

Nebraska Council on Developmental Disabilities
February 7, 2020 9:30 am
Highlands Golf Course Conference Room
5501 NW 12 Street
Lincoln, NE

Copies of the agenda were sent to Council members prior to the meeting. The meeting was chaired by Jennifer Meints and called to order at 9:30 am. Quorum was present.

Present: Jessica Barrett, Reagan Boyer, Brenda DeLancey, Jason Gieschen, Seamus Kelly, Mikayla Johnson, Matt Kaslon, Heather Leschinsky, Jennifer Meints, Cheryl Montgomery, Ryan Moore, Stephen Morton, Erin Phillips, Paige Rose, Debbie Salomon, Rachel Siffring, Wayne Stuberg, Dee Valenti, and Jane Ziebarth-Bovill.

Absent: Dale Johannes, Courtney Miller, Steve Milliken, Sara Morgan, Sharon Orduña, and Haley Waggoner.

Guests: Eric Evans, Susan Gieschen, Brian Moore, Marla Moore, Kristin Mayleben-Flott, Erin Ruskcamp, and Jennie Schneider.

Staff: Kristen Larsen, Joni Dulaney, and Nikki Krause.

Nebraska Open Meetings Act

Jennifer Meints announced that the Council meeting is following the Nebraska Open Meetings Act and a copy of the Act is posted on the wall by the entrance to the meeting room.

Approval of Minutes

Brenda DeLancey asked if there were any corrections to the November 22, 2019 meeting minutes. As there were no corrections, Jennifer called for a motion to approve the minutes. Wayne Stuberg made the motion and Matt Kaslon seconded.

A roll call vote was taken: **Yes – 16, No – 0, Abstain – 2.*** Motion carried.

Declaration of Conflicts of Interest

As required by Council policy, every year members of the Council shall verbally declare any potential conflicts of interest of which they are aware. Council members, who had not already done so or had updates, were asked to verbally declare any conflicts of interest. They are noted below:

Seamus Kelly
Heather Leschinsky

Disability Rights Nebraska, Parent Training and Information Nebraska
Department of Health and Human Services

Notice of Upcoming Conferences/Activities & Council Member Policy for Funding Requests for In-State Conferences/Trainings

Jennifer stated that upcoming in-state conferences/activities, that staff are aware of, will be listed on the last page of the Council meeting agenda. Council members may submit funding requests to attend one out-of-state and up to two in-state conferences/trainings per fiscal year.

Kristen Larsen explained that per Council policy, funding requests, for either an in-state or out-of-state conference/training, need to be presented to the full Council for consideration. Council staff are recommending funding requests for in-state conferences/trainings do not need to be presented to the full Council. Council members would still fill out and submit the *Conference Request* to Council staff 6-8

weeks prior to the conference/training but instead of the full Council reviewing it, Council staff would review it. Council members would still fill out the *Conference Report Summary* and report out on the conference/training at the Council meeting following the conference/training. A motion was made by Wayne to adopt the Council staffs' recommendation and Erin Phillips seconded. A roll call vote was taken: **Yes – 18, No – 0, Abstain – 0.** * Motion carried.

Fiscal Reports

Kristen Larsen presented the FFY 20 Fiscal Report, a handout at the meeting. For FFY 20 (October 1, 2019 – December 31, 2019), the Council budgeted \$299,233 and the *Year to Date Expenditures* were \$66,453.

The report reflects the balance of funds from FFY 18, FFY 19, and FFY 20 as of December 31. *Current Funds Available* were \$580,260.82; *Expenditures* totaled \$212,062.00; and the *Balance of Current Funds Available* was \$368,198.82.

NOTE: The report shows a partial award for FFY 20. Since the time when the report was ran, the Council has received the entire award for FFY 20. The full award for FFY 20 is \$520,902.00.

The Council used to have a three year Period of Performance to spend funds, however that has been changed to two years starting with FFY 20. Nevertheless, the Council is on track to spend its allotted funding.

A fiscal report was submitted by the Designated State Agency (DSA) to the Administration for Community Living (ACL) and that showed the Council was a little short on its matching funds for FFY 17. That is due to a large disbursement of funds which were used to contract with TAC to provide technical assistance and consulting services for the development of the Nebraska Olmstead Plan. Kristen will be asking ACL if that shortage is acceptable as *match* is not required on contracts.

