

**FAMILY CARE COUNCIL FLORIDA**  
**Pauline Lipps, Chairperson**  
**November 15, 2014, Meeting Minutes**  
**Embassy Suites, Orlando Airport**

**MEMBERS PRESENT:**

Patty Houghland, Chair FCC 1  
Mary Smith, FCCF Vice Chair, FCC 4  
Laura Edmunds, FCC 4  
Dan Bayley, FCCF Treasurer, FCC7  
Patricia Oglesby, Chair, FCC 8  
Karen Oberg, Chair, FCC 9  
Jean Sherman, FCCF Past Chair, FCC 10  
Gilda Pacheco, Co-Chair, FCC10  
MES, Rep. FCC 11  
Karen Huscher, Chair, FCC 13  
Betty Kay Clements, FCCF Secretary, FCC13  
Melody Hearn, Chair, FCC15  
Nancy Simmons, Chair, FCC SC West

**GUESTS:**

Ann Bayley, Parent  
Ruth Wingate, FCC 15  
James Moody,  
Cristina Pacheco, Area 10  
Laura Edmonds, FCC 4  
  
Stephanie Rogers, APD FCC Liaison  
Reed Stephan, APD Central Deputy ROM

**GUEST SPEAKERS:**

Tom Rice, APD Program Administrator  
Sheryl Soukup, President Strategic Solutions

**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.

The contents of the FCCF information packet include:

- FCCF November 15, 2014 Agenda
- FCCF September 20, 2014 Meeting Minutes (Draft)
- FCCF FY 2014/15 Spending Plan Expenditures
- FCCF 2015 Meeting Information
- Article on Special Needs Students beginning to receive scholarship money
- Sept. 1, 2014 Waitlist Client County by County and Priority Category-Statistics
- Individuals added to Waitlist by FY and Category-Statistics
- iBudget Development of Rulemaking November 20, 2014 public input
- Review of Recent Fed. Guidance and Related Disability Agency Documents concerning Medicaid: Managed Care; EPSDT; Autism Services; New HCBS Rule; and FSLA Home Care Rule
- Tips for Consumer Advocates regarding State Transition for New Medicaid HCBS Regulations
- Kathie Snow-Beliefs Necessary to Achieve Community Inclusion
- Kathie Snow-Best Hope, Worse Fears

**II. BUSINESS:**

**September 20, 2014 Meeting Minutes:** Draft minutes sent to members prior to the meeting were reviewed. FCCF Secretary read corrections received. **A motion to accept the minutes as corrected was made by Gilda Pacheco. Motion was seconded by Patty Houghland. Motion passed.**

**FCCF Budget Report:** Treasurer Dan Bayley distributed a copy of the expenditures. He reported YTD expenditures of \$4,741.20. The FCCF budget balance is \$10,250.80.

**III. Abuse, Neglect and Exploitation of APD Clients Presentation:** Tom Rice, APD Program Administrator, was introduced by Chair Pauline Lipps. He distributed a packet of information related to the subject, and used a power point presentation as a guide for information and discussion. He shared that he coordinates the APD Zero Tolerance policy. Some highlights he spoke about addressed why people with developmental disabilities

are more likely to be victimized, and the risk factors involved. He provided information on where and how abuse neglect and exploitation most often occurs. The victim's residence is the most likely setting for abuse, neglect and exploitation to take place. He noted that APD lacks authority in non licensed settings, such as family homes, the largest residential setting of APD clients. Regarding signs and symptoms to look for in an individual who may have been or is being abused, he stressed that it is important to look for a change in behaviors or the appearance of individuals. They may be non verbal or may not recognize the abuse. He identified typical abusers and spoke about the profiles of caregivers falling into two categories: Unable and Unwilling. Some characteristics of the Unable are that they lack proper training, do not have the skills, and their actions are not intentional. Those abusers who are in the Unwilling category may be, but are not limited to being repeat offenders, or those who seek to take advantage of vulnerable individuals.

