

**OCDD STATE ADVISORY COMMITTEE MEETING  
MINUTES**

**HELD ONLINE via Zoom  
March 10, 2021 from 12:30 pm – 3:00 pm**

**Call to Order** – 12:34 pm by Kathy Dwyer, Chair

**Attendance:**

SAC Voting Members Present:

MHSD – Peggy Curran  
CAHSD – Kay Lewis, Michelle Walls  
SCLHSA – April Young, Tiffany Brunet  
AAHSD –  
IMCAL – Mylinda Elliott (Secretary)  
CLHSD –  
NLHSD – Karissa Jackson, Pamela Mohamed  
NEDHSA – Nicole Bilberry, Konstance Causey, Vice Chair  
FPHSA – Suzanne Bourgeois, Sharon Delvisco  
JPHSA – Kathy Dwyer (Chair), Mary Kay Cowen  
AFSME –

SAC Ad Hoc Members: Julie Foster Hagan, Tanya Murphy, Jacquelyne Cobbs

Public: Jill Egle, Steve Kauffman, Matthew Wallace, Charlie Miche, Susan Reihn, Stacey Guidry, Jennifer Purvis, Tammy Schilling, Tori Keller, Robert Blue, Paxton Oliver, Mark Byrd

**Quorum:** A quorum of members is present (14/20)

**Approval of/Amendments to Agenda:** Kathy Dwyer, Chair

Motion to accept the March 10, 2021 agenda by Mary Kay Cowen and seconded by Sharon Delvisco. Motion passes without opposition.

Kathy Dwyer requested to move the OCDD report to accommodate Julie Foster Hagan as she arrives on the call. Request accepted without opposition.

**Approval of/Amendments to Minutes:** Kathy Dwyer, Chair

Motion to approve minutes from January 13, 2021 by Sharon Delvisco and seconded by Mary Kay Cowen. Motion passes without opposition.

## **Public Comment:**

Jill Egle introduced herself and asked how she can become a member of SAC.

Kathy Dwyer explained that Jill would need to become a member of her Regional Advisory Committee first and that her Regional Advisory Committee would have to nominate her as a SAC representative for her region when there is a vacancy. Kathy said she will connect Jill with Penny Curran, Chair for Region 1 RAC.

Pamela Mohamed asked if there are any types of virtual work or funding for persons with disabilities and those who want to open a business.

Kathy suggested that Pamela contact her Regional Louisiana Rehabilitation Services office and Families Helping Families in her Region to help guide her. Mylinda said the Arc of Louisiana Workforce has a program. Sharon found a link and phone number and posted it in the chat box to Arc of Louisiana Micro Enterprise Business Loans – 225-383-1033

Pamela Mohamed asked if anyone has heard of ABLE?

ABLE Account is a tax-advantage savings account for individuals with disabilities and their families. ABLE was created as a result of the passage of the Stephen Beck Jr. Achieving a Better Life Experience Act of 2014 or better known as the **ABLE** Act. With the ABLE Account you can save as much as you can.

Sharon suggested that Pamela use the same number for the Arc of Louisiana for information concerning the ABLE Account. They give trainings for the ABLE Act. Kathy suggested contacting Disability Rights Louisiana because they just had a webinar about ABLE accounts. Steve said that Disability Rights of Louisiana has a toll free number 800-960-7705.

## **Dental Task Force for Adults with DD Report: Mary Kay Cowen**

Different members from the Dental Task Force have been meeting with the legislators. Representatives Rhonda Butler and Kathy Edmonston are pulling together legislation that will provide Comprehensive Dental Care for adults with I/DD who are waiver recipients or reside in an ICF/DD, specifically those needing general anesthesia for a general exam and cleaning. Representative Butler needs to pre-file the legislation by April 2nd. The legislative session begins April 12, 2021. Other Legislative Representatives have joined in to help Representative Butler and Edmonston, i.e., Representatives Christopher Turner and Stephanie Hilferty. The Task Force is in need of as many supporting testimonies as possible from self-advocates and family members who have had difficulties obtaining dental care services. From there, they will need to discuss the cost and additional needs.

Mary Kay then reviewed an infographic prepared by the Task Force.