Report of the Grant Review Committee

Brenda DeLancey, Grant Review Committee Chair, reported that the Committee met on January 27, 2020 to review and make a recommendation on the application submitted for the Person-Centered Planning Training Request for Application.

In August 2019, the Council approved funding to Blue Fire Consulting, LLC. in the amount of \$108,000 in response to the Person-Centered Planning Request for Applications (RFA). A funding collaboration was done with the Medicaid Long-Term Care Division. Medicaid contributed \$78,000 from the *Money Follows the Person* program and the Council contributed \$30,000. The subaward was written, entered into DHHS' system, and was denied because Blue Fire Consulting, LLC. is a *for-profit* entity.

Subsequently, the Council rereleased the Person-Centered Planning Training RFA with amended wording that for-profit entities may not apply for subaward funding. The \$78,000 from the *Money Follows the Person* program was still available.

Applications were due January 13th. Only one application was received and it was from the Center for Outcome Analysis. This was submitted by Mark Friedman, the same individual that submitted the application for Blue Fire Consulting. This was basically the same application the Council approved in August with the exception of a few changes and now it is through a nonprofit.

The Center for Outcome Analysis application scored 121 points out of 150 points. The Committee recommends funding the Center for Outcome Analysis with the contingencies to house the training materials at DHHS and clarification of the budget and the recommendation to coordinate and collaborate with the Brain Injury Advisory Council. A motion was made by Matt Kaslon to award subaward funding to the Center for Analysis with contingencies and Debbie Salomon seconded.

A roll call vote was taken: **Yes – 17, No – 0, Abstain – 1.** * Motion carried.

Report of the Legislative and Advocacy (L&A) Committee

The Legislative and Advocacy Committee met on Thursday to review proposed legislative bills that could impact individuals with developmental disabilities. Seamus Kelly, Committee Chairperson, explained that the first few pages of the Legislative Bill Descriptions (handout) contain carryover bills from the previous session that the Council will continue to follow. No action needs to be taken on those bills.

Heather Leschinsky clarified that as Governor Appointee Agency Representatives of DHHS, she and Mikayla Johnson would abstain from voting but could participate in the discussion.

Seamus explained that some of the proposed legislative bills had hearings before the L&A Committee met and presented their recommendations to the Council to take action. If actions are going to be taken as a result of a meeting, the Nebraska Open Meetings Act must be followed. The meeting agenda needs to be posted in advance and the meeting needs to be open to the public. This year, we were unable to accommodate this requirement, therefore the Council could not take action on the proposed legislative bills prior to the bills' hearings. However, a letter of support/opposition can still be sent. The letter of support/opposition would go to all the Senators and not just the Senators on the Committee.

Kristen mentioned that next year the Council may try to navigate the process in a different way so the Council can take action prior to the hearings. The Executive Committee could meet via video conferencing for discussion and action. We would need to host the meetings in at least two locations that are open to the public and follow the other requirements mentioned in the Nebraska Open Meetings Act.

Council members cannot take a position on proposed legislative bills as a representative of the Nebraska Council on Developmental Disabilities without gaining permission from the Chair. However, Council members may take a position on a bill as an individual, either by a letter or testimony.

Seamus presented the Committee recommendations on the proposed legislative bills and a block vote was conducted with the exceptions of LB877 and LB1204, which were pulled from the block for individual vote.

LB786 (Senator Lathrop) – Change rules on the use of restrictive housing and require screenings of inmates for serious mental illness, developmental disabilities, and traumatic brain injuries. Support with letter.

LB827 (Senator Hilkemann) – Appropriate funds to the Department of Health and Human Services. Support with letter.

LB839 (Senator Wishart) – Recognize American Sign Language and provide for the teaching of American Sign Language in schools. Support with letter.

LB853 (Senator Williams) – Authorize financial institutions to place a hold on certain customer transactions in cases of financial exploitation. Support with letter.

LB903 (Senator Kolowski) – Provide for Down Syndrome Awareness license plates. Support with letter.

LB941 (Senator Hunt) – Create the Nebraska Youth in Care Bill of Rights. No action.

