



**Council on Developmental Disabilities
Meeting Minutes
May 6, 2016**

Members Present: Rick Davis, Evan Espey, Tatum Fowler, Dawn Fry, Roger Gibbens, Serina Gilbert, Doug Hall, Lisa Johnson, William Lovell, Deborah McBride, Tecia Pryor.

Members Absent: Amy Allen, Stephanie Brewer Cook, Norris Branick, Tommy Lee Kidd, Renee Lopez, Bob Plummer, Debbie Riffle, Steve Sheegog, Karen West.

Agency Representatives Present: Jackie Bruce (TCAD), Sarah Harvey (Voc Rehab), Lauren Pearcy (TennCare), Amy Gonzalez (DIDD), Lisa Primm (DRT), Elise McMillan (Vanderbilt Kennedy Center), Dr. Fred Palmer (UT Memphis Boling Center), Bettie Teasley (THDA), Jacqueline Johnson (DOH/MCH).

Agency Representatives Absent: Alison Gauld (Dept. of Education), Richard Kennedy (TCCY), Katie Lee (TDMHSAS).

Staff Present: Alicia Cone, JoEllen Fowler, Lynette Porter, Emma Shouse, Ned Solomon, Mildred Sparkman, Wanda Willis.

Visitors: Katie Powell (TennCare).

9:00 A.M.	OPENING AND INTRODUCTIONS
<p>Council Chair, Roger Gibbens, opened the meeting at 9:00 a.m. Mr. Gibbens welcomed everyone and facilitated introductions.</p> <p>Evan Espey, Legislative and Public Policy Committee Chair, recognized the people who will be retiring from their seat on the Council. A gift was presented to the member present, Roger Gibbens (Chattanooga). Retiring members Renée Lopez (Gallatin), Debbie Riffle (Humboldt), Norris Branick (Jackson) and Bob Plummer (Johnson City) were unable to attend. Scott Lillard resigned his position because he is unable to attend meetings.</p>	
9:20 A.M.	BUSINESS ITEMS
<p><u>Approval of February 26 Minutes and Agenda Review</u></p> <p>The February 26, 2016 Council meeting minutes were emailed to all the Council members prior to the May 6, 2016 Council meeting to give members an opportunity to review before the meeting. Mr. Gibbens called for a motion to accept the minutes as written from the members present at the last meeting. <i>Ms. Lisa Primm moved to accept the February 26, 2016 minutes as written and Mr. Evan Espey seconded the motion. There was no discussion and the motion carried unanimously.</i></p> <p>Mr. Gibbens reviewed the agenda for the Council meeting.</p> <p><u>Executive Director Report</u></p> <p>Ms. Wanda Willis presented the Executive Director’s report. From the staff report included in folders, she mentioned the following activities:</p>	

- On March 1, Ms. Willis presented an overview of the Council program and budget to the House Finance Ways & Means Committee chaired by Rep. Charles Sargent. We were delighted to have 2-3 questions about the program and some of our initiatives. The Committee members were gracious and appreciative of what the Council does. Prior to the Committee meeting Ms. Willis and Lynette Porter, Deputy Director, visited the majority of Committee members to introduce ourselves, let them know that we would be appearing before the Committee and provide them with a written overview about the Council ahead of the Committee meeting.
- Amerigroup has convened 3 meetings over the past 2 months to explore establishing a Project SEARCH site at their corporate headquarters in Nashville. We have a small workgroup that is identifying potential job rotations for interns to be trained on. Plans are to implement a program in 2017.
- Over the past few months we have been gathering information about designating individuals with a documented intellectual or developmental disability as a ‘medically underserved population’ through the Health Resources and Services Administration (HRSA), an agency of the U.S. Department of Health and Human Services. This designation offers a number of federal benefits to better serve people with I/DD, including federal funding for public health infrastructure and workforce development to serve the identified population. The Council has discussed this issue with a number of state agencies, and this summer will convene a group to explore the possibilities for obtaining the designation, and other factors that may support or oppose pursuing the designation.
- Dr. Shanna Jackson, Assoc. Vice President and COO at Columbia State Community College, Franklin campus, convened a small group to discuss potential for a postsecondary education program for students with intellectual disabilities on their campus. The group includes representatives from the Williamson County School District, The Arc of Williamson County, WAVES, Inc., (community provider for adults with intellectual and developmental disabilities), and the Council. Joining the group at our next meeting will be Joey Hassell from the Dept. of Education and Betty Dandridge-Johnson from the Higher Education Commission. The discussions hold great promise for a collaboration between the Council and the Dept. of Education to partner on a postsecondary program on a community college campus that could be replicated at other community colleges across Tennessee.