### Infographic - Three Point Scale

- Medicaid Funding (where Legislation comes in)
  - A lot of individuals go to the emergency room to be treated for dental issues but the ER can only address the pain, not the dental issue itself. The ER is very costly.
  - There is a need for specific funding for obtaining dental care
- There is a need for dentists who are trained to work with individuals who have I/DD and behavior challenges individuals
  - Working with LSU Dental School
- Money to be saved
- Difficulty the people have
- Disease associated with not having Comprehensive Dental Care
- Location – will need places
  - LSUSD has operating rooms and will allocate two for dental services in addition to University Hospital for dental services
  - LSUSD will dedicate one day per month for outpatient clinics to serve the DD population

The LSU Dental School will be enhancing their educational program and curriculum to address appropriately treating, managing the care of, and working with the DD population. The Dean is also interested in providing financial assistance for overnight accommodations for patients and their families for 2 nights if they have to travel in to New Orleans.

A special thanks was extended to those who donated funds dedicated to Dental Services for adults with I/DD.

- Robert Blue with Healthy Blue – \$2,500.
- Board of United Cerebral Palsy – \$100,000. The 100,000 will be in two parts:
  - 60,000 – dedicated to Dental Services for adults with I/DD
  - 40,000 – grant to educate students in Dentistry for Adults with I/DD

### Cost Comparison

- Cost for regular individual vs individuals with developmental disabilities that does not need general anesthesia
- Cost for those who need general anesthesia
- Comparison based on actual case of almost \$500,000 for an individual who experienced serious health issues related to dental issues.

The infographic will be presented to legislators and presented at the Oral Health Summit by one of the Dental Task Force representatives – Monica Roberts.

Sharon Delvisco commented about the amazing work done and how eye catching and easy to follow the infographic is. Appreciation was extended to Lisa Staples at the LSU Dental School who is a student/employee that created the infographic.

## **OCDD Report:** Julie Foster Hagan

Julie began with information that piggy-backed on the dental report. They were able to pull information from the LGEs in regards to dollars expended on dental services rendered by Individual and Family Supports Program funds. They also reached out to other states on a list-serv that goes out to all states Developmental Disabilities Directors in the U.S. OCDD received a response back that was put into a summary and shared with Kathy Dwyer.

Budget Update: The state is about to enter into the 2021 Regular Legislative Session; the fiscal year does not end until the end of June. The budget is prepared for the next year, and at this point it is looking like a stand-still budget for waiver, IFS, and OCDD programs and services. However, reductions can happen at any time.

The next federal package for assistance for individuals has passed the House and is now in the Senate. The larger relief bill has a section to allow 7.4% enhanced Federal Match to be bumped to 10% enhanced Federal Match for states to get funding for Home- and Community-Base Services and if states do get the enhanced 10% the funds will need to be used to reinvest in Home- and Community-Based services. An enhanced Federal Match may only be used for a one-year period. States are asked to consider what services will be able to utilize the one-time funding. OCDD is waiting for additional clarification on what the funding can and cannot be used for, as the funds have to supplement not supplant existing programs and services. Once Julie has more information about the funding, she will be looking at more ways of how the SAC can assist in getting more feedback for ideas. If it is 10%, Julie will then email to Kathy to get to SAC. OCDD is working on becoming more engaged with the SAC between meetings.

Legislative Update: Regular Legislative Session will start April 12, 2021 through June 10, 2021 (subject to change). The House Appropriation Committee is scheduled to hear LDH Budget on April 13 and April 20, 2021. If you would like to tune in, watch or listen to go to <http://www.legis.la.gov/legis/home.aspx>.

Julie anticipates working with SAC about any Dental Legislation that comes out. For Community Base Services for OCDD Waiver and OAAS programs, there have been some language changes before now. More language is being put in to make sure that funding is utilized as increased wages for direct support workers. The Fiscal impact will be that it will be an additional \$27 million in State General Funds to be able to implement the \$2 an hour rate increase.

The Provider Association Group, e.g., Arc of Louisiana, Assistant Living, Community Provider Association, is advocating for continuing exceptions for HCBS services that were put in place due to COVID. There are 3 exceptions that the Provider Association are advocating for after the national Public Health Emergency ends.

1. To allow DSW staff to work over 16 hours a day
2. Continuing to allow family members to be able to be paid caregivers
3. Continue to have virtual visits in place for support coordinators if families request that.

Julie is working with the Provider Association Group on these subjects. OCDD will make sure that SAC is aware of the dates that there will be legislative discussion on these topics.

OCDD is reviewing documentation of all of the exceptions that are in place during the pandemic, and pooling together all of the exceptions along with CMS and other federal and state regulations to determine what permanent changes could be made. Julie will try to finalize by the end of the month. OCDD will also have a listening session for providers and families.

