

Advocacy Center  
Quarterly Report to the DD Council  
(March 30, 2016)

## **Update/progress on agency initiatives**

### **1. Legislative Agenda**

Attached is a copy of the most recent legislative update from the Advocacy Center. We are following and, in some cases, taking a position on legislation impacting healthcare, education, voting rights, and other issues impacting people with disabilities. We welcome questions and opportunities to collaborate on the items on our agenda or any other legislative issues. Visit [http://salsa4.salsalabs.com/o/51104/c/316/p/salsa/web/common/public/signup?signup\\_page\\_KEY=9574](http://salsa4.salsalabs.com/o/51104/c/316/p/salsa/web/common/public/signup?signup_page_KEY=9574) to sign up to receive alerts on legislative issues.

### **2. Non-Emergency Medical Transportation**

On December 1, 2015, all Medicaid funded non-emergency medical transportation became the responsibility of the Bayou Health companies (Aetna, Amerigroup, Amerihealth Caritas, Louisiana Healthcare Connections). These companies subcontract with one of two transportation companies: Logisticare or SoutheastTrans.

The Advocacy Center has reason to believe that the NEMT companies are not providing reliable transportation for Medicaid recipients to access the healthcare that they need. If you or anyone you know has had a negative experience with NEMT, particularly in the last 4 months, please let us know.

### **3. AC Welcomes New Board and PAIMI Council Members**

The Advocacy Center's Board of Directors recently elected six new members.

- Rickii Ainey, New Orleans, Information & Referral Specialist at Families Helping Families of Southeast Louisiana
- Rachal Chance, New Orleans, Attorney at Preis, PLC
- Dale Higgins, Metairie, Chief Financial Officer at Arc of Greater New Orleans
- Cathy Lazarus, New Orleans, Physician and Chief Academic Officer at University Medical Center New Orleans
- Lorenza Lawless, Marrero, Co-Chair of AC's Protection & Advocacy for Individuals with Mental Illness (PAIMI) Council
- Joseph Mole, New Orleans, Attorney at Frilot, LLC

The Advocacy Center of Louisiana's Protection and Advocacy for Individuals with Mental Illness (PAIMI Council) also recently elected two new members:

- Kathryn Fendell, Monroe, Executive Director of Monroe Area Guidance Center
- Margaret Gleason, New Orleans, Retired Attorney

### **3. Friendraising Luncheon**

On May 5, the Advocacy Center will host a friendraising luncheon at the Audubon Tea Room in New Orleans. This event is designed to help people learn more about the work of the Advocacy Center and to solicit support for our initiatives. Council members are welcome to

attend, but reservations are required. This is a free luncheon, but donations are solicited at the event. To find out more, contact Pamela Fisher at 504-522-2337, extension 125.

#### **4. Accessible Voting Technology**

The Advocacy Center is currently working with the Secretary of State Elections Division to develop a wish list of accessibility features for new voting technology to make it easier for people with disabilities to vote privately and independently, based on feedback from people with disabilities across the state. If you have suggestions or ideas, we welcome your thoughts.

#### **5. Access to Home Health Services**

There may be problems with prior authorization of personal care services and extended home nursing for Chisholm class members who have opted to participate in Bayou Health. Chisholm class members are children who are ages 3-21, are Medicaid eligible and are on the New Opportunities waiver waiting list. If you have faced barriers in accessing these services, or know someone else who has, please let us know.

#### **6. Success stories**

##### **Home Nursing Services Saved**

The mother of a 7-month-old with intellectual disabilities and cystic fibrosis called the Advocacy Center (AC) for help after her daughter's nursing hours were reduced from 12 per day to 28 per week by her Medicaid managed care company, even though the child's condition had not improved. The child has a history of hospitalizations - typically, every two weeks or so for respiratory problems. The attorney advocated with the state and the managed care company to restore the nursing services and then helped the mother opt out of managed care and return to legacy Medicaid.

##### **Success in School**

CF is a 20-year-old who transitioned from the state-run developmental center to a group home nearby. He very much likes going to school but was told that there was no summer school for special education available at his local public school. An Advocacy Center (AC) advocate investigated and found out that this was not the case; there was an Extended School Year (ESY) program but CF missed the evaluation period. She advocated to get him reviewed but was told that he was denied because the school found that he would not regress during the summer months. The advocate pointed out the mistakes made (no IEP filed by parish school district, improper baseline considered, extenuating circumstances not considered) and CF was immediately enrolled in high school ESY. He was very happy to return to school.

##### **Motorized Wheelchair Preserves Independence**

Mr. C was a long-term resident of a state-run developmental center. In 2011, he was discharged on a New Opportunities Waiver and began receiving home and community-based services at an apartment near the developmental center. In February 2015, he contacted the Advocacy Center for help regarding the restrictions that his provider placed on him. Because of these unnecessary restrictions, Mr. C was having severe behavior difficulties, which placed him at risk of re-institutionalization.

The AC attorney addressed the restrictions with the provider and explained that it was not

appropriate to lock Mr. C out of his bedroom in his own home. The attorney also called the Office for Citizens with Developmental Disabilities to obtain additional support hours for Mr. C for one-on-one staffing and less shared supports, another cause of his behavior problems. The attorney negotiated with the state-run developmental center so that Mr. C could attend its day program, as most of the privately run day programs in his area were not able to meet his needs. He began attending the day program three days a week for three hours each day.

With these changes, Mr. C is flourishing. He enjoys with socialization and other opportunities at the day program. His behaviors are stable, and he is much more satisfied with his community placement.

### **Appropriate Services in School**

H is a six-year-old with autism, asthma and severe food allergies. His mother contacted the Advocacy Center for help after his school principal told her that the school would not accommodate his need for an aide at lunch and on the bus to ensure he did not come into contact with specific foods and could carry his Epi-pen. The Advocacy Center attorney contacted the Orleans Parish School Board about the problems and accompanied TH's mom to his IEP meeting. All the issues were resolved and TH is now enjoying first grade at his school.