

Developmental Disabilities Advisory Committee

Meeting Minutes

June 17, 2024

I. Call to order:

Mike Browne called to order the regular meetings of the DD Advisory Committee at 10:00 am on Monday, June 17, 2024. This meeting was a hybrid meeting via Zoom and at the Department of Health and Human Services, Conference Room P, 5220 South 16th St, Lincoln, NE.

II. Roll call:

The following persons were present:

Advisory Members Present: Dorothy Ackland, Stacy Bliss, Mike Browne, Dianne DeLair, Jennifer Hansen, Kristen Larsen, Cathy Martinez, Jennifer Miller, Lorie Regier, Debbie Salomon, Mark Shriver, Joe Valenti, Angie Willey, Christina Zeleski

Advisory Members Absent: Linda Clemens, Cris Petersen, Lisa Pruitt, Kizzie Vaughn, Suzanne Wahlgren

DHHS Staff: Tyla Watson, Jenn Clark, Colin Large, Brianne Berries

Meeting Attendees: Paul Murdock, Liberty Health Care; Nate Panowicz, Executive Director Mosaic; Edison McDonald, Executive Director – ARC of Nebraska; Mikayla Findlay, Legislative Fiscal Office; Phil Gray, Advocate; Ric Nelson, Area Director Mosaic

III. Approval of Agenda:

Dorothy Ackland moved to approve the agenda as presented, motion 2nd by Debbie Salomon. Motion carried; agenda was approved as presented.

IV. Approval of Meeting Minutes:

Debbie Salomon moved to approve the minutes as presented, 2nd by Dorothy Ackland. Motion carried; minutes were approved as presented.

V. Developmental Disabilities Updates:

➤ **Waitlist Elimination Update & Family Support Waiver**

- HANDOUT: June 2024 Waitlist Data – DD Advisory Committee
 - 2,799 are currently on the waitlist
 - Family Support Waiver (FSW) – 12 participants on the waiver
 - 475 offers have been made for FSW;
 - ❖ 175 have accepted the offer;
 - ❖ 25 have declined the offer;
 - ❖ 275 have not responded - Department is currently reaching out to those that have not responded with a second letter or via phone if we have a number for them to follow up on offers.
- FOLLOW UP: Committee would like to request a monthly update on the service coordination (SC) team. How many SC's positions, how many vacancies, and current caseloads?

- *FOLLOW UP*: Committee would like to request to see the comprehensive implementation plan for ending the waitlist as soon as the first draft is available.

➤ **DD Court-Ordered Custody Act (COCA) Update:**

- HANDOUT: DD Court-Ordered Custody Act Statistics – June 2024
- 39 Active DD COCA Cases- this is a decrease of 2 since last meeting in April.

VI. Quality Updated – Paul Murdock, Liberty Healthcare

- Currently working on On-site provider review collaborative workgroups:
 - DD Waiver Workgroup (CDD/DDAD/TBI) scheduled for July 25, August 14, Sept 12, 2024.
 - AD & TBI Workgroup tentatively scheduled for August – October 2024.
- Technical Assistance Program (TAP)
 - Provides training and technical assistance, analyzes data, provides a resource library, provides systematic training
 - Can be used by providers, individuals receiving services, SC's, and families/guardians
- Quarterly Trainings
 - Technical Assistance Program will develop and facilitate 4 quarterly trainings
 - 1st Quarter – Preventing Abuse, Neglect, & Exploitation
 - We have seen an uptick in incident reports, currently reviewing.
 - Feedback from Alana Shriver: The definition of abuse and neglect with the removal of “disregard intent to harm” has forced an increase in incident reports. When you are working with people that may not understand their actions cause harm, intent matters. When filling out an incident report, the provider has to look at which definition do you follow, the one based on statute or the one based on liberty’s guidance.
 - 2nd Quarter – General Event Report (GER) Resolutions
 - 3rd and 4th Quarter – TBD based on data from previous quarters.
 - Each training will be presented on multiple occasions and trainings will be recorded/uploaded to the shared webpage.
- Committee suggestion: Liberty should have a Facebook page to post information/updates.

VII. interRAI Assessment Tool presented by Jackie George & Alisha Goleb

- HANDOUT: iterRAI Assessment Tools PowerPoint by Myers and Stauffer
- No decisions will be made at this time. We are collecting data using the interRAI tool. To make sure if the division pursues using this tool, that it does not negatively effect people. Currently working out logistics for the pilot term.
- Myer and Stauffer plan to return in August to update on process.