Act 421: Has not received CMS approval yet. LGEs will do the assessments for nursing home & hospital level of care. Families will receive a letter about auto enrollment or option to decline. There will also be a prioritization for extraordinary cases. Those with a Statement of Approval will automatically receive a letter. Julie is hoping approval will be received from CMS by April 1<sup>st</sup> but will get ready to go by opening up registration period as a demonstration program. Participants will be required to enroll in Managed Care Plans. For children under 3, they would be assessed by a nurse for nursing home & hospital level of care. Outreach will be done with EarlySteps.

EarlySteps Transition: Continuing to collect the information and refining the data collection system. Brenda Sharp is working with IT to make sure there aren't any reporting errors.

#### Questions and Comments:

Kathy Dwyer suggested there be flexibility for families as paid caregivers who fill in when DSWs are not available.

Kathy Dwyer also suggested making sure messaging regarding vaccination eligibility by media includes the DD population. Julie noted that when conducting a survey that 50% of the DD population are not willing to get a COVID vaccination. So they will be trying to put out more factual information about the vaccine to dispel any misinformation the DD population may have.

Kathy Dwyer noted that during a FEMA Office for Disability Integration and Coordination Stakeholder conference call that the speakers mentioned non-paid caregivers are eligible for vaccines.

Kathy Dwyer asked if there could be some flexibility with IFS requests for dental procedures particularly with obtaining estimates in advance of the procedure. In some cases it is very difficult to obtain an estimate of costs particularly when general anesthesia is needed and services provided are going to be provided by University Hospital. She also asked if there was a maximum amount of \$8,000 for IFS requests.

Julie said each LGE has to be diligent in managing their IFS budget, that estimates up front are not necessarily required. You can submit a bill after the fact. She also said there is no cap per person and that the \$8,000 maximum is not required by OCDD although requests for \$15,000 do require the LGE Executive Director's approval.

## Reports from Regional Advisory Committee Teams

1. Region 1/MHSD – none
2. Region 2/CAHSD – Had a quorum. 3 new members.
3. Region 3/SCLHSA – none
4. Region 4/AAHSD – none
5. Region 5/IMCAL – Had a quorum, No other report
6. Region 6/CLHSD – No quorum.
7. Region 7/NLHSD – none
8. Region 8/NEDHSA – Had a meeting on January 27<sup>th</sup> and had a quorum. Two new self-advocate members. Next Meeting is on April 27<sup>th</sup>.
9. Region 9/FPHSA – Had a meeting February 9<sup>th</sup> and had a quorum. Have 2 new applications.
10. Region 10/JPHSA – The next meeting will be March 23<sup>rd</sup>. They are interested in amending their bylaws to include certain agency reps as standing voting members and are determining what if any conflicts of interest there may be. Waiting for conflict of interest issues to be resolved by SAC.

A question was asked about the procedure for SAC members being approved. RAC members are nominated by their RAC. Once nominated, they need to submit an application to Julie Foster Hagan/Jacquelyne Cobb. Once the application is approved a letter is sent to the individual and should be copied or sent to the SAC Chair/Secretary to maintain and keep up with the membership term limits.

### Old Business:

- A. SAC Membership Updates - Two members' terms expired. Region 5 & 6 need a member. The SAC will reach out to them.
- B. SAC Membership Conflict of Interest – Discussed conflict of interest for membership and what has been done to date. OCDD legal counsel advised we write the Board of Ethics for an advisory opinion regarding the various types of conflict of interest and if abstaining/recusal would be allowed when a conflict presented itself. Kathy presented a draft letter to the Board of Ethics. Steve Kauffman asked for a copy of the draft letter. Steve asked if the archive of previous documents had been researched. Kathy said some research was done but nothing was found except some information about FHF at the Crossroads that was a different situation. Charlie Michel asked if the Attorney General could be asked. Kathy replied that LDH legal counsel recommended we write the Board of Ethics for an advisory opinion.

**Public Comment:** Sharon Delvisco talked about their Healthy Relationships webinars.

**Announcements:** None

**Meeting Evaluation:** Mylinda will meet with Sharon Delvisco to receive instructions on sending out the SAC Meeting Evaluation survey created on Survey Monkey.

**Next OCDD SAC Meeting:** May 12, 2021 at 12:30 p.m. – 3:00 p.m.

The meeting was adjourned at 3:03 p.m.