

# DAIL Advisory Board Meeting Minutes

## October 8, 2015

### Comfort Inn, Berlin, VT

#### ATTENDEES:

**Board Members:** Linda Berger, Robert Borden, Nancy Brieden, Peter Cobb, James Coutts, Janet Cramer, Nancy Lang, Nick McCardle, Nancy Metz, Virginia Milkey, Diane Novak, John Pierce, Steven Pouliot, Beth Stern

**Guests:** Dru Roeselle, AHS

**State Employees:** Monica Hutt, Camille George, Bard Hill (via phone), Joanne Fleurrey, DAIL

#### **Review and Approval of Meeting Minutes**

Jim Coutts noted that there were incomplete sentences on page 7, but did not change content.

**Motion to Approve Minutes:** 09/10/15 minutes:

Approved: Diane Novak

Seconded: Steven Pouliot

Abstained: Nancy Lang

Nancy Brieden

#### **I. Reflections from and with the Outgoing Advisory Board Chair - Janet Cramer**

Janet has been on the DAIL Advisory Board for 19 years. She described that she got here thanks to a friendship with a fellow church member. As employees of the VNA, they were encouraged to engage in volunteer activities. Her friend, that was leaving the DAIL Advisory Board, encouraged Janet to get involved. Janet shared her process of learning some of the multitude of acronyms as well as some of the events and changes over time. Some examples include: Bending the Curve (of people in nursing homes versus the community), Choices for Care and the 3 levels of need and some of the perceptions and challenges when it first began. The transition has been from depending solely on the state budget as the source of support for elders and people with disabilities to morphing into looking at how we can leverage federal dollars (i.e. Medicaid) to provide these supports.

Janet talked about the interesting process that is going on regarding the study of aging. She shared the book Successful Aging, which was shared several years ago, Successful Aging of Societies and other recent publications that are still relevant today. The thesis is that aging is not a deficit, but a combination of strengths and challenges that makes for a richer community. Janet went on to

discuss her experience on the board of what was then the Council on Aging for Southeastern Vermont (now Senior Solutions) and thinking about changing attitudes that it is okay for people to contribute to the services that they receive. They may not need financial support, but they may need emotional support. Finally, Janet reflected on how small we are as a state and this gives us both an opportunity, but also inhibits some of the exciting things we wanted to do (Geriatric Theme Park) such as the PACE program (Program for All Inclusive Care for the Elderly).

In sum, Janet sees the DAIL Advisory as a very important entity to address the necessary focus on budgetary constraints. The DAIL Advisory Board is also an opportunity to bring personal and local stories to counter balance the focus on finances. At the same time, she would love to see Vermont engage in more public-private collaborations, such as the housing projects. Being small can be beautiful when there are groups of people that come together, from both the private and public sector, for a common goal. The group then talked about encouraging people to get long term care (LTC) insurance. If the state would change some of their rules about long term care Medicaid, such as letting people invest some of their own funds, to encourage more people to enroll in LTC insurance. Janet feels meeting with state experts and having the opportunity to ask questions and getting a mixture of learning has been a great experience. She thanked everyone and shared how much she has enjoyed the opportunity to learn and exchange ideas.

## **II. State Long Term Care Ombudsman and Conflict of Interest**

Each year DAIL is required to review the Ombudsman program and mitigate any conflicts of interest.

Camille discussed the statutory requirement that the Department establish a committee of no less than 5 persons who represent the interests of individuals receiving long term care for the purpose of ensuring that the State Long Term Care Ombudsman is able to carry out all prescribed duties without a conflict of interest. In the past, the State Long Term Care Ombudsman, Jackie Majoros, has come to the December meeting of the full DAIL Advisory Board with issues and recommendations that have addressed any conflicts of interest. Given the promulgation of new federal regulations and changes over time, Camille suggested that a more thorough review of conflict of interest in the ombudsman program take place, suggesting a small subcommittee be convened to perform this task and then report back to the full Advisory Board. Jackie supports developing this committee.

Beth Stern moved that the 5 people below serve as a subcommittee to look at the Ombudsman Conflict of Interest report. Nick McCardle seconded the motion. The Advisory Board approved the motion.

