

The DAIL Advisory Board created a subcommittee to conduct the annual review and then report back to the full DAIL Advisory Board. The subcommittee members were: Ruby Baker, Diane Novak and Joe Greenwald. The subcommittee reviewed both the State and Federal Ombudsman statutes.

The DAIL subcommittee, which reviewed conflict of interest and the Vermont Long-Term Ombudsman Project, determined that the Project is currently free of conflicts and has procedures in place to ensure that it is able to operate free of conflicts of interest for the next year.

After hearing from the subcommittee, the full DAIL Advisory Board accepted the subcommittee's recommendations that the Ombudsman Project could operate conflict free for the upcoming year.

Diane Novak moved that the DAIL Advisory Board certify that the Vermont Long-term Ombudsman Project was without conflict of interest and would be able to operate free of conflict of interest was made and approved by the full Board. Nancy Breiden seconded the motion, the motion was passed. DAIL will issue the certification letter to Sean Londergan for inclusion with the Ombudsman Annual Report that is submitted to the Legislature each year.

DAIL Structure

Extended Management Team:

The DAIL Extended Management Team (EMT) was formed for a few different reasons. One reason was to go deeper into the levels of staff to build and support the department's next level of leaders to help them grow and develop. Another reason this team was formed was to give upper management an opportunity to put the challenges of the department in front of the upcoming leaders and give them an opportunity to help problem solve and generate strategies and ideas. The team does not go back to their desks with "homework," but hopefully they go back with ideas on how to tackle challenges they face in their work and the work of the department. Having this group meet also helps facilitate staff's ability to collaborate across divisions.

Budget

The Administration has issued instructions to agencies and departments statewide about developing their State Fiscal Year 2020 Budgets. The Agency of Human Services (AHS) is hearing from all of the AHS departments at this time. DAIL had met with the Secretary early because of scheduling conflicts. When DAIL met with the Secretary, a level budget was presented. However, DAIL is facing some staffing and other pressures. The Adult Protective Services Division is working with huge case loads and it is becoming clear that additional staff will be needed. The Office of Public Guardian is facing a similar pressure. If DAIL is unable to add positions in OPG there may need to be a waiting list created. Work has been done to get some people off of Public Guardianship, 20 individuals were taken off this past year, and more could be moved off by using the supported decision-making process that OPG has begun using.

A challenge with moving people who are on Public Guardianship is that many local providers hesitate to work with people who are on the Supported Decision-making Plan because the provider many times may feel like they are expected to take on a guardian type role, which is not what their role is. This transition must take that into consideration and create a process that won't put providers in that position.

The Commissioner will invite Jackie Rogers, from OPG, to speak with the board about the 20 people who came off public guardianship and how the process works and to go over how supported decision-making works. All of the 20 people who have moved off public guardianship are people who live with developmental disabilities.

The other population that utilizes public guardianship are older Vermonters. As we discuss public guardianship, it is important to think of how Vermont's aging population will need this kind of support more and more and the different issues that come with age. Generally, when an older person goes under guardianship, it happens during a crisis. Educating families on the different levels of guardianship, what is available and what is needed would benefit the older family member and the ones who are trying to care for them.

Choices for Care Final Budget Report and Nursing Home EFR

DAIL reports to the legislature every quarter to give updates on the Choices for Care budget. DAIL manages the money, but it sits in DVHA's budget. The CFC budget is one appropriation that includes all long-term care – nursing home, home and community-based services, Moderate Needs Group, etc., and also includes the money used when a nursing home is granted Emergency Financial Relief (EFR). Decisions to grant EFR are made by the AHS Secretary and are granted only under the most extreme circumstances. As part of the process, nursing homes requesting EFR are required to go through an exhaustive review and provide a detailed plan about how they will regain and sustain financial viability. If EFR is granted by the AHS Secretary, the funds are added to the rates that the nursing home receives for the consumers they are serving. Currently, rates are partly based on beds and the requirement that a facility is at 90% compacity. If a facility falls below the 90%, they are not given the full rate possible and end up underfunded.

This led to a discussion about how savings are calculated and used in CFC and requirements that DAIL has regarding maintaining a reserve. From the **Report on: Choices for Care Savings**: "Savings is defined as "the difference remaining at the conclusion of each fiscal year between the amount of funds appropriated for Choices for Care and the sum of expended and obligated funds, less an amount equal to one percent of that fiscal year's total Choices for care expenditure." The one percent (1%) is intended to "function as a reserve to avoid implementing a High Needs wait list due to unplanned Choices for Care budget pressures throughout the fiscal year." The Department is required to calculate available savings and report those savings to the Joint Fiscal Office and the House Committees on Appropriations and on Human Services and to the Senate Committees on Appropriations and on Health and Welfare by September 15 of each year."

