

Nebraska Council on Developmental Disabilities  
May 17, 2019 9:30am  
Highlands Golf Course Conference Room  
5501 NW 12<sup>th</sup> Street  
Lincoln, NE

Copies of the agenda were sent to Council members prior to the meeting. The meeting was chaired by Vice-Chair Jennifer Meints and called to order at 9:33am. Quorum was present. Currently there are three vacancies on the Council: a DHHS Public Health – Maternal and Child Health representative, a non-governmental representative, and a non-profit representative.

**Present:** Sue Adams, Jessica Barrett, Reagan Boyer, Brenda DeLancey, Jason Gieschen, Seamus Kelly, Jennifer Meints, Steve Milliken, Ryan Moore, Sharon Orduña, Erin Phillips, Paige Rose, Debbie Salomon, G.R. Smith, Wayne Stuber, Dee Valenti, and Jane Ziebarth-Bovill.

**Absent:** Dale Johannes, Heather Leschinsky, Kristin Mayleben-Flott, Courtney Miller, and Haley Waggoner.

**Guests:** Paul Bachman, Eric Evans, Barb Fitzgerald, Susan Gieschen, Karen Houseman (on behalf of Heather Leschinsky), Lisa McMichael, Marla Moore, 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**

Jennifer asked if there were any corrections to the February 1, 2019 meeting minutes. As there were no corrections, Jennifer called for a motion to approve the minutes. Wayne Stuber made the motion and Dee Valenti seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.**\* Motion carried.

### **Council Member Responsibilities**

Kristen Larsen reviewed Council member responsibilities, a chart from last year's training with Sheryl Matney, Director of iTACC. This sets the framework for the Council's agenda. It ensures the Council is informed and knowledgeable to make decisions ensuring progress is being made on the State Plan and to identify systemic issues.

### **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, were asked to verbally declare any conflicts of interest. They are noted below:

Steve Milliken Department of Education

### **Fiscal Report & Council Travel Policy**

Kristen L. presented the Fiscal Report, a handout at the meeting. As a reminder, the fiscal report has been changed to reflect the Federal Fiscal Year (October 1<sup>st</sup> to September 30<sup>th</sup>). The report reflects the

balance of funds from FFY 17 and FFY 18, and the funds received for FFY 19. Total income is \$834,756; obligations total \$538,551; the balance of funds available is \$296,205. FFY 17 funds will be liquidated through a subaward tied to FFY 17 money. Note, the *Year to Date Expenditures for Functions of the DSA* (Designated State Agency) is incorrect. DHHS has taken out more *Indirect Costs* than budgeted. Kristen L. will follow-up with DSA fiscal to get that adjusted. Also, occasionally subrecipients do not use all their funding. The remaining funds go back into the Council's Operating Budget. The Council is on track to liquidate its funding.

The Council's *Travel* budget was set at \$36,175. *Year to Date Expenditures* is \$12,603 or 35%. The Council's *Travel Policy* allows for members, not affiliated with a Nebraska State Agency, to request funding for one out-of-state conference per year and two in-state conferences as long as the requests relate to the Council's State Plan. There has been a steady increase in these requests, and today's conference funding requests come to a little over \$11,000. Kristen L. suggested having the Executive Committee convene to review the *Travel Policy* and perhaps set a cap on the amount of funding that could be requested per person and to ensure there is a return on investment as it relates to the State Plan.

### **Request to Adjust Budget**

Kristen L. explained that in February an Opportunity Subaward was awarded to Munroe-Meyer Institute (MMI). Since then, the point person for this subaward has resigned and MMI did not have the staff capacity to take this project on. As a result, a subaward was not set up and a motion needs to be made to restore \$15,000 to the Council's Operating Budget. Debbie Salomon made the motion and Erin Phillips seconded. A roll call vote was taken: **Yes – 16, No – 0, Abstain – 0.** \* Motion carried.

### **Conference Requests**

Brenda DeLancey requested funds not to exceed \$2,121.97 to attend the 2019 Scientific and Family Conference, July 25<sup>th</sup> – 28<sup>th</sup> in Chicago, Illinois. By attending this conference, she will have a better understanding of all the research happening with neuromuscular disease, specifically Nemaline Myopathy. A motion was made by Wayne to approve Brenda's \$2,121.97 funding request and Jane Ziebarth-Bovill seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.** \* Motion carried.

Ryan Moore requested funds not to exceed \$2,795.00 to attend the 2019 Little People of America National Convention, June 28<sup>th</sup> – July 5<sup>th</sup> in San Francisco, California. By attending this convention, he will be able to network with medical professionals who specialize in treating people with dwarfism and it will enable him to learn strategies for people with disabilities who encounter various physical, emotional, and societal issues. A motion was made by Erin to approve Ryan's \$2,795.00 funding request and Jessica Barrett seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.** \* Motion carried.

