

**Minutes of April 16, 2009**

Members in attendance: James Heffernan, Vice Chair; John Pelegano, Secretary; John Frost; Thomas Kalal; Kevin Morey; Sheila Mulvey; Patrick Vingo; Ted Walen; Peter H. O'Meara - Ex-Officio.

Members absent: Jennifer Carroll, Chairperson; Carlos Colon; Lou Richards.

DDS Staff in attendance: Kathryn du Pree, Deputy Commissioner; Christine Pollio, Dir. Legislative and Exec. Affairs; Rod O'Connor, Legislative Liaison; Captain Michael Woodson, Director of Investigations. Ed Mambruno, Ombudsperson attended briefly but had to leave early.

Vice Chairperson Heffernan chaired the meeting as Jen Carroll could not attend. Mr. Heffernan called the meeting to order at 6:00 PM.

PUBLIC PARTICIPATION

Alyssa Goduti from the Connecticut Community Providers Association (CCPA), Pat Johnson (Executive Director CIB/Oak Hill) and Dr. Steve Becker (Executive Director HARC) were in attendance and provided citizen input.

Ms. Goduti presented legislative issues of concern to DDS providers. CCPA worked with the Appropriations Committee to address the zero percent COLA that was in the Governor's proposed budget, but there was no change in the Appropriations Committee's proposed budget. She explained the impact that a continued lack of COLAs will have on providers and services. She would appreciate any advocacy the Council could do. The Community Providers Rescue fund bill passed out of the Finance Committee today although it has been amended and sections regarding funding were taken out.

Ms. Goduti also expressed concerns with the department's plan to move to a fee for service attendance based system. Mr. Heffernan asked about the impact of this transition and Commissioner O'Meara explained that this has been a planful approach the department has embarked on during the past three years. Providers serve on committees and have input into the methodology and the plan. The department will present formally on this plan at the May meeting. Ms. Goduti shared some materials with council members regarding the impact of no COLA and on the proposed 90% attendance requirement.

Mr. Johnson discussed the impact of continued zero percent COLAS on providers. Costs are increasing in health insurance, fuel and utilities, which have to be addressed. He is negotiating a reduction in wages and benefits with the union now. He then shared concerns about the transition to the fee for service system and its impact on staff wages. He has concerns about impact on staff morale and commitment. He asked if the department was considering best practices and comparisons among providers' services.

Dr. Becker thanked Council members for being so responsive to provider concerns. He spoke in support of the trades associations legislative proposal as part of the Rescue Fund Initiative, which establishes a commission to study and analyze the wage, benefit and funding issues that impact community providers. He acknowledged the strength of the partnership between DDS and the private providers. Jim Heffernan talked about the 90% attendance rate and hoped the department can address some of the concerns, especially for individuals who are medically fragile. It was suggested that this issue be discussed at the May meeting.

MINUTES

Vice Chairperson Heffernan asked for a review of the March minutes. Dr. Pelegano offered several technical edits. The minutes were approved as amended by a voice vote.

PRESENTATION: BIRTH TO THREE PROGRAM

Linda Goodman, Director of the Connecticut Birth to Three Program, made a presentation. Linda provided an overview of the Birth to Three system, which has been operated by DDS since 1996. She shared a map indicating the availability of multiple providers and the 10 new providers specifically for infants and toddlers with autism. Ted Walen asked about the source of funding. The majority of funding is from the state with a small portion coming from the federal government. DDS files a performance plan and annual performance reports with the federal government to respond to the government's indicators. Connecticut Birth to Three (B23) has received the highest level of evaluation for the past three years. B23 did need to address timeliness of eligibility determinations and service implementation last year, when demand was greater than provider capacity. The number of children served has increased over the past year. Linda explained that money is also recouped from private insurance, family fees and Medicaid. Connecticut Birth to Three is receiving \$4 million in stimulus funding. Ms. Goodman discussed the challenges the program faces. One is the funding for an entitlement program. The other is developing appropriate services for children with autism. There is little research that shapes evidence based best practice yet for services for such young children with autism.

B23 was selected last year for a legislative initiative on Results Based Accountability. The department has demonstrated success on all of its measures, which include improvement of children upon graduation from B23, family satisfaction, children who do not require special education by kindergarten and early identification.

Sheila Mulvey asked about funding from the State Department of Education (SDE). SDE transfers \$1 million of Part B funds to assist B23 with activities related to child find.

Ms. Goodman explained that B23 went to a rate based system in 2004 so that all providers receive the same payment. Sheila Mulvey asked about the range of services from least to most intensity. Some children with autism or significant medical concerns receive 10 or more hours per week. The majority of children receive 4.6 hours per month and their services cost approximately \$8300 annually.

Ted Walen asked about newly identified conditions and the progress of medical research. Linda Goodman reported that the direction is toward improving the child's quality of life and longevity.

Dr. Pelegano asked about mandated service standards for children with autism. While the guideline is for 15-20 hours per week, there is no specific mandate. He then asked how we ascertain quality of the service providers. Ms. Goodman explained the quality monitoring system and the department's move to focused monitoring. Any findings of non-compliance must be addressed in 12 months.

Jack Frost asked about the referral system. Families and health care providers are the primary sources of referrals.

Jim Heffernan asked whether many families change providers. Previously most changes were the result of families moving, more recently there are transfers to the autism specialty providers.

