

Developmental Disabilities Advisory Committee

Meeting Minutes

April 10, 2024

I. Call to order

Lorie Regier called to order the regular meetings of the DD Advisory Committee at 10:00 am on Wednesday, April 10, 2024. This meeting was in person 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, Linda Clemens (Arrived 12:00), Dianne DeLair, Jennifer Hansen, Kristen Larsen, Jennifer Miller, Cris Petersen, Lorie Regier, Debbie Salomon, Mark Shriver, Kizzie Vaughn (Arrived at 10:30 AM), Suzanne Wahlgren, Angie Willey, Christina Zeleski

Advisory Members Absent: Lisa Pruitt, Margaret Huss

DHHS Staff: Tyla Watson, Jenn Clark, Kristen Smith, Tony Green

Meeting Attendees: Paul Murdock, Liberty Health Care; Joe Valenti, Advocate; Ric Nelson, Area Director Mosaic; Nate Panowicz, Executive Director Mosaic

III. Approval of Agenda

Angie Willey moved to approve the agenda as presented, 2nd by Debbie Salomon, Agenda. Role call vote complete:13 Approved, 0 Opposed, 0 Abstaining, 2 Not Present. Motion carried agenda approved as presented.

IV. Approval of Meeting Minutes

Correction to the minutes – Under call of order the date is incorrect, needs to be Updated to March 13, 2024. Mike Browne made a motion to approve as amended. Motion seconded by Dianne DeLair. Role call vote complete:13 Approved, 0 Opposed, 0 Abstaining, 2 Not Present. Motion carried minutes approved as amended

V. Legislative Update

- There are two days left in the session.
- Legislative Bill 1417 – Create, eliminate, terminate, and provide, change, eliminate, and transfer power, duties, and membership of boards, commissions, committees, councils, task forces, panels, authorities, and departments and change and eliminate funds.
 - Friday, April 4, 2024, amendment 3346 (AM3346) to LB1417 was filed and placed on general file. Reference to the 83-1212.01 Advisory Committee on Developmental Disabilities has been removed from the filed Amendment.
 - Update was emailed to the committee on Monday, April 8, 2024.

VI. Developmental Disabilities Updates:

➤ Registry of Need Update

- HANDOUT: April 2024 Registry Date – Advisory Committee
 - 2,712 are currently on the registry this is an increase of 8 since March report.
- Offers Made
 - 2024 Graduate Day Service Offers have been made:
 - 128 Offers
 - 80 Accepted Services
 - 7 Declined
 - 1 Found Ineligible – Following Unwind, no longer Medicaid eligible.
 - 40 No Response – Second letter has been sent out to families.

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

- HANDOUT: DD Court-Ordered Custody Act Statistics – April 2024;
- 41 Active DD COCA Cases no change in number reported since March 2024.

➤ Family Support Waiver:

- 150 Offers made on the Family Support Waiver
 - 71 Accepted
 - 12 Declined
 - 67 No Response
- How are we measuring people are happy with their service?
- How is the implementation handled with having a financial intermediary?
 - Purchasing Goods and Services was removed from the Family Support Waiver, so the Fiscal Intermediary is not required for the Family Support Waiver at this time.
 - Accommodation request is on the website.
 - *FOLLOW UP:* Committee would like a refresher/update on the Fiscal Intermediary.

➤ Quality Updated – Kristen Smith and Paul Murdock, Liberty Healthcare

- We are continuing with the implementation of the optional services that were included in the Quality Initiative Document at the last meeting. The implementation date for the initiatives will be slightly delayed as we launch the elimination of the waitlist.
- *Question asked to the committee:* Looking for feedback from the committee. Meeting resistance after what the Department feels like has been a robust communication regarding quality changes with providers.
 - You are getting pushback from management of agencies. What we ended up finding is the people that are in the meeting is not management. It is the front line staff. Should be speaking to providers bottom up and not top down.
 - The change seems similar to when things changed for SLPs. The relationships that are assumed between the sub-contractors or employees with provider agencies or management is not always as much there as people think in all cases.

- Providers are all hearing the information, but they are taking different info away from it.
- *Question asked to the committee.* Should communication to frontline staff be the responsibilities the Department or the Agencies?
 - Discussion followed:
 - Do not think this should be the Departments place/responsibility.
 - A direct staff persons exposure is from the company they work for only. They don't know to do extra research and attend meetings. This information was discussed for 6 months publicly but as an employee, how would they know they should be looking outside their employer to get information.
 - Who is responsible for making sure the providers are sharing this information with their employees?
 - Some Terminology may need to change and may need to be adjusting how we are communicating.
 - Administrative cost and overhead cost is why there is an issue.
 - If an agency isn't doing it right, maybe an agency should not be able to provide these services.
 - A small charge of providers have expressed that they would prefer the money currently being paid to Liberty be given to the providers to track quality.