Erin Phillips requested funds not to exceed \$3,100.00 to attend the 2019 Annual Conference on Independent Living, July 22<sup>nd</sup> – 25<sup>th</sup> in Washington, D.C. By attending this conference, she will continue to learn how to be as independent as she can and will receive more training so she can live independently. A motion was made by Ryan Moore to approve Erin's \$3,100.00 funding request and Brenda DeLancey seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.** \* Motion carried.

Sharon Orduña requested funds not to exceed \$2,039.28 to attend the 2019 Autism Society of America National Conference, July 9<sup>th</sup> – 11<sup>th</sup> in Bethesda, Maryland. By attending this conference, she will receive the most recent information on employment and lifespan transition which will assist in systems change. A

motion was made by Erin to approve Sharon's \$2,039.28 funding request and Jason Gieschen seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.**\* Motion carried.

Debbie Salomon requested funds not to exceed \$1,851.39 to attend the 2019 National Association of Councils on Developmental Disabilities Conference, July 10<sup>th</sup> – 11<sup>th</sup> in New Orleans, Louisiana. By attending this conference, she will learn how to be a better advocate for people with disabilities regarding policy changes and real system changes. A motion was made by Paige Rose to approve Debbie's \$1,851.39 funding request and Jessica seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.**\* Motion carried.

Kristen L. explained that currently, the State Auditor is conducting an audit of random travel costs in the Division of Public Health. Travel costs relating to the 2018 Little People of America (LPA) Conference, that Ryan Moore attended, was selected to be audited. Council staff need to ensure that when a service contractor accompanies a Council member, the costs for each person are split out. In this instance, Ryan's costs were over by \$80. The DSA recommended that the Council takes corrective action and increase Ryan's request from last year from \$1,900 to \$2,000. A motion was made by Debbie to increase Ryan's 2018 LPA Conference funding request from \$1,900 to \$2,000 and Sharon Orduña seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.**\* Motion carried.

Kristen L. reminded the Council if they are interested in attending Disability Rights Nebraska's Social Role Valorization Workshop June 24<sup>th</sup> – 26<sup>th</sup>, please let Council staff know.

### **Reapplying with the Governor's Appointment Office and Election of Officers**

There are six Council members whose terms expire on October 1<sup>st</sup> that are eligible to reapply with the Governor's Appointment Office to continue serving on the Council per the February 1, 2019 ratified Council By-Laws. They are: Brenda DeLancey, Jennifer Meints, Ryan Moore, Sharon Orduña, Wayne Stuberg, and Jane Ziebarth-Bovill. Kristen L. encouraged these members to reapply soon as the approval process can be quite lengthy.

Council staff will continue to work with the Governor's Appointment Office to have a DHHS Public Health – Maternal and Child Health representative, a non-governmental representative, and a non-profit representative appointed to the Council. There will also be two additional vacancies representing individuals and families with developmental disabilities when the terms expire on October 1<sup>st</sup> for Kristen Mayleben-Flott and G.R. Smith.

Per the By-Laws, officer elections for FFY 20 will be conducted at the August Council meeting. This includes the offices of: Chair, Vice-Chair, and Secretary. If you are interested in any of these offices, or would like more information, please contact Kristen L. prior to the August meeting so staff can prepare the slate of candidates. Technical leadership training will be offered to the Council's new officers via a Zoom webinar. In addition, Council staff will be asking for Committee preferences at the August meeting and Committee Chairs will be elected at the November Council meeting.

### **Report of the Planning Committee**

Ryan Moore, Planning Committee Chair, reported that the Committee met on Thursday to make recommendations for potential changes to FFY 2017-2021 Nebraska State Plan, formal subaward Requests for Applications (RFAs) to be released for projects for FFY 20, continuation of funding for People First of Nebraska and Munroe-Meyer Institute's Statewide Leadership Seminar Series, collaborative funding, and opportunity subaward RFAs. The Nebraska State Plan – Fiscal Years 2017-2021 handout lists the goals/objectives and the correlating activities and subawards which the Council has funded to date.

The following Committee recommendations were discussed and voted on together.

### **FFY 2017-2021 Nebraska State Plan**

Kristen advised the Council that objectives could be reworded or removed and submitted to the Administration on Intellectual and Developmental Disabilities (AIDD) without having to go out for public comment.

**Goal 1, Objective B:** "An increased number of adults with I/DD and their aging families will be identified through outreach activities and provided with information to expand their knowledge of adult services and other community resources." The Committee recommended to remove "identified through outreach activities and". The objective would read: "An increased number of adults with I/DD and their aging families will be provided with information to expand their knowledge of adult services and other community resources."

**Goal 2, Objective A, 4:** "Supporting the development of a curriculum to be used statewide for the development of self-advocacy and self-determination skills." The Committee recommended to remove the objective entirely.

**Goal 4, Objective C:** "Expand and enhance inclusive childcare opportunities throughout the state." The Committee recommended to remove the objective entirely.

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

### **Formal Subawards**

The Planning Committee recommended releasing three RFAs for formal subawards: *Along the Way* Transition Resource Guides Training, Person-Centered Planning Training, and Disability Benefits Planning Task Force.