LB955 (Senator Walz) – Change provisions relating to eligibility for medical assistance. Support with letter.

LB976 (Senator Bolz) – Redefine handicapped or disabled person for purposes of handicapped or disabled parking permits. Track/monitor.

LB994 (Senator Murman) – Adopt the Organ Transplant Fairness Act. Support with letter.

LB998 (Senator Murman) – Require behavioral awareness and intervention training and points of contact, transfer funds, and change the Tax Equity and Educational Opportunities Support Act. Track/monitor.

LB1138 (Senator Wishart) – Establish a dementia registry. Support with letter.

LB1140 (Health and Human Services Committee) – Provide requirements for youth rehabilitation and treatment centers. Monitor and provide a neutral letter.

LB1144 (Health and Human Services Committee) – Change provisions affecting the Public Counsel and the Inspector General of Nebraska Child Welfare. Monitor and provide a neutral letter.

LB1145 (Health and Human Services Committee) – Require the Department of Health and Human Services to develop and implement policies regarding use of mechanical restraints and transportation of juveniles. Monitor and provide a neutral letter.

LB1208 (Senator Vargas) – Change provisions relating to restrictive housing, immediate segregation, discipline, and other conditions of confinement in state correctional facilities. No action.

LB1215 (Senator Walz) – Appropriate funds to the Department of Health and Human Services. Support with testimony.

A roll call vote was taken: **Yes – 15, No – 0, Abstain – 3.*** Motion carried.

LB877 (Senator Walz) – State intent regarding appropriations for aging and disability resource centers. The Committee’s recommendation was to support with testimony.

A roll call vote was taken: **Yes – 15, No – 0, Abstain – 3.*** Motion carried.

LB1204 (Senator Cavanaugh) – Require a family support waiver under the Medical Assistance Act and provide for a pilot family support program under the Disabled Persons and Family Support Act. The Committee’s recommendation was to support with testimony.

A roll call vote was taken: **Yes – 0, No – 14, Abstain – 4.*** Motion carried.

Upon further discussion, Seamus moved for the Council to provide neutral testimony and if no hearing is held by the end of the legislative session, the Council will provide its neutral testimony as a neutral letter. Reagan Boyer seconded.

A roll call vote was taken: **Yes – 14, No – 0, Abstain – 4.*** Motion carried.

The Committee also reviewed LB1137 which was not included in the handout.

LB1137 (Senator Lathrop) – Provide for class certification and removal to district court for certain cases under the Administrative Procedure Act. It was determined that since the hearing has already been held, no action would be taken on this legislative bill. This was just a discussion item for the Council.

Joni Dulaney mentioned that there were two legislative resolutions introduced that will be included in the *Newsline* that the Council will be monitoring.

LR292CA – Is a constitutional amendment to require verification of identity prior to voting.

LR306 – Urges Congress and the President of the United States to enact H. R. 1879 to fully fund the Individuals with Disabilities Education Act.

Program Performance Report, State Plan, and Annual Work Plans Update

Kristen reported that the Program Performance Report for FFY 19, the Annual Work Plan for FFY 20, and the Annual Work Plan for FFY 21 were all submitted on time. She is reaching out to other minimum allotment states to see how much data they are submitting. Hopefully utilizing DD Suite will save time when pulling data. Council staff will be working on writing the two page summary of Council highlights.

The Arc of Nebraska's Senatorial Dinner

The 49th Annual Senatorial Dinner is Thursday – February 13, 2020 at the Graduate Hotel. The guest speaker will be Peter Berns, President of The Arc of the United States. Legislative Briefing 4:00 – 6:00 pm; Social Hour 6:00 pm; Dinner 7:00 pm. The Council has permission to support Council member attendance at People First of Nebraska's Disability Advocacy Day and The Arc of Nebraska's Legislative Action Day 1:00 – 3:00 pm; however, the Council cannot fund registration for Senatorial Dinner because meals are not an allowable expense. Registration may be done via The Arc's webpage. The Council can cover travel expenses. The Council will be providing Collaboration Funds to The Arc of Nebraska for this event.