Budget Report

Ms. Lynette Porter, Deputy Director, gave an update on the budget. No new funds have been obligated since the February 26th, 2016 Council meeting, so the planning budget balance remains \$234,296. Tennessee received the final funding notice for the FY16 award. The Council has until September 30, 2017 to obligate these dollars and until September 30, 2018 to spend the funds. There is a Senate bill that proposes a constitutional balanced budget amendment that could potentially impact the FY17 funding. It contains a global spending cap on federal programs with some severe spending limits. It is early yet and we don’t anticipate a FY17 budget appropriation bill to be passed until after the November elections. We are watching and will update the Council as the federal budget process moves forward.

Executive Committee Report

Mr. Gibbens reported that the Executive Committee did not meet on Thursday, May 5th, but mentioned that he and Tommy Lee Kidd, Vice-Chair, are working on Ms. Willis’ annual performance evaluation. As part of that they would like to give Council members an opportunity to have input. Next week each of you will receive an email with a link to a Survey Monkey survey. Your input on these questions will be much appreciated, so please complete the survey as soon as you receive it. It will only take a few minutes of your time – we would like to have 100% participation.

9:50 A.M.	EMPLOYMENT AND COMMUNITY FIRST CHOICES UPDATE BY LAUREN PEARCY, DIRECTOR, MLTSS (MEDICAID MANAGED LONG TERM SERVICES AND SUPPORTS, QUALITY AND ADMINISTRATION, DIVISION OF LONG TERM SERVICES AND SUPPORTS. BUREAU OF TENNCARE
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Ms. Lauren Pearcy, Director of MLTSS, Bureau of TennCare, presented to the Council information about the new Employment and Community First CHOICES (ECF) program, set to launch on July 1st of this year. This new program will bring more individuals

into services, with a brand new funding allotment (requested in TennCare’s budget, included in the Governor’s budget and approved by the legislature). Currently, 9,000 people with intellectual disabilities are being served through three existing waivers, and through Intermediate Care Facilities (ICFs), at a cost of \$936 million per year (state and federal funds). There are approximately 6,000 people on a waiting list for these services, which doesn’t take into consideration the thousands of individuals with developmental disabilities who have IQs greater than 70.

The ECF program will have two priority categories for enrollment during Year 1, based on input received from stakeholders: people with intellectual and other developmental disabilities (I/DD) with aging caregivers age 75 or older and young adults with I/DD transitioning from high school into adulthood who want to work. It is anticipated that about 1,700 new individuals will be able to be served starting July 1. The primary focus of the ECF program will be employment and community engagement.

Those who are being served in the existing waivers will continue to get those services, and will have the opportunity to switch to the ECF program at a future date. No new individuals will be brought into the existing 3 waivers administered through the Dept. of Intellectual and Developmental Disabilities (DIDD). Beginning July 1st, applicants will be able to access a self-referral form on the TennCare website. Those who already have Medicaid/TennCare should contact their Managed Care Organization (MCO) for help with applying. Those who are not already receiving Medicaid/TennCare should contact the DIDD Regional Offices for assistance with applying. All individuals and families who are on the DIDD waiting list for services will receive a letter soon with information about ECF and how to apply. ECF will be administered through two MCOs or ‘health plans’, Amerigroup and BlueCare (with the third MCO, United Health, coming on board in 2017).