***Along the Way* Transition Resource Guides Training** would address Goal 1, Objective A: "An increased number of individuals transitioning out of special education and their families will be provided with information to expand their knowledge of adult services and other community resources for adult living." The Committee recommended releasing a RFA to address the development and delivery of a curriculum based on the *Along the Way* Transition Resource Guides for stakeholders to use across the state to build capacity to share the resources with families and individuals with DD. The Project Coordinator would research and identify experts in 10 areas of the state who would be trained to use the *Along the Way* Transition Resource Guides to improve transition outcomes. This would include a statewide distribution process, updating process, and printing process of the *Along the Way* Transition Resource Guides. The subaward would be up to \$45,000 with the option for a second year renewal. A roll call vote was taken: **Yes – 16, No – 0, Abstain – 0.\*** Motion carried.

**Person-Centered Planning Training** would address Goal 1, Objective C: "An increased number of individuals with I/DD and their families will be provided with information to expand their knowledge and acquire skills for developing self-directed, person-centered plans." The RFA would address hiring a national consulting entity to educate DD providers, families/guardians, self-advocates, and service coordinators on what person-centered planning actually is. Training would be conducted in person and via web seminar. Karen Houseman mentioned that if the training was done before September 30, 2020 and with Centers for Medicare and Medicaid Services (CMS) approval, she could contribute additional funds. A motion was made by Debbie to approve the release of a RFA, up to \$30,000 with Council funds

and collaborating with Medicaid for additional funds, for Person-Centered Planning Training with an option for a second year renewal and Jason seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 0.**\* Motion carried.

**Disability Benefits Planning Task Force** would address Goal 3, Objective C: “Provide access to benefits planning services for an increased number of service providers, individuals with intellectual and other developmental disabilities and their families to support the person’s employment choices.” The RFA would be for an entity (who is not currently providing benefits planning services in Nebraska) to form a Task Force and conduct a mapping to see what benefits are available in Nebraska, what could be done differently, what other states are doing as best practices for benefits planning, and develop that data into a report that could be published and shared at the state level. The final report will include recommendations, strategies, and approaches Nebraska could take to improve benefits planning services. It would be open for a second year renewal. A motion was made by Erin to approve the release of a RFA, up to \$30,000, for a Workgroup Report and Reagan Boyer seconded. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 0.**\* Motion carried.

### **Continuation Funding for Formal Subawards**

#### **People First of Nebraska (PFN)**

The Committee recommended to continue funding PFN, with contingencies, in the amount of \$42,000. PFN will need a strong sustainability plan in place, provide more detailed information on local chapters and membership numbers, and include a forum on employment during their annual meeting. A roll call vote was taken: **Yes – 14, No – 0, Abstain – 1.**\* Motion carried.

#### **The Munroe-Meyer Institute (MMI)**

The Committee recommended to continue funding MMI’s Statewide Leadership Seminar Series for a third year, with contingencies, in the amount of \$26,555 to continue building capacity. Seminars will need to be held in two additional communities and include ‘Zoom’ meetings. A roll call vote was taken: **Yes – 14, No – 0, Abstain – 0.**\* Motion carried.

The following Committee recommendations were discussed and voted on together.

### **Collaborative Funding and Opportunity RFA’s**

The Committee recommended to approve the Collaborative Budget of \$10,000. The Committee also recommended funding up to \$30,000 in Opportunity Subawards starting October 1, 2019 and funding up to \$30,000 in Opportunity Subawards starting April 1, 2020. A roll call vote was taken: **Yes – 15, No – 0, Abstain – 1.**\* Motion carried.

The Executive Committee will meet with Kristen L. to discuss a format for individuals to request Collaborative funds which would allow more transparency.

### **Group Council Members and Staff Photo**

DHHS photographer David Hudson came out to the Highlands to take a group photo of Council members and Council staff for the N&R insert and possibly the webpage.

### **Additional Compliance Follow-Up with iTACC’s Recommendations**

The recommendation from iTACC to have the Council perform the Executive Director Evaluation has been partially met. What remains is to formulate a written procedure on how to conduct the Executive Director’s Evaluation. Kristin M. had indicated that she could start writing out the procedure.

A written procedure for the supervision of the Executive Director also needs to be submitted to iTACC and what the next steps in drafting a Memorandum of Understanding (MOU) between the Council and the DSA. These may need to be done with the continuing efforts of the Compliance Committee.

Kristen L. mentioned that volunteers are being sought to serve on the Compliance Committee. Especially needed is a DHHS volunteer to assume Judy Martin's vacated spot. Kristen L. will reach out to DHHS staff. Meetings have been conducted via conference calls. Current Committee members are: Kristin Mayleben-Flott, Jennifer Meints, Wayne Stuberg, Brenda DeLancey, and Ryan Moore. Paige indicated she may be interested in being on the Committee and she has some experience with MOU's.

### **Updates from Agency Representatives**

#### Nebraska Vocational Rehabilitation (VR)

Paige reported that the Project SEARCH Job Fair was held April 30<sup>th</sup> at the Lancaster Event Center. It was a huge success.