Tom reviewed extensive Florida and National statistics and research present in the handouts. Statistics of allegations and verified findings in both adults and children indicate inadequate supervision as a significant factor for all. Barriers to reporting were discussed at length. He stressed that prevention is significant. Primary prevention is the education and self-protection training that is given directly to all individuals with disabilities. Secondary prevention entails the education of caregivers that is vital for recognizing and reporting issues of abuse, neglect and exploitation. It must have the full cooperation of the police and DCF investigators. Abuse allegations go to DCF and law enforcement investigators. If cause is determined, the case goes to a state attorney where a decision is made to prosecute or not. If a case is closed by DCF or there is not a conviction the state cannot use the reported information to prevent a person from working. Therefore, a perpetrator without a conviction can continue to work in the personal caregiving field. Statutory language is being considered to address this issue. Tom said that providers, families and individuals need education on reporting suspected cases of abuse, neglect and exploitation. Reporting can be anonymous. There was a discussion of crisis calls from families and caregivers to the abuse line. A crisis 1-800 call in number in addition to the abuse line was a suggestion by members and attendees.

Tom said that currently APD sends an excel spreadsheet listing all APD clients to DCF for comparing reported allegations and investigations. APD is working with Delmarva on their contract, and looking at the QSI to add tools that would assist risk assessment and detection. Family Care Councils and stakeholders can assist in getting the word out on abuse issues, and addressing the Unable category of offender with education and training needs, he stressed. Tom gave his contact information [Tom.Rice@apdcares.org](mailto:Tom.Rice@apdcares.org) and welcomed any questions or comments. Sharing information on the APD Zero Tolerance initiative is important, he said. The APD web page is at <http://apd.myflorida.com/zero-tolerance/> and contains the action plan, updates and resources. He was thanked by all.

**IV. Reed Stephan Central Region Deputy RPM:** Reed said that he is busy working throughout the APD Central Region and is excited about projects he has been involved in. He shared the success of a Transition Fair that was held in Area 7. He said that he worked closely with Dan Bayley Area 7 FCC Chairperson, FCC members and local transition teachers. FCC 7 spent \$100 in each of the Area counties toward the Fair. There were 100 families in attendance and 40 signed up for FCC information. It is expected to increase attendance at FCC meetings. He said there is another important connection with the Employment Enhancement Project (EEP) that is being refunded for this year. He stressed that since transition starts at age 14, the increased relationship with APD and ESE is happening through this EEP program. Younger families involved will increase the numbers of younger families involved in FCCs, in building the skills of families and legislative action, he said. He addressed the Interagency Councils as a resource in each county. Several FCC's questioned that activity in their County. Reed addressed the relationship that APD Director Palmer and the Secretary of Education have established with Superintendants of Schools across the State. There is a collaborative relationship between the superintendant and senior Exceptional Student Education (ESE) executives he said. He is working with Dan Bayley on Area 7 FCC's relationship with Superintendants of each County school system. He encouraged all FCCs to do the same, and he committed to identify the Superintendant and ESE Administrator for each FCC. He encouraged all to

reach out and prepare for transition fairs, saying that APD will be a catalyst in the next 2 months. He committed to keeping FCCF updated in months to come. All thanked him for his report.

**V. Residential Options of Florida-ROOF:** Chair Pauline introduced Sheryl Soukup, who related her background as a parent, past FCC member, work in the nonprofit arena, consulting, strategic planning, fundraising and board development. She is working with FDDC on two systems change projects. The one she is reporting on today is on residential options for individuals with developmental disabilities (DD). Sheryl reviewed a power point and other materials that will be shared with attendees following the meeting. She reported that ROOF is intended to increase inclusive housing options in the community for individuals with DD. A Task force was put together across the state and included the participation of FCCF Chair Pauline Lipps and Vice Chair Mary Smith. The Task force looked at this housing issue by examining barriers, data and solutions. Housing issues are complex and local in nature, she said. However, when the right mix is available, success is possible she stressed. She said it is a myth that individuals with DD cannot be independent. Information, planning, funding and supports in navigating the housing system can yield success. Therefore, the ROOF 501c3 will provide housing information, advocacy, networking, data collection training and navigation across regions. It will empower individuals with DD to successfully maintain inclusionary housing. ROOF does not build or help build housing. It is a connector for DD with the affordable housing community. The Task force has transitioned to an advisory council now. She is reaching out to build a diverse Board of Directors. Currently there are workgroups being facilitated across the State. She shared the following, with discussion, regarding activities of ROOF:

