

LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL

April 16, 2009

MEETING

8:30 A.M.

Baton Rouge Marriott
Baton Rouge, Louisiana

1. GREETINGS AND INTRODUCTIONS

A. Lynette Fontenot, Chairperson of the Council, welcomed everyone to the meeting. Ms. Fontenot stated there are forms on the table for anyone who would like to address the Council. Time is allowed at the end of the meeting for people to speak for five minutes each. Ms. Fontenot reminded those present that Council Bylaws do not allow for proxy voting; anyone representing a Council member cannot vote on any issue.

B. MEMBERS PRESENT

Jeanne Abadie
Sam Beech
Donna Breaux
Brandon Burris, GODA
Lynn Cannon
Pranab Choudhury
Mary Elizabeth Christian
Melissa Fayard
Lynette Fontenot
Valerie Hiser
Simone Honore-Chretien
Kathy Kliebert, OCDD
Billie Ruth Kvaternik
Kay Marcel
Andrew Merlin
Heather Mobley
Chasadee Noto
Nanette Olivier, DOE
Jerry Phillips, BHSF
Olantha Scott
Lois Simpson, AC
Roseland Starks, LRS
Phil Wilson, HDC

C. MEMBERS ABSENT

Susan Berry, CSHS
James Bulot, GOEA
Rocky Fuselier
Laura Head

D. STAFF PRESENT

Shawn Fleming
Paige Freeman
Robbie Gray
Kevin Hill
Derek White
Sandee Winchell

E. GUESTS IN ATTENDANCE

Sharon Buchert for James Bulot, GOEA
 Betsey Snider for Susan Berry, CSHS
 Dora Chandler - Guest of Lynette Fontenot
 Lacey Abshire - Guest of Lynette Fontenot
 Martha Whitlock – Committee Member
 Jamie Tindle – FHF of GBR
 Tessie B. Difulco - CC
 Liz Gary – Partners Coordinator
 Beth Ann Merida – Guest of Andrew Merlin
 Doris Heckert - FHFGBR
 Ellen Katz - AC
 Karla Cummings – Guest of Billie Ruth Kvaternik
 Kahree Wahid – Head Start
 Kathy Allen - FHF of Acadiana

2. MINUTES OF JANUARY MEETING

Ms. Fontenot entertained a motion to accept the Minutes from the January meeting.

Motion Passed - Moved to accept minutes by Mary Elizabeth Christian.
 Second by Pranab Choudhury. For – 20. Against – 0.

3. CHAIRPERSON'S REPORT – Lynette Fontenot

Ms. Fontenot began by thanking everyone who participated in the planning meetings. The results of the meetings will be voted on under New Business.

- **Meetings Attended**

On January 27th, Ms. Fontenot attended the Direct Support Professional (DSP) stakeholders meeting. The stakeholders group discussed the cost of living wage increase issue and strategies on how to retain people by making DSP a long term career. Data from the workforce commission was disseminated. Policies to improve training and funding were debated.

On February 3rd, Sandee Winchell and Ms. Fontenot along with other agency representatives met with Department of Health and Hospitals' (DHH) Secretary Levine. They discussed the consolidation and closure of developmental centers, the need to address the waiver waiting list and the need for additional waiver slots. Secretary Levine listened to the concerns and committed to call them if the administration proposed any changes to the NOW trust fund.

On February 5th, Dora Chandler and Ms. Fontenot participated in the Human Development Center's Constituent Advisory Council meeting in New Orleans.

On February 17th, and March 4th, Kay Marcel and Ms. Fontenot testified before the House Appropriations Committee to advocate for the Council's agenda for funding for more waiver slots and the consolidation and closure of developmental centers.

On March 6th, Ms. Fontenot attended the Cash Subsidy Ad Hoc Committee meeting. Simone Honore-Chretien will give a report of the committee meeting later during the meeting.

On March 10th, Ms. Fontenot attended the Direct Support Professional Stakeholders meeting. There was no representation from the Workforce Commission. The committee decided to study the data again before presenting it to the legislature. The DSP survey form was reviewed and some recommendations for revisions were made.

