NOTICE

Hybrid Meeting of the Nebraska Olmstead Advisory Committee

Friday, December 19, 2025

10:30 a.m. Central Time

PLEASE TAKE NOTICE that on Friday, December 19, 2025, at 10:30 a.m. Central/9:30 a.m. Mountain, the Nebraska Olmstead Advisory Committee will hold an hybrid meeting at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, NE 68509—Lower Level Goldenrod Room. You may attend in person or join the meeting virtually through Zoom via Computer, Smart Device or Telephone at https://us06web.zoom.us/j/87466407389?pwd=ZCJtbp58NbPckAgkgxgkg3z1eGi9OO.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 December 11, 2025, a notice of this meeting with the agenda was sent to all Committee members and on December 16, 2025 notice was published in the Omaha World-Herald, a newspaper of statewide distribution. 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 prior to the meeting.

Agenda

Hybrid Meeting of the Nebraska Olmstead Advisory Committee

Friday, December 19, 2025

10:30 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/87466407389?pwd=ZCJtbp58NbPckAgkgxgkg3z1eGi9OO.1 .

1. **Call meeting to order**
    - Kathy Hoell & Mark Smith
    - 10:30 a.m. CT– Mark Smith and Kathy Hoell, will call the meeting to order.
    - Roll call.
    - Indicate that on December 11, 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.

2. **Consider a motion to approve the agenda**
    - Kathy Hoell & Mark Smith

3. **Consider a motion to approve the minutes of October 29, 2025**
    - Kathy Hoell & Mark Smith

4. **Presentation regarding the HCBS Waiver for Aged and Adults and Children with Disabilities (AD) Waiver Renewal and the Traumatic Brain Injury**
    - Colin Large, Policy Administrator

5. **Committee Discussion regarding the HCBS Waiver for Aged and Adults and Children with Disabilities (AD) Waiver Renewal and the Traumatic Brain Injury**

6. **Call for Public Comment**
    - Kathy Hoell & Mark Smith

7. **Consider a Motion to Adjourn**

Minutes

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Wednesday October 29, 2025

9:00 a.m. Central Time

1. **Call meeting to order:**
   Kathy Hoell called to order the meeting of the Olmstead Advisory Committee at 10:00 am on Wednesday, October 29, 2025

   The meeting transitioned from in-person to hybrid format.

2. **Roll Call**
   The following persons were present:
   Advisory Members Present:
   In Person- Dianne DeLair, Lindy Foley, Kristen Larson, Mark Smith, Mary Phillips, Lorie Regier
   Virtual- Mark Shriver, Trish Bergman, Kathy Hoell, Joni Thomas, Kim Davis, Carlos Servan, Stacy Bliss
   Advisory Members Not Present: Timothy Heller, Patti Jurjevich, Peggy Reisher, Susan Tatum, Tobias Orr, Joe Valenti, Jody Faltys, Melissa Lemmer, Kierstin Reed,
   DHHS Staff: In Person: Colin Large, Miranda Newtson, Tony Green,
   DHHS Staff: Not Present: Kristen Smith
   Members of the Public: Becki Koehler and Aimee Folker

3. **Approval of Meeting Agenda**
   Mark Smith requested an amendment to move "Process for Reviewing Progress on Specific Plan Goals and Technical Assistance" to Item 6 on the agenda.

   Mark Smith made a motion to approve the agenda as amended; the motion was seconded by Mary Phillips. The agenda was approved as amended.

4. **Approval of Meeting Minutes**
   Dianne DeLair made a motion to approve the minutes from July 25, 2025. The motion was seconded by Kristen Larson. The minutes were approved as presented.

5. **Call for public comment**
   - Becki Koehler- Shared that the Nebraska Council on Developmental Disabilities' work ended in September and asked that the Olmstead effort continue to emphasize accomplishments from that work. Nine state agencies and several organizations had participated previously. Participation in the current workgroup has declined. She encouraged prioritizing competitive integrated employment (CIE) and improving access to reliable statewide data on how many Nebraskans with IDD/DD are competitively employed. She noted her recent submission of a revised plan, a data summary (Institute

for Community Inclusion and National Core Indicators), and a final report to all nine agencies involved. She urged continued prioritization of competitive employment.

- Aimee Folker- Echoed the importance of supported employment, including for individuals with mental health conditions. Highlighted that transportation barriers undermine employment success and encouraged continued focus on the Transportation Workgroup to ensure timely and accessible transportation.

6. Discussion about EVV

- Kathy Hoell—Requested EVV be placed on the agenda. She expressed concern that Nebraska's approach may conflict with the committee's foundational principle that individuals with disabilities be able to live, work, and participate in their communities of choice. Although EVV is federally mandated, she stated that Nebraska's implementation may be unnecessarily punitive or restrictive for individuals and caregivers. She reinforced that disability rights are civil rights and emphasized the need for EVV implementation to align with Olmstead principles. She welcomed Jeremy Brunssen, Deputy Director of Finance and Program Integrity (MLTC), to provide information and explore ways to meet federal requirements while supporting community integration.

