NOTICE

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Wednesday, July 15th, 2026

9:00 a.m. Central Time

PLEASE TAKE NOTICE that on Wednesday, July 15th, 2026, at 9:00 a.m. Central/8:00 a.m. Mountain, the Nebraska Olmstead Advisory Committee will hold an hybrid meeting at the Nebraska Department of Education Building located at 500 South 84th Street, Lincoln, NE 68510—Board of Education 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/84850938544?pwd=LjEVmjj85mkbLjyTM9jBe55btEc5eP.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 June 24th, 2026, a notice of this meeting with the agenda was sent to all Committee members and 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

Wednesday, July 15th, 2026

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/84850938544?pwd=LjEVmjj85mkbLjyTM9jBe55btEc5eP.1

1. **Call meeting to order**
    - Kathy Hoell & Mark Smith
    - 9:00 a.m. CT– Mark Smith and Kathy Hoell, will call the meeting to order.
    - Roll call.
    - Indicate that on June 24th, 2026, 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 April 28, 2026**
    - Kathy Hoell & Mark Smith
    - ***Pages 4-9***

4. **Behavioral Health Waivers in Nebraska**
    - Dr. Tom Janousek, Director, Division of Behavioral Health

5. **Public Comment**

6. **Updates from DHHS-DDD regarding HCBS Waivers and Policies**
    - Updates regarding AD/TBI Waivers
    - Updates regarding CDD/DDAD Waivers
    - Updates regarding Olmstead Evaluation procurement

7. **Discussion of Service Needs Assessment used on the AD & TBI Waivers**
    - Dr. Jenn Clark, Deputy Director for Community Services

8. **Discussion of Needed Olmstead Advisory Committee By-Laws Updates**
    - Colin Large
    - See attachment

9. **Workgroup Reports**
    - Community Supports- Joni Thomas
    - Education- Mary Phillips and Stacy Bliss
    - Employment- Lindy Foley
    - Housing- Tobias Orr
    - Transportation- Dianne DeLair

10. **Discussion of Senator Roundtree's October Olmstead Hearing with Health and Human Services and Urban Affairs Committees**
    - Kathy Hoell & Mark Smith

11. **Current DOJ Statements on Olmstead Decision Requirements**
    - Kathy Hoell & Mark Smith

12. **Public Comment**

13. **Upcoming Meeting Dates**
    i. Next Meeting- November 18, 2026, at 9:00 am (In-Person) – Q4
    ii. Vote on Future Meeting Dates-
        1. January 20, 2027, at 9:00 am (Hybrid)—Q1
        2. April 14, 2027, at 9:00 am (In-Person)—Q2
        3. August 11, 2027, at 9:00 am (In-Person)—Q3
        4. November 17, 2027, at 9:00 am (Hybrid)—Q4

14. Motion to Adjourn

Minutes

In-Person Meeting of the Nebraska Olmstead Advisory Committee

Tuesday, April 28, 2026

9:00 a.m. Central Time

1. **Call meeting to order:**
   Kathy Hoell called to order the Hybrid regular meeting of the Olmstead Advisory Committee at 9:05 am on Tuesday, April 28, 2026

2. **Roll Call**
   The following people were present:

   Advisory Members Present:
   In Person- Trish Bergman, Kim Daivs, Dianne DeLair, Patrica Jurjevich, Kristen Larsen, May Phillips, Tobias Orr, Kierstin Reed, Peggy Reisher, Mark Smith, Susan Tatum, Joni Thomas, Mark Shriver
   Virtual- Kathy Hoell

   Advisory Members Absent: Stacey Bliss, Jody Faltys, Linda Foley, Timothy Heller, Melissa Lemmer, Lorie Regier, Carlos Sevan, Joe Valenti

3. **Approval of Meeting Agenda**
   Peggy Reisher made a motion to approve the agenda, motion 2nd by Trish Bergman. The agenda was approved.

4. **Approval of Meeting Minutes**
   Kristen Larson made a motion to approve minutes, a motion 2nd by Kierstin Reed. The minutes were approved as presented.

5. **Call for Public Comment**
   - **No comments**

6. **Updates from DHHS-DDD regarding HCBS Waivers and Policies (Colin Large)**
   - AD/TBI Waivers were submitted on March 31st.
   - Had the 15-Day call with CMS on April 16th
   - Pending documents that will be coming out: A provider policy manual for the service providers on AD/TBI. A TCM Targeted Case Management Policy Manual for the AAA partners.
   - We are amending CDD and DDAD submitted on March 31st and this was included in the 15 day call.
   - Will publish and update DD provider policy manual for July 1.
   - Transition with the League of Human Dignity was completed on April 1st. More than 50% of the hiring of staff completed.

