NOTICE

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Wednesday, January 29, 2025

9:00 a.m. Central Time

PLEASE TAKE NOTICE that on Wednesday, January 29, 2025, at 9:00 a.m. Central/8:00 a.m. Mountain, the Nebraska Olmstead Advisory Committee will hold an in-person meeting at the Assisted Technology Partnership (ATP) Offices, 500 S. 84th St., Lincoln, NE 68510. You may join the meeting virtually as a public member by Zoom via Computer, Smart Device or Telephone at https://us06web.zoom.us/j/81047256698?pwd=sZMx1Ker5QG2eU0J05mxbAUquNMSbl.1.

An agenda of subjects known at this time is included with this notice, but the agenda shall be kept continually current and readily available for public inspection at 301 Centennial Mall South in Lincoln, Nebraska during normal business hours. A notice of this meeting with the agenda and other materials is available on the Nebraska Department of Health and Human Services website https://dhhs.ne.gov/Pages/Olmstead.aspx.

On January 6, 2025, a notice of this meeting with the agenda was sent to all Committee members. Notice of this meeting with the agenda and other materials are available for public inspection at 301 Centennial Mall South in Lincoln, Nebraska, and posted with the following links kept continually current: an electronic copy of the agenda, all documents being considered at the meeting, with a link to the current version of the Open Meetings Act are on the website of the Nebraska Department of Health and Human Services – https://dhhs.ne.gov/Pages/Olmstead.aspx.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 853-1452. Individuals who are deaf or hard of hearing may call DHHS via the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the meeting.

Agenda

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Wednesday, January 29, 2024

9:00 a.m. Central Time

In accordance with the Open Meetings Act, Chapter 84, Article 14 of the Reissue Revised Statutes of the State of Nebraska 1943, as amended, one copy of all reproducible written materials to be discussed is available to the public at the meeting and at the link below for examination and copying.

Join the virtual meeting by Zoom via Computer, Smart Device or Telephone at https://us06web.zoom.us/j/81047256698?pwd=sZMx1Ker5QG2eU0J05mxbAUquNMSbl.1.

Pursuant to the Open Meetings Act, since this is an in-person meeting, members of the Nebraska Olmstead Advisory Committee (Committee) who attend in-person are allowed to vote and be counted for the purpose of determining a quorum. Those who attend virtually via Zoom are not allowed to vote and not be counted for purposes of determining a quorum unless an ADA accommodation is requested to allow for virtual participation.

1. **Call meeting to order**
   Mark Smith & Kathy Hoell
   - 9:00 a.m. CT– Mark Smith and Kathy Hoell, will call the meeting to order.
   - Roll call.
   - Indicate that on January 6, 2025, a notice of this meeting with the agenda and other materials was provided to the public and all members of the Committee. Notice of this meeting with the agenda and other materials were available for public inspection at 301 Centennial Mall South in Lincoln, Nebraska, and also posted with the following link kept continually current: an electronic copy of the agenda and all documents being considered at the meeting, with a link to the current version of the Open Meetings Act are on the website of the Nebraska Department of Health and Human Services – https://dhhs.ne.gov/Pages/Olmstead.aspx.
   - Inform the public about the location of the Open Meetings Act which is accessible to members of the public https://dhhs.ne.gov/Pages/Olmstead.aspx. along with a copy of all reproducible written materials to be discussed at this meeting.
   - Public comment on any agenda item(s): Pursuant to the Open Meetings Act, the Chair of the Committee reserves the right to limit comments on agenda items. In accordance with the Open Meetings Act, there is no time limit on comments made by members of the Committee. Members of the Committee and members of the public may comment on agenda items or listen to the Committee Meeting; however, if the Committee votes to hold a closed session pursuant to the Open Meetings Act, members of the public may not comment or listen during that time. The committee requires any member of the public desiring to address the body to identify their name, including an address and the name of any organization represented by such person in accordance with Neb. Rev. Stat. §84-1412.