Developmental Disabilities Awareness Month Proclamation

The ceremony date for the signing of the Developmental Disabilities Awareness Month Proclamation is Monday, March 9th. The proclamation has been written and submitted to the Governor. Joni will be sending out an invitational flyer to the ceremony. Council members are encouraged to attend and to participate in a group photo with the Governor/Lt. Governor after the proclamation is read and signed.

Updates from Agency Representatives

Medicaid and Long-Term Care and Aging

Heather Leschinsky reported that the intent to award for the Electronic Visit Verification (EVV) solution has been posted for 4Tellus LLC. Implementation is scheduled for January 1, 2021. Heritage Health (adult) expansion is on track for accepting applications in August with an implementation for October 1st. Analysis is being completed on the new guidance issued by the Department of Labor regarding overtime rules for third party employers.

Behavioral Health

Mikayla Johnson reported their Needs Assessment will be completed this spring and will look at service needs and gaps in the community within the Behavioral Health System for the next three years.

NOTE: The written report from Heather Leschinsky, Medicaid and Long-Term Care and Aging, is attached to the end of the minutes for review. Written reports from agency representatives that were not present were read into the record and are attached to the end of the minutes for review. [Courtney Miller, Division of Developmental Disabilities; Jamie Chambers (on behalf of Steve Milliken), Department of Education – Office of Special Education; Sara Morgan, Maternal and Child Health, Division of Public Health; Paige Rose, Nebraska Vocational Rehabilitation]

Kristen mentioned that Steve Milliken will be stepping down from his position as Administrator for the Office of Special Education, but will remain with the Nebraska Department of Education as the Deputy Commissioner for the Student and Client Success and Services Division. Kristen will start the process to have the Governor appoint a replacement for Steve.

Updates from our DD Network Representatives

NOTE: Written reports from Disability Rights Nebraska and Munroe-Meyer Institute are attached to the end of the minutes for review.

Disability Rights Nebraska

Seamus reported that attorneys from the U.S. Department of Justice visited Nebraska to conduct monitoring reviews on facilities for which they have received complaints of civil rights violations. The focus of the monitoring was on facilities that serve people with mental illnesses. The Social Security Administration has proposed changes in the rules relating to Continuing Disability Reviews. The proposed changes would modify the process and increase the frequency of reviews. In a letter to the Commissioner of Social Security, Disability Rights Nebraska detailed how the proposed changes would only serve to increase the burden placed on the individual beneficiary, providers, and the State of Nebraska. Through a cooperative arrangement between People First of Nebraska and the LEND Program at MMI, Disability Rights Nebraska is providing a paid internship to a student with a developmental disability during the Nebraska legislative session. Disability Rights Nebraska has hired a new staff attorney, Amy Miller, who will focus on voting access, voting rights education, and monitoring institutional and community based facilities. The next Inclusive Education Lay Advocacy Training starts today. Visit their Inclusive Education Lay Advocacy webpage to learn more about it. The Social Role Valorization Workshop will be held this summer at Nebraska Wesleyan University June 9-11. [This can count as one of the FFY 20 two in-state conferences/trainings.]

Munroe-Meyer Institute (MMI)/University Center of Excellence for Developmental Disabilities (UCEDD)

Wayne Stuberg reported that the new MMI building construction is ahead of schedule. The current anticipated completion date is January - March 2021. There are two candidates for the UCEDD Director position and interviews will be done a week from today. There will be an overlap period with Wayne and the new Director. Then the new Director will take over July 1, 2020 and Wayne will remain an Associate Director until his retirement. Collaboration with Boys Town is underway with audiology services to be included in the new building. So in addition to dentistry and ophthalmology, there will be audiology. The education series on transition was well received and it will be repeated in 2020-21 and a Zoom link will be offered for participants from across the state. Dr. Mirnics, MMI Director, has been asked to serve on the Board of Special Olympics International and more formal things will be done with Special Olympics on the development of *Caring for Champions* Program in the new building. Transition and Postsecondary Program for Students with Intellectual Disabilities grant funding for the 2020-21 cycle has been approved through the U.S. Department of Education with MMI and UNO to submit a joint project grant for the *Think College* postsecondary transition program.

The Tri-Board meeting will be on Friday – June 5th at Southeast Community College’s Jack J. Huck Continuing Education Center. Council members are encouraged to attend. The DD Network Partners CEOs are narrowing down the topic for the meeting but would like to get the Council’s input.