VII. Subcommittees:

- Committee members were asked to volunteer for which committees they would like to be part of.
- *FOLLOW UP:* Members please let Lorie know which committee they would prefer to be part of. The first report to the fill committee will be done at the June meeting.
 - **Executive Committee** – Chair of the Sub-committee will automatically become a member of the Executive Committee they (Membership, Onboarding, ect...) Lorie Regier, Mark Browne, Kristen Larsen, Cris Petersen, Dianne DeLair
 - **Quality** - (System Evaluation Report, Liberty, Quality Management) – Mike Browne (Chair), Kristen Larsen, Mark Shriver, Debbie Salomon, Suzie Wahlgren
 - **Legislative** – Cris Petersen (Chair), Dorothy Ackland, Angie Willey, Kristen Larsen, Christina Zeleski
 - **DD Court-Ordered Custody Act** – Dianne DeLair (Chair), Debbie Salomon, Mark Shriver, Stacy Bliss

VIII. New Business

- Elimination of Developmental Disabilities Registry announcement
 - Announcement was made on March 29, 2024. A copy of the press release is on the Governor's website: <https://governor.nebraska.gov/press/governor-pillen-announces-elimination-developmental-disabilities-registry#:~:text=LINCOLN%2C%20NE%20%E2%80%93%20Governor%20Jim%20Pillen,support%20Nebraskans%20with%20intellectual%20and>

- Tony shared with the committee. I want to be clear, I did not do this. We all did this. Ending the waitlist is something that stakeholders, advocacy groups, and families have been wanting to end this waitlist for year.
- HANDOUT: Empowering Your Growth. – Handouts shows how services may move along a continuum of care as needs change and people age.
 - The vision is that once the waitlist is gone. Someone could apply to the department and receive the supports they need right away.
 - All children that meet eligibility and level of care for DD Services they don't have to wait for Medicaid. Medicaid currently working on a state plan amendment to add ICF/DD level of care to the Katie Beckett program that when approved would allow those children to receive Medicaid services immediately without having.
 - As things exist today in the waiver- things are open for discussion. We all need to think about any changes we might need to make.
- How do we move forward:
 - Making offers on the Family Support Waiver.
 - Internal kick off meeting with Medicaid and Policy
 - Need to identify the needs of those on the waitlist, until everyone has a disposition.
 - Once those 2700 people have been covered, we move to handling needs as they happen.
- What it looks like after 18 months – options for people, focus on employment, goal – people are maximizing on individual's independence and using the system where the support is needed.
 - Assessment to increase supports as needs arise.
 - What would it look like for graduates? At 21, you could have day service as that is in statute (no intention to change). Make automatic offer.
 - No one in existing services is going to be cut or reduce as a result of elimination of the registry project.
 - \$18,000,000 addresses the here and now. We will have to continue to track/monitor. Example: Graduate, Attrition, Moving out of State.
- Is there any way for a child to get the Comprehensive Waiver?
 - If anyone meets priority one they could qualify for the Comprehensive Waiver.
 - We may need to come up with an assessment specific to children. We want to keep kids in the home and provide wrap around services.
 - We want to know what does “need the comprehensive waiver” mean to you.
- Do you see any movement on Legal Responsible Individuals, are still currently exploring and watching.
 - Could be a benefit and strategy for workforce shortage, but has to include safe nets.
- We've historically always told people to apply, apply early. In this new world do we still want people to do so?
 - Yes, we want to know who people are and what they need so we can plan for the future.

- *FOLLOW UP:* The committee would like a road map of what policies or statutes will need to be changed or adjusted. This would allow this committee to provide more input.
- *FOLLOW UP:* Committee would like to see the InterRIA tool.
- *FOLLOW UP:* As Tony/DHHS goes along your state tour can you share what questions that are being asked by families/staff.

➤ **June meeting date**

- June meeting is scheduled for June 12, 2024. The DHHS Deputies and Director will be at a conference out of state during that time.
- Motion made by Mike Browne to move the June meeting to Monday, June 17, 2024. Motion seconded by Debbie Salomon. Role call vote complete:14 Approved, 0 Opposed, 0 Abstaining, 1 Not Present. Motion carried.

IX. Public Comments:

- Joe Valenti, Advocate: Providers are paid by State and Federal money. We have a right to know what they are doing with our money. Sometimes my passion gets me ahead of me but this is important. This is our money. When Kristen did the groups. They wanted the DSP's with these focus groups. I was responsible for training my own people. They are employers, providers need to train their employees. It's ridiculous to expect the Department to do it. With management turnover in organizations it is hard to get everyone trained all the time. But it is part of being in business. Nebraska is a provider driven state. Providers are upset that they cannot control everything. We've got to improve the quality. 22 to 23 incidents went up 60% - that's because they are having to report when people bump into things. Someone is getting affected by what is going on. NCI can only do so much. I encourage you to stick by it.
- Nate Panowicz, Executive Director Mosaic: This is a really interesting time for Nebraska revamping how we look at services. There was a really good question poised. At what point would the comprehensive waiver be available. This is still a good questions that needs to be answered. How do we encourage more service. How can that be managed. There was earlier discussion by some providers in increase FTE due to quality work. Yes there are times we need an onsite review. Our teams don't always have all the answers. We learn from someone to come in and look at our information and ask questions we might now have thought of. I find value in a lot of quality pieces.

Next Meetings:

Monday, June 17, 2024
 Conference Room P
 5220 South 16th St
 Lincoln, NE