

INTELLECTUAL DISABILITY COMMITTEE OF THE ARLINGTON COMMUNITY SERVICES BOARD

Minutes of Meeting on January 9, 2013

Call to Order – The meeting was called to order at 6:35 p.m. by committee co-chairs Barbara Jones and Moira Saucedo.

Introductions – Barbara Jones and Mauro Saucedo, co-chairs and CSB members; CSB executive committee member Carol Skelly; CSB member Brian DeAtley; committee members Donna Budway, Ann Kelly, Chris Waddell, and Casey Youman; guest Ed Zetlin; provider representatives Norman Hill of Community Residences and Brenda Richardson of ServiceSource; Lucy Beadnell of The Arc of Northern Virginia; Joanna Wise Barnes of IDD Services

Approval of Minutes – The draft minutes of the committee’s December 5, 2012 meeting were read, reviewed, and approved as written. These will be submitted to the full CSB at its next meeting.

Agenda Items

Update about January 4, 2013 testimony to State legislators – Moira Saucedo and Lucy Beadnell reviewed this regional event that was held in Manassas. They estimated that about 250 to 300 people attended. The intended audience for the testimony was the Senate Finance and Appropriations Committee. Northern Virginia legislators in attendance included Bob Brink and Janet Howell. One half to a majority of the attendees seemed to be there to talk and hear about the Department of Justice Settlement Agreement with the Commonwealth of Virginia. Committee members Moira Saucedo, Carol Skelly, and Alex Yellin spoke about it. Their messages included the request that the State make resources available for building community capacity, or be flexible about the June 30, 2015 deadline for closing Northern Virginia Training Center. Resources were requested both for training center residents discharging to the community and for those already in the community waiting for ID Waiver slots and funding. Other speakers talked about Waiver reimbursement rates and the impact of rates on staff wages. See the hand-out titled *Arlington CSB Committee on ID/DD for State hearings on Jan. 4, 2013*.

Update about January 4, 2013 testimony to the Arlington County Board – Moira Saucedo, Lucy Beadnell, and Norman Hill briefed the committee on this evening event to allow comments about the 2014 fiscal year budget. Norman Hill reported that he spoke about his seven-point plan which includes accessible affordable housing, healthcare, transportation, education, and accessible public transportation.

IDD proclamation – Barbara Jones reminded the committee that nominations for award recipients are due on January 18th. Awards will be given for outstanding direct support professionals; lifetime achievement award(s) will be given as well. Nomination forms were distributed. The event will again be at the National Science Foundation atrium, on the morning of March 5th.

Guest speakers – Kyle Smiddie and Aaron Zisser, Attorneys, U.S. Department of Justice, Civil Rights Division, Special Litigation Section

See the attached hand-out from the U.S. Department of Justice (DOJ) for topics included in the DOJ Settlement Agreement with the Commonwealth of Virginia, for a website with full details about the agreement, and for DOJ contact information.

Some committee members have met privately with the DOJ attorneys.

A question and answer session between committee members and the attorneys included the following information exchange:

- DOJ attorneys visited only Central Virginia Training Center and Northern Virginia Training Center as part of their investigation, but they met with families from all five training centers in the State.
- The settlement agreement (SA) doesn't require Virginia to close its training centers; that was a State decision.
- DOJ's position is that all training center residents (or "nearly all") could be served in the community.
- The SA doesn't interfere with parents wanting their adult children to remain in training centers.
- Community intermediate care facilities and group homes are defined as "large" if they have more than four persons living in them. These facilities will receive more scrutiny under the SA. Smaller homes are preferred by DO,J and DOJ referred to the process of offering smaller alternatives as "barrier busting."
- Virginia's ID Waiver structure may not adequately support persons with complex needs. Restructuring of Virginia's Waivers might best be done sooner rather than as now planned for 2014.
- Some committee members believe that the Waiver reimbursement rates have already been adequately studied and that another study is unnecessary. It is funding that is needed.
- DOJ believes that costs to serve persons go down in smaller settings. This is because some persons in large facilities are over-funded. DOJ consultants have opined that it shouldn't cost as much to serve training center residents after they are discharged to community services. DOJ believes this can be achieved through creative problem-solving and recruiting new providers.
- DOJ representatives recommended apartment living and sponsored residential placements as two less expensive alternatives.
- A question was asked about nursing homes as alternatives to training centers; DOJ responded that nursing facilities are disfavored by the SA.
- Some committee members expressed concerns about the feasibility of safely and adequately serving some training center residents in the community because of their medical and behavioral needs, and about the likelihood that community services will be less expensive than training centers.

See hand-outs distributed by Carol Skelly, one titled *Summary of Estimates in Northern Virginia ID/DD Business Plan for DOJ Settlement Implementation – September 2012* and a January 2, 2013 letter to the chairman of the Arlington Community Services Board from James Stewart, Commissioner of the Virginia Department of Behavioral Health and Developmental Services.

IDDS staff reports – Joanna Wise Barnes reviewed the hand-out titled *ID Residential Services in Arlington*. See attached. It is reviewed quarterly by the committee.

Joanna also talked about pending changes to the State Performance Contract between the CSB and the Virginia Department of Behavioral Health and Developmental Services. These changes are specific to the Settlement Agreement (SA) and relate to the future merging of the DD and ID Waivers, the enhanced case management that those discharging from training centers to the community and others already in the community will receive from Support Coordinators, and increased documentation and data collection by CSBs related to the SA.

New business – Lucy Beadnell of The Arc of Northern Virginia reported that the State will publish a Request for Proposals (RFP) in January or February with plans to select a company to begin the study of Waivers in Virginia by March. She also said that Arcs in Maryland and the District of Columbia have offered to work with training center families, sharing resources they've developed and used in down-sizing institutions.

Adjournment – The meeting was adjourned at about 8:45 p.m.

Approval of minutes – These minutes were read and reviewed by the ID committee at its February 6, 2013 meeting. They were approved as written and will be submitted to the full CSB.