2. **Consider a motion to approve the agenda**

3. **Consider a motion to approve the minutes from October 29, 2024.**
   Mark Smith & Kathy Hoell
   - See pages 4-12

4. **Call for Public Comment**
   Mark Smith & Kathy Hoell

5. **Suggested Advisory Committee Training**
   Mark Smith, Kathy Hoell, Kristen Larsen (NCDD), and Dianne DeLair (Disability Rights Nebraska)
   - *Possible additional meeting, training*

6. **Elect new Chair for the Transportation Subcommittee**
   Mark Smith & Kathy Hoell

7. **Subcommittee Reports and Activities to Date**
   - Community Services and Supports- Joni Thomas
   - Data- Mark Smith
   - Education- Stacy Bliss & Edison McDonald
   - Employment- Lindy Foley
   - Housing- Tobias Orr
   - Transportation-

8. **Division of Medicaid and Long Term Care Questions & Answers**
   Director Drew Gonshorowski
   - *Request from October 29, 2024 meeting*

9. **Status of Plan Goals and Olmstead Evaluation Report**
   Liz Gebhart-Morgan, Partners for Insightful Evaluation
   - Olmstead Evaluation Report- Posted to Legislature's website December 23, 2024
     - https://nebraskalegislature.gov/FloorDocs/108/PDF/Agencies/Health_and_Human_Services__Department_of/708_20241223-145204.pdf
   - Review of Partners for Insightful Evaluation Recommendations
   - Review of Plan Next Steps for Committees/Workgroups

10. **Call for Public Comment**
    Mark Smith & Kathy Hoell

11. **Dates for Upcoming Meetings in 2025**
    Mark Smith & Kathy Hoell

12. ***Consider a Motion to Adjourn***
    Mark Smith & Kathy Hoell

Minutes

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Tuesday, October 29, 2024

12:30 p.m. Central Time

1. **Call meeting to order:**
   Kathy Hoell called to order the regular meeting of the Olmstead Advisory Committee at 1:40 pm on Tuesday, October 29, 2024

2. **Roll Call**
   The following persons were present:
   Advisory Members Present:
   In Person- Trish Bergman, Kim Davis, Dianne DeLair, Lindy Foley, Patti Jurjevich, Kristen Larson, Tobias Orr, Peggy Reisher, Carlos Servan, Joe Valenti
   Virtual with Accommodation- Don Dew, Kathy Hoell, Joni Thomas
   Advisory Members attending virtually without Accommodation (Not Voting): Lorie Regier
   Advisory Members Absent:
   Stacy Bliss, Timothy Hellers, Edison McDonald, Kasey Parker, Kierstin Reed, Mark Smith, Susan Tatum**,** Kathy Scheele
   DHHS Staff: In Person: Tony Green, Kristen Smith, Colin Large, Miranda Newtson
   Other/Meeting Presenters: Mindy Anderson Knott
   Members of the Public: Christi Crosby

3. **Approval of Meeting Agenda**
   Joe Valenti made a motion to approve the agenda as presented, a motion 2nd by Kristen Larson. The minutes were approved as presented.
4. **Approval of Meeting Minutes**
   Joe Valenti made a motion to approve minutes as presented, a motion 2nd by Dianne Delair. The minutes were approved as presented. Voted to approve as amended.

5. **Advisory Committee Training-Dianne**
   - Conducted 3 trainings in October, they were very well attended, there were several people from the committee that were present at on of the trainings.
     - The last training was recorded and will send it to the committee.
     - Need to discuss what the committee would like to see.
     - History of ADA and the disability movement and how we developed or got to Olmstead over the years.
   - Also proposed as part of the disabilities rights of Nebraska doing a monthly call, that would be a check-in call with Olmstead, what is going on with Olmstead in Nebraska. This would be done by Disabilities Rights of Nebraska and not the Olmstead Committee.
     - Would be great to open these meetings up to the public/legislatures/Senators.