Topics mentioned:

- Care for adolescents in the DD world
- Sexual health
- Human trafficking
- Best Practices for the most integrated settings under the Home and Community-Based Services Final Rule
- Reducing Direct Support Professional turnover
- Special Olympics
- Severe behavior and Autism Clinic
- What might family services look like?
- Special Education – recruitment & retention

The topic that received a lot of enthusiasm was:

- Waivers
 - What are the waiver needs in Nebraska?
 - Are the needs met with the waivers Nebraska has?

Then the questions were asked.

- Do we want to talk about the whole spectrum or just waivers?
- Are there other programs that can be modified to fix the gaps?

The following was suggested.

- In the morning
 - How do we address gaps?
 - Overview of Nebraska’s waivers.
 - Would be nice to have someone from another state discuss their state’s waivers.
 - Then come back to what Nebraska has.
- In the afternoon (after lunch)
 - Have a panel with the three MCOs (Managed Care Organizations) and a representative from Medicaid Managed Care.

2022 – 2026 State Plan Update; Discuss Trends & Issues to Consider

Kristen explained that the State Plan Development Launch meeting will be in the afternoon of March 30th at the Highlands Golf Course. The Planning Committee is made up of Council and non-Council members and the meeting will be chaired by Ryan Moore. At this time, Dr. Barbara Jackson will share their research of what they are seeing. A big part of this meeting will be to identify gaps and concerns that we should discuss while we look to setting our next 5-Year State Plan. These gaps and concerns will also help guide us on the questions to ask in the Needs Assessment and with focus groups. The DD Act has very specific areas of focus for the State Plan. They are: education/early intervention, transportation, childcare, housing, formal and informal supports, quality assurance interagency initiatives, recreation, and employment.

Some gaps and concerns mentioned:

- Youth with I/DD – behavioral needs in services
- Direct Support Professionals – retention and shortages
- Special Education Personnel – recruitment and retention
- ICAP – process and appeal

- Objective Assessment Process – process and appeal
- Family Support Issues – waivers, etc...
- Transition
- VR Wait List/DD Employment
- Self-Direction and Self-Determination and Supported Decision Making
- Remote Assistance/Monitoring – technology
- Technology replacing the support staff person and how that affects the person with I/DD
- Health – United Health Care
- Managed Care Organizations
- Access to Health Care
- What happens in school for health care versus third party

Email any other ideas to Kristen, Ryan, or Matt.

Staff Updates

A visual graphic that shows the FFY 20 Council representation was included in the meeting packet as well as a brochure for the 2020 Nebraska Brain Injury Conference.

The Nebraska DD Council was recognized and highlighted in the iTACC Field Notes Newsletter for our work with the Juvenile Justice Task Force efforts.

The Council is doing a little collaboration with the University of Nebraska – Kearney. We shared the list of legislative bills we were possibly going to look at with Michelle Fleig-Palmer, who teaches a Health Policy class. She is assigning her students to write a health policy paper and to create a poster on a legislative bill that has been introduced relating to health policy. Kristen and Joni have been invited to attend the Poster Project Session on April 20th.

Member Updates

Matt is part of the Nebraska Youth Leadership Council (NYLC) and they are working with other agencies around Nebraska. Kathy Lloyd is the NYLC facilitator. She is working with People First of Nebraska (PFN) to facilitate the transition of individuals who have aged out of NYLC to become involved with PFN, if they would like to do so.

Ryan mentioned that he and his wife spoke at Bellevue Elementary School for *Kindness Week*. They talked about what it means to show respect and be kind. They also participated in full-scale shelter exercise with the Red Cross and Sarpy County Emergency Management.

On February 17th, Jason Gieschen will be presenting about the Special Olympics to Special Education teachers.

Rachel Siffring shared that she finished as a long-term substitute agricultural teacher in their middle school. Her son was in her class and it was nice to see him interact with his peers. Both her children are involved in *Circle of Friends* groups. They are creating sensory gifts for their local fire departments and hope to have them done in April to coincide with Autism Awareness Month.

