

Developmental Disabilities Advisory Committee

Meeting Minutes

April 12, 2023

I. Call to order

Lorie Regier called to order the regular meetings of the DD Advisory Committee at 10:07am on Wednesday, April 12, 2023.

II. Roll call

The following persons were present:

Advisory Members Present:

Present - Lorie Regier, Christina Zeleski, Stacy Bliss, Linda Clemens, Lisa Pruitt, Diane Focht, Kristen Larsen, Jennifer Hansen, Dorothy Ackland, Debbie Salomon, Dianne DeLair, Jenn Miller, Michelle Summers, Mark Shriver, Suzanne Wahlgren, Angela Willey

Absent, Peg Huss, Cristal Petersen, Kizzie Vaughn

DHHS Staff: Kristen Smith, Jenn Clark, Colin Large, Tyla Watson,

Afternoon only: Ashley Knudtson

Other Attendees: Edison McDonald, Mike Brown, Jennifer Quigley,

Afternoon only: Sarah R. Swanson

III. Approval of Agenda

- Debbie Salomon moved to approve agenda presented, 2nd by Dorothy Ackland. Motion carried.

IV. Approval of minutes from March 9, 2023, meeting

- Corrections to Minutes: remove Debbie Salomon, Christina Zelesky, and Suzanne Wahlgren as being present at the meeting.
- Dianne DeLair moved to approve the minutes with corrections, motion 2nd by Christina Zeleski. Motion carried.

V. Quality Update – Liberty & Sights Restriction Data – Jennifer Quigley, Liberty Healthcare

- HANDOUT: Nebraska CDD/DDAD Restriction Data - Liberty
- Discussion followed.

VI. Family Support Program - Upcoming Public Comment Period - Colin Large, DHHS Administrator

- Plan to go to public comment end of April beginning of May.
- Have submitted a draft of regulations to DHHS legal for review. Expect the Attorney General's office for public hearing in July 2023.
- *Follow up:* Committee would like Medicaid and Long-Term Care, Director Bagley, or representative, to attend a meeting to discuss the state plan. The committee to provide addition information on topics to be discussed to make sure correct representative is present.

- *Follow up:* Would like a list of the items that were NOT included with the family support waiver because they are or could be considered medical or possible state plan services

VII. Fiscal Intermediary – Colin Large, DHHS Administrator

- HANDOUT: Fiscal Intermediary in Waiver Self-Direction.
- Discussion followed.

VIII. DD Updates

- **Registry of unmet needs – Kristen Smith, Deputy Director**
 - HANDOUT: Registry statistics April 1, 2023.
 - Currently 2418 people on the registry.
 - Discussion followed.
- **DD Court-Ordered Custody Act – Jenn Clark, Deputy Director**
 - HANDOUT: DD Court-Ordered Custody Act (COCA) Statistics.
 - Currently have 46 active Court-Ordered Custody Act cases.
 - Expecting 1 person to come off
 - Potentially 3 additional cases
 - Discussion followed.
- **Traumatic Brain Injury Waiver – Kristen Smith, Deputy Director**
 - Public comment period is April 11, 2023 – May 11, 2023.
 - Meeting dates are on the DHHS Public Comment page: <https://dhhs.ne.gov/Pages/DD-Public-Comment.aspx>
 - Discussion followed.
- **Medicaid Unwind**
 - Letters were sent to all individuals in waiver services.
 - Discussion followed.

IX. Public Comments:

- Mike Brown – How is DHHS monitoring staff vacancies in the providers? Answer: National Core Indicator staff stability survey will be linked on the website once available. The committee needs to make this a priority, we are in a hiring crisis. We need to be monitoring this issue.

X. Old Business:

- Progress update on Optumas: System Evaluation (continuation from March 2023 meeting).
 - Reviewed a DRAFT Stakeholder Listening Session flyer.
 - *Follow up:* The committee will be sent a copy of the flyer as soon as it is finalized.
- Family Support Waiver – Draft Letter
 - Letter currently being sent to the Governor and Tony Green, recommendation from Edison McDonald that a copy of the final letter also be sent to Senator Hansen.

- Question asked to committee re: rights restrictions: Would the committee like to include rights restrictions in the family support waiver? This is a yes or no question on the waiver application. Short answer: No. Not currently.
- Notes from the rights restriction discussion below:
 - (a) Parents can have restrictions on children as they would for any child (for example: a parent can take their child's cell phone). The need for approved restrictions would be for those that are over the age of 19;
 - (b) If rights restrictions are not included in the initial application, the state could submit an amendment at the later date;
 - (c) Discussion about behavior support plans, qualified professionals who can write, current state capacity of such professionals, and the need to grow the capacity prior to the implementation;
 - (d) Training would need to grow and evolve; and
 - (e) There would be a need for data once the waiver is in place to see if needs are being met by the services offered.
- *Follow up* – Subcommittee to meet prior to the next meeting on May 11, 2023, to work on the letter further. Jennifer Hansen to coordinate the subcommittee meeting. Letter to be discussed and finalized at the May 11, 2023, meeting.

XI. Final Setting Rule Presentation – Sarah R. Swanson, Munroe Meyer

- PowerPoint: Home and Community-Based Services (HCBS) Settings Rule.
- Discussion followed.

XII. New Business:

- Future Meetings dates
 - Would like to meet in August, September, October, and November (No meeting in July or December).
 - *Follow-up*: Tyla to send possible meeting dates to the committee for review to be voted on at the May meeting.

XIII. Adjournment

- Debbie Salomon made a motion to adjourn the meeting, Christina Zeleski 2nd. Motion Carried. Lorie Regier adjourned the meeting at 2:09 PM.

NEXT MEETING:

May 11, 2023
 Conference Room P
 5220 South 16th St
 Lincoln, NE