



State of Connecticut
Department of Developmental Services



Dannel P. Malloy
Governor

Council on Developmental Services

Jordan A. Scheff
Commissioner

Minutes of Thursday, June 15, 2017

Location: Department of Developmental Services (DDS) Central Office, Conference Room A

In attendance: Adrienne Benjamin, Chair; Jamie Lazaroff, Secretary; Karen Hlavac; Rick Lenz; Diana Mennone; Arlene Reith; Kevin Zingler

Absent: Lisa Weisinger-Roland, Vice Chair; Patti Silva; Dr. Neil Stein; Deborah Ullman

Staff: Margaret Castonguay, Executive Secretary; Rod O'Connor, Legislative Liaison; Christine Pollio Cooney, Legislative Liaison; Jordan Scheff, Commissioner

Introductions

Chair, Adrienne Benjamin, called the meeting to order at 5:10 p.m.

Public Participation

Jack Frost; Faye Lenz; Rick Rothstein; Stan Soby

Approval of Minutes

Minutes for the May meeting were approved with edits

Topics for Discussion

Ed Mambruno, Ombudsman

Mr. Mambruno shared a highlight of his monthly report with the Council. Mr. Mambruno is working with a parent, her son and West region staff to relocate and receive New York services. Mr. Mambruno, as the Americans with Disabilities Act (ADA) Coordinator of Compliance for DDS, updated the Council on the progress of the training video and meeting with people about his new role. Mr. Mambruno asked Council Secretary, Jamie Lazaroff, to participate in the ADA training video.

Commissioner Jordan Scheff

The Commissioner updated the Council on the state not having a budget and how DDS is making preparations. DDS legislative affairs will send updates to the Council once a budget is agreed upon. The Commissioner spoke to the Council about children's issues and how he is working with the Department of Children and Families (DCF), the Office of the Child Advocate (OCA), the Office of Policy and Management (OPM) and the Department of Social Services (DSS) to collaborate on services and strategies for children who are in crisis and how best to move forward in preventing and maintaining services while having a limited budget.

Commissioner Scheff shared with the Council his attendance at the National Association of State Directors of Developmental Disabilities Services (**NASDDDS**) 2017 Directors Forum & Mid-Year Conference in Minneapolis, MN. One of the topics was about children and complex behavioral health needs and how states are supporting individuals and their families. The social comparison of the conference was apparent in that Connecticut is not alone in the struggle in facing the rate of co-occurring Autism Spectrum Disorders (ASD). The conference gave the Commissioner the opportunity to work, learn and share information with other states in speaking with each other and attending presentations and workshops. One of the most striking presentations, to the Commissioner, was by David Pitonyak of *dimagin.com*. Mr. Pitonyak shared information on how people's lives improve through developing meaningful relationships in that you can also see improvements in behavior, mental health and cognitive function. The Commissioner encouraged the Council to view the web site.

The Commissioner told the Council how appreciative he was for the opportunity to present to the Regional Advisory Councils (RAC)s and the Council together. The meeting went well and the presence of staff was welcomed and appreciated. The Commissioner and Ms. Benjamin spoke about continuing the meetings in the future.

The Commissioner updated the Council on the current graduate student funding. Currently no there is no approved funding for graduates. DDS will respond to families as best we are able and make accommodations where possible.

Camp Harkness and Camp Quinebaug will be open for the summer.

The Commissioner spoke about his visiting the DDS regions and speaking and listening to staff taking suggestions and ideas for cutting expenses and managing services.

Commissioner Scheff gave a great big appreciative thank you to Rod O'Connor and Christine Pollio Cooney for their hard work and efforts during the legislative session.

Christine Pollio Cooney, Legislative Liaison

Christine Pollio Cooney offered a legislative update. The regular session ended at midnight without a budget for the next biennium. Rod O'Connor sent his legislative update earlier in the week and he and Ms. Cooney will be working on the annual session wrap up document to be available after the budget has passed, bills have public act numbers and they have had time to comb review and summarize many of the bills that did pass during the session. Ms. Cooney detailed some of the bills that passed during the session:

S.B. No. 839 is DDS's technical agency bill.

S.B. No. 246 codifies how information about the DDS residential waiting list is collected, reported and shared with multiple DDS stakeholders.

H.B. No. 7192 is the bill that establishes the new non-profit protection and advocacy system (Disability Rights Connecticut) and its duties, removes references to the Office of Protection and Advocacy, and moves the Fatality Review Board to DDS. Ms. Cooney noted that the legislation needed to move the OPA's Abuse Investigations Division to DDS is expected to go in a budget implementer bill.