The Nebraska VR Order of Selection Wait List as of May 13<sup>th</sup> includes: Priority Group 1 – 2,013; Priority Group 2 – 594; Priority Group 3 – 357. There are about 100 new applicants per month who are eligible for Priority Group 1. Nebraska VR is advising students to apply two years prior to their graduation in order to be placed on the Wait List. So as they approach graduation, they are closer to being off the Wait List. Students that have the most significant I/DD are recommended to apply to Nebraska VR to be placed on the Wait List two months prior to graduation. Nebraska VR recommends this approach, because if the student is found ineligible, all pre-employment transition services must stop immediately. Nebraska VR wants the students to have exposure to all pre-employment transition services the entire time they are in high school if possible.

18 Transition Summer Programs have been approved for Nebraska VR grant funding projects statewide. Reference the STUDENT page on [vr.nebraska.gov](http://vr.nebraska.gov) for more information.

The Legislature's Appropriations Committee has opted to provide Nebraska VR an additional \$1.2 million of general funds in each year of the next biennium to help offset part of the maintenance of effort penalty incurred and to begin servicing adults waiting for services. Once signed by the Governor, funds are earmarked for July 1<sup>st</sup>.

Nebraska VR intends to request re-allotment money this fall. With the additional disaster declaration, there is a \$5-6 million potential. Re-allotment money is the money that is not used and returned by all state VRs.

#### Medicaid and Aging

Karen Houseman provided the Medicaid report for Heather Leschinsky. The State Transition Plan for how Nebraska is going to come into compliance with the Home and Community-Based Services Final Rule has been published for public comment. The public comment period is May 16<sup>th</sup> to June 17<sup>th</sup>. There will be two in-person meetings and one webinar.

Non-Emergency Medical Transportation will be carved into the Heritage Health Plans effective July 1<sup>st</sup>.

The Money Follows the Person last transition will be June 30<sup>th</sup>. DHHS Administration has chosen not to extend the program and did not seek stakeholder input. Unsatisfied advocates can voice their concern by emailing Karen directly at [karen.houseman@nebraska.gov](mailto:karen.houseman@nebraska.gov) and she will collect the concerns and forward them on appropriately. Wayne recommended that the Executive Committee, on behalf of the Council,

draft a letter from the Council expressing concerns of not having an opportunity for public comment in the decision to discontinue the program. Karen explained that the short-term extensions by Congress made it hard for them to make a sustainable program and get community buy-in. There was also the problem of finding affordable, accessible housing for individuals. Wayne said he met with the head of the League of Human Dignity in Omaha to see how UCEDD could help with the housing situation. He ran into the same problem. There is no housing to place people and there is no incentive for people to develop housing for people with special needs. Karen stated there is not a state overall housing authority. Nebraska has 107 separate housing authorities, each with their own rules. Kristen L. mentioned that housing may be an area the Council should zero in on for the next 5-Year Plan.

The RFP for the Electronic Visit Verification System will be released in the next few months and Nebraska intends to apply for the good faith extension this summer.

**NOTE:** Written reports from agency representatives that were not present are attached to the end of the minutes for review. [Sue Adams, Division of Behavioral Health; Steve Milliken, Department of Education – Special Education; Courtney Miller, Division of Developmental Disabilities]

### **Updates from our DD Network Representatives**

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

Wayne reported that MMI is in the final process for getting approval for their new building. MMI will be moving of the Medical Center campus to the University of Nebraska-Omaha campus. \$90 million has already been raised for remodeling the building. Wayne also shared that the university continues to see reductions from the state budget.

Janet Miller, who is the Project Coordinator for MMI/UCEDD's subaward *Dementia Capable Care of Adults with Intellectual Disabilities and Dementia*, was selected by the American Academy of Developmental Medicine and Dentistry to receive *The Spirit of the National Task Group Award*. This award is given annually by the National Task Group to an individual or organization that has provided exceptional support, education, or training to individuals, families, and/or community supports that have been affected by Alzheimer's disease and related dementias in adults with intellectual and developmental disabilities.

#### Disability Rights Nebraska

Seamus Kelly reported that Disability Rights Nebraska has been involved with legislative activities. LB570, the Olmstead Bill, has been passed by the Legislature and is awaiting the Governor's signature. Disability Rights Nebraska is monitoring LB147, the Student Discipline Bill. There have been many wording changes to the bill. The bill was being held in Committee, but Senator Groene made a motion to bring it to general file. Joni Dulaney said there was not a Committee Statement tied to this bill. Whether it will make it to the floor, is unknown. Kristen L. mentioned that at the Special Education Advisory Committee meeting, she learned there is potentially going to be a Legislative Resolution or workgroup this summer to look at the bill. This would involve key stakeholders that testified in opposition to the bill.