State Health Rankings for Seniors

Tabled for another time.

Transportation

Members will recall that we recently had representatives from Medicaid Transportation and from VTrans come to a DAIL Advisory Board meeting. VTrans is currently in the process of developing a new Public Transit Policy Plan (PTPP) that will also incorporate the Human Services Coordination Plan. Barbara Donovan from VTrans will be sending out a Survey Monkey to gather information from the community about their needs and experiences with transportation in Vermont. This information will help guide the five-year PTPP. Once DAIL receives the survey, it will be shared with the board to be distributed widely.

New Board Chair Vote/DAB updates/Future Agenda Planning

DAIL Advisory Board and Camille George, Deputy Commissioner

Vote for new DAB Chair:

At the last meeting, Robert Borden had informed members that he would be stepping down as Chair of the DAIL Advisory Board. This means that the DAIL Advisory Board now needs to recommend a member to serve as the new Chair. The advisory board's recommendation will be sent on to the Governor, who decides about the appointment of Chair of the DAIL Advisory Board.

Before beginning to vote on the DAIL Advisory Board's recommendation for a new DAIL Advisory Board Chair, Robert Borden was thanked for his fantastic service as board chair for the past several years. We are all pleased that although Robert is stepping down as Chair, he will continue to serve on the DAIL Advisory Board.

Jim Coutts announced that even though he had expressed interest in applying for the position of DAB Chair, he was now withdrawing his name due to new responsibilities that would prevent him from giving the position the time it needed.

In addition to Jim, Jeanne Hutchins had come forward to express interest in serving as Chair and had provided a written statement indicating her interest and describing her qualifications that was sent out with materials for this meeting.

For the record, Deputy Commissioner George asked at the meeting if there were any other members of the DAIL Advisory Board who were interested in serving as Chair. No other members indicated an interest at this time.

Beth Stern moved for the DAIL Advisory Board to nominate Jeanne Hutchins to serve as DAB Chair. Kim Fitzgerald seconded the motion. There was no further discussion needed. Robert Borden recused himself from the vote. All were in favor nominating Jeanne Hutchins as the new DAIL Advisory Board Chair to the Governor. DAIL will convey the advisory board's nomination to the Governor's Office.

Future Agenda Planning:

The DAIL Advisory Board will visit the Assistive Technology Center, in the Waterbury State Office Complex, during the next board meeting in November.

DAB Member Updates:

Jeanne Hutchins announced that there are several communities in Vermont who are expressing interest in the Village Model, Montpelier is one town that is interested. There are currently three strong groups organizing; Huntington, Hyde Park and Mount Mansfield.

Each village creates their own structure based on the needs of their area. Jeanne will share the link that explains what the Village Model is or you can Google the information, it will come right up.

Jeanne was also able to acquire money to send two people to the Village Model Conference in January.

Jeanne Hutchins reported that the VNA is now officially affiliated with UVMHC and have changed their name to reflect that affiliation. Members of the advisory board expressed an interest in understanding more about this new relationship, if/how it will impact consumers and if/how it might have implications for other home health agencies down the road. DAIL will invite Judy Peterson to a future meeting to discuss this topic.

Beth Stern announced that CVOCA will be having its annual meeting in Randolph and Bob Kinsel will be the keynote speaker.

Ruby Baker announced that COVE is having their annual meeting tomorrow at the Residence at Shelburne Bay with a discussion panel with the Senators from Chittenden County.

Camille George shared that the Governor's Committee on the Employment of People with Disabilities awarded the "Spirit of the ADA" to the following businesses: Rutland Regional Medical Center, Dartmouth Hitchcock Medical Center, University of Vermont Medical Center and THE EDGE Sports and Fitness of Burlington. This celebration showcased the partnership that exists between the State, business and our partners (SAs and DAs).

Kim Fitzgerald shared that September was Falls Prevention month and SASH did a lot of work throughout the state with a total of 84 events and over 1000 participants.

Developmental Services Payment Reform Update:

Deputy Commissioner George provided a brief update on the DS Payment Reform project. DAIL is receiving tremendous support from DVHA and their contractor, Burns and Associates in this major reform effort. A rate study is in process where each DS provider has provided detailed information about their agency's expenses in order to gain an understanding of what it currently costs to provide the services that are delivered today. A statewide advisory group has been meeting for the past several months and at this point, it is time to do some reconfiguration to make sure that there is a good balance of all of the stakeholders involved (providers, consumers/families, other stakeholders) and to allow for focused work to happen in specific areas. To this end, the composition of the DS Statewide Advisory Group will be revised and in addition, at least 3 smaller workgroups will be convened, including both members of the advisory group, but also pulling in others with interest and expertise, to focus in the following areas: adoption and implementation of a validated, standardized assessment tool, collection of encounter data (people served and type and amount of services provