



State of Connecticut Council on Developmental Services

DDS

DRAFT Minutes of the April 21, 2022 Meeting

Location: Meeting Held Virtually via Microsoft Teams

In attendance: Adrienne Benjamin, Christine Hainsworth-Straus, Diana Mennone, Karen Hlavac, Kevin Zingler, Rick Rothstein, Patti Silva, Rick Lenz.

Absent: Deb Ullman; Arlene Reith; Pam DonAroma; Joe Duffy; Lisa Weisinger-Roland

DDS Staff: Jordan A. Scheff, Commissioner; Kevin Bronson, Director of Communications, Legislation, & Regulation; Shannon Jacovino, Ombudsperson; Joseph Carvalho, Executive Secretary

Introductions

Kevin Zingler, Chair, called the meeting to order at 4:34 PM

Moment of Silence for those affected by COVID-19

Opportunity for Public Participation

Donna Cohen attempted to make remarks but was unable to unmute herself. Council Chair Kevin Zingler thanked Donna for joining the meeting. The Chair also recognized Kelly Dorsey who recently submitted an application to become a member of the DS Council.

Topics for discussion:

- **Review and Approval of previous council meeting minutes – 5 Minutes**
 - March 17, 2022
 - Motion made to approve minutes as amended by Karen Hlavac seconded by Rick Lenz
 - Passed unanimously
- **Ombudsperson Report**
 - Shannon opened by proposing to use her time during the council meeting to answer any specific questions or concerns that Council members may have regarding the monthly Ombudsperson report.
 - Rick Lenz had a few questions submitted by email that Shannon reviewed before the Council including concerns regarding an individual and family receiving a 30-day notice from a provider. What grounds did the provider have and what support did Shannon provide?
 - Shannon detailed two separate situations, one of which began several months ago and in which she has remained involved as an advocate to ensure the individual continues to get the supports they need throughout the transition period. The region recommended a remediation. Shannon maintains regular contact with the family and follows their lead.
 - Another issue rose from a Case Manager re: a 30-day notice of medication management being suspended by a provider. The mother of an individual was told the provider would no longer give med admin to folks in this type of setting due to missed appointments. The CM contacted Shannon on how to address this matter.

Shannon first worked to verify the facts, then to let the provider know that this may be a violation of the persons rights.

- Shannon noted another area of interest in her report re: when parents aren't guardians. Shannon emphasized the importance of family advocacy, but when a parent is not a guardian, the role of the parent becomes less clear. So long as there is not cause for concern, family involvement is something she aims to uphold as important.
- Adrienne Benjamin – I have heard from many families that it is hard achieving accountability. How is accountability defined? What happens when families run into a brick wall? Expressed gratitude for Shannon's report.
 - Shannon Jacovino – thanked Adrienne for her comment and encouraged her to share Shannon's contact information with families. It's important for the Ombudsperson and the Council to both be working toward accountability.
- Rick Rothstein – noted he gives Shannon's contact information to many families. Seems there needs to be an educational process for providers and families to remind all parties to be family-centered in their outlook and actions.
 - Shannon Jacovino – it is important to educate families that, when choosing a provider, you are choosing a partner and that relationship is important and is a two-way street.
- Christine Hainsworth-Straus – what are the options for creative housing mentioned in your report?
 - Shannon Jacovino – that is something I am trying to explore with families, partners, and support brokers.
 - Christine – does CFC funding prevent someone from progressing?
 - Commissioner Scheff indicated the answer is no.
- **Commissioner's Report**
 - Clarified that emergency placements are not means tested but are determined through a variety of factors including health and safety of the individual among other factors.
 - Describe ongoing conversations he's had with Shannon Jacovino regarding how to ensure person-centeredness and satisfaction of supports in a variety of settings. We do have several individuals we support who would prefer to not have their family involved assuming their family isn't the guardian and we have to be respectful of that and build that into the education process. Believes this is the minority of cases but is reluctant to adhere to one-size-fits-all solutions or approaches.
 - ARPA Funding – when we last met, we were poised to get some money out the door to providers and we did do that in late March. We are working on getting additional guidance out to providers. Three broad areas of investment include:
 - Temporary provider stabilization funds
 - Workforce stability
 - Technology
 - Commissioner Scheff touched on the progress of legislative session and the budget but noted Kevin Bronson will cover this update later in the meeting.
 - Staffing Changes – Commissioner detailed several retirees who have returned as Temporary Worker Retirees.
 - Rick Lenz – asked how long can they come back for?
 - Commissioner – they can return for 120 days in a calendar year.
 - Karen Hlavac – there was a closure of a nursing home. What is the oversight the department provides for residents who are in nursing home care from our population? How are they monitored?
 - Commissioner Scheff – there is conditional intake at nursing homes that requires doctor sign-off. The individual needs to be approved for medical necessity for that

level of medical care before admission. Any time an individual is flagged as having I/DD, it triggers a nursing home process (OBRA) where our nurses are responsible for a 30-day follow-up. Nursing homes are funded through Medicaid via DSS and are licensed through DPH. DDS' oversight is minimal, but there are OBRA nurses who are connected to DDS who look after folks who receive DDS services and/or funding who are in a nursing home setting for 30 days or more.