- Service Coordination structure for AD will look like the DD side of things with 5 SDA's, SCS's and service coordinators.
- Many of the League of Human Dignity SCs transition to DHHS
- As of the transition time period, all AD waiver participants have been contacted by their permanent service coordinator or a coverage service coordinator and provided contact information if they have any questions or concerns. If individuals contact you with questions about who to contact, please have them contact Colin Large, Tony Green or Jenn Clark, and we will make sure to get them connected to who they need to be to address concerns and questions.
- All authorizations have been transitioned and there shouldn't have been impact on services due to the transition.
- Approximately 3000 participants transition from League of Human Dignity
- Concerns about conflict of Interest- What protections are in place to keep SC separate from those controlling the money so they can't use their power over the SCs to limit the options to participants.
- AD has always had state coordination for youth being served on AD waiver. DD has exclusively been state service coordination, so State SC's are not new to the overall waiver participant population. Although it may be new to the adult population on the AD waiver. CMS is also concerned that some of the budgetary items are being completed by the same team that does service coordination. Several years ago, we had eligibility separate from service coordination. AD does not have individual budgets that the SC would be managing. They look at overall services.
- DD Council general email has been getting lots of concerns about the proposed clinical behavioral assessment by licensed mental health professionals being discontinued with the change, and concern that the change of the Consultative Assessment is going to Medicaid and ABA providers, which is not consistent with what was done before.
- DD Council is also learning there are issues with the fair hearing process. Parents and legal guardians are allowed to represent words in the DHHS Fair Hearing, but lost the hearing. However, parents and legal guardians are not allowed to represent wards in the Lancaster District Court to appeal the DHHS decision. An attorney must be consulted for this; if none can be found, there is no recourse for justice.

7. Discussion of Advisory Committee Attendance

- This was requested during the last meeting, Jan 28th
- Looked at who was in attendance for the last two years
- Bylaws are confusing to find- Adopted August 2023
- If the appointed person says they cannot participate, the Division can ask them to resign.
- There is a statutory requirement for a lot of positions, and we have a limited ability to substitute people in. We don't have the ability to have two people from the same organization.
- Positions are appointed by the CEO of DHHS
- Will check with Web coordinator to make sure bylaws are posted and add an agenda item to discuss where they are at.

- DHHS maintains the committee log- Review log annually.
- The committee would like DHHS to do a reach out to the members not attending.
    - Joni and Tobias to reach out to SILC and speak with Jody.
    - Colin will reach out to the other three committee members

8. Concerns Regarding Role and Direction of Olmstead Advisory Committee

- Attendance is an issue
- One of our main goals for Olmstead is that people with disabilities will be able to work or play in the community of their choice, and it seems that the State is not supporting that goal. Want to ensure we are working towards the same goal.
- The biggest concern we are hearing at the ARC is about the InterRAI assessment, especially from families who are supporting their person in the home, and the concern seems to be on tier reduction and service reductions. Families feel that their loved ones will be placed outside of their home. They don't feel that there are enough facilities to support individuals.
- We are here to keep people out of institutions, and we are getting pushback from the state on this.
- Roll of the committee we should continue to push the plan and think ahead of what future goals should look like.
- There are concerns that on the Federal level, the government doesn't want to pay caregivers. We need to advocate on both the national and state levels.
- It feels like Nebraska is jumping in with both feet, and they are trying to be the first to do everything.
- There is a lot of concern at the federal and state levels about fraud in Medicaid services that should be ignored. Our role as a committee is to ensure people are being provided with good quality services and that people are not being taken advantage of, and providers are being held accountable. We don't want to make it harder for participants to receive services. It seems that the federal government keeps putting mechanisms or walls that providers have to go through.
- The committee would like to have a better understanding of how the interRAI process works.
- Long-term care services didn't get an extension on Medicaid services going into managed care, so those long-term care services, including the home and community-based services, will be going into managed care. We need to be looking at making sure, looking at the implications that will have, and make sure we are protecting people's rights to live as independently as possible.
- Would like to see fraud more defined.
    - It's not the inability to clock in and out on time
- AD interRAI is done differently
- LB737 Passed- It creates an annual hearing for the Urban Affairs and HHS committee have a yearly meeting to seek information about Olmsted planning and its implementation.
    - Good opportunity for the committee to raise concerns
    - Good time to get more people involved

    - Add Mikayla Findlay to the Olmstead workgroups, and she can forward when appropriate.
- The committee needs to ensure that it does not overlap with other committees. Olmstead is beginning to overlap a lot with the DD Advisory Committee, and the committees are being evaluated regularly for consolidation and sometimes elimination, so we just need to be careful.
- Each Olmstead meeting will discuss Educational topics committee may want to hear about.
- DHHS will do a presentation on the SNA. Do a brief run-through of where resources are available on our website
- One of the purposes of this committee is to ensure the State Olmstead plan is moving forward, but we don't implement the plan.
- State is in the process of completing our RFP to secure an independent evaluator that we are obligated under statute to bring in every 3 years to evaluate our plan progress.