6. **Proposed training for the committee**
    - Breaking down Olmstead into smaller pieces
        - How many people know what Olmstead is, breaking down Olmstead to the basics.
    - Turing PowerPoint into something useful, handouts, something to study.
    - Gaining information from the committee on what they would like more discussion and more information on, then developing documents on those topics.
7. **Call for public comment**
    - One person online from the public, no comments.
8. **Scheduling meetings/Hacked meetings**
    - What can be done about scheduled meetings and ensure they are not getting hacked?
        - Community Support meetings on the 3rd Wednesday of every month from 11 am-12 pm.
        - DHHS will set up Zoom meetings for any work groups when it is requested by the committee chair.
        - The committee chair can set up a doodle poll to determine what time and day works best for each committee member.
        - Housing is set for the 2nd Monday of every month from 10 am-11 am. But can be flexible with times and days.
    - How to stop inappropriate attendees in meetings
        - Can set up a registration sign-up for the committee meetings.
        - Setting up where only people living within the US is allowed in the meetings.
        - Posting the schedule of Olmstead meetings on the Olmstead Website, to ensure anyone interested in these meetings can attend.
        - What type of level of transparency do the members of the workgroups want?
        - Would the members of the committee need to register every time?
        - Continue to monitor traffic within the committee work groups and determine the next steps.
        - Have Colin and Miranda notify the public as they have been.
    - Tobias in now the chair of the housing committee, he hopes to have monthly meetings and to get that committee back on track in 2025.
9. **Advisory meeting frequency**
    - Meeting quarterly with monthly check-ins.
10. **Report on status of plan goals**
    - We have been working on and pushing our information to Partners for Insight Evaluation (PIE) about plan goals and worked recently with Lindy to get information out of the Department of Education to get those questions answered.
    - There is no additional information at this time, as this was not requested prior to the meeting.
    - Do we feel we have the data that is needed at present to meet the plan requirements?
    - Dianne attended the employment work group, they discussed being able to talk about the goals when PIE does their evaluation had a lot of good suggestions about taking data out as its own goal and it would make more sense that we're looking at data within each goal, each large project, instead of a standalone, we also discussed other pieces of data that would be helpful within the employment context.

- PIE does recommend removing data as a standalone and placing it into each goal.

11. Tracking of legislative action needs and wants:

- Are committees tracking what will be needed, for possible legislation.
- Each work group should track on its own.
- We have some goals that are met, we did get data, but felt that these were low-hanging fruit, easy goals, need to look at those needs assessments, and get a baseline on what type of programs we need within the state.
- Need to go deeper on these topics to see what participants are able to obtain, is it competitive employment, comparable housing, etc.
- DD eliminating the waitlist, seeing some of the action steps that Tony talked about in the work plan that was distributed.
- Trying to get more accessible transportation across Nebraska, looking at statewide transportation.
- Needing to have money available for housing, to make affordable housing for those on Medicaid, but those who are also at risk of needing Medicaid. Those who may be just a small fraction above the income levels of qualifying for Medicaid would still qualify under Olmstead.
- All goals or subject areas will require a form of legislation to meet the need.
- We do need a way to track these needs no matter if they need legislation or not.
- Conversation to determine goals for creating a new plan.
- Looking ahead what is problematic with the current goals?
- In the Employment workgroup discussed Dr. Lisa Mill's priorities, at the next meeting, will be discussing two areas to focus on data.
- When the plan is updated as a group we identify these goals, these targets, these benchmarks, and that is what we focus on and move forward.
- Some were not happy with the initial goals as they were to easily met.
- They had built goals around data they knew would be obtainable as there are lofty goals out there that they would all like to see, but if they cannot track it, there is no reason to set those goals as they cannot show the progress made.
- Data limitations are limiting how big of a goal the committee can set.
- The Olmstead plan is a living breathing document, the goals can be updated, changed, and evolve into what is needed.
- Wouldn't the document be updated every couple of years? You would set the plan; you work on it and then update it or is updating it more often?
- There should be an opportunity to review the goals and update as needed, there should be some flexibility, such as can we add this action step to this goal?
- The subcommittees were developed to take these goals in smaller chunks, so if there are requests for revisions or new ideas the committee would be reporting out to the larger advisory group to say "In the employment group we think we are missing these five strategies, what does the group think about adding those to the plan? Do we have the data?"
- The advisory committee would need to make a recommendation to the steering committee, then the plan is formally the state's plan, so the governor's plan. The committee would be

making recommendations to the steering who would be developing the plan that the governor would then need to sign.