- Adrienne Benjamin – some of ARPA funds are going to workforce stability – is this a one-time bonus? An ongoing raise? The feeling of demoralization is profound.
 - Commissioner Scheff – we are going to urge agencies receiving money to get it out quickly. We would be looking for retro wage adjustments; it can't be a permanent wage adjustment though we are working on improving wages in other areas. There are retention incentives and referral incentives. There are many ways these moneys can end up in direct care pockets quickly.
 - Adrienne Benjamin – how is it being ensured that these funds end up in the hands of the direct support workers and not CEOs?
 - Commissioner noted that he brought the former Deputy Commissioner, Peter Mason, is back in a Temporary Worker Retiree role to help ensure federal requirements are being met as these funds are dispersed. Additionally, there are attestations that are reported by providers to indicate their plans for these funds.
- Rick Rothstein – how is COVID going with respect to the folks who DDS serves?
 - Commissioner Scheff – the state has stood down some of its incident command protocols and DDS has reflected that posture, though we retain a monthly Incident Command call. Among those we serve, there is a mild uptick. As for the folks receiving services from DDS' Public Division, the known cases of COVID are very mild. Despite some initial concerns, this instance is not part of a broader outbreak of COVID within the DDS service delivery system.
 - Rick Rothstein – my son had a negative home test, then a positive PCR test. There are instances of conflicting tests.
 - Commissioner Scheff – wastewater sampling has been an informative source for real-time COVID data.
- Rick Rothstein – last month Dr. Cheryl Ellis detailed a DEI newsletter. Can there be a newsletter for individuals and families?
 - Commissioner Scheff – Kevin Bronson is here and available to give an update on that, but I want to be clear that I don't foresee a return to paper copies of newsletters being sent to families.
 - Kevin Bronson – a newsletter in paper form is not what we will be aiming for, but we will be sharing updates online. We are in the process of working with BITS, the state's IT agency, families, and other stakeholders to determine the most and least used sections of our website and rebuild the website to focus on families and individuals. We will also build an email list, so that when there are important updates, they can be shared to folks who subscribe.
- **Legislative Update**
 - Kevin Bronson – we have a light legislative agenda this year. SB 369 will contain all the agency bills DDS wants passed.
 - Adrienne Benjamin – the Alliance had 461-million-dollar proposal to make up for years of funding and losses, and there might not be a specific bill, but when speaking to a local legislator – they said there would be a 6% increase. Is this right? Does this need more advocacy from parents?

- Commissioner Scheff – the 450 million that the Alliance requested won't be in a line item you will see anywhere. Senator Osten indicated an 8% cola is a first step of a multi-year effort to increase funding.
- Adrienne – is there anything that we should do as advocates to advance the increased funding that the Alliance requested?
 - I don't know I have a specific recommendation, but I would suggest supporting a specific piece of legislation being considered by the legislature.
- Christine Hainsworth-Straus – in recent conversations with our US Senators regarding raising the social security asset requirements and marriage penalties... it is frustrating to have a 1600 asset limit at the state level. Why is the state's limit lower than the federal limits?
 - Kevin Bronson – I can follow up.
 - Commissioner Scheff – perhaps Krista Ostaszewski can speak to that at a future meeting. There are some options to either have some income disregarded, or limits increased... I believe it's called SO5, but I would defer to Krista on greater detail.
- Kevin Bronson – One last item: our agency bill is currently waiting to be called in the Senate, and once it's called, we expect it to go through the senate, then the house, and then to the Governor's desk for signature.
- Investigation Discussion
 - Kevin Zingler – I believe it was the will of the council to discuss in executive session?
 - Patti Silva – can we discuss future topics before executive session?
- Topics for Future Meetings
 - Patti Silva - would it be appropriate for the Council to recognize Bo Daugherty for his service to Special Olympics?
 - Kevin Zingler – That's something we can discuss at a future meeting.
- Kevin Zingler entertained a motion to suspend the rules to add an agenda item for the purpose of going into executive session.
- Shannon Jacovino asked if she would be asked to stay on? Adrienne Benjamin said it would be good for her to stay on.
 - A motion to suspend the rules, add an agenda item for the purpose of going to executive session to discuss investigations, and enter executive session was made by Karen Hlavac and seconded by Adrienne Benjamin.

The DS Council went into Executive Session at 5:55PM.

Executive Session ended at _____.

• Motion to adjourn was made by _____ and seconded by _____. Meeting adjourned at _____.

Next Meeting May 19 at 4:30 PM via Teams.