- **Data collection** from NCI, APD, State of States & others that indicate a substantial need that could exist for housing for individuals with DD.
- **Networking** is occurring in Regional Networks, SW Florida, SunCoast, Central Florida, Palm Bay area, Statewide and Nationally.
- **Advocacy strategic goals** address the need for permanent funding sources and regulations; for services available for support of inclusionary settings for DD individuals to live in the units; for educating the housing industry on defining accessibility; and for a statutory change in Florida's definition of DD to match the Federal definition.
- **Housing information:** There are many presentations being made to different groups. A website was shown that is in development. It is designed as a tool to learn, to be a mobile and to be a responsive website. It will be 508 compliant. She showed a housing guide prepared by FDDC that can be obtained at <http://www.fddc.org/publications> . It is currently in reprint.

Sheryl also showed a video as an overview of what ROOF can accomplish. It highlights the successful housing experience of Robin Milan, a self advocate, with the support of her family. An update on Florida Housing Finance activities was shared. She advised FCC members to seek a seat on the Florida Housing Finance Board of Directors. , Advocates can participate, but there is not a specified seat on the Board at this time. Sheryl thanked Mary and Pauline for their participation as advisory board members. She welcomed FCCs getting ROOF information out to families, communities, and for hosting a ROOF member presentation in their Area. She was thanked by all.

**VI. LEGISLATIVE PLATFORM 2015:** Chair Pauline distributed a draft of the legislative platform changes made at the FCCF workgroup meeting on Friday. Members were asked to take the original draft, with the changes suggested and blend the two together. She announced that to have it ready by Dec. 1, 2014, there will be a FCCF conference call on Monday November 24, 2014 at 7 pm.

**VIII. FLORIDA GOVERNMENT IN THE SUNSHINE:** Chair Pauline noted that there have been requests for a refresher/update regarding the Florida Sunshine law. Stephanie Rogers, APD FCCF Liaison, presented a power point on Open Government as a review of Florida's law. There are two parts to Open Government. They are Government-In-The-Sunshine Law, and the Public Records Law. The Sunshine Law applies to the

Family Care Councils and speaks to the right of access to meetings, and making them as transparent as possible, she said. Meetings must be open to the public, contain a reasonable notice and minutes must be promptly recorded. Meetings are face to face, conference calls and video conferencing such as Lync meetings. This law applies when two or more members meet formally or socially and discuss business matters that could come before the board for action. A discussion, outside a meeting, about bringing a motion up on an issue at a meeting is not legal. A meeting agenda can be worked on and drafted with items for discussion and speakers confirmed by members prior to a meeting. Assigned Committees can meet to put together a draft report of an issue to present to the Board or Council for action. Action or business items are anything being voted on. Stephanie said that sharing information, advising of a program or conference that comes up between meetings and if members decide to attend, that is acceptable. However, if it involves reimbursement that has not been prior approved, or is not in the Councils spending plan, then reimbursement will not occur. Written correspondence is okay if interaction does not occur prior to the meeting. Letters, E-mails, text messages and social media/Facebook are considered written correspondence. Voting cannot be done by E-mail she stressed. Voting must be in a publicly noticed meeting. Reasonable notice is not defined; APD has a minimum notice of 2 weeks. Regarding meeting minutes, Stephanie noted that she needs the names of those attending, the start time and ending time, motions and approved business actions documented. In regards to votes taken, she said that if someone abstains, the name and agency are to be noted in the meeting minutes. Even draft meeting minutes are subject to public records law, she said. Minutes are a brief summary of meeting actions and events, with inclusion of discussions discouraged. Minutes are to be read aloud at the meeting if not circulated prior to the meeting. All documents pertaining to official board business are considered public record laws. Penalties of \$500 apply if unknowingly the Sunshine law is violated. Knowledge of such a violation is a 2<sup>nd</sup> degree misdemeanor with a fine and person can be imprisoned up to 60 days. Penalty for public records law violations are a fine and person may be subject to removal from the board, with a 1<sup>st</sup> degree misdemeanor. Stephanie will share the presentation with the FCC liaisons. She was thanked for the information.

