



Department of
**Intellectual &
Developmental Disabilities**

2017

**STATEWIDE PLANNING & POLICY
COUNCIL RECOMMENDATIONS**



Statewide Planning and Policy Council Recommendations 2017

- 1. Recommendation: DIDD promote, encourage, and strengthen a statewide collaborative focus on recruitment, incentives, and best practices available to include, but not be limited to, the following suggestions to address staff stability in the DIDD service-delivery system:**
 - **Recruitment and New Direct Support Professionals (DSPs) - High School and college internship programs; college and community job fairs; radio, television, communications, and media advertising; and churches, community service clubs, and other community-focused organizations.**
 - **Incentives for Retention of Current Staff - Salaries; employee recognition; scheduling flexibility; and referral, sign-on bonus, and finder's fees.**
 - **Best Practices - Person-Centered Planning and Processes; supervisory/leadership training; mentoring new DSPs; and efficient and effective training requirements.**

Response: The Department recognizes that direct support professionals are the backbone of the DIDD service delivery system, and crucial to the wellbeing of thousands of people with intellectual and developmental disabilities. The community providers employ approximately 20-thousand people who provide supports and enhance the lives of people with disabilities. But these jobs are not easy jobs, and providers are experiencing a crisis in hiring direct support professionals here in Tennessee and across the nation. The Division of

TennCare is currently spearheading an initiative directed towards increasing recruitment and retention among direct support professionals. The process is described in the Tennessee Works “Rise to Work” blog and excerpted below¹:

“TennCare officials believe that efforts will be more successful if the state can target its investment of new funding to provide financial incentives and technical assistance to providers to support adoption of key practices that – when coupled with higher wages – have been shown to result in increased retention, more effective recruitment and better outcomes for people served. These practices include:

- *More effective DSP recruitment and onboarding strategies, including targeted marketing, realistic job previews, and structured behavioral interviewing.*
- *High-quality competency-based pre/early service training.*
- *Early access to mentoring by more experienced DSPs.*

Finally, because many DSPs leave the field because they do not feel they were adequately prepared for the work, or they see no opportunities for professional advancement, TennCare is creating a competency-based education and training curriculum for which DSPs will be able to earn college credit. TennCare officials are in the process of working with the Tennessee Higher Education and Community College system to make this curriculum a reality by 2019. “

While DIDD agrees with most of the above strategies, the primary concern in recruiting and retaining direct support staff is low pay. Until DSPs can earn a living wage, other efforts to recruit and retain may prove ineffective unless DSPs can afford to stay in the field. As noted in the *2017 Report* by the President’s Committee for People with Intellectual Disabilities², “Perpetually low wages and limited benefits ultimately make it difficult to recruit and retain DSPs. Most DSPs who leave the profession do so not because of the nature of the work, but

¹ <http://www.tennesseeworks.org/some-ways-tennessee-can-tackle-dsp-workforce-crisis/>

² 2017 Report: America’s Direct Support Workforce Crisis: Effects on People with Intellectual Disabilities, Families, Communities and the U.S. Economy

because they cannot support their families on the available wages.” Targeting new funding to improve DSP wages is fundamental to improving staff stability in the DIDD service delivery system, albeit not the only necessary strategy by any means. Ultimately, it will take multiple approaches to recruit and maintain DSPs; however a living wage should be non-negotiable and a top priority.

To that end, the department has advocated for several provider rate increases targeted towards increasing the rate for direct support professional pay. Last year, the Governor and General Assembly appropriated approximately \$23 million in funding to support those efforts, a very significant contribution to the people we support and the community-based agencies who have been charged with providing those services in a person-centered manner. During the 2018 legislative session, the General Assembly passed the 2018 Appropriations Act establishing \$14.7 million in recurring state and federal funds for rate increases related to DSPs and support coordinators. These funds will increase the average DSP hourly wage reimbursements from \$9.15 to \$9.41. An additional \$34.3 million in non-recurring state and federal funds to increase DSP average hourly wage reimbursement from \$9.41 to \$10.00 per hour was added. The General Assembly has assigned the Comptroller of the Treasury to ensure that funds intended for DSP wage increases benefit direct care staff.

DIDD is grateful to the Governor and the General Assembly for recognizing the need to improve wages for DSPs within the DIDD service delivery system as a fundamental approach in the recruiting and retention of direct support staff.

In addition, the department continues to look at various strategies, such as its Enabling Technology initiative, that will continue to increase opportunities for independence among the people it supports while also potentially decreasing reliance on traditional staffing models.

DIDD has worked hard to communicate with stakeholders and the general public with videos that tell the stories of people supported and their staff. We

recognize a need to recruit and retain nurses as we support an aging population and others with medically complex needs. We have just released four videos that focus on nurses who support people within DIDD's service-delivery system. In the planning stages are videos displaying the benefits of direct support professional work to further educate the public via social media about the benefits of choosing a career supporting people with disabilities. DIDD will also continue to support efforts made by the provider community to increase awareness about the profession.