Eric Evans explained the Department of Justice (DOJ) came to Nebraska on March 27<sup>th</sup>. The visit was not part of an Olmstead planning strategy. The DOJ came because of a complaint received of civil rights violations by a nursing home. While the DOJ was here, they inquired about Olmstead in Nebraska. The DOJ visited six assisted living facilities which house individuals with mental health conditions, and the unannounced visits caused a disturbance. No report was given by the DOJ and it is doubtful one will be forthcoming. Disability Rights Nebraska was the only entity contacted by DOJ. Eric explained that the Olmstead Plan will provide the state with an affirmative defense in the event of litigation around

Olmstead. It is an affirmative defense if it is a reasonable plan and the state is making a good faith effort to implement it.

Disability Rights Nebraska's annual public meeting will be held on June 8<sup>th</sup> in Hastings. Priorities, goals, and objectives for the upcoming fiscal year will be discussed.

Disability Rights Nebraska is coordinating *Inclusive Education Lay Advocacy* work and will host two training sessions in Lincoln and Kearney. Disability Rights Nebraska received a \$5,000 grant from the Nebraska Civic Engagement Roundtable to begin working in the Omaha metro area to look at inclusive education and what districts are doing.

Disability Rights Nebraska has been partnering with Nebraska Wesleyan University to host the *Social Role Valorization Workshops*. This summer the workshop will be held June 24<sup>th</sup> – 26<sup>th</sup>. Additionally, Disability Rights Nebraska and Wesleyan's Education Department are discussing ways to incorporate some social role valorization into Wesleyan's undergraduate and graduate special education curriculum.

Disability Rights Nebraska is working with the University College of Law to discuss the possibility of working together to plan and host a *Disability Law Day* during the fall of 2020 or spring of 2021.

### **2019 Tri-Board Meeting Update**

The Tri-Board meeting is coming up in two weeks, Friday – May 31<sup>st</sup>. The Tri-Board consists of board and council members from the DD Network Partners (the DD Council, Disability Rights Nebraska, and Munroe-Meyer Institute's Community Advisory Board). The meeting will be at Southeast Community College's Jack J. Huck Continuing Education Center (301 S. 68<sup>th</sup> St. Place; Room 302-303). Eric has secured a nationally recognized speaker, Al Condeluci. Al runs Community Living and Support Services (CLASS), which is a community based support system for individuals with all types of disabilities in Philadelphia, Pennsylvania. His theory of interest is social capital and how we can help individuals with I/DD to acquire social capital. There will also be an update on the National Core Indicator Data for 17/18. RSVP's to attend the Tri-Board meeting, need to be given to Nikki Krause by the end of today's meeting. Travel expenses will be covered for Council members traveling from outside Lincoln.

### **Council Project/Legislative Updates**

#### Nebraska Olmstead Plan Update

Kristen L. reported that once LB570 is signed by the Governor, there will be new members joining the Disability Services Stakeholder Olmstead Planning Committee. This will include: the Nebraska Medical Center MMI for Genetics and Rehabilitation, University of Nebraska Department of Special Education and Communication Disorders, Department of Correctional Services, Department of Economic Development, Department of Labor, Department of Transportation, Equal Opportunities Commission, Public Service Commission, Commission for the Deaf and Hard of Hearing, and Commission for the Blind and Visually Impaired. DHHS has executed a new contract with Technical Assistance Collaborative with optional renewal periods through 2025 to make sure movement is being made on the state plan. There has also been talk of a potential Legislative Resolution to create additional oversight by the Legislature. Kristen L. has been collaborating with the DD Partners to draft an Olmstead position statement, which will ultimately be posted to websites.

#### N&R Publishing Story Board Update

Included in the meeting packets was the Nebraska Production Plan. Thank you to those that participated in the meeting with N&R. A copy of the first draft was passed around for review and comment. Council staff worked with the DHHS Communications staff to develop a Council logo and that will be included on

the insert. Kristen L. is working on a news release formally announcing the Council's name change and the logo will be included on the news release.

### Legislative Update

In the meeting packet was a copy of the legislative bills that the Council monitored. It includes a bill description, status, and summary. This is what will be used to create the *Newsline*. Joni explained of the 15 bills the Council decided to follow, either supporting or opposing, only one has been signed by the Governor and that was LB390, the School Resource Officer Bill. LB570, the Olmstead Bill, has been sent to the Governor for signature. The other bills being followed are in various statuses. Officially, the session goes into June, but it appears that May 31<sup>st</sup> will be the last day. The first edition of the *Newsline* is currently being printed, and will be mailed next week. The *Newsline* cannot be posted to the Council's website or emailed because the Council's opinion does not necessarily follow that of the Governor's. The goal is to send another *Newsline* out after the session concludes.

### **Conference Attendance Report**

In April, Jane attended the Western Social Science Association Conference in San Diego, California. This is an international conference that has a lot to do with social justice, due process, and advocacy. Jane, along with two of her colleagues, presented their research paper *Building Civic Capacity in Undergraduates: Results from a Collaborative Research Project*. The major theme of the presentation was preparing future educators to be advocates for all students. Some sessions at the conference related to advocacy and working with policy makers to support individuals with disabilities. One session she attended was by a professor from Chile who presented on the increasing suicide rate of individuals with I/DD. Another was on the transition from high school to college for students with DD. Teachers and counselors need to work better together to send students to college. Teacher preparation needs to prepare educators to cooperate and collaborate with counselors and special education teachers

### **Staff Updates**

The annual Program Performance Report for FFY 17 and FFY 18 were completed and submitted. The new format took additional time to complete the reports. A summary of some of the projects by the Council was prepared and will go to our Senators in Lincoln and D.C. A copy will also go to the Governor. A copy of the summary was included in the meeting packet.