The five (5) members of the Conflict of Interest Subcommittee are:

Robert Borden  
Nancy Metz  
Diane Novak  
Nancy Lang  
Janet Cramer

Jackie will provide a copy of the regulations and information on federal requirements around conflict of interest prior to the subcommittee's first meeting in November. This meeting will take place via a

conference call. The subcommittee will meet again after the November 12<sup>th</sup> DAIL Advisory Board meeting. A report will be made at the December DAIL Advisory Board meeting.

Jackie will handle the details of these meetings knowing that she can reach out to Joanne for assistance. Joanne will provide Jackie the contact information for the subcommittee members.

### **III. AHS Strategic Plan and DAIL Performance Accountability Plan Dru Roeselle, AHS, and Bard Hill, DAIL (Handouts Provided, Bard joined by phone)**

Dru Roeselle described the work of the Agency of Human Services (AHS) "One Agency" Strategic Plan. The purpose of the plan is to drive an integrated approach to implementing strategies across the AHS to improve core outcomes of health and well-being for our clients. She reviewed the 5 Goals for the One Agency Strategic Plan. Those goals are:

- ❖ Ensure accountability for performance and outcomes for the people we serve
- ❖ Reduce the rate of homelessness
- ❖ Reduce the statewide incarceration and recidivism rate
- ❖ Increase access to substance abuse prevention, treatment, and recovery supports
- ❖ Increase child safety and placement stability

The next phase of the process will be to engage internal and external stakeholders to identify the 1 - 3 key strategies for each of the 5 goals. These will be monitored over the next 3 years, with the expectation of seeing measurable improvement over that period. We will learn much about our own intentions through this process. The goals and strategies will be framed in a Results Based Accountability (RBA) frame. It is hoped that the final AHS Plan will be finalized and ready to start in January.

Dru explained that although part of the work to date required the use of verbs for each goal, they were chosen based on what we anticipate what the strategies may look like. They are placeholders and may change as the process continues. However, the goal is to take a holistic approach and implement standards that guide integration across all AHS operational systems and policy areas.

The language of the goals was developed at AHS from a long list of goals. We are in such a tight and fixed budget context and therefore need to hold ourselves accountable for what we have already committed to doing and be sure we are doing it. We will learn a lot about our own intentions through this process. Commissioner Hutt described her experience while at AHS in working with Dru to develop the framework for implementing this Strategic Plan. She added that the goal for this plan is to be very specific, targeted and truly used to monitor progress toward the goals. We have had numerous strategic plans over the years that were much too big. We need to hold ourselves accountable and make sure that there is an integrated approach since most of the people served by AHS touch more than one department or program. Each Department also has multiple other mandates and plans that it must follow. With this AHS plan, there is an opportunity for DAIL to look at what is getting in the way of getting our work done. She went on to provide concrete examples

of how each goal is a DAIL issue. This is in some ways experimental, and yet exciting, and AHS Secretary Cohen will be holding each Department accountable for our contribution toward the goal. The Advisory Board encouraged that the strategies and goals be approached from a strengths-based approach.

It was noted that over time, the goals listed may not be in the headlines. It will be important for AHS to have a monitoring process to make sure we are making progress and that goals are revised over time. In the next 3 year cycle, there will be new headlines. Commissioner Hutt would like to see the headlines be more reflective of DAIL. In terms of making sure that elders and people with disabilities are included in the goal, this will be reflected in the strategies. But as her examples indicated a person may have a disability and have a child. If that person is not receiving services from DAIL and becomes homeless, that child is now at risk as well. There are many scenarios as to how these goals fit DAIL's clientele.

It was observed that none of the goals focus on nutrition; and that is one of the key issues facing seniors. There is a sharp increase to the amount of meals being requested.

At AHS, there is a Performance Accountability Committee (PAC) that will be responsible for monitoring and communicating about the plan. Bard Hill is DAIL's representative to that committee and they will be designing that process.

The question of funding for this committee was raised. There is no line item in the budget for AHS' Strategic Plan. Each department has a representative that reports on the services that we are already providing that speak to each goal.