- The steering committee is named in state statutes, individuals who are within the governor's cabinet-level positions. As stated within § 81-6,122 paragraph 1 the Department of Health and Human Services shall, in collaboration with the Department of Correctional Services, the Department of Economic Development, The Department of Labor, The Department of Transportation, the Department of Veterans Affairs, The state Department of Education, the University of Nebraska, and the EEOC develop a comprehensive strategic plan for providing services to qualified persons with disabilities in the most integrated community-based settings pursuant to the Olmstead decision. Individuals representing those groups have previously identified as the steering committee.
- How do the individuals on the steering committee know what people with disabilities need, when there are no people with disabilities involved? In subsection 1, they shall appoint and convene a stakeholder advisory committee to assist in the review and the development of the strategic plan. It then goes on to name all of the different kinds of organizations that you hear on this advisory committee represent.
- The Commission for Deaf and Hard of Hearing, the Commission for Blind and Visually Impaired, the behavioral health regions, the Commission or the Advisory Committee for Mental Health, the Advisory Committee for Developmental Disabilities, and other agencies.
- The Advisory Committee submits the plan to Tony Green. Tony then brings it up to the steering committee. The Steering Committee is led by the CEO of HHS, in previous iterations of the plan, how that has worked is the advisory committee comes up with a plan, the steering committee blesses it, and if there is an agency head out of any of these that would say, "that goal is going to be way out of line with what I can do at the Department of Ed. And I may need to revise that, that it doesn't appear to be realistic for our agency." That would be what the High-level review that the steering committee would be looking at.
- If the Advisory Committee wanted to recommend changes, the recommended changes would go to the steering committee, and the steering committee would ultimately decide if they would be presented to the governor. The statute has established the Advisory committee has representatives all from those agencies the input has already been delivered with this group, as Tobias said, kind of just become a higher overarching review to then move forward.
- The big thing is that individuals on the committee do not have the authority to tell anybody in the Department of Ed to do something that might cost a few million dollars.
- What do we do with the DOJ letter of finding and how do we incorporate that information to update the plan? The suggestion is to take it back to each committee; each committee should be looking at that report and deciding what is it that they are recommending that would go into the plan that not addressing some of those issues. So if there are increased efforts that need to occur or increased data that might need to be gathered to maybe inform that the committee would bring that forward to either state it needs to be changed now because we do not think it's sufficient or in anticipation of a new plan in July here's a needs assessment or some data that we're going to need because we think we're going to have to move the bar higher than it is today.

- Lindy from VR agrees with Tony, their last employment workgroup meeting, they talked about Dr. Mill's study and how they can incorporate some of those things. Should work see the DOJ work to be similar, how could they approach and reinforce on the employment side.
- There are recommendations that committees could pick some of the language from the letter and try to dive into those areas. There is data they do not have access to right now and potentially if the state does enter into a consent decree, they'll be required to potentially make changes over several years, which the state would be expected to have discussions about including how that would happen through the Olmstead plan.
- Possible duplication if there is some agreement achieved that has very specific metrics to drop those back into this or if this is more just saying you comply with that, because those change or get renegotiated through different processes over the years. This type of document becomes its own separate living breathing document.
- Some benchmarks can be tracked if the state does enter into that type of agreement. The state would be required to meet those benchmarks, but at the same time the committee would want to at least if it's not in the plan, it could be referenced. She thinks it does belong in the plan; it would be a benchmark like any of the other goals that we have.
- Kathy states that the plan needs to be updated, the workgroups can identify the goals that they work with that need to be fixed, and the recommendation can then go to the steering committee. If that process does not work then there will need to be another discussion.