VIII. Mosaic/Provider Perspective presented by Nate Panowicz & Ric Nelsen

- HANDOUT: Discover the Possibilities with Mosaic PowerPoint
- Discussion followed
 - How do you see rates sustaining your business? How are you doing in Nebraska vs. other states?

- It's very difficult to compare apple and apple across the states rates because each state has their systems set up different. For example in most states the rate for Group rate is higher than SLP. While it's still higher in Nebraska, the gap is much smaller than most states. Shared Living in Nebraska is fairly robust. Mosaic currently has 3 group homes in Nebraska but we have 40 in Delaware. Delaware does not currently have shared living homes.
- DSP crisis is all across the system/states.
- Getting our DSP pay rate right would be major, getting that rate to 150% of the minimum wage is what we are hoping for and what ANCOR (Federal Network of Providers) recommends.

IX. Meeting Frequency – Mike Browne

- Committee was asked to consider the frequencies of the meetings. With everything going on such as the Family Support Waiver, ending the waitlist, rate changes, quality report, 60 days since the last meeting has felt long. Do we want to capitalize on the current momentum and change to monthly for at least through the end of the calendar year.
- Committee members asked to share thoughts on this idea. Some comments included were:
 - Time is of the essence. I agree this would be a good idea.
 - When the meetings changed from bi-monthly, it was my understanding the subcommittees would be meeting every other month.
 - During the summer months this may be difficult.
 - Whatever the committee decides, I will make work. This may affect my bandwidth on involvement with the subcommittees
- No motion/action at this time.

X. Subcommittees – Regular report of the Subcommittee:

- Executive Committee – No Update.
- Quality – Update provided by Mike Browne. Focus is going to be into Liberty Health Program and the Optumas System Evaluation report.
- Legislative – Update provided by Edison McDonald. Committee discussed the upcoming session and how the committee can engage.
- DD Court-Ordered Custody Act (COCA) – Update provided by Dianne DeLair. Committee met and discussed focus. Initially, they would like more information on the process, including questions such as: how do people come into the DD COCA system; where are they generally at within the justice system when they come under the DD COCA? Some next steps are to meet with Department staff to discuss specific cases commitments between 2009-2014.

XI. Open Discussion – anything committee members would like to share with the committee.

- Dorothy Ackland: Has questions regarding the differences in the DD and AD waiver services. Jennifer Clark offered to speak with Dorothy outside of the meeting to walk her through those questions.

- Jennifer Hansen: The department is currently working to expand Katie Beckett to include children that meet ICF Level of care (DD Waiver Eligibility). Has the Department considered including the Nursing Level of care (AD/TBI Waiver) that would be cover those children in case there would ever be a waitlist on those waivers. Also, I have received feedback for the kids there were on the A&D waiver are no longer meeting the Nursing level of care, would like to know if we still have the reserve slots that would allow them to move to the DD waiver.

XII. Public Comments:

- **Edison McDonald, ARC of Nebraska – Verbal comments** – I would like to thank the department for submitting the Katie Beckett state plan amendment. I would suggest everyone submit public comments supporting this amendment, as we have. Switching to the waitlist. I am frustrated with the lack of clarity. We should have a written plan. In my experience, anytime in business, you are required have a written plan outlining your plan/direction. Not having a plan can lead to confusion. The information being shared in varies meeting has had inconsistencies. I believe that pausing offers on the comprehensive waiver is against state statute/the waiver. Also, this committee is supposed to be notified of changes at least 30 days prior to change. You were not notified of these changes. Also, the comment made that funds were not appropriated for the any waitlist funds, this is not true, there were unused funds from the previous fiscal year and there should be a signification set of funds to cover the comprehensive offers. One of the big questions I've been hearing is the 2% rate increase. Why are SLP's not receiving 2% increase, but all other services are? How does this effect quality vs. quantity? I don't think this committee was made aware of this decision in advance either. On the family support waiver, I find it very disturbing with the number of people that are on the family support waiver is 12. We have had concerns with the roll outs in the past and have tried to let the department roll out this waiver, but this number is not acceptable. Finally, as being here representing advocates, it is always helpful for families having a steady time for public comments, so we know what time to encourage people to come to a meeting to comment. The public comment time was previously set at noon. I would encourage the committee to have the time set.

XIII. Adjournment:

- Motion made by Jennifer Hansen, 2nd by Debbie Salomon to adjourn the meeting. Motion carried; meeting adjourned at 2:16 PM.

Next Meeting:

Wednesday, August 14, 2024
Conference Room P
5220 South 16th St
Lincoln, NE