Jessica Barrett is a People First of Nebraska Disability Policy Specialist. She has been asked by her Region 22 Emergency Manager to take the Community Emergency Response Team training. She is also taking a class at the Fire Academy to be certified in CPR.

Debbie Salomon had the best Individual Support Plans for her kids a couple weeks ago. They have a new Service Coordinator who is excellent.

Jennifer mentioned that it is easier to help other families advocate for their children, but it is scary when your kids are the ones that are ready to navigate the transition process.

Public Comment

Jennifer opened the meeting for public comment.

Kristin Mayleben-Flott, previous DD Council Chair, said it was great to see everyone again and that the Council does wonderful work.

Adjourn

The meeting adjourned at 2:25 pm.

The next Council meeting is scheduled for April 17, 2020. The Planning Committee meeting is scheduled for April 16, 2020.

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

Representative: Heather Leschinsky

Agency: Medicaid and Long-Term Care

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

-Intent to award for the Electronic Visit Verification solution has been posted for 4Tellus LLC. Schedule to implement EVV is 1/1/21.

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

-Heritage Health (adult) expansion is on track for accepting applications in August with an implementation for October.

-LOC Redesign-See Director Miller's update.

Future/upcoming Agency activities:

-Analysis being completed on the new guidance issued by the Department of Labor regarding overtime rules for 3rd party employers.

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

February 7, 2020

Representative: Courtney Miller, Director

Agency: Department of Health and Human Services – Division of Developmental Disabilities

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

Institutional Level of Care Assessment Redesign

- Phase I (Nursing Facility) Update: DHHS and Optumas are working through the alignment of proposed revised criteria and the interRAI Home Care standardized assessment tool. This is expected to be completed this month with draft regulations and the fiscal impact for implementation.
- Phase II (Intermediate Care Facility) Update: Work on Phase II has begun and is on schedule. Optumas is researching what criteria and tools other states use for institutional admissions and HCBS waiver program participation. The ICF listening sessions will be combined for adults and children since Nebraska currently utilizes one tool for both. This has been scheduled for February 18, 2020 from 5:00-7:00 PM at Staybridge Suites I-80, 2701 Fletcher Ave, Lincoln, NE.

Rate Rebase and Objective Assessment Process Redesign:

- The Objective Assessment Process redesign project remains on schedule. Standardized risk screen tools are currently being considered to replace Nebraska's homegrown screening tools.

Quality Management Update:

- The RFP for contracting with a quality improvement organization-like (QIO) entity to continue our commitment and implement model practices for components of a robust quality oversight framework is expected to be released Mid-February.

Olmstead Plan Update:

- The Olmstead Plan was submitted to the Legislature on December 16, 2019.
- The Legislative Resolution hearing was held by the Health and Human Services (HHS) Committee December 18, 2019. The draft plan submitted to the Legislature was the first step and the framework towards achieving the Nebraska Olmstead vision.
- While DHHS is waiting for feedback from the HHS committee, DHHS will begin to initiate the strategies and measures that we committed to in the plan.

Future/upcoming Agency activities:

- DD Advisory Committee Meeting, NSOB LLB, February 13, 2020, 10:00 - 2:00 PM.
- Home and Community-Based Services Stakeholder Meeting, NSOB LLA, February 25, 2020, 1:00 PM – 3:00 PM

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

Representative: Jamie Chambers (on behalf of Steve Milliken)

Agency: Department of Education – Office of Special Education

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

- ★ Completed the 2019 Monitoring year with our Annual Risk Analysis (NeCOUNTS)

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

- ★ Steve Milliken will be stepping down from his position as Administrator for the Office of Special Education, but will remain with NDE as Deputy Commissioner for the Student & Client Success & Services Division
- ★ Continuing with strategic focus on the recruitment and retention of Special Education Personnel in Nebraska (also a national concern)
- ★ 2020 Risk Analysis is currently underway
- ★ Legislative Watch
 - LB 965, LB 839, LB 1035, LB 147

Future/upcoming Agency activities:

- ★ NASES Legislative Meeting - February 6-7, 2020 - Lincoln, NE
- ★ Transition Conference - February 18-19, 2020 - Kearney, NE
- ★ ASD State Conference – April 2-3, 2020 – La Vista, NE
- ★ NE School Mental Health Conference – June 6-7, 2020 – LaVista, NE
- ★ NeMTSS Summer Reading Symposium
- ★ Nebraska Young Child Institute - June 16-17, 2020 - Kearney, NE
- ★ Deaf-Blind Summer Institute – July 8-10, 2020