Here is a link to an overview of TennCare’s ECF waiver. Feel free to pass along to others wanting to learn more about ECF: <http://www.tn.gov/assets/entities/tenncare/attachments/introductionToEcfChoices.pdf>

10:30 A.M.	BREAK & CHECK OUT
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11:00 A.M.	DECISION ON PROPOSAL FROM SUPPORT DEVELOPMENT ASSOCIATES FOR A PERSON-CENTERED ORGANIZATION INITIATIVE FOR MANAGED CARE ORGANIZATIONS BY EVAN ESPEY, PROPOSAL REVIEW COMMITTEE CHAIR
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Mr. Evan Espey, Chair of the Proposal Review Committee presented the Council with background information about the work the Council had previously accomplished in person-centered practices and with Support Development Associates (SDA). He then reviewed why the Council wants to continue to promote person-centered practices here in Tennessee. The new person-centered work would focus on promoting person-centered practices throughout the new services administered by the State Medicaid Agency (TennCare) and Managed Care Organizations (MCOs), with an ultimate goal of significantly increased quality of life for people who use these services. Mr. Espey reviewed the proposed accomplishments and impact of this new work, which includes MCOs having certified person-centered plan facilitators, developing Coaches and Leaders to serve as on-site resources, and MCOs developing plans to promote the growth of a person-centered culture within their organizations. He then reviewed the details of the proposal, going over the trainings being offered, the type of technical assistance, the evaluation activity, and the cost (\$133,000). **Mr. Espey brought a motion from the Proposal Review Committee to fund the person-centered practices proposal submitted by SDA for FY17. Mr. Gibbens asked if there was any further discussion, and then called for the vote. The motion carried unanimously via voice and hand vote.**

11:20 A.M.	STATE LEGISLATION WRAP UP, BY EMMA SHOUSE, COMMUNICATIONS DIRECTOR
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Ms. Willis and Mr. Espey discussed the recent Disability Policy Seminar that they both attended in Washington, D.C. April 11-13. The Disability Policy Seminar is an annual event in D.C. hosted by more than 6 national disability organizations about disability policy issues and that also provides an opportunity for attendees to visit their members of Congress. Mr. Espey spoke briefly about some of the presentations they heard and meetings with Congressional staff they attended. The TN delegation included representatives from The Arc TN, Vanderbilt Kennedy Center, UT Boling Center, and the Council.

Ms. Emma Shouse, Communications Director, presented the public policy update about the 2016 state legislative session, which

ended on April 22. She mentioned a couple of highlights from Governor Haslam’s proposed state budget, which was passed by the state legislature. The budget included no cuts for the Council or the Family Support program. It included a total of \$24.6 million state dollars for the new Employment and Community First (ECF) program which is estimated to serve 1,700 persons in the first year. A proposed 1% cut to DIDD provider rates was restored and the Haslam administration will be convening a task force to study provider rates in the coming year. A mobile seating and positioning clinic, in addition to DIDD’s existing Seating and Positioning clinics, was also included in the budget

Priority legislation monitored by the Council during the General Assembly’s session was discussed next. It included the following:

- SB2003/HB2014 - Sen. Ketron/Rep. Ramsey
 - The “Aging Caregiver” bill would enroll people with disabilities whose caregivers are 75 or older in the self-determination or similarly-capped Medicaid waiver. The bill that passed last year had “80” as the caregiver’s age. This amended bill was passed, has been signed by the Governor, and went into effect immediately.
- SB2003/HB2014 - Sen. Ketron/Rep. Ramsey
 - STEP UP scholarship bill which expands financial aid to students with intellectual disabilities from 2 to 4 years and would require programs to have a “Comprehensive Transition and Postsecondary Program” designation. This bill passed, but with an amendment that cut the proposed retroactive aid for current students to keep the fiscal note smaller and that also stated students who receive an occupational diploma are eligible for the scholarship.
- SB1735/HB1568 - Sen. Dolores Gresham/Rep. Debra Moody
 - Extends eligibility for the Individualized Education Account to students attending any TN school, not just public schools. This bill passed and has been signed by the Governor.
- SB2003/HB2014 - Sen. Ketron/Rep. Ramsey
 - Creates a new Council under the Dept. of Intellectual & Developmental Disabilities to address health, education, and other services/needs for people with autism. The bill was amended during the session to add a representative from the Council on Developmental Disabilities to the Autism Council membership. This bill was placed ‘behind the budget’ and did not receive the required funding from the legislature this session. Disability policy advocates, especially with the TN Disability Coalition, plan to continue to work on getting the Council funded and established over the next year.
- SB 1597/HB1651 by Sen. Massey/Rep. Hawk
 - Amends the references of “persons adjudicated incompetent” to “persons who lack capacity to understand their legal rights and liabilities” for the purposes of civil proceedings. This bill passed; Lisa Primm, Disability Rights TN, added additional clarification about this bill during the meeting to explain that this was repairing language that we had originally changed to more respectful language a few years ago, but that the change had caused unforeseen legal consequences – this bill resolved those issues.