12. **Partners for Insight Evaluation (PIE): Nebraska Olmstead Plan Evaluation Report Key Findings and Recommendations (PowerPoint)**
    - Current Olmstead Plan Progress
        - Varied progress across 7 goal areas
        - 66% of FY23 benchmarks met
        - 51% of FY24 benchmarks met
        - On average 10% of partner survey respondents felt "a great deal of progress" had been made across six workgroup goal areas, while 23% reported "no progress"
        - Most progress perceived is data education, and community supports
        - Least progress in transportation
    - Improvements and Impacts
        - Increased advocacy for individuals with disabilities
        - Enhanced collaboration among state agencies
        - Elimination of the Developmental Disabilities (DD) registry waitlist
        - Stronger partnerships between state entities and new collaborations with nonprofits, particularly in the housing sector
        - Implementation of the 988 crisis line
        - Increased access to transportation in rural areas
    - Facilitators and Barriers
        - Facilitators
            a. Partnerships and collaborations (diversity)
            b. Active involvement advocates
        - Barriers
            a. Limited funding

b. Lack of data on needs/gaps
c. Workforce shortages
d. Limited awareness
e. Workgroup Leadership inconsistency
f. Slow pace of change

- Alignment of Metrics
  - Over 80% of partner survey respondents felt the metrics were “moderately” or “very well” aligned
  - Alignment is higher in areas where more data is available to understand the problem
  - Alignment is high because the plan includes outcomes agencies are already addressing
  - Recommendations were offered to improve alignment
- Overall Recommendations
  - Plan development and Revision
    a. Extend plan duration to 6 years with mid-point updates.
       - Currently only a 3 year plan
       - Out of 24 plans only 7 have a specified date range for their priorities.
       - Maybe having specific deadline for each outcome vs the full plan.
    b. Work with agencies that will be doing the work to identify specific outcomes after workgroups identify high-level priorities.
  - Content Improvements
    a. Clarify terminology.
       - Iowa’s Olmstead plan for terminology
    b. Add statements of need and data source information.
       - Each goal could have a summary about what the priority means.
       - Could have a section summarizing why that priority remains a focus.
       - Could have a plan language document summarizing the core area and why it’s important.
    c. Consider what other states include in their Olmstead Plans.
    d. Consider prioritizing specific communities, populations, or areas that would benefit the most from activities and intervention.
    e. Consider new priorities such as health/medical care and collaboration/service coordination.
    f. Remove data as a stand-alone goal and instead incorporate as an objective within relevant goals.
    g. Articulate progress and successes to date for each priority area.
    h. Consider reducing the number of outcomes in the plan.
    i. Define success for each workgroup area.
    j. Include outcomes that stretch beyond current agency activities.
    k. Clarify baseline data to provide clarity progress.

        l. Consider an extended timeline for benchmarks beyond annual timelines.
        m. Take a broader approach rather than writing very specific action steps.
        n. Ensure agency capacity to report on metrics before finalizing.
    - Dissemination
        a. Develop a plain language version of the plan.
        b. Ensure effective communication and outreach efforts to increase awareness.
    - Implementation and Coordination
        a. Develop an online dashboard for progress monitoring.
        b. Expand partnership and stakeholder involvement.
    - Workgroup/Committee Efforts
        a. Better define roles and responsibilities of committees and workgroups.
        b. Enhance cohesion among workgroup members through level-setting, team building, and information sharing.
    - Future Evaluation Improvements
        a. Align data collection with disability events.
        b. Consider GIS mapping of available services.
        c. Refine the individuals with disabilities survey to gather more meaningful data.
- Goal-Specific Recommendations
    - Goal 1 (Community Services) Recommendations
        a. Identify specific communities or populations for targeted intervention.
        b. Modify or add outcome-focused measures alongside process measures.
        c. Include outcomes related to building systems for easier services access.
    - Goal 2 (Housing) Recommendations
        a. Define key terms (e.g., accessible, affordable) within the housing goal.
        b. Revisit outcomes with responsible agencies to ensure alignment.
        c. Prioritize brining on a member from the governor's office or legislature.
        d. Identify areas of crossover between agency goals and points of collaboration.
    - Goal 3 (Appropriate settings) Recommendations
        a. Consider aligning or combining efforts under goal 3 with goal 1 (community services)
    - Goal 4 (Education/Employment) Recommendations
        a. Clarify which outcomes relate to education vs. employment.
        b. Consider separating education and employment into distinct goals.
        c. Review and incorporate recommendations from Dr. Lisa Mills' report on supported employment.
        d. Add an in objective related collaborations.
    - Goal 5 (Transportation) recommendations
        a. Revisit outcomes to ensure alignment with overall goal.
        b. Brainstorm ways to overcome identified barriers.
        c. Identify specific communities or areas for target intervention.
    - Goal 6 (Data-Driven Decision Making) Recommendations

a. Consider removing data as a stand-alone goal, integrating it into other goals.
b. If kept as a goal, focus on understanding, gathering, and sharing of basic data.
c. Utilize the data workgroup to showcase progress toward all goals.
d. Integrate ongoing evaluation efforts into data work.