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

Representative: Sara Morgan

Agency: Department of Health and Human Services

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

Continuing to work on:

- CYSHCN Transition Program for youth aged 16-21 years old, as well as the Parent Resource Coordinator Program with UNMC MMI
- Pediatric Mental Health Care Access program work to increase screening of children with and without special health care needs in community settings
- Contract with the US Census Bureau to oversample Nebraska and obtain more data on indicators specific to CYSHCN
- Title V MCH Needs Assessment to determine the 10 priorities affecting Nebraska's MCH population, including those with special needs. Currently small groups are meeting to develop issue briefs that will describe issues they feel should be priorities for the NE MCH focus.

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

- Increase mental health screening of children in primary care clinics through the Pediatric Mental Health Care Access program partnership with UNMC MMI;
- Provide education and technical assistance for school staff as they seek to increase screenings for students in a school setting;
- Maintain partnership with UNMC MMI to develop the Transition and Parent Resource Coordinator programs as ways to further serve families of CYSHCN;
- Develop a library of validated and appropriate screening tools for use by a variety of individuals (parents, community health workers, home visitors, etc) through the Pediatric Mental Health Care Access program

Future/upcoming Agency activities:

- Holding an April 2020 meeting to make decisions on the 10 priorities for Nebraska's MCH population, including those with special needs, which is one of the final steps of the Title V MCH Needs Assessment.

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

Representative: _____ Paige Rose _____

Agency: _____ Nebraska VR _____

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

1/28/20- 200 individuals removed from VR wait list (43 confirmed eligible for DD services)

Compiled and analyzed Needs Assessment data

Developed an internal work group which addresses questions staff encounter as individuals are moved off the VR wait list. This work group helps to ensure situations are handled consistently across the state.

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

Work continues on the WIOA State Plan with partners. This combined state plan will be submitted no later than April 1, 2020.

Future/upcoming Agency activities:

Monthly removals from wait list are planned through October 2020.

NDE Transition Conference- February 18-19 in Kearney

Nebraska Council on Developmental Disabilities
State Agency Representative
Report to Council Members

Representative: Seamus Kelly/Eric Evans

Agency: Disability Rights Nebraska

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

- Disability Rights Nebraska and the Nebraska Consortium for Citizens with Disabilities co-funded a study of Nebraska's waiting list that was conducted by Scioto Analysis out of Columbus, Ohio. The study was released on October 30, 2019 and Dr. Evans presented testimony regarding the history of the developmental disabilities waiting list and the key findings from the study at the LR 216 Committee Hearing on November 1, 2019. He also gave a presentation summarizing the key finding from the study to the Nebraska Association of Service Providers on November 26, 2019.
- Dianne DeLair, the Senior Attorney at Disability Rights Nebraska, continued to participate on the Olmstead Steering Committee and provided feedback on the draft Olmstead Plan to the contractor, the Technical Assistance Cooperative and the Department of Health and Human Services. Dr. Evans submitted comments on the draft plan to the TAC and the Department on November 21, 2019. Ms. DeLair testified before the Health and Human Services Committee at the LR 250 Hearing on December 18, 2019. Disability Rights Nebraska, in consultation with Olmstead experts through our national association, determined that the draft plan as submitted fails to meet the standards required for an Olmstead plan.

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

- Attorneys from the U.S. Department of Justice visited Nebraska to conduct monitoring reviews on facilities for which they have received complaints of civil rights violations. Our Senior Attorney, Ms. DeLair, accompanied the attorneys on the monitoring visits. The focus of the monitoring was on facilities that serve people with mental illnesses.
- Dr. Stuber invited Dr. Evans to participate on the Search Committee for the new UCEDD Director at MMI. The first candidate interview was held on Monday, January 27, 2020.
- Dr. Evans and Brad Meurrens met the Leadership Education Seminar Team on January 28, 2020 to plan the upcoming schedule for this year's leadership training sessions.