The Nebraska Association of Service Providers (NASP) requested \$2,500 of Collaboration Funds and it was approved. NASP is going to bring in Dr. Lisa Mills to provide a training session on *Best Practices for Contemporary, Integrated, Competitive Employment with Individuals with Developmental Disabilities*.

Juvenile Justice work is continuing. Good efforts are being seen in Scottsbluff, North Platte, and Schuyler. The communities are developing their own coalitions and reviewing the work that was done in the first year and giving input on how to address the issue of students with brain injury, cognitive disability, behavioral health, mental health, and learning disabilities entering the juvenile justice system at higher rates.

The Administration for Community Living (ACL) is reorganizing. The Administration on Intellectual and Developmental Disabilities (AIDD) is changing its name to the Office of Intellectual and Developmental Disabilities Programs (OIDDP). DD Councils and UCEDDs will report to OIDDP and our Protection and Advocacy partners will report to the Office of Disability Services and Innovation (ODSI).

A current list of subawards was included in the meeting packet. The goal and objective are being added to the list to assist with showing where the Council is in the 5-Year State Plan and what areas need to be worked on.

Final Reports were also included for Education Service Unit 7 – *Project HOELS*; Disability Rights Nebraska – *Inclusive Education Lay Advocacy Project*; Heartland Equine Therapeutic Riding Academy – *Program and Facility Expansion-Life Skills*; and Advocacy Partnership for People with Special Needs – *Transition Conference and Classes*. These show the final outcome of the subawards that the Council funded.

March 12<sup>th</sup> was the Governor's Proclamation Ceremony declaring March as Developmental Disabilities Awareness Month. On behalf of the Council, Jennifer was presented with the proclamation signed by Governor Ricketts. There was a large turnout for support, and the new DHHS CEO, Dannette Smith, was in attendance.

An updated DD Council Member Roster was provided. If there are any changes to address, phone numbers, or email, please let Nikki know so updates can be made to ensure we have the most accurate data.

### **Member Updates**

Jessica graduated from Leadership Scottsbluff. She learned leadership skills so she can be a better advocate. She also was able to make a lot of community connections.

Sharon completed the LEND Program on May 10<sup>th</sup>. Her daughter graduated from the University of Nebraska at Omaha, and now is facing the challenges of finding competitive employment.

Jason will be having his photo taken next week for the N&R insert.

Debbie continues to navigate the Share of Cost scenario.

Dee said that after trying community living, it was determined that the best scenario was for her son to return to the Beatrice State Developmental Center.

Reagan attended the State Autism conference and did some networking. She is the Co-Leader of the Support Network for the Autism Society Nebraska in Scottsbluff. They had their 2<sup>nd</sup> Annual Walk and were up 25% with the number of individuals walking.

G.R. was named Associate of the Month for Embassy Suites. He has been without job coaching for two years, so earning this award was done independently.

### **Public Comment**

Jennifer opened the meeting for public comment. No public comments were made.

### **Adjourn**

The meeting adjourned at 2:49pm.

**NOTE...NEW DATES:** The next Council meeting is scheduled for August 16, 2019. The Grant Review Committee will be meeting on August 15, 2019.

Nebraska Council on Developmental Disabilities

State Agency Representative  
Report to Council Members

Representative: Sue Adams

Agency: Division of Behavioral Health

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

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

**Event for Mental Health Practitioners:**

“Low-Cognitive Disorders and Mental Illness: Specialized Provider Endorsement” took place 05/9-5/10.

The Nebraska System of Care (NeSOC) initiative has identified services for children and adolescents with mental illness and low-cognitive disorders as a priority. The NeSOC has created a comprehensive and sustainable system of care that is youth guided, family-driven, trauma-informed, and culturally responsive.

There were clinicians represented who served youth and adults in the community, facilities and corrections who participated in this specialized clinical endorsement training. Providers/clinicians from across the state were represented. A listing of those clinicians will be developed and appropriate referral/contact information provided to systems partners as well as added to the SOC website.



## Specialized Provider Training: Low-Cognitive Disorders and Mental Illness

The Grace Abbott School of Social Work and Nebraska System of Care hosted a specialized provider training on May 9 and 10, 2019 for mental health providers throughout the state of Nebraska. Additional support was provided by the Nebraska Children and Families Foundation. This specialized provider training focused on working with individuals affected by co-occurring low-cognitive disorders and mental illness. Thirty master's-level clinicians attended this two-day training and represented all six of Nebraska's behavioral health regions.