DIDD is happy to have the partnership of the planning and policy councils on this important endeavor. We look forward to reviewing the work yielded through this enhanced focus by the East Planning and Policy Council. This crisis will not be solved through one department's efforts alone, but through collaboration among all stakeholders to look at the various strategies that can make a difference in Tennessee.

2. Recommendation: Empower people, supported by their Circles of Support, to make decisions by keeping rules as simple as possible to encourage decision making and problem solving where services are provided - on the front lines.

Response: DIDD is currently addressing this in multiple ways. The department has established an ISC revision workgroup, which is currently working to revise the template for Individual Support Plans (ISP). This revision will include a section that is focused on rights and responsibilities.

The department also offers several resources for people supported around decision making and problem solving. Focus Group Meetings are held monthly in each region. Guest speakers present at the meetings, with topics ranging from rights and responsibilities to how to communicate effectively with your Circle of Support. Information regarding the dates, times, and locations are sent via email to providers in the regions, and information regarding the East

Tennessee Focus Group Meetings are shared in Open Line. In addition, People Planning Together is a two-day workshop that is offered to people supported on a quarterly basis statewide. The workshop is taught by people supported, and the curriculum focuses on creating a vision, decision making, problem solving, and the importance of rights and responsibilities.

3. Recommendation: DIDD conduct a comprehensive and continual review of the policy related to Human Rights.

Response: The policy related to human rights has been developed and approved by TennCare with the title of 80.6.1 Human Rights Review Process. This policy addresses the responsibilities and the composition of Local and Regional Human Rights Committees. It includes a detailed section regarding the formal Human Rights Review Process, including the responsibilities of the Circle of Support and the agency's Incident Management Review Committee as well as the functions of the HRCs. The policy includes training requirements for HRC members and, most importantly, requires the committee to include the person/conservator for whom the restrictions are proposed when so desired in the committee discussion. In addition, DIDD is in the process of developing a training presentation for committee members. While DIDD had conducted a comprehensive review of the Human Rights Policy and the Human Rights Committees, through the revision of the policy and development of the trainings, we agree that continual review of this policy to ensure best practice is crucial and DIDD to commits to this action.

DIDD has undertaken a number of initiatives to help people with disabilities understand their constitutional rights and ways they can exercise their rights as a citizen. The intent is to assist people receiving supports through the DIDD waivers and their staff in recognizing the importance of self-advocacy and to encourage decision making, risk management and mitigation while striving for independence in their day-to-day life. This assistance includes the recognition

to agree or disagree with any rights restrictions proposed via the Human Rights Committees.

4. Recommendation: DIDD define "Natural Support" as a friend or someone who you hang out with off the clock.

SPPC Note: This definition was given to us by a person supported who sits on the SPPC and is a very active member. We loved this definition and hope it is accepted by the Department.

Response: DIDD worked with stakeholders and the Council on Quality and Leadership in the development of the definition of Natural Supports. The definition is as follows: ***Supports that enhance people's feelings of belonging and facilitate a safety net for them. Natural supports are chosen by the person and the relationship is voluntary, mutual and typically long term. Designation of an individual as a natural support by the person provides confirmation of the importance of the relationship to the person. To quote a person supported, natural supports means "a friend or someone who you (choose to) hang out with off the clock."***

Note: Complicated definitions usually are a result of attempts to ensure clarity, but we love the definition provided by the person supported and added it to the official DIDD definition of Natural Supports.

5. Recommendation: TennCare, DIDD, and the Managed Care Organizations establish a system of reciprocity for common training curriculum for DSPs.

Response: During most of 2017, the department worked collaboratively with the MCOs and TennCare in an effort to align, where possible, training curriculum and requirements across HCBS systems. The final result of these efforts produced substantial alignment of 13 courses, including Individual Specific Training, CPR and First Aid. We have communicated the updated list of training

requirements to providers, loaded MCO coursework onto the Relias electronic learning management system, and created training plans in Relias to simplify the enrollment process and assist agencies. As new training curriculum or requirements are developed, the department will continue to work assertively to ensure that alignment amongst HCBS delivery systems, where possible, is maintained.

- 6. Recommendation: DIDD explore adding legislation to Title 33 that specifically identifies the rights of people with intellectual and developmental disabilities (I/DD) that are not addressed in the United Nations Bill of Rights or the Council on Quality Leadership Rights.**

Response: DIDD will take this recommendation under advisement

- 7. Recommendation: DIDD reformat and adopt the proposed revisions to the Day Services Handbook.**

Response: The Department is in the process of working with TennCare to revise the Employment and Day Services rates and definitions in the 1915c waivers. As this process is still ongoing, revisions to the Day Services Handbook would need to be reviewed after the day services changes have been submitted and approved by CMS and will not be released until updated with the most current information.