- Jeremy Brunssen – Explained that he recently became the executive sponsor of the EVV program.
    - EVV has been active for personal care services for some time.
    - Several enhancements have been made over the last 10 months, and the system is stabilizing.
    - MLTC's goal is to ensure processes make sense for individuals receiving services while balancing federal CMS requirements.
- Kathy Hoell—Noted that EVV requires a longer discussion than time allowed and requested Jeremy's participation at an upcoming Community Supports Committee meeting.
- Lori Regier—Shared that EVV processes can be punitive and difficult to navigate, which may contribute to provider turnover. She requested to join the Community Supports Committee.
- Mary Phillips –Asked that concerns be shared with Jeremy in advance. Joni Thomas agreed to forward a list of concerns, including:
    - Requirements for 100 percent accuracy
      The five-minute verification window
      The "three-strike rule"
- Diane DeLair—How are things going on the Medicaid side?
- Jeremy Brunssen—Clarified:
    - EVV is federally required for personal care and home health services.
    - Home health agencies use EVV through their existing EMR systems.
    - Concerns raised today are not new; the Department is working to find the right balance.
- Mary Phillips – Emphasized the need for training and practical workarounds (e.g., missing addresses, delays such as trains, and exceptions to the three-strike rule).

7. Process for Reviewing Progress on Specific Plan Goals & Technical Assistance

- Colin Large—The Plan, effective July 1, 2025, is a six-year plan pursuant to PIE recommendations.
    - A mid-plan evaluation will occur every three years. DHHS will procure a technical partner through a competitive bid process to conduct the review
    - The evaluation will determine whether the plan is on track and identify needed adjustments.
    - A final technical review will occur at the end of the plan period in 2032.
    - There is no formal quarterly or annual report requirement; technical reviews occur at years 3 and 6.

- Diane DeLair—Recommended adding a standing agenda item for updates on plan progress and inviting state agencies to quarterly meetings to report out.
- Mark Smith—Noted that past technical assistance providers supplied regular data reports, which are essential for meaningful committee input.
- Tony Green—Reiterated that workgroups were expected to meet quarterly and invite state agencies to present updates and that committees should report to the larger Advisory Committee.
- Colin—Clarified that:
    - The statute created a temporary Steering Committee for development of the initial plan (per DHHS Legal)
    - The Advisory Committee is the permanent body providing ongoing recommendations.
    - The CEO of DHHS is responsible for the plan.
    - Participation from state agencies in workgroups remains valuable.
    - Workgroups should submit minutes and escalate issues as needed.
    - Committees should ensure strong advocacy representation.

8. Accommodations- Committee Discussion

- Historically, accommodation requests have been approved whenever feasible; however, a formal process is needed.
- Currently, accommodation requests are submitted to Mark, Kathy, Colin, or Miranda and reviewed by the Advisory Committee chairs.
- The committee must develop formal structure for requesting and granting accommodations.
- Kathy Hoell has consulted the ADA Compliance Officer regarding the definition of disability and implications for the Open Meetings Act.
- Four Advisory Committee members have long-term accommodations; others may request temporary accommodations due to medical necessity.
- A written policy could be drafted outlining:
    - Submission process
    - Chair/administrative review
    - Requirements for time-sensitive or medical requests
    - Quarterly reporting on accommodation requests and outcomes

- A draft policy will be developed for review at the next regular meeting in January

9. Workgroup Reports

- **Community Supports-**
  - Engaging Behavioral Health for participation.
  - Requesting DHHS contact information for collaborating departments.
  - Working on goal-oriented planning.
- **Education-**
  - Regrouping and reviewing membership.
  - Recruiting new members.
  - Next meeting scheduled for November 19 at 10:00 a.m.
- **Employment –**
  - Last met October 6.
  - Discussed recruitment and progress on goals.
  - Working to convene cross-agency partners to define shared competencies or supported employment providers and consider training needs.
  - Continuing to analyze CIE outcomes.
- **Housing**
  - Reviewing current Nebraska housing studies.
  - Provided updates from the LR86 hearing, which went well.
  - Legislators anticipate introducing bills in January focused on accessible, safe, and affordable housing.
  - Federal housing funds require 5 percent accessibility under Section 504; Nebraska funds do not.
  - Discussing opportunities using existing state resources.
  - Mentioned an innovative housing project led by Professor Susan Lovell Hague and Mark Shriver. Mark will share contact information with Kathy.
- **Transportation**
  - LR210 proposed a study on accessible transportation; no hearing occurred, but opportunities remain to submit information.
  - A statewide transportation survey is underway, with completion expected by December.
  - Workgroup includes DOT, Medicaid, Public Service Commission, lived experience representatives, MCOs, and transportation providers.
  - Dianne will compile and distribute meeting minutes upon request.

10. Olmstead Steering Committee

- Discussion regarding publication of the latest Olmstead Plan and approval requirements.
- The Steering Committee, created for initial plan development, is no longer active.
- Ongoing responsibility for plan administration rests with DHHS, informed by the Advisory Committee.
- Fiscal Year 2026–2032 plan was submitted to the Legislature on July 25, 2025.
- The plan is available on the DHHS website.

11. Call for Public comment

- Becki Koehler- Commended the progress reported and encouraged reflection not only on completed activities but on whether measurable changes for Nebraskans with disabilities are being achieved.

12. Future Meeting Dates

- January 28, 2026, from 9 am to 1 pm Hybrid
- Need to approve
    - April 29, 2026, from 9 am to 1 pm in-person
    - July 22, 2026, from 9 am to 1 pm in-person
    - November 18, 2026, from 9 am to 1 pm in-person
- Joni made a motion to approve the meeting dates; the motion was seconded by Dianne DeLair. Dates were approved.

13. Adjournment

- Called to adjourn the regular meeting of the Olmstead Advisory Committee at 12:25 pm on Wednesday, October 29, 2026.