



MEMBERS IN ATTENDANCE: Carlos Colon; Jack Frost; Jim Heffernan, Vice Chair; Tom Kalal; Greg Kelly; Peter H. O’Meara, Ex-Officio; Patrick Vingo; Ted Walen.

MEMBERS ABSENT: Jennifer Carroll, Chair; Sheila Mulvey; Dr. John Pelegano, Secretary.

DDS STAFF IN ATTENDANCE: Kathryn du Pree, Deputy Commissioner; Ed Mambruno, Ombudsperson; Christine Pollio, Legislative & Executive Affairs; Rod O’Connor, Legislative Liaison; Captain Sarah Kasacek, Director of Investigations.

REVIEW OF SEPTEMBER MINUTES:

Jim Heffernan asked to have added to the minutes that the Council wanted to meet once at a nonprofit, possibly HARC. Patrick Vingo made a motion to approve the minutes as amended and Ted Walen seconded approval of the minutes. The motion was carried.

OMBUDSPERSON REPORT:

Ed Mambruno reported that he and Karen Huntington, Utilization Review Nurse, have visited all Skilled Nursing Facilities (SNFs) serving individuals who are DDS consumers. Their visits have resulted in systems improvement. Ed provided information on a few individual situations in which he was able to intervene. No additional visits were made by Ed in September given other commitments. Ms. Huntington continued her visits. Because individuals in nursing homes change, reviews will continue. Jim Heffernan asked about the instance of a misappropriation of funds mentioned in the monthly report and if it occurred often. Mr. Mambruno reported this was not the case and this issue was resolved.

PUBLIC PARTICIPATION:

Lighthouse

Kathy Green, Executive Director, Lighthouse Voc-Ed Center spoke about Lighthouse services, which started in 1987 with day and educational services and now has an accredited educational program, transition program for individuals with autism, an art center and residential support. Ms. Green is asking DDS for help for the first time. Lighthouse started to provide transitional housing in 2003 serving eight young women in two homes. Lighthouse has recently been told by DDS, the program, if it continues, must meet waiver service definitions. Ms. Green read a letter dated October 8, 2009 that was handed out to council members as part of a packet that included letters from consumers and family members.

Jane Bolles of Lighthouse also spoke. Jane is representing the group of parents and their children. She spoke of the transition process and the strength of the staff. The young women have the chance to learn skills for independent and community living. All of them have jobs. The parents want the girls to be able to stay together and be served by Lighthouse in these settings.

Ted Walen asked about community involvement and support. Businesses know the women and there are strong relationships with neighbors. Jack Frost mentioned he is well acquainted with this group and asked how these services are outside the box. Kathy Green discussed that the homes are used for a variety of activities and people use the houses besides those who live there. Jim Heffernan asked

what the major problem was, which Kathy Green described as being the number of people who can reside there given licensing and other departmental requirements.

Commissioner Peter O'Meara addressed the group and indicated that he and Kathryn du Pree would like to visit to see the homes and understand the situation. Commissioner O'Meara discussed the complexity of the waiver requirements, zoning and licensing rules and the lack of waiting list funding this year. The Commissioners will meet with Lighthouse staff and DDS regional staff to discuss the situation further. Tom Kalal asked Ms. Jane Bolles about a previous comment. She said the private sector is 40% less costly than the public sector. Mr. Kalal also expressed concern about what would happen to services for these women if there is no DDS funding.

New Council Member

Jim Heffernan introduced and welcomed Greg Kelly who is the newest member to the Council. Council members introduced themselves.

Secretary Robert Genuario, Office of Policy and Management (OPM)

Secretary Robert Genuario joined the Council as an invited speaker to discuss the budget and the current economic situation. He discussed the unprecedented drop in revenues including a 40% drop in income tax. All revenue streams deteriorated including all taxes and casino revenues. Connecticut has a volatile tax structure in part because of its reliance on a high number of high wealth citizens. Connecticut, unlike some states, works on a two-year budget cycle, which exacerbated the problem. Taxes were raised and spending reductions were made. Concessions were reached with public employee unions. The state offered a Retirement Incentive Program (RIP) and the loss of employees impacts all departments including DDS. For agencies with direct care responsibilities, the state must continue to provide safe, quality services while reducing costs where possible. Secretary Genuario discussed the conversion plan, which will assure safe settings while transitioning some homes to private operation for cost effectiveness. The budget maintained funding for existing services and did not reduce contracts to providers. Funding was provided for school graduates with delayed start dates. The Governor, OPM and the legislature had to make very difficult decisions. Secretary Genuario believes DDS has fared as well as was possible in this fiscal situation. Overall, the budget has some level of flaws. It is balanced on paper but there are gaps that the Executive Branch will need to address. OPM is not projecting significant changes in revenues in FY 10 but are hopeful to see improvement beginning in FY 11.

Jim Heffernan asked if Robert Genuario believes the situation in Connecticut has reached its bottom point. Secretary Genuario stated that revenues will continue to deteriorate through December and then hopefully begin to turn, which would result in a modest decrease in revenues overall for the fiscal year.

Jim Heffernan asked about the impact on various state agencies as to when new initiatives could be reconsidered. Robert Genuario indicated education was protected the most because of federal stimulus requirements. Coming out of the recession in general will be dependent on job creation. Reductions to state agencies were fairly spread across the board. The Department of Social Services (DSS) probably has the most challenges, which will require the way business is done to change. There are many efforts being made to find savings without reducing care. Many of the savings projected in the budget are within DSS.