Day one of this training focused on evidence-based mental health practices. Mark DeKraai, J.D., Ph.D. introduced participants to the use of data and assessment when working with this population. Susan Reay, LICSW familiarized participants with mechanisms for adult learning and provided background on Nebraska's System of Care. Claire Rynearson, MPA, MSW demonstrated the use of PracticeWise, a web-based platform that offers innovative and evidence-based tools for clinicians working with a variety of presenting problems and diagnoses. Participants of this training were provided access to PracticeWise for one year.

Day two of this training focused on adapting evidence-based mental health practices for use with individuals affected by co-occurring low-cognitive disorders. Mark DeKraai, J.D., Ph.D. provided practitioners with valid and reliable measurement tools to be used with both clients and their caregivers. Bill Reay, Ph.D. provided training and guidance related to adapting evidence-based practice, treatment planning, and working with caregivers. James Sorrell, M.D. provided insight and guidance on medication management and working with psychiatry within multi-disciplinary teams.

Training participants have the opportunity to engage in follow-up consultations over the next six months while implementing PracticeWise, evidence-based practice adaptations, and assessment measures within their practice. Participants will additionally track data for continuous feedback on their clinical practice and progress with clients who have co-occurring low-cognitive disorders and mental illness. Participants who have completed this training and the six follow-up consultations will qualify for a specialized provider endorsement with this population.

### Presenters:

Susan Reay, LICSW	Grace Abbott School of Social Work & NE System of Care
Bill Reay, Ph.D.	President & CEO of OMNI Inventive Care
James Sorrell, M.D.	Psychiatrist with Nebraska Medicine
Mark DeKraai, J.D., Ph.D.	Senior Research Director at University of Nebraska Public Policy Center
Claire Rynearson, MSW, MPA	Training Specialist with NE System of Care

Nebraska Council on Developmental Disabilities

State Agency Representative  
Report to Council Members

Representative: Steve Milliken

Agency: Dept of Education – Office of Special Education

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

Better Together – Recently held a conference with NASES local special education directors. What used to be a separate meeting we have now begun to break down silos as we all work on the same outcomes. The focus of the meeting was on MTSS, which we have identified as a priority.

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

Will begin a strategic focus on the recruitment and retention of special education personnel in Nebraska. The number of special education personnel statewide decreases as our population increases. OSEP, the federal office of special education, has also made the topic a priority as it is a national concern.

Future/upcoming Agency activities:

MTSS Symposium – June 20<sup>th</sup> – Literacy for All, Lincoln

Early Development Network (EDN) – June 18-19, Kearney

OSEP Leadership Conference – July 22-24, D.C.

Administrator Days – July 31 – August 2, Kearney

MTSS Conference – September 4-6, Lincoln

# Nebraska Council on Developmental Disabilities

## State Agency Representative Report to Council Members

### Policy and Quality Updates-May 17, 2019

Representative: Courtney Miller

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

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

#### **Medicaid HCBS DD Waiver Services Amendment**

- The Medicaid HCBS Waiver Services waiver amendment was submitted to CMS on March 21, 2019 for approval. It is now under review with CMS. An effective date with CMS approval to implement is anticipated for late Summer/early Fall 2019.
- DDD submitted a Medicaid HCBS Waiver Appendix K, which is a standalone appendix to be utilized by the states during emergency situations to assist the providers in providing alternative services and allow for additional time to complete annual level of care determinations during the Nebraska flood crisis. The appendix was submitted to CMS on April 8, 2019 and we have been working closely with CMS for approval. The final version with all CMS requested changes was submitted on May 14. When approved they will have a retroactive effective date of March 13 and stay open for 18 months.

#### **Policy Guide**

- DDD is near the final drafting stage for the creation of a policy guide for providers, stakeholders, and state staff use. The guide will align with the implementation of updated service definitions upon CMS approval of the Waiver amendments. Two workgroups, one of families and one of all other stakeholders have reviewed and provided feedback. The draft policy guide is anticipated to be posted to the DDD website and communicated through the Listserv for stakeholder comments at the end of May, 2019.

#### **Institutional Level of Care Assessment Redesign Project**

- DHHS has kicked off an Institutional Level of Care Assessment Redesign Project. The project will be completed in two (2) phases: Phase I – Nursing facility Level of Care; and Phase II – Intermediate Care Facility for the Developmentally Disabled Level of Care. A dedicated webpage is live and can be found at: <http://dhhs.ne.gov/Pages/LOCRedesign.aspx>. A Technical Advisory Group, which will serve through both phases, will have members representing the clinical, academia, provider and policy perspectives. Focus Group opportunities will be announced for each phase to receive feedback for both adults and children assessment tools. Families, individuals in services, and advocates will be encouraged to participate. DHHS will host a Statewide Stakeholder Webinar at the conclusion of each phase to provide an overview and outcomes of the project. These will be recorded and posted to the webpage.

#### **Rate Reform – Phase II: Objective Assessment Process Redesign**

- DDD continues their work with Optumas and Alvarez & Marsal, along with 3 Advisory groups on the Objective Assessment Process (OAP) Redesign. In March the results of the clinical hypothetical studies conducted and the cost drivers were shared with the Advisory Committees for additional feedback. On April 10<sup>th</sup> DDD hosted two Webinars for all interested stakeholders

to provide an update on the project and the work that has been completed to date. Phase II is anticipated to be completed in early 2020.