It was clarified that mainstreaming was not the cause of substance abuse, but other societal and governmental issues. That said, a member noted these are the right goals. Further, it was acknowledged that the goals and plan go beyond AHS, but impact and involve other agencies, such as the Agency of Education and the Department of Labor.

There was some concern that the goals focus on when someone reaches a crisis, as opposed to how to prevent people from getting to that point. There are other plans at the Agency level that are in place to address this. Some examples are Healthy Vermonters 2020 and Vermont's State Plan on Aging; both have components of the work that we do every day.

What we choose to measure is probably most important to ensuring that DAIL constituents are included. It is also important to think about creative ways to measure preventive efforts and that the measuring has to be done in a coordinated way. There is an AHS Scorecard which is specific to the current AHS plan. Every department has their own scorecard that feeds into the AHS scorecard, which is based on a RBA structure, showing both data and tells the story behind the information. The link to the DAIL's scorecard can be found at the following link:

<http://app.resultsscorecard.com/Scorecard/Embed/8865>

The group also agreed to walk through the scorecard at a future meeting. The scorecard, in interpreting population statistics, can be helpful in focusing on person-centered thinking.

Bard described the next steps for the development of DAIL's Performance Accountability Plan. DAIL is a diverse department and our process of getting input is from the DAIL Management Team. Bard provided a few examples of the kinds of things that we may need to look at (ex: LTC Medicaid eligibility, challenges being faced due to retirement incentive, Department of Labor Companionship Rule). If DAIL generates some ideas, it is then easier for other stakeholders to respond to and contribute. DAIL needs to think about building infrastructure in a way that easily measures our performance. Part of the purpose of doing this now is to make sure that there are priorities set that will live through a change in administration. It is important to remember that the goals are by no means the only things we are focusing on at DAIL and across AHS. Commissioner Hutt encouraged board members to think a bit more about systems and processes in DAIL that could be improved and send their thoughts to Bard by the end of next week (10/16). DAIL will share this brainstormed list of ideas. It must be emphasized that this list is only that – a list of examples and we will keep these ideas at the forefront as we continue our process of strategic planning.

#### **IV. Budget and Legislation**

Bard described the next steps for the development of DAIL's Performance Accountability Plan. The current state budget situation is clearly an influence in the strategic planning and performance accountability process. Commissioner Hutt spoke about the state budget. It has been publicly reported that departments are instructed to create level funded budgets. However, we are very early in the budget development process and things will change over time. In the last session, there was a proposal to generate some additional revenue, but it was not passed. It was noted that caseload pressures in certain programs, such as Medicaid are discussed during the budget process. But pressures in other areas, such as senior meals that are neither in the public eye nor state driven are not discussed. There are caps in many areas of state government, such as a cap on spending in the Agency of Education that will result in penalties to school districts if they are exceeded. It was noted that it is important for legislators to understand the consequences of their decisions. DAIL can play a role in that, but it is the advocates and individuals speaking up that can make a difference. With all of the cost cutting that has already taken place, it may be necessary to think about eliminating certain things or doing the same things differently. Is it a matter of tightening eligibility requirements, increasing taxes, across the board cuts, what avenue do we choose? This is a challenging question to answer. If conversations get to that point, it needs to involve public input and has to factor in what is happening at the federal level.

#### **V. Conversation with the Commissioner**

**Older Americans Act:** Commissioner Hutt has been working to reunite the Older Americans Act (OAA) work back to the Adult Services Division (ASD), where it can have more focus. There is a large body of work that we are obligated to, and that we want to do. There is one position that is vacant and in the process of recruitment - State Unit on Aging Team Leader. In addition, there is a Principal Assistant position that normally sits in the Commissioner's Office, but this position will be located in ASD for further cohesion for this work. Dave Yacavone has been hired to fill this role and will focus his role, the department and DAIL on our obligations and duties to OAA. David joins DAIL on November 1<sup>st</sup> and will be attending the DAIL Advisory Board meeting in the future.

#### **DAIL Positions:**

Springfield Long Term Care Clinical Coordinator: This position is still under recruitment. If anyone knows any good candidates, please send them our way!

Adult Protective Services: The initial recruitment for APS Chief Position did not result in a successful hire. This position will be renamed as an Assistant Division Director position (to align with the Survey and Certificate position) and are expanding the eligibility requirements to include a focus on Human Services, investigation and administration. This position not only needs to investigate, it needs to lead a team of investigators.