- The Social Security Administration has proposed changes in the rules relating to Continuing Disability Reviews. The proposed changes would modify the process and increase the frequency of Continuing Disability Reviews. If you have ever completed a Continuing Disability Review to retain your benefits, you likely understand how demanding the process can be. In a letter to the Commissioner of Social Security, Disability Rights Nebraska details how the proposed changes would only serve to increase the burden placed on the individual beneficiary, providers, and the State of Nebraska. [Read our comments on the proposed changes to Continuing Disability Reviews.](#)
- Through a cooperative arrangement between People First of Nebraska and the LEND Program at MMI, Disability Rights Nebraska is providing a paid internship to a student with a developmental disability during the Nebraska legislative session. The position would provide the intern with legislative advocacy experience through opportunities to interact with state policymakers and with the larger disability community; to learn about disability issues, history and culture and the legislative process; and to provide an opportunity to communicate our policy position on at least one bill in the Nebraska legislature.
- Disability Rights Nebraska has hired a new staff attorney who will focus on voting access, voting rights education and monitoring institutional and community based facilities. We are pleased to welcome Ms. Amy Miller in this role. Ms. Miller served as the Legal Director for ACLU Nebraska for 20 years. We have worked with Amy in a number of areas over that time and she previously served on the Board of Directors for Disability Rights Nebraska, including as Chair of the Board

Future/upcoming Agency activities:

- Our next Inclusive Education Lay Advocacy Training will start on February 7th, 2020! The goal of the Inclusive Education Lay Advocacy Project is to provide citizens with the tools they need to advocate for students with disabilities and their families. Visit our [Inclusive Education Lay Advocacy webpage](#) to learn more about the project and the importance of inclusion!
- The Nebraska Values-Based Education Coalition, supported by Disability Rights Nebraska, will host another Social Role Valorization Workshop this summer on June 9, 10, and 11 at Nebraska Wesleyan University. Participants will learn about the concept of Social Role Valorization, including the common life experiences of people who are devalued, as well as strategies to support these people in becoming valued members of the community. This is an important opportunity for *anyone* who wishes to improve the lives of people who are devalued, specifically human service workers, people with disabilities, educators, family members, and advocates. Details will be coming to our website and social media pages soon, so stay tuned!

Nebraska Council on Developmental Disabilities

State Agency Representative
Report to Council Members

Representative: Wayne Stuberg

Agency: UCEDD - Feb 2020

Update on activities/trends/improvements/issues impacting individuals with I/DD since the last Agency update:

- MMI new building construction is ahead of schedule, current completion Jan – March 2021.
- Search for new UCEDD Director is underway with two internal candidates. Interviews to be completed in mid-February.
- Director of Pediatric Feeding recruited and to begin in late summer.
- Interim Director of Severe Behavior named, Dr Amanda Zangrillo.
- Expansion of Autism Clinic in an underserved area of Omaha being planned. Desire to replicate model in other areas across the state.
- Collaboration with Boystown underway with audiology services to be included in the new building.

Current Agency activities/trends/improvements/issues impacting individuals with I/DD:

- Education series on transition was well received with over 45 attendees on average for all eight meetings. Series to be repeated in 2020-21 with companion session for self-advocates at the same time as presentation to foster self-determination around topics. Series to have Zoom link for additional participants from across the state and facilitated by parent resource coordinators in Norfolk, Kearney, Grand Island and North Platte.
- DD Council collaboration for Self Advocacy series entering year 3 with dates/locations being determined.
- UCEDD staff serving on Olmstead Steering and Advisory Committees, DD Advisory Committee, DHHS Division of DD Level of Care Technical review committee, Title V 5-year needs assessment workgroups, NE Consortium for Citizens with Disability, State Independent Living Council Board, DD Council & Omaha Mayor's Disability Council.

Future/upcoming Agency activities:

- Dr Mirnics, MMI Director, asked to serve on Board of Special Olympics International with collaboration with state Special Olympics on development of "Caring for Champions" program in the new building with dentistry, ophthalmology, podiatry, dietetics and rehab specialists.
- Transition and Postsecondary Program for Students with Intellectual Disabilities (TPSID) grant funding for the 2020-21 cycle has been approved through the US Department of Education with MMI and UNO to submit a joint project grant for the Think College postsecondary transition program.