### **Quality Management**

- The Division will begin year two of the Participant Experience Survey. DDD developed the Participant Experience Survey to gather feedback from Medicaid Home and Community-Based Services (HCBS) DD Waiver participants. The survey built off Nebraska's results in the 2016-2017 National Core Indicators (NCI) Adult Consumer report. Because the NCI Adult Consumer survey is based on a set of standard questions used nationwide, DDD focused its Participant Experience Survey to probe further into areas in which the NCI Adult Consumer survey found Nebraska to be below the national average. The Participant Experience Survey will also gathered information on participants' satisfaction with services. 100 surveys are to be conducted across the state beginning in June, 2019.

### **Olmstead Planning**

- LB570 has passed through the Legislature and on the Governor's Desk for signature. There will be new members joining the Disability Services Stakeholder Olmstead Planning Advisory Committee representing: the Nebraska Medical Center Munroe-Meyer Institute for Genetics and Rehabilitation, University of Nebraska Department of Special Education and Communication Disorders, Department of Correctional Services, Department of Economic Development, Department of Labor, Department of Transportation, Equal Opportunities Commission, Public Service Commission, Commission for the Deaf and Hard of Hearing, and Commission for the Blind and Visually Impaired. DHHS has executed a new contract with Technical Assistance Collaborative (TAC) with optional renewal periods through 2025.

### **Medicaid HCBS Statewide Transition Plan**

- Nebraska's state's transition plan final draft is now available to view on the DHHS Home and Community webpage at: <http://dhhs.ne.gov/Pages/HCBS-Statewide-Transition-Plan.aspx>. Comments may be submitted to the designated e-mail address: [DHHS.HCBSPublicComments@nebraska.gov](mailto:DHHS.HCBSPublicComments@nebraska.gov). DHHS staff will make available hard copies of the transition plan to any participant once posted upon request. Please see attached DHHS News Release for opportunities to provide public comment.

### **Future/upcoming Agency activities:**

- DHHS HCBS Stakeholder Meeting, June 4, 10:00 – 12:00, NSOB LLC
- DD Advisory Committee Meeting, June 20, 10:00 – 2:00, NSOB LLC
- Disability Services Stakeholder Olmstead Planning Advisory Committee Meeting, June 21, 1:00 PM – 3:00 PM, NSOB LLA

**FOR IMMEDIATE RELEASE**

May 15, 2019

**CONTACT**

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## DHHS Seeking Public Comment on Statewide Transition Plan

**Lincoln** – Pursuant to 42 C.F.R. §441.301(c)(6)(iii), the Nebraska Department of Health and Human Services (DHHS) is required to give public notice related to the state's plan to comply with new regulations governing the settings in which the delivery of services to Medicaid Home and Community-Based Services waiver recipients may be provided. The public comment period will take place from May 16 through June 17.

The state's transition plan final draft will incorporate stakeholder input to include public comment. The transition plan is now available to view on the [DHHS Home and Community webpage](#). Comments may be submitted to the designated e-mail address: [DHHS.HCBSPublicComments@nebraska.gov](mailto:DHHS.HCBSPublicComments@nebraska.gov) with the subject heading **State Transition Plan**.

DHHS staff will make available hard copies of the transition plan to any participant once posted upon request. An opportunity for public comment will be held at the following locations:

Date	City	Location	Time
May 22	Lincoln	<p><b>State Office Building - Lower Level B</b></p> <p>Come in Person, Join the Zoom Meeting, or Join by Phone.</p> <p><b>Please join the Zoom meeting <u>AND</u> by phone</b></p> <p><a href="https://go.unl.edu/stppubliccomment">Join Zoom Meeting</a> <a href="https://go.unl.edu/stppubliccomment">https://go.unl.edu/stppubliccomment</a></p> <p><b>Join by phone</b> Toll-free: 888-820-1398 Participant code: 3925547#</p>	10:00 AM – 11:30 AM CST
May 30	Statewide	<p><b>Live Webinar</b></p> <p><b>Please join the Zoom meeting <u>AND</u> by phone</b></p>	5:30 PM – 7:00 PM CST

# News Release

		<p><a href="https://go.unl.edu/stppubliccomment">Join Zoom Meeting</a> <a href="https://go.unl.edu/stppubliccomment">https://go.unl.edu/stppubliccomment</a></p> <p><b>Join by phone</b> Toll-free: 888-820-1398 Participant code: 3925547#</p>	
June 5	Statewide	<p><b>Live Webinar</b></p> <p><b>Please join the Zoom meeting <u>AND</u> by phone</b></p> <p><a href="https://go.unl.edu/stppubliccomment">Join Zoom Meeting</a> <a href="https://go.unl.edu/stppubliccomment">https://go.unl.edu/stppubliccomment</a></p> <p><b>Join by phone</b> Toll-free: 888-820-1398 Participant code: 3925547#</p>	1:30 PM – 3:00 PM CST