11:45 A.M.	LUNCH & ANNOUNCEMENTS FROM MEMBERS
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12:15 P.M.	COUNCIL STATE PLAN BY ALICIA CONE, PH.D., GRANT PROGRAM DIRECTOR
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Dr. Alicia Cone, Grant Program Director for the Council, began by reviewing the purpose of the five year state plan, and the due date for the new plan (August 2016). She then explained that the goal for today was to review the goals, objectives and activities, and then receive Council approval of the goals to be submitted in our state plan to the federal government. Dr. Cone started with Goal 1, Leadership Development, and reviewed each of the 10 objectives and the activities that would be associated with each objective. She spent extra time detailing how the Council would comply with all three prongs of the self-advocacy requirement from the Developmental Disabilities Act. Goal 2, Impacting Policy and Practice, includes our public policy work and our demonstration grant program. She then reviewed the four objectives under this goal and the activities associated with each objective. Goal 3, Informing and Educating Stakeholders, focuses on public information and communication. She then reviewed the four objectives under this goal and the activities associated with each. Two of the objectives fulfill new requirements from the Administration on Intellectual and Developmental Disabilities (AIDD) in the areas of Developmental Disabilities Network collaboration and targeted disparity. Goal 4, Supporting Council Activities and Administration, ensures that

<p>Council operations are aligned with the DD Act and AIDD requirements. She reviewed the three objectives of this goal and the activities associated with each objective. Dr. Cone turned the vote to approve the state plan over to the Chair of the Council, Roger Gibbens, who asked for a motion. Mr. Evan Espey motioned to approve the new state plan goals and objectives as presented to submit as the Council 5 year plan. Mr. Tatum Fowler seconded the motion. The motion carried unanimously. Dr. Cone then ended the session by reviewing the next steps and key dates that would be reached as part of the final submission process of the new state plan.</p>	
12:45P.M.	RECOMMENDATIONS TO GOVERNOR’S OFFICE FOR COUNCIL CHAIR
<p>Mr. Gibbens reported that the Executive Committee would like to have the Council recommend Tommy Lee Kidd as Council Chair to the Governor’s office.</p> <p>Ms. Lisa Johnson moved that the Council recommend Tommy Lee Kidd to the Governor’s office for the position of Chair to the Council on Developmental Disabilities. Ms. Serina Gilbert seconded the motion. There was no discussion and the motion carried unanimously.</p>	
1:00 P.M.	CLOSING ANNOUNCEMENTS
<p>Mr. Gibbens encouraged members to turn in their travel claims and Council meeting evaluations. In addition to the usual questions about the meeting, this is the time of year members report on their leadership and public policy activities. A motion for adjournment was made by Mr. Evan Espey and seconded by Dr. Fred Palmer. The motion carried and the Council meeting was adjourned at 1:00 p.m. The next Council meeting will take place at the Embassy Suites Nashville Airport on September 16, 2016.</p>	

2016 COUNCIL MEETING DATES	
Friday, September 16, 2016	Embassy Suites Nashville Airport
Thursday & Friday, November 3 & 4, 2016, Annual Planning Retreat	TBA



Respectfully submitted by:
 JoEllen Fowler, Administrative Assistant



Approved by:
 Wanda Willis, Executive Director