- 8. Recommendation: DIDD continue to support and endorse the Family Support Council, which fulfills a need for people with I/DD that may not be eligible for ECF CHOICES or CHOICES.**

Response: The Department believes that the Family Support Program plays an important role in supporting people to stay in their homes and communities. DIDD will continue to partner with the Family Support Council to provide flexible supports to thousands of Tennesseans annually. While future funding scenarios

are unknown, DIDD will continue to advocate for the program and the families who depend on it.

9. Recommendation: DIDD support the Developmental Disabilities Planning and Policy Council (DDPPC) in exploring ways that independent advocacy can be incorporated into the ECF CHOICES Program.

Response: DIDD is a strong supporter of various forms of advocacy, first and foremost self-advocacy, in its 1915c waiver programs. As TennCare is responsible for the oversight and operations of the Employment and Community First CHOICES program, DIDD will share this recommendation with them.

10. Recommendation: DIDD actively support legislative action around supported decision making.

Response: We are pleased that in the 2018 General Assembly, legislation about supported decision making was passed and signed by the governor. DIDD worked closely with the Council on Developmental Disabilities on this legislation. The department offered assistance and support for their legislative initiatives regarding this bill, including testimony at hearings about how we believe this could benefit the people we support.

11. Recommendation: DIDD continue to search for, develop, and adopt new technologies, such as teleprompting, emergency notification systems, etc. in serving people. The SPPC observes as children with I/DD age up into the DIDD service-delivery system, they will be bringing with them both technological adeptness and needs.

Response: Over the course of the previous 18 months, the department embarked on a campaign to learn about technology supports currently being utilized in I/DD programs across the country. This search led us to dialog with

other states and their leadership teams, national enabling technology experts, and the leading technology support developers in the industry. This information then culminated in the department's first Technology Summit, held in August 2017. Since that time, the department has solicited broad stakeholder involvement and launched the DIDD Enabling Technology Stakeholder Committee. This group has had several meetings and provided meaningful input into the design and implementation of our pilot project. In early September 2017, the department began soliciting applications from provider agencies to participate in a pilot project designed to test enabling technology within the DIDD waivers. From September through December of 2017 the Department held informational meetings with the provider community, provided networking and demonstration opportunities where vendors showcased technology supports to interested provider representatives, and then selected four provider agencies to participate in our first project. The first person to utilize enabling technology as a part of this test moved into a home of his own with various technology supports on May 1, 2018.

The governor and the General Assembly have passed in the 2018 Appropriations Act \$500,000 in **recurring** state funds to implement the enabling technology project that seeks to utilize technology to increase individual independence for people supported in DIDD waivers.

12. Recommendation: DIDD continue collaboration with other states and technology providers in exploring the use of Enabling Technology to support persons to become more independent in their homes, communities, and with employment.

Response: The Department will continue to spearhead the push to increase awareness and provide access to enabling technologies for persons receiving supports in the 1915c waivers. With funding now approved and included in the Department's budget for the upcoming fiscal year, plans for innovative project applications are underway. These test projects will allow persons supported and

provider agencies to learn about and utilize technology solutions already in use in many other programs across the country. We believe these technologies have the potential to provide persons supported opportunities to further establish their independence and achieve their outcomes in a way that decreases their reliance on support staff and natural supports. Other states are now reaching out to DIDD to learn of our implementation strategies on Enabling Technology.

13. Recommendation: DIDD explore innovative ways to meet the needs of those people who have not been able to receive adequate new services in any existing waiver.

Response: The Department meets regularly with TennCare, sister state agencies, providers and advocacy groups to review waiver data, and identify and address any potential gaps in the service delivery system. Furthermore, it continues to promote and develop a healthy network of self-advocates and natural supports, deploy enabling technology, and focus on alternative supports outside of waiver funding. This is all being done to improve the lives of people we support while maximizing available resources to increase the amount of people who are able to receive supports through state HCBS programs.

14. Recommendation: DIDD rethink the total closing of the 1915c waiver and to consider amending the 1915c waiver to re-open for the purposes of serving those people who potentially have more intense needs, either medically or contextually, as in critical housing needs; specifically to offer the 1915c waiver for a limited number of people in crisis and who are in the ageing caregiver group. The addition of a sunset period or 2 to 4 years recurring for this option would also be expected to review periodically the need to keep the 1915c open to new referrals once revived.

Response: DIDD believes in its vision to support all people with intellectual and developmental disabilities live fulfilling and rewarding lives. However, it is important to add that DIDD is not the State Medicaid Agency, and cannot

independently close or reopen the 1915c waivers. It is up to the current or future administration to decide how to best operate supports for people with disabilities and whether those supports are adequately meeting the needs in the community. DIDD stands ready to assist in any decision made to ensure those with critical needs are served.

15. Recommendation: DIDD permit the SPPC and the sub-councils to continue the work that began on the topics from the 2016 year-end report and the 2017 cooperative goals that it has had with DIDD.

Response: DIDD encourages the SPPC and the Regional PPCs to continue the work they began on the 2016-17 cooperative goals and building on the current plans and achievements of the work that is in place.