9. Workgroup Guidance Information

- Workgroups are not specifically called out in the guiding legislation
- Workgroups can't be the ones to tell us what to do, but they can advise the advisory committee. Workgroups serve at the behest of the advisory committee.
- It is to guide workgroups about their role
- Concerns with the community support group that doesn't seem to have the agency representation that other work groups do.
- The community support work group doesn't have a baseline and is not sure how to measure if there has been progress or not.
- Would be helpful for key partners to develop a work plan on how each of the goals is going to be achieved
- The current plan is a lot of the current department initiatives
- Up to the workgroups to reach out to the programs and get the information.
- It is up to the workgroups as to how much they need to meet.
- The guidance document is on the website as an attachment under the April 28th meeting packet. Typically, don't see advisory pages posting documents not related to the business of the advisory committees.
- If the chairs of the committee can send out notices to the appropriate state agency for the next meetings and ask them to attend to update on progress of goals.

10. Workgroup Reports

- **Community Supports** -Joni Thomas
    - Colin sent some information and it will get sent out
    - Jessica with BH did a PowerPoint, and we have a better understanding of serving people with mental illness.
    - We have Medicaid, which is separate from DBH, which is different from CCBHCs, and different from the regions and different from the MCOs. We have a few more key partners
    - Kim shared some information about whether interpreters are licensed or certified

- John Tuner to presented on NIFA and find help
- Tobias attended and explained ATP
- Will be adding some new members

- **Education**-Stacy Bliss, Mary Phillips
  - Looking at the goals and figuring out what activities will help meet goals
  - Looking at strengthening staffing capacity for equitable access to education support.
  - Asked NDE and Teresa went to the certification office and got the vacancies for the last 3 or 4 years, and that will serve as our baseline for staffing capacity.
  - Educator preparation and ongoing training in both pre and in-service training so we had speakers come in to talk about the state college level.
  - Discussion about different kinds of training programs people have for the para pathway program
  - Planning a round table at the UNO Community Center

- **Employment-** Lindy Foley (Kristen Larson filling in)
  - Looked at aligning Nebraska's supported employment infrastructure.
    - Strategies for aligning existing supported employment work groups, committees
      - Looking to leverage existing groups- Expand the Olmstead employment work group and leverage existing groups, committees, and communities of practice to create buy-in on applicable Olmstead employment goals and strategies.
  - Advancing progress on Olmstead Employment Goals 1, 2, and 3
    - Goal number one, top priority remains collecting information from state agencies regarding training, expectations, and requirements
    - VR confirmed that it can report data for 21 to 22-year-olds receiving VR and NCBVI services.
  - Strengthening coordination with employers and provider networks
- **Housing** -Tobias Orr
  - Goal number one -Really focused on NIFA and DED and NIFA's findhelp.org
    - They continue to list accessible units on Find help and they are adding tags now so when your searching, you can look specifically for accessibility fetchers
  - Goal number two similar -Still a lot with NIFA and DED and findhlep.org
    - John Turner has been doing training with BH staff across the state and doing presentations
  - Goal three- Touched base with Colin not due until July 28th of next year
    - Will review the strategic housing framework of Nebraska support housing plan
    - LR 86 findings we asked for the workgroup's assistance in determining what housing needs are
    - LB839 and 840 were combined- Governor vetoed, Senator tried to get an emergency vote to override, but it didn't happen and LB 839 didn't pass.

- Goal four is ATP-focused- recruiting contractors, trying to increase our contractor pool to lower the length of time from start to finish on projects. We have two different recruiting events, one in Lincoln and one in Omaha. Training with AAA SC's this month.

- **Transportation-**Dianne DeLair
  - Jody Gibson with NDOT provided an update on the goals
    - Provided her PowerPoint
    - Goal one is moving along quite well
    - Goal two is about accessing the NDOT website- working to get this done, streamlining this, and looking at documents to make sure they are accessible
    - Goal Three- ensuring that people with disabilities have access to engagement
  - Try to learn about transit and transportation in Nebraska
    - Rural Transit organizations have been asked to cut their budgets by 30%
  - Lyft applied or was in the process of applying to be a Medicaid Transportation provider
    - It didn't go well with Lyft because other providers can protest
    - Lyft can be a provider, but they have to be the last resort
  - Issues with providers not showing up
  - Want to look at non-medical transportation

11. Public comment

Becky Koehleer- I'd like to restate one solution that I'd like to offer that the Olmstead Advisory Committee expects the development of a specific, detailed work plan for each Olmstead goal. Included who's managing the project, who's coordinating the work, what activities are planned and being carried out, how the key partners are working together, who is responsible for each activity, what the timelines are, and how the needed costs are going to be covered.

12. Upcoming Meeting Dates

- Next Meeting- July 15, 2026, at 9:00 am (In-Person) – Q3
- Future Meetings-
  - November 18, 2026, at 9:00 am (In-Person) – Q4

13. Call meeting to adjourn

- Kathy Hoell called to adjourn the regular meeting of the Olmstead Advisory Committee at 11:58