Pat Vingo indicated he understands DDS is doing its part but he is worried about the long-term impact of the loss of key positions including nursing and managers. He asked if OPM can make any

exceptions to key positions, which should be filled. Robert Genuario discussed the benefits and drawbacks of a retirement incentive plan. It does avert layoffs, which saves jobs for individuals still desirous of being in the workforce. OPM's rule of thumb for refill allowances for non-direct care is 1:4, direct care is 3:4. DDS conversion impacted how this was done. Facilities in DMHAS and DCF are closing and there are employees there who will need to move to other agencies. This will slow the refill of DDS and other agencies.

Greg Kelley asked how we are handling this. We are using overtime and will reassign employees as homes are converted to the private sector. This allows us to maintain all services. Secretary Genuario reported that there is no funding reserve in this budget.

Secretary Genuario then explained the aspects of the stimulus funding, which has a major component for education and increases the Medicaid reimbursement from 50 – 60%.

Ted Walen asked where Connecticut is in the process of addressing the gaps in the budget. Secretary Genuario indicated that the process has just started now that the budget and implementers have passed.

Jim Heffernan thanked Robert Genuario for sharing his time and budget information. He noted that OPM and the Governor's Office seem very knowledgeable and sensitive to DDS issues. Peter O'Meara talked about Connecticut's commitment to our population compared to the reductions in other states.

LEGISLATIVE UPDATE:

The last legislative session was October 2, 2009 to pass the implementers. The Governor vetoed one of the implementers, which was drafted to include all items that the Governor stated she would not approve.

The Public Health implementer included changes to the Birth to Three program including a 60 percent increase in parent fees and a doubling of the insurance caps. Additionally, there will be parent fees applied to the first two months, which are now provided free. These changes are expected to increase revenue annually by \$700,000 for fees and \$3.1 M in insurance. These changes require a public notice and comment period to meet federal application requirements. We will also revise DDS Birth to Three regulations. The public hearing is scheduled for November 12, 2009 at the Legislative Office Building.

A technical change was made between Personal Services, Voluntary Services and the Community Residential accounts.

There is a rate study advisory committee to study reimbursement for DDS services. There are 29 members including legislative, provider, union, OPM and DDS representatives. A report is due by January 11, 2011.

Certain peer review functions were made exempt from disclosure under the Freedom of Information Act (FOI). DDS was not specifically named but staff are doing a legal analysis of the impact on DDS peer review processes such as mortality review.

The revenue bill reduced the initial licensing fee for LPNs that had been increased in previous legislation.

Probate courts are being consolidated.

The conveyance bill did get passed with one minor property transaction for DDS.

There is no new capital improvement money appropriated in FY 10 and \$2.5 M in FY 11. DDS still has existing reserves if the Bond Commission approves. Some bond funds were approved for DDS projects in September.

Many dental services are still covered under Medicaid. Izabella Pulvermacher will present to the Council at the November meeting.

In the implementer bill that the Governor vetoed, there was an extension of the moratorium of DDS's ability to sell, lease or transfer community residences. However, protest rallies by 1199 have been held. DDS is continuing to plan for the conversion unless the legislature overrides the Governor's veto.

Christine updated the Council on the status of the medication administration regulations, which were rejected without prejudice by the legislature. Staff are making necessary changes and will plan to resubmit them for the November Regulations Review Committee meeting.

At the November meeting, the chairperson will select the nominating committee for the new slate of officers who will be voted on in December. Lou Richards has finished his term, which created a vacancy. The posting of 2010 Council meetings will be made by December 1, 2009 to meet statutory requirements.

Jack Frost asked if it would be appropriate to contact legislators to speak in favor of the conversion project. A discussion ensued. Mr. Frost made a motion to send a letter to legislative leaders and the governor to support the conversion project, which was seconded by Ted Walen. This did not pass at first. Members wanted data on the comparison on quality which Christine said she would email to members. The question was asked about impact if this didn't go through. Christine Pollio discussed the possible impact on Respite and family support services if staff are needed to fill direct care vacancies. After the discussion about this impact, the motion was made again by Mr. Frost, seconded by Mr. Walen and passed with Pat Vingo abstaining. Jim Heffernan will work with Jennifer Carroll to write the letter.

COMMISSIONER'S REPORT:

Peter O'Meara discussed efforts of DDS to consolidate and streamline support functions and to reduce office lease costs where possible. There is tremendous pressure to reduce other expenses. We are closing residences to achieve cost savings and because of physical plant issues.

With both closures and conversion, all existing employees will have jobs. The RFP process will make sure the providers can provide quality services and plan for an appropriate transition. We are sensitive to the relationships that exist between staff and consumers. The changes may allow us to address some staffing gaps in remaining residential programs.

Greg Kelley asked about the number of providers we lose each year. Commissioner O'Meara addressed our quality review process including enhanced contract monitoring. DDS loses only a few providers in any year.

Peter O'Meara was cautioning about the potential for future reductions to our budget given the overall economic picture.

Jim Heffernan asked about the provider response to the conversion RFPs. Commissioner O'Meara discussed this and the status of the review committees.

Ted Walen asked about the Waiting List. Kathryn du Pree reported the Waiting List Settlement is completed and she will provide a full report in November. The department supported more than 1,500 people over the five years. Everyone who was on the list when the initiative started was offered residential support.

OLD BUSINESS:

Christine Pollio is still working on a schedule of upcoming speakers and meeting locations.

NEW BUSINESS:

There was no new business.

Ted Walen made a motion to adjourn the meeting and Tom Kalal seconded the motion. The meeting was adjourned at 8:48 pm.