DDSD Director: Roy Gerstenberger, new DDSD Director, begins on October 26th. He will come to a future Advisory Board meeting.

**Retirement Incentive:** Commissioner Hutt gave an update on the retirement incentive. The projected 300 people did not take the retirement incentive; the current total is approximately 276. Originally, the plan was to allow 75 positions to be filled; however, with fewer people taking the incentive, this number will be reduced. DAIL originally had 13 people put in for the incentive, but only 6 actually took the incentive. Of the six, two people have left and four were willing to stay on for a while and were granted an extension. Of the people retiring, 2 are Public Guardians, 1 person works in the Adult Services Division and the rest of the people are in Vocational Rehabilitation. DAIL has submitted requests to fill these positions, as they are all necessary. There is now a process for prioritizing which positions may be filled and ultimately, the decision will be made by the Agency of Administration. Where the losses to the Public Guardian program are concerned, caseloads are already too high and the caseloads of the soon-to-be vacant positions cannot be absorbed by the existing guardians. The retirement losses at DAIL cannot be managed with other vacancies since DAIL has so few vacancies and they are all necessary. The Advisory Board discussed that these losses are likely to result in other consequences and emphasized the importance of being able to discuss the impact of these losses with legislators. The Advisory Board discussed that this group may have a role in relaying this impact to legislators.

**DAIL Advisory Board Vacancies:** There are several vacancies on the DAIL Advisory Board, including people who represent the interests of people with disabilities. It was noted that there had been some representation of people with developmental disabilities in the past, but since there has not been a lot of focus on Developmental Services (DS) at these meetings, people may have dropped off. The Traumatic Brain Injury population is also not represented on the board. DAIL will develop a process for recruitment and provide this to advisory board members, seeking their help in recruiting potential candidates. In addition, it was suggested to post notice of openings on the Governor's website. Finally, there are a few people who had served on the DS State Program Standing Committee that have expressed an interest in serving on the DAIL Advisory Board; and they may be interested in serving on this board. In addition to recruiting board members, it was suggested that efforts be made to make sure that people who are simply interested in attending meetings are aware of them. DAIL will follow up about posting on the web site.

**Traumatic Brain Injury Program:** The Traumatic Brain Injury (TBI) program is managed by one person; and it is not possible for one person to manage all aspects of the program. Most recently, the program has lived within the Developmental Disabilities Services Division (DDSD). However, there have been recent discussions about whether it would make sense for the program to move to the Adult Services Division (ASD) where it can connect with the Choices for Care program. Since the focus of the TBI program is on rehabilitation and is generally not set up for longer term care, having

the expertise of nursing staff would be another benefit. The shift would also provide more support, such as with intake, coordination with the financial eligibility process, capacity to monitor services, and quality. One board member suggested it might also make sense to think about other places in state government that serve TBI caseloads as well. While DAIL's TBI Program serves people age 16 and older, it was noted that there is a gap in services for youth that will require further examination.

**Medicaid for Working Persons with Disabilities:** There is a working committee for Medicaid for Working Persons with Disabilities that has generated a list of specific questions related to eligibility and resource limitations to the Centers for Medicare and Medicaid Services (CMS). The work is moving forward and there will be further updates.

**Department of Labor (DOL) Fair Labor Standards Act Companionship Rule:** Despite a recent attempt to stay the rule, the rule is going into effect October 13, 2015. DAIL has been waiting to send out specific guidance pending the court processes. At this point, DAIL is ramping up their efforts and will be sending out guidance to employers and agencies. As part of this process, DAIL will develop a variance process for employees. DAIL will develop an online training for employers as this rule is far-reaching and has many conditions. DAIL is talking with ARIS Solutions (Fiscal/Employer Agent) to provide additional technical support to employers. DOL will not pursue enforcement until after November 13th; however, employees may decide to take action prior to that.

## **VI. Adjournment**

Robert Borden thanked Janet again for her years of service.

Robert Borden moved to adjourn, Nick McCardle seconded the motion. The motion passed.

**Meeting was adjourned**