H.B. No. 6155 was originally drafted to allow deemed status for providers who had received accreditation from a national accreditation organization as an alternative to state agency licensure. Section 7 specifically dealt with DDS and would have required DDS to amend regulations to create a process that would allow private providers to request an alternative to DDS group home licensure in the form of national accreditation. As amended, the bill requires a cross agency review of licensure/certification processes in order to achieve efficiencies and reduce administrative burdens for the community non-profit providers as well as the state's human service agencies. The bill requires a progress report by 9/15/17 and a final report by 12/31/17 to multiple legislative committees. OPM plans to facilitate a cross-agency Lean.

S.B. No. 796 is the Governor's respectful and person-first language bill. It changes to various agencies' statutes to promote person-first and respectful language. Commissioner Scheff acknowledged Jonathan Slifka's work in getting this bill passed.

S.B. No. 938 provides the Commissioner of Public Health with the authority to implement the medical orders for life-sustaining treatment (MOLST) program state-wide. It makes the current Medical Orders for Life-Sustaining Treatment "MOLST" pilot program permanent and available to all eligible individuals throughout the state, who are approaching the end stage of a serious, life-limiting illness or who are in a condition of advanced, chronic progressive frailty. It ensures people who are presently participating in the pilot to have a medical order that directs their end of life treatment goals and wishes. DDS clinical staff was at the table with DPH to ensure that the legislation did not negatively impact individuals with intellectual disability.

H.B. No. 7007 allows OPM to set up an incentive program for smaller human services providers that would allow these providers to retain up to 50% of savings they attain to expand services ("cost settlement").

H.B. No. 7032 allows CT State Treasurer to contract with another state to provide accounts ABLE for CT residents.

Ms. Cooney noted that the legislature passed a deficiency appropriations bill and a deficit mitigation plan bill for fiscal year 2017. These measures as passed assure that the state budget for FY 2017 (the current fiscal year) is in balance. Additionally, the legislature approved the call for special session at a date to be determined. The call of the special session is to include only items related to the FY 2018-2019 budget, revenue, bonding and school construction. If a budget is not passed before the beginning of the next fiscal year (July 1, 2017), the Governor has executive authority to determine allocations to state agencies. After a budget is passed, budget implementer bills will follow which outline details related to items in the budget. DDS is keeping an eye on items that need to go in the implementer such as the move of the Office of Protection and Advocacy's Abuse Investigation Division to DDS. If the language is not passed before July 1, 2017, DDS will enter a memorandum of understanding with the Department of Rehabilitative Services (DORS) to reflect the move to DDS. Other items that DDS are tracking closely include a proposal by the nursing home association to offer services to individuals with intellectual disability in nursing homes in a segregated wing (DDS is opposed and has shared concerns with the proponents); the issue of financial responsibility for school age children in residential settings; and requirements around federal background checks for staff who handle federal tax information.

DDS legislative affairs will keep the council up to date once a budget is agreed to.

Rod O'Connor, DDS Legislative Liaison, updated the Council on the changes needed to the Council's bylaws. Public Act 17-9, DDS' technical bill, changed the criteria for the House majority leader's appointment to the Council from a person receiving services from the DDS ASD division to a relative or guardian of a person with intellectual disability. The bylaws need to be updated because of the statute change. Mr. O'Connor distributed a draft of the change to the bylaws. If the Council wishes to make any other changes to their bylaws, Council members should bring the proposed changes to the July 20th Council meeting. The Council members are required to have a 30-day notice period prior to voting on bylaw changes. To vote for the bylaw change to the appointment at the October Council meeting it must be sent to members prior to the September Council meeting. Mr. O'Connor asked the Council members to please check on their appointment dates to the Council and make sure that their appointment letters are current. He asked to have members contact their appointing authorities, if a new appointment letter is needed. He asked that appointment letters should be forwarded to Ms. Castonguay.

Council Chair, Adrienne Benjamin updated the Council on the RAC meeting on what a success the meeting was and how each RAC shared the same goals for the individuals we support and DDS overall. Outreach was a theme of the meeting, using Facebook pages and newsletters either statewide, regional or at the Individual Plan (IP) meetings. The presence of regional directors and staff was impressive. The groups would like to continue to meet.

Ms. Benjamin spoke to the Council about new business and next meeting's agenda items; Council Advocacy and Visibility - *'Where is our Lane'* and RAC/Council meetings. The council discussed how to increase Council visibility with possibly, hosting a legislative breakfast, drafting letters and speaking about advocacy in the media.

New Business:

Bi-law update and approval

Council/RAC meeting to be scheduled for October in Central Office

Council members spoke about forming a subcommittee on dental care

CMS Community Living Right Changes 2019, Peter Mason, Siobhan Morgan and Robin Wood to be invited

Waiting List

Adjournment

The meeting was adjourned at 7:06 p.m.