Ms. Goodman explained the transition process for children to be served by their school programs when they turn three.

Kevin Morey asked about the reasons why 65% of the children do not continue to need special education. Children with low birth weight and speech delays account for some of them as do the children who have been internationally adopted.

LEGISLATIVE UPDATE (CHRISTINE POLLIO)

Christine Pollio summarized legislative changes that have occurred since the Governor's proposed budget was announced. The Appropriation's Committee made the following changes from the Governor's budget in the bill that was passed out of committee on April 2nd:

- School graduates starting date is delayed to October 2009.
- 50 additional positions/vacancies are taken from DDS (Governor already eliminated all vacant positions).
- Non-emergency dental services are restored under the Dept. of Social Services budget.
- Reduced operating expenditures by \$1.5 million.

The House and Senate Republican caucuses have proposed additional reductions including agency mergers (from 23 agencies to six). DDS would be part of a larger "Department of Human Services" along with Departments of Public Health, Social Services, Mental Health and Addiction Services and Children and Families.

All of the DDS agency bills are still alive. Most are in file copy and can be voted on in the House or Senate at any time. The Provider Rescue fund bill remains active although it has been amended. The Program Review bills were passed out of the Public Health Committee. The Southbury Training School study section was deleted and the nursing home screening piece by the Dept. of Public Health is the remaining section of the bill. The other bill includes the separate fund for sale of any DDS real property to be used for the waiting list and an inventory of all DDS real property.

The Governor has asked legislative leaders to begin budget negotiations next week. The bonding bill, as passed out of the Finance Revenue and Bonding Committee today, reduces bond funds that will be available to the Department in Fiscal Years (FYs) 2010 and 2011 from the Governor's original proposed bill. The committee vote was bi-partisan.

Sheila Mulvey asked about the notification of siting group homes. Ms. Pollio reported that the bill died in committee. The Commissioner confirmed that we do receive funding from Homeland Security to help with emergency planning.

There is a bill that would require a study of state owned agricultural land, which may include Southbury Training School. Christine explained that conservation of farmland would be compatible with the department's plan for the farm/agricultural land.

A bill requiring special education service only until the 21st birthday was amended to exclude this language (DDS clients could remain in special education programs until the end of the school year of the 21st birthday).

OMBUDSPERSON REPORT (COMMISSIONER O'MEARA)

The Commissioner mentioned that Ed Mambruno had to leave at 7pm, so his report was in the packets for review. Ted Walen asked if Mr. Mambruno would produce a summary report. The plan is for the review of all consumers who live in nursing homes by Mr. Mambruno and the utilization nurse to occur within 16 months. The Commissioner will ask Ed to summarize the data that is being collected in order to provide a summary report for the Council.

COMMISSIONER'S REPORT

The budget is not finished nor has the remaining FY09 deficit been addressed and there will be significant activity and discussion during the next 6 weeks. As time passes, the department is experiencing more impact on its budget. The Commissioner shared that OPM has requested a position reduction plan by April 24th. The deadline was extended as wage concession agreements have not yet been realized. The Commissioner summarized the wage and benefit concessions under consideration. If there is agreement with all the unions, the Governor will agree to no layoffs for a specified period of time. DDS has already had to eliminate 140 vacancies. A retirement incentive program is part of the concession plan.

As the department anticipates losing staff, administrators are deciding who best to streamline work processes. The Commissioner discussed the department's efforts to absorb reductions to the budget on the public side rather than reduce rates for the private providers. The Commissioner and Deputy Commissioner are continuing their efforts to communicate to staff, providers, families and consumers in a timely way.

Jack Frost asked about direct support vacancies and the Commissioner reported that as of March 6th, DDS could no longer automatically fill these positions.

The autism pilot continues to be successful and this month is Autism Awareness month. Walgreens held the grand opening of the distribution center with a commitment to hire 200 individuals with disabilities. The legislature sponsored an Autism Awareness Day with a Governor's proclamation presented by the Lt. Governor.

DDS is working with the Department of Labor and the Workforce Incentive Boards to explore the possibility of using stimulus funds to hire employees for both Camp Harkness and Camp Quinnebaug this summer.

The Department received FEMA funds to develop fire safety training for families and staff.

OLD BUSINESS

Jim Heffernan spoke in support of Senate Bill 94, the legislation that allows providers and municipalities to buy into the states health insurance plan. The Council supported this last year on behalf of the provider community. Rod O'Connor reported that bill died in the Public Health Committee.

Christine Pollio reported that Registry reports are now being sent to Council members electronically.

NEW BUSINESS

Michael Woodson reported that 31 new investigators are trained (DDS and private provider staff).

Reminder that the May meeting will start at 6:00 PM. Members will vote in May on whether or not to change the time for all future meetings.

Jim Heffernan asked DDS staff to alert members of any important budget or legislative issues. Sheila Mulvey asked who communications should be targeted at between now and the end of the session. Christine Pollio confirmed that for budget issues it should be leadership in the House and Senate and the Governor. Rod O'Connor included the Chairpersons and Ranking Members of the Appropriations and Finance, Revenue and Bonding Committees. Ms. Mulvey also suggested individual legislators of Council Members and Ms. Pollio concurred.

The meeting was adjourned at 8:28 PM.