longer than 90 days

Discussion on the school component for children with dual diagnosis or IB needs revealed that only adults were the focus in this work group. Lisa will take this issue back to the workgroup for consideration.

- Forensics workgroup- looking at developing a 3 level rate structure for clients; identifying services and other coordination of supports; and the development of provider training and certification criteria
- Alzheimer's and Aging Caregivers- looking at how to provide services and supports to individuals with DD and their caregivers to age in place, together or in alternate settings; developing transition planning

for individuals before the caregiver is no longer able to care for them; Training and resources development for providers and others caring for the aging. Lisa said there have been several RFI's received per workgroup and spreadsheets will be developed by the end of January. Lisa has been given the task of coordinating for APD with AHCA, DCF and Elder Affairs on these projects. They will be looking at the possibility of drawing down funds for individuals based on services needed.

- ADT/Supported employment- 3 tiered ADT structures are being considered for individuals:
 1. Those 60 years of age and older wanting to retire and have a meaningful day experience
 2. Those with complex medical needs, discussion ongoing
 3. Those who are ready and capable of competitive employment

Lisa said that this new workgroup will be looking further at services for each of these structures. A provider may choose to operate one, or all 3 types of ADT programs. There was discussion among meeting attendees on each of the programs. Comments, concerns and suggestions were shared with Lisa. In discussion of the ADT Supported Employment structure, Lisa said that an additional employment piece has been added to the QSI.

- iBudget Rule Public information and input on the Algorithm- A hearing was held yesterday with comments. Presentation can be accessed on the APD website under public notices. There is continued work being done on the algorithm. APD continues to work with Dr. Niu at FSU to revise the algorithm as appropriate. Some of the focus is on the caregiver aging situation, the carve out services of dental and transportation and other age triggers for aging clients.

Lisa said that Director Palmer is speaking with AHCA Director Dudek about the status of the handbook and FCCF will be updated accordingly.

Update on Litigation and Regulations-Lisa reported on the Moreland Court decision that resulted in the agency increasing the iBudgets of 6,500 individuals by \$30 million. The first quarter report indicates that APD waiver expenditures were at \$1.7 million higher than the same quarter last year.

Carlton Palms Update -Lisa reported on the APD Administrative Complaint filed with Carlton Palms. It included sanctions of a \$10,000 fine and a moratorium on new admissions. The corrective action included the compliance with nine specific actions to be completed. The systematic improvements regarding medical care and other issues have been completed. There has been improved protocols, and documentation processes. Quarterly meetings are to be held, with one scheduled for January 28, 2015. She said APD monitoring has been assisted by DOH and DCF during November 2014. There were no needs identified at that time. Steve Coleman and his behavioral team will continue oversight for some time she and Clarence Lewis said..

Provider Rate Increases-Lisa was asked about APD's response to provider rate increases. She said that APD is unable to respond until actuaries are completed in the spring. There is not enough information to take to legislators, she said

She was asked about the CMS transition plan. She responded that APD has provided information to AHCA. There was a request for access to the transition plan since it is due to CMS on March 15, 2015 and has not had public input. She also said that CMS has come out with questions for ADT centers that she will share. She also indicated that some states have had their plans approved. They can be found on the National Association of State Directors of Developmental Disabilities Services (NASDDDS) website, she said.

She thanked FCC's for working with APD and stressed that their input is appreciated by the Director and staff. Chair Pauline and all attendees thanked Lisa for attending and sharing the information today.

IV. FCCF Legislative Platform 2015- Committee Chair Mary reported that the first item of the platform was discussed yesterday at the workgroup. The bullet point with **DOL** in it has been replaced with **minimum wage** since the DOL issue has experienced a judicial abatement. She said that the secretary will draft talking points discussed at the workgroup and they will be shared for comments and additions prior to distribution/use.

V. FDDC Consortium Report: Patty Houghland attended the 2015 FDDC Consortium. Patty reviewed the packet materials and related some of the 2015 Legislative platforms and/or priorities shared that day. Among organizations attending were FDDC, FFAST, VR, Arc, Florida ARF, DRF, AHCA, APD, DOE, and SAND. Issues of Provider rate reinstatement, APD waitlist, foster care, personal scholarships, deinstitutionalization, transportation, service animals and lack of accessible voting were among issues discussed. The ABLE Act has been enacted by Congress she said, but will need a Florida legislative plan and action. Patty also reported that a District of Columbia federal judge's ruling vacated the remainder of a contentious regulation that would eliminate an exemption from minimum wage or overtime for most "companionship" domestic workers. It is expected that it will be appealed she said.

VI. 2015-16 FCCF Executive Election Nominating Committee: Chair Pauline asked for volunteers for the nominating committee. Karen Huscher, FCC13, will chair the committee. Laura Edmonds, FCC 4 member, and Paula James, SC West FCC member will participate. A nominating Slate is to be presented at the FCCF March 21, 2015 meeting. The election will take place at the May 16, 2015 meeting.

VII. Florida Lifespan Respite Alliance (FLRA): Past Chair Jean Sherman gave an update on the status of the FLRA following the summit held a year ago. A coalition was attempted with an existing but dormant respite group, but it was unsuccessful for a variety of reasons. With a different scope a new alliance is being formed to address the respite issue across the state. FDDC has contracted with The Ounce of Prevention this year to mentor this alliance. A leadership team of 6-12 persons is being sought from stakeholders across various disabilities requiring respite care. Jean is on the workgroup that is preparing a document to describe the structure, function and membership. They have a call scheduled to finalize it next Friday Jan. 23, 2015. There will be follow up to discuss the respite care needs in Florida. There have been Lifespan Respite Alliance grants awarded to 30+ other states. If another federal grant opportunity is available this year, we are hopeful that APD will be able to take the lead, Jean said.

VIII. COUNCIL INPUT/MISC. INFORMATION: Chair Pauline related that Senate President Andy Gardiner was invited to attend this meeting. She spoke with his office where aides said that he did consider attending but was called away. They said he would try to attend at another time. Patty, Area 1 FCC, reported they are excited to be involved with a new Principal in Escambia County, and their Transition Fair. She also shared that Pensacola State College and Arc gateway have a contract for regular classes/ community based trainings for individuals with DD. Melody, Area 15 FCC, will share a report on the 5th Annual Hartwick Symposium on Postsecondary Education & Intellectual Disabilities 2014. The secretary will send it out to all. Melody also said that Area 15 FCC is involved with Okeechobee County's Interagency Transition Council's Health Fair. Mary, Area 4 FCC, reported that their April 11, 2015 Transition Fair "Connecting the Dots," event is progressing. Kathy Snow will be presenting. Danny, Area 7 FCC, reported that they are involved with a Transition Fair in Osceola County.

IX. CITIZENS TIME: There were no speakers signed up for Citizen's time.

There being no further business, the Chair adjourned the meeting at 3:25 PM.

Respectfully submitted,

**Betty Kay Clements,
FCCF Secretary**

The next meeting is: March 21, 2015

Embassy Suites Orlando Airport, Orlando, Florida