- Goal 7 (High Quality Workforce) Recommendations
  a. Consider creating a health focused workgroup to address workforce outcomes.

- Next Steps for the Advisory Committee
  - Review recommendations.
  - Identify priorities within each goal.
  - Review agency outcomes.
- Questions
  - Employment and education report: I notice there wasn't any information provided by the Department of Ed. Are they following up with you to get you? Lindy was able to get it for me, I was not able to get it to Mindy before all of this was printed. We do have that.

13. Sub-committee reports

- Housing sub-committee
  - Tobias just began as chair of the committee, they are currently doing some brainstorming, reorganizing what the housing workgroup wants to accomplish. They figured out what days of the month they want to meet, they plan to start meeting monthly very soon. They are going to keep an ongoing brainstorm list of topics that they can reference back to. Everyone reported out on their goals and where they are at with those.
- Community Supports
  - Joni's second meeting as chair, they only had a couple people that were able to attend, they reviewed goals. They identified other groups they can collaborate with, Joni will reach out to them to get their feedback and updates, then see what items they can work on together. The small group that they had decided on meeting the 3rd Wednesday of each month, however they can revisit the topic if it does not work for the majority.
- Employment Committee
  - The committee met on October 7th; they had 8 members in attendance.
  - Reviewed the summit action plan that Dr. Mills helped put together. Through the review there are 7 priorities outlined, the consensus among the members who were in attendance wanted to be able to make a recommendation to this group that we want to see more linkages between that action plan and what's included in the employment section of our Olmstead plan.
  - October is National Disability Employment Awareness Month,
  - Highlighted some trainings that Dianne has on the calendar to present as well.

    - Identified topics for their next meeting, they do not have that scheduled at this time, but they wanted to look at identifying some specific data points under priority 7.
    - Looking at data and measures that they have available for accuracy and what could be shared with stakeholders, and then held discussion about provider capacity, the question was asked about how many providers Nebraska VR is currently working with, specific to DD and behavioral health, within their minutes that included that there are 34 DD providers, 28 agency, and 6 independent, and 6 behavioral health providers. That brought us back to the conversation that we need our providers to help us do the work and help us drive the outcomes that are outlined both in the action plan that we discussed, and that Dr. Mills delivered, but also how does that impact our current goals in our current Olmstead plan.
- Request that the recommendations be sent out to the Advisory Committee, so that they can review them, and then vote on them to pass on to the steering committee.
- The data meeting was a short meeting between Mark Smith, Mark Shriver and Colin Large, they spoke about what DHHS's kind of data structure was and what action DHHS was taking currently.
- Request that work groups start taking minutes to share.
    - Kathy stated that in order to ensure transparency they should be making meeting minutes for those workgroups, and should they be making those minutes available on the Olmstead webpage?
    - Tobias stated that his concern would be that the workgroups is a little bit informal and so we don't have a lot of numbers, the fear is the reason we didn't do minutes is we didn't have someone there taking minutes, and none of them thought about it, they took some notes, but nothing was formal, nothing that would be presentable. They would rather spend the time actually having with the workgroup and bringing back just recommendations to the bigger Olmstead committee.
    - Kathy stated she is not worried about the meeting minutes for the public, but the committee would like meeting minutes to have them report back to the committee.

14. Public comment

- No comment

15. Next meeting scheduled

- January 29, 2025, from 9am to 1pm
    - Joe Valenti made a motion to approve the meeting time as presented, motion 2nd by Carlos Serven. The meeting time were approved as presented.

16. Call meeting to adjourn

- Kathy Hoell called to adjourn the regular meeting of the Olmstead Advisory Committee at 3:30 pm on Tuesday, October 29, 2024