On March 20th, Ms. Fontenot spoke to the fifth grade art students at Cathedral Carmel in Lafayette per the request of Sabrina Hagan of Families Helping Families of Acadiana. The experience was very rewarding with the students being very attentive and asking many questions about Ms. Fontenot's disability and equipment. She believes this activity helps prepare students to experience inclusion of people with disabilities in their lives.

- **Executive Committee Meeting**

On March 16th, the Executive Committee held a meeting. Donna Breaux addressed the committee, provided information about Saint Andrews Village, and answered all of the committee's questions. The committee decided to trust Ms. Breaux that the vision and plan for Saint Andrews is one for a mixed use inclusive community open to both people with developmental disabilities and people without disabilities from the beginning. Ms. Breaux indicated that people without disabilities will be able to lease property in the village in Phase One. Ms. Breaux acknowledged that the website does not reflect this vision and she is going to talk to the board about correcting it. The committee decided to continue to monitor Saint Andrews as it develops. Ground breaking is still almost a year away. Council members should have received an email from Ms. Fontenot about the committee's decision.

The committee also discussed legislation that Speaker Pro Tem Karen Carter Peterson plans to introduce that would impose a one dollar tax on tobacco products and dedicate the revenue raised to the health care budget. Louisiana has one of the highest rates of tobacco related illnesses and deaths in the nation. This tax is expected to raise two hundred million dollars annually which would help offset some of the drastic cuts DHH will be facing in the coming years. Ms. Fontenot attended the press conference in support of this legislation on March 17th. Representative Peterson mentioned services for people with developmental disabilities in her remarks. Subsequent to the committee's decision, Representative Peterson and her co-authors decided that the revenue raised from the tax would not be dedicated in the bill.

Ms. Winchell shared the draft agenda for the April planning meeting with the Committee and asked for members' input on the agenda and one of the handouts. The committee asked for more detailed budget information on the handout and approved the recommended agenda.

- **Louisiana Disability Summit**

On March 30th through April 2nd, Sam Beech, Chasadee Noto, Dora Chandler and Ms. Fontenot participated in the Louisiana Disability Summit in Lafayette. The sessions were very informative. People First did a great job with the Legislative Toolkit session. Ms. Fontenot also attended a good session on living real lives and self determination. Ms. Noto will give a report of the summit later during the meeting.

- **Nominating Committee**

Ms. Fontenot recently appointed the Nominating Committee for new officers. The members are Kay Marcel, Phil Wilson, Jeanne Abadie, Billie Ruth Kvaternik and Pranab Choudhury. New officers will be voted on at the July meeting.

- **Stipends**

The stipend fund report indicates there are three thousand dollars available.

- **Executive Director's Evaluation**

The Executive Committee conducted Ms. Winchell's evaluation. As the Council knows Ms. Winchell does an excellent job as Executive Director of the DD Council. The results of the evaluation will only further confirm this and are as follows:

Strongly Agree 101
 Agree 24.
 No Disagrees.
 No Strongly Disagrees.

Comments are as follows:

The members of the Council agreed that Ms. Winchell does an excellent job and is very dedicated to carrying out the mission of the Council. She goes above and beyond her responsibilities and is totally committed to people with disabilities. Lois Simpson stated that Ms. Winchell does not stop until she gets what she sets out to get for the DD population.

Ms. Winchell sent an email to the Executive Committee indicating that in light of the current economic situation and budget she respectfully requested that the Council not make a salary increase recommendation.

Ms. Fontenot stated she would not be able to perform her duties as Chairperson without Ms. Winchell's total support and help. Ms. Fontenot expressed appreciation for all Ms. Winchell does for her.

4. EXECUTIVE DIRECTOR'S REPORT - Sandee Winchell

Ms. Winchell expressed her appreciation for the kind words from everyone regarding her evaluation and how honored she is to serve as Executive Director.

Ms. Winchell discussed the following:

- **Financial Disclosure Forms**

Ms. Winchell sent out an email to remind Council members to submit their forms to the Ethics Board by May 15th. She reiterated the importance of members completing this task on time. The Ethics Board website lists the names of people who are delinquent in submitting their forms.

- **Position Papers**

The Council has position papers that were adopted several years ago. All of the Council's positions for Community Inclusion and for closing Developmental Centers are still viable but the papers are in need of updating with regards to their recommendations. Ms. Winchell requested for the Council to permit staff to update the positions with minor revisions and present them at the next meeting.

- **Annual Report**

Ms. Winchell informed the Council that staff is doing something different with the Annual Report due partly to cost. In the past, the report was a mini-magazine and the new version is a double sided tri-fold document. Ms. Winchell passed around a "rough draft" for the Council's review.

- **The End the Wait Campaign**

Ms. Winchell stated the End the Wait Campaign was launched about six weeks ago. The 30 second video spots have been airing on television statewide. There are three videos with one featuring Andrew Merlin and Beth Ann Merida. The end of each video states, "Over 9,000 people with developmental disabilities wait for the waiver services that they need now." It then directs you to the Council website. Another feature of the campaign is an End the Wait folder that will be used to hold fact sheets given to legislators.

- **Council Budget**

The Council budget was heard by the House Appropriations Committee on Tuesday, April 14th. In the past, the Committee has not asked the Council to the witness table, but it did on Tuesday. Ms. Winchell explained the Council's mission and purpose. Representative Peterson asked questions about waiver slots which raised questions and discussion from legislators about the Developmental Disabilities system.

- **BESE Members List**

Ms. Winchell indicated that today's packet includes a list of BESE members and the districts they represent. The Health/Education/Employment Committee met with LaTEACH and discussed developing an advocacy agenda and focusing on issues. By July the committee hopes to have a specific message to deliver to the BESE members.

- **Act 378 Contracts**

This information normally would have come in the Act 378 Sub-Committee report but since the committee did not meet Ms. Winchell reported on it as requested by Jeanne Abadie. The Council's Act 378 state funds support contracts with the Families Helping Families Centers, the Federation of Families for Children's Mental Health and the Supported Living project. These state funds are subject to budget cuts by the Governor and legislature and at the January meeting the Council voted to reduce the Federation of Families and Families Helping Families Centers' contracts by proportionate percentages to comply with the Governor's directive to reduce the Council's budget. The Federation of Families for Children's Mental Health is supposed to be serving people throughout the state, however, they do not have staff statewide therefore not all regions are being served. In addition, their Act 378 reporting and responsiveness to requests have not always been timely. The Families Helping Families Centers are statewide while they don't specialize in children with mental health needs like the Federation does, they do serve this population, especially with education issues. Therefore, the recommendation by staff is to cancel the Federation of Families' contract and use those funds to distribute among the other Act 378 contracts. Currently, eight FHF centers will receive \$48,000 each and FHF in Region 7 will receive \$55,500. It is recommended that all FHF be restored to \$55,555. It is also recommended that \$28,385 be added to the Supported Living contract which will bring it up to \$140,367. This will be voted on under New Business.

5. **BUDGET REPORT – Shawn Fleming**

Shawn Fleming discussed the following:

- **March 2009 Budget Report**

Mr. Fleming referred to the handout on the budget and reported that the Council is in line with expending its funds appropriately. There are anticipated savings in salaries due to the vacancy in the Program Manager position.

A discussion followed.

6. **COMMITTEE REPORTS**

A. **COMMITTEE OF THE WHOLE – Kay Marcel**

Kay Marcel stated that the Council met yesterday as a Committee of the Whole to review and amend the plan. She reviewed the strategies in the plan that have a dollar amount attached. These will be voted on under New Business.

Multi-year, continuing Plan Objectives:

Plan Activity	Proposed Funding
LaCAN	\$130,000
Partners in Policymaking	78,000
Stipends	46,000
TriAngle	13,386
Early Autism Treatment Project	60,000
People First	110,000
LaTEACH	60,000
Total Multi-Year Obligations	\$497,386

One-year Plan Objectives:

Plan Activity	Proposed Funding
Disability Rights Rally	\$ 9,000
My Choice Training	10,000
Inclusive Ed. Arts Contest	1,500
Ability Awareness Service Learning Project	8,000
Campaign of Ending the Wait PSAs (airtime)	8,000
Employment PSAs (airtime)	24,000
Employment Consortium (HDC)	68,655
Dis-a-boom	5,000
Total Single-Year Obligations:	\$134,155

B. CASH SUBSIDY AD HOC COMMITTEE – Simone Honore-Chretien

Simone Honore-Chretien reported that the committee met on March 6th and developed the following recommendations:

- All children with qualifying disabilities will be screened for severity to determine eligibility for the cash subsidy program. Currently, children with certain disabilities are automatically eligible for the cash subsidy without additional screening. The committee chose to not single out children based on their disability to avoid potential issues with discrimination. All initial eligibility determinations require a face to face meeting and interview with the parent or guardian. Therefore, screening all children will not be overly intrusive nor add administrative expense.
- OCDD will convene a committee of specialists and family members to review the items on the existing screening instruments and develop a single screening instrument for all children seeking the cash subsidy.
- Children currently receiving the cash subsidy would be grandfathered in under the existing criteria until they turn 18 or no longer meet the criteria. Brenda Boyd offered to get an estimate of the number of children currently eligible being grandfathered in. She indicated she could look at one region to both test the new instrument and determine the number of children who

are currently eligible who would not meet eligibility using the new screening tool.

- Evaluations for autism administered by physicians and licensed mental health providers will be accepted as documentation of disability. Currently only educational assessments and evaluations from school systems are accepted.
- Applications for cash subsidy will be allowed to be faxed to regional offices and districts or authorities. The current rule states that applications can only be mailed.
- The committee corrected language that indicates an educational setting must be approved by the Local Educational Agency (LEA). Children who are home schooled and enrolled in private schools will also be considered for eligibility since home schooling and private schools are regulated and overseen by the Louisiana Department of Education (not LEAs.)
- Finally the requirement for evaluating the program was deleted.

A discussion followed.

C. SELF-DETERMINATION/COMMUNITY INCLUSION/HOUSING – Kay Marcel

Kay Marcel discussed recommended Plan amendments proposed by the committee for Objectives 1 through 14 as follows:

Objective 1

- Strategy 1.1.6 Improve the application/screening process to better select participants who will successfully complete the program.
- Strategy 1.3 Removed “Provide financial support for the Louisiana Youth Forum...” and renumbered subsequent strategies.

Total Approximate Cost: \$134,000

Objective 2

- Strategy 2.2 Facilitate as requested the appointment and participation of individuals with developmental disabilities, especially those with cognitive disabilities, on state and regional boards and commissions. (i.e., advocate for travel reimbursement).

Objective 4

Strategy 4.2 Enhance the employment of people with developmental disabilities through collaborative initiatives with the Advocacy Center and Human Development Center.

Objective 6

Individuals with developmental disabilities will receive quality community services through an improved monitoring process.

Strategy 6.1 Advocate with DHH for a peer review monitoring process.

Strategy 6.2 Educate self-advocates and families on the quality indicators and provider responsibilities.

Strategy 6.2.1 Develop fact sheets and disseminate through support coordinators and the TriAngle.

Strategy 6.2.2 Encourage FHF to conduct workshops on this topic.

Strategy 6.3 Advocate for the full implementation of the DSP registry.

Objective 7

Noted as being accomplished.

Objective 8

2000 additional individuals with developmental disabilities will receive waiver services.

Objective 9 (was Obj. 7)

No change in wording.

Strategy 9.3-9.5 Combine these strategies into one strategy.

Strategy 9.6 Amount changed to \$9,000.

Strategy 9.9 Changing from developing to distribution of videos and other media materials...

Strategy 9.10 Noted as being accomplished.

Total approximate costs \$147,000

Objective 10

Deleted information referring to DIAL.

Objective 13

- Strategy 13.1 Council will update by aligning with the current Council member list of represented committees.

Objective 14

- Strategy 14.1 Provide funding for the maintenance of a *Facebook* page and *Disaboom* website specific to people with disabilities in Louisiana.

This was followed by a discussion.

D. HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Sam Beech

Sam Beech discussed recommended Plan amendments proposed by the committee for Objectives 16 through 24 as follows:

Objective 16

- Strategy 16.1 Updated the committees and organizations with those that have Council member representation.

Objective 17

- Strategy 17.1 Changed Senate Bill 546 to Act 552 of 2008.
- Strategy 17.2 Research and advocate for a voluntary registry system to provide first responders with person specific information that results in improved emergency responses by tailoring the response to individual needs.

Objective 18

- Increased number of people who become active in systems advocacy from 500 to 700
- Strategy 18.1.1 LaTEACH will continue to collaborate annually with the Louisiana Department of Education funded parent conferences in multiple regions of the state.
- Strategy 18.2 Cost for Arts contest changed from \$3,000 to \$1,500.
- Strategy 18.2.1 Continue the ad hoc committee to collaborate with the Louisiana Department of Education, Governor's Office of Disability Affairs, Families Helping Families and other agencies and organizations to initiate and implement public awareness activities in conjunction with National Inclusive Schools Week.

Strategy 18.2.2 Display contest entries in a location frequently used by the general public (i.e. public library, state archives, LDOE) and include a demonstration of alternative techniques used by an artist with a disability.

Strategy 18.2.3. Collaborate with local, state and national organizations to advocate for accessible literacy materials and activities in libraries.

Strategy 18.2.4 Advocate for the inclusion of the Ability awareness component in service learning programs for students in grades K-12. Provide incentive funding to eight recipients to include Ability awareness components in their service learning programs.

Total Approximate Costs: \$69,500

Objective 19 Increased the number of Education committees and bodies that the Council is on from 3 to 7.

Strategy 19.1 and 19.2 Combined to make one strategy.

Objective 20 30 children with autism and their families will receive early intervention services that result in improved language and social skills.

Objective 22

Strategy 22.1 Reduced from \$75,000 to \$68,655.

Strategy 22.2 Reduced from \$32,000 to \$24,000.

Total Approximate Costs \$92,655.

Objective 24 (reworded) Transportation choices and opportunities for persons with disabilities will be expanded through the Council's assistance in the coordination of at least one transportation program in Louisiana.

Strategy 24.1 The Council will support research and efforts to expand transportation services and develop new transportation services in the state through interagency collaborative efforts.

7. LEGISLATIVE REPORT – Sandee Winchell

Ms. Winchell referred members to the updated legislative tracking list in the packet of handouts. The deadline for filing bills is April 17th so additional bills are expected to be filed. This is a fiscal only session so there will not be as many bills as a regular session. Each legislator is limited to filing five bills that are not fiscally related. The ones on the tracking list are the ones that deal with financial or disability issues.

In the past, the Council used the Louisiana News Bureau to track bills. However, due to its high cost and improved internal tracking procedures this service will not be used this year. Ms. Winchell called the Council's attention to the following bills:

- HB 1 – This is the budget bill and will have an impact on people with disabilities.
- HB 75 – Rep. Peterson – proposed tax on tobacco, estimated to raise \$200 million per year in state funds and give the state \$1 billion total. These funds are not dedicated to health care as initially proposed. The Executive Committee met and is recommending the Council support this bill.
- HB179 –Rep. Stiaes - proposes that the LEAP test not be the only determination for pupil progression (to the next grade) but for this decision to be an individual team decision. Staff recommends the Council support this bill.
- HB 209 –Rep. Williams - proposes that children with exceptionalities will not have to take the LEAP. Staff recommends the Council not support this bill.
- SB 61 –Senator Heitmeier - would allow the Department of Health and Hospitals to use restraints on a child being transported across the state. Staff recommends the Council not support this bill.
- SB80 – Senator Cheek – would allow Medicaid services for children who are catastrophically ill to be treated at out of state facilities for the same rate they are served in state. Staff recommends the Council support this bill.

Ms. Winchell stated that Representative Karen Carter Peterson agreed to sponsor an amendment to HB 1 for 2000 additional NOW slots.

In the past the Council has voted, as part of the Legislative advocacy plan, to have staff call and bring attention to important LaCAN alerts when a week or so has passed with no response from members.

Ms. Winchell reminded everyone the Disability Rights Rally will be May 7th on the steps of the Capitol. Last year there were 14 Council members in attendance, a new record. She challenged the Council to break that record this year.

The ability for the Council to take positions on additional bills as they are introduced needs to be brought up under new business. Staff has already heard that Representative Nowlin plans to introduce a bill that would put an individual cap on waiver services that would be equal to the average cost of private ICF/DD services. This would force a lot of people into institutions.

A discussion followed.

8. UNFINISHED BUSINESS

Ms. Breaux asked if there was any unfinished business to discuss. There was none.

9. NEW BUSINESS

A. COMMITTEE RECOMMENDATIONS

Ms. Breaux stated that the Self Determination/Community Inclusion/Housing Committee recommended non-funded amendments to the plan. These were reported on by Kay Marcel. The DD staff will wordsmith the language and the Council will vote on the final version in July. The full Council needs to vote today on the proposed amendments to the plan.

Motion Passed - Moved to approve the Self Determination Committee's recommendations made by Nanette Olivier. Second by Chasadee Noto. For - 23. Against – 0.

Ms. Breaux stated that the Health/Education/Employment Committee recommended non-funded amendments to the plan. These were reported on by Sam Beech. The DD staff will wordsmith the language and the Council will vote on the final version in July. The full Council needs to vote today on the proposed amendments to the plan.

Motion Passed. - Motion to approve the Health/Education/Employment Committee's recommendations made by Valerie Hiser. Second by Simone Honore-Chretien. For – 23. Against – 0.

Ms. Breaux stated that the Cash Subsidy Ad Hoc Committee, reported by Simone Honore-Chretien, recommended to revise rules for the Cash Subsidy Program to require screening for severity of all children in determining eligibility for cash subsidy. Children currently eligible would be grandfathered in under the existing eligibility criteria until their 18th birthday. Additional recommendations were included in the committee report.

Motion Passed. Motion to approve all of the Committee's recommendations made by Mary Elizabeth Christian. Second by Pranab Choudhury. For – 23. Against – 0.

B. FIVE YEAR PLAN

Ms. Breaux stated that the Committee of the Whole met yesterday and recommended the funding initiatives for the plan. These were reported on by Kay Marcel. The DD staff will wordsmith and the final version will be presented to the Council again in July. The full Council needs to vote today on the funding recommendations.

Motion Passed - Moved to approve the Committee of the Whole's recommendations made by Kay Marcel. Second by Nanette Olivier. For – 19. Against – 3.

C. LEGISLATIVE POSITIONS

Ms. Breaux reviewed the staff's recommendation for the Council's position on proposed legislation reported on by Ms. Winchell in her Legislative report. A position of support of HB 223 was added to the Council's list. The recommendation for staff to remind members who have not responded to LaCAN alerts was also reviewed. Finally, Ms. Breaux reviewed the recommendation for staff to take or change position on bills during the session.

Motion Passed - Moved to approve these four recommendations dealing with the Council's legislative agenda and process made by Valerie Hiser. Second by Phil Wilson. For – 17. Against – 0. Abstentions – 6.

D. CANCELLATION OF FEDERATION OF FAMILIES CONTRACT

Ms. Breaux reviewed a recommendation made by Ms. Winchell to cancel the Federation of Families contract and distribute the funds to the Families Helping Families Centers and the Supported Living contract with a plan to help the families supported by the Federation of Families contract with the transition.

Motion Passed. Moved to approve the cancellation of the Federation of Families contract made by Lois Simpson. Second by Sam Beech. For – 17. Against – 0. Abstentions – 4.

10. COUNCIL MEMBER REPORTS

A. HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

Phil Wilson reported on the following:

- Dr. Wilson discussed the future of the University Center for Excellence on Developmental Disabilities (UCEDD) (i.e. LSU-HDC). Continuation of the UCEDD will require some level of increased state funding because all of HDC's federal grants require some amount of match and that match can only come from state funding. HDC has nearly exhausted the amount of state funds to match its federal grant dollars. Therefore, HDC cannot pursue more federal money without an increase in available state funds.

A discussion followed.

B. ADVOCACY CENTER – Lois Simpson

Lois Simpson reported on the following:

- Ms. Simpson did some research on census data. The current population in Louisiana is 4,293,240 which is a drop of 3.9%. Louisiana is the only other state besides North Dakota that has experienced a decrease in population. This may negatively impact Louisiana's influence in reduced congressional seats. Another issue is that Louisiana has one of the largest populations of the states classified as minimum allotment states. There are only two other

minimum allotment states that have over four million residents. Therefore, per capita Louisiana will receive less funds than other states.

- The Advocacy Center is dealing with a number of serious issues that Ms. Simpson is hoping to report on in July.
- Ms. Simpson reminded everyone that there is a lot of expertise at both the Advocacy Center and the University Center for Excellence for training of Direct Support Professionals (DSPs).

There was a request for a breakdown of Advocacy Center outcomes such as the number of requests by topic and the number of people granted assistance. Ms. Simpson stated she would be happy to provide this information at the next meeting.

A discussion followed.

11. RESTRAINT AND SECLUSION IN LOUISIANA SCHOOLS –

R. Keaton Denny, Ph.D.

Co-Director of Positive Behavioral Support Project at LSU

Dr. Denny spoke about restraint and seclusion and Positive Behavioral Supports in Louisiana schools.

12. COUNCIL MEMBER REPORTS CONTINUED

C. LEGISLATIVE VISITS – Council members

- Chasadee Noto has contacted all the legislators in her region and Representative Smiley returned her call. She also reported that she attended the Louisiana Disability Summit in Lafayette which was very informative. She brought back information for any members who are interested.
- Olantha Scott visited Washington, D.C. and met with Senator Landrieu and Representatives Cao and Melancon.
- Val Hiser visited Representatives Walker Hines, Jim Tucker, Jeffery Arnold, Neil Abramson, Charmaine Marchand Staies, and Senators Edwin Murray and David Heitmeier. Ms. Winchell accompanied her on a visit with Representative Tucker.
- Jeanne Abadie reported that the Council has the support of Representative Staies.
- Delery Rice (LaCAN) and Ms. Winchell met with Representative Peterson.

13. STATE AGENCY REPORTS

A. BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Jerry Phillips

Jerry Phillips reported on the following:

- The current budget was reduced by about \$200 million with a \$71 million deficit in private provider costs that can be made up by moving money from areas showing projected surpluses. Next fiscal year, Medicaid will take about a \$518 million cut.
- For next year's budget, BHSF plans to initiate utilization management and chronic illness management for asthma, diabetes and a few other chronic diseases that should improve the quality of care and result in cost savings.
- An administrative service organization to manage behavioral health programs is in the process of being developed. The hospital stay limit is being updated to coincide with the commercial market.

This was followed by a discussion about Louisiana's disallowance of DSPs during hospitalization. Mr. Phillips acknowledged that CMS does not prohibit this and stated he would check into the status of this policy change and the fiscal impact before the start of the legislative session.

B. LOUISIANA REHABILITATION SERVICES (LRS) – Roseland Starks

Roseland Starks reported on the following:

- LRS received an \$8.2 million cut this year and an additional \$11.5 million cut going into FY 10. However, LRS will receive approximately \$9.9 million of stimulus funding that will extend for two years.
- As a result of the budget cuts, LRS went up on the order of selection on the Vocational Rehabilitation (VR) program. There are five orders of selection groups beginning with 1 representing those individuals who have the most significant disabilities to 5 that represent individuals who have the least significant disabilities. Federal regulations require that when there are not adequate funds to serve everyone it is necessary to adjust the eligibility criteria based on order of selections. As of close of business April 13th, LRS is serving individuals who come into the system determined eligible for order of selection groups 1 and 2. Individuals who qualify for groups 3 through 5 will be put on a waiting list for services contingent on availability of funding.
- LRS is working closely with the Louisiana Workforce Commission. During the week of April 6th, LRS staff and Workforce Commission staff traveled to Utah to review a model program.
- Pride Industries came to Fort Polk in March to fill more than 60 positions with benefits. A job fair was also held in Alexandria on April 16th and 17th.

A discussion followed.