Stephanie continued and addressed the Lync video conferencing software purchase that she is assisting with. She will provide each FCC with log in information, and a product key # is necessary. She stated that she needs minutes or a spending plan from each FCC approving the purchase of a \$66/year subscription. She advised all to be sure to connect to the internet and update the laptop prior to usage, as it can take up time. She said to contact her with issues. Mary said that microphones need to be purchased. Stephanie was advised that access to the internet was not available at an APD office without the code assigned for the APD WI FI router.

Facebook questions and website issues were discussed at length. Each FCC needs to set up protocols for Facebook use. The FCC designated Facebook administrator is in charge of what goes on Facebook, so needs to get direction was the consensus. The use of public meeting pictures on Facebook was questioned, and will be followed up on by Stephanie. Advertisements and Provider recommendations are deemed inappropriate for FCCs to post. Several members remain concerned about the use of Facebook as a FCC/FCCF webpage. It was decided that a committee would be reestablished and convened this issue to a later date.

**IX. EXECUTIVE BOARD REPORT:** FCCF Chair Pauline reported that the Executive Board of FCCF addressed the concerns expressed by members, at the last FCCF meeting, in regards to media reports surrounding the death of a child at the Carlton Palms Residential program in Lake County. Chair Pauline sent a letter to Director Palmer requesting that she advise and share with FCCF the corrective actions being taken by APD. She read aloud the letter to the Director. She said that she and Secretary Betty Kay received an invitation from Carlton Palms management to a quarterly meeting on Oct 8, 2014. Betty Kay attended the meeting, and is planning to attend a second quarterly meeting on January 28, 2015. Director Palmer quickly responded to the FCCF letter and spoke with the Executive Board members, outlining the steps being taken to ensure the health and safety of APD clients at Carlton Palms. Chair Pauline shared the APD Nine step corrective action plan with the members.

Subsequently, on Oct 15, 2014, Chair Pauline advised that she, Vice Chair Mary, and Secretary Betty Kay attended a personalized tour of the Carlton Palms Residential campus. APD staff present were Clarence Lewis and Tom Rice. Vice Chair Mary reported on that tour, and the discussions with senior management and staff before, during and after the tour. There is extensive monitoring occurring at this time at Carlton Palms, but that cannot be sustained Past Chair Jean Sherman added. That led to a discussion that stressed the need across the DD system for a group similar to the defunct Local Advocacy Councils. It was envisioned as an ombudsman like function that would have the authority to make unannounced visits, look at records and respond to complaints. Jean Sherman stressed that it is time to address this issue. **Karen Huscher made a motion to recommend to APD to consider reinstating the concept of voluntary advisory councils to monitor licensed and unlicensed residential settings. Gilda Pacheco seconded the motion. Motion passed.** Vice Chair Mary, is a FCCF representative to the FDDC Abuse systems change project and will take this issue to the upcoming meeting.

**X. COUNCIL INPUT/MISC. INFORMATION:** Mary Smith reported that Area 4 FCC is planning an April transition fair called "Connecting the dots, from birth through aging". Kathy Snow will be presenting. Jean Sherman reported that FDDC is planning webinars and looking for parents as advisory council members on dental and healthcare needs. She asked for volunteer interest, and Karen Huscher FCC13 Chair volunteered.

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

There being no further business, the Chair adjourned the meeting at 3:30 PM.

**Respectfully submitted,**

**Betty Kay Clements,  
FCCF Secretary**

**The next meeting is: January 17, 2015  
Embassy Suites Orlando Airport, Orlando, Florida**