C. DEPARTMENT OF EDUCATION (DOE) – Nanette Olivier

Nanette Olivier reported on the following:

- A task force has been formed to determine how schools can better utilize speech pathologists with supporting reading for children with disabilities.
- The Alternate Pencil Project began a couple of months ago to promote access to the alphabet for children who have not been able to access it in traditional ways.
- Ms. Olivier noted the website address with the DOE's access guide listed on the last page of her report. It is an informative website that supports curriculum access and instructional strategies to students with disabilities.
- A Literacy Celebration will be held on April 27th at the Lod Cook Center. Several representatives from districts across the state will be on hand to showcase innovative practices on literacy access.
- This year the department launched the Mild to Moderate Leadership Committee to develop and target initiatives pertaining to students with milder disabilities.
- The Accessible Instructional Materials (AIM) project provides materials to students with disabilities in a format that is accessible to them in a timely manner. The department is working with publishing companies on alternative versions of text books for children with intellectual disabilities or some other specific reading disability.
- The Steering Committee for the State Performance Plan (SPP) met recently and determined specific areas of need to target for improvement. Two of the topics selected for focus of monitoring will again be 8th grade LEAP performance and discipline.

A discussion followed.

D. OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Kathy Kliebert

Kathy Kliebert reported on the following:

- The biggest thing to affect services is the 3.5% provider rate cuts and an additional 7.1% rate cut slated for the upcoming fiscal year.
- There continues to be frozen attrition slots for the NOW and the Supports Waiver. OCDD will continue to fill the 2,025 slots. 1,700 offers have been sent out and 1,376 are currently in process. OCDD will continue to send out 300 offers each month until all slots are filled.
- Administrative cuts resulted in the loss of four positions from the central office, twelve positions from the regional offices and 74 positions from greater New Orleans area.
- The Early Steps Autism screening initiative has been very successful in identifying young children that may have autism.

A discussion followed.

E. OFFICE OF PUBLIC HEALTH, CHILDREN'S SPECIAL HEALTH SERVICES (CSHS)
– Betsey Snider for Sue Berry

Betsey Snider reported the following:

- A new initiative will place nurses in large pediatric practices to better facilitate linkages for children to the services they need from other agencies throughout the state.
- A pilot that provides intensive services to prepare children of transition age, 14-21, from leaving pediatric services and prepare them for adult services has been available in two regions of the state. The plans are developed according to 20 indicators that guide the determination of the child's needs.
- By next year, CSHS should have the Birth Defects Monitoring System implemented in all regions of the state. This system is an active surveillance for children with birth defects that provide families with information on services their child may be eligible to receive.
- Currently 97% of the newborns statewide receive a hearing screening prior to leaving the hospital. CSHS has been able to follow up on 64% of the children who have a positive screen.

F. GOVERNOR'S OFFICE OF DISABILITY AFFAIRS (GODA) - Brandon Burris

Brandon Burris reported on the following:

- The number of constituent incoming calls into GODA has increased as a result of economic times. Therefore, responding to constituents calls has been the number one priority of staff.
- Due to the budget cuts, the Governor has proposed to combine the Louisiana School for the Visually Impaired and the Louisiana School for the Deaf onto the campus of the Louisiana School for the Deaf.
- The Statewide Independent Living Council (SILC), now in GODA's office, received about \$880,000 cuts in funds.
- GODA is tracking a bill that allows individuals with visual impairments to deer hunt along with a bill that will increase funds for the Louisiana Commission for the Deaf.
- Mr. Burris reminded everyone to please remember hurricane season is around the corner and to be prepared.
- He also thanked the Council for their work with the Secretary of State to enhance opportunities for individuals with disabilities to vote across the state.

A discussion followed.

G. OFFICE OF AGING AND ADULT SERVICES (OAAS) – Hugh Eley

Hugh Eley reported on the following:

- With respect to budget, most cuts revolve around funds for new program development. Existing services are not impacted as much as improvement of services.
- OAAS administers the Long Term Personal Care Program, the Elderly and Disabled Adult Waiver and the Adult Day Healthcare Waiver. They are also in charge of the Adult Protective Services Program.

A discussion followed.

14. ANNOUNCEMENTS

Ms. Fontenot announced the next quarterly Council meeting will be held in Baton Rouge on July 15-16, 2009.

15. ADJOURNMENT OF BUSINESS MEETING

Motion Passed - Moved to adjourn the meeting by Phil Wilson. Second by Chasadee. Noto. For – 15. Against – 0.

The meeting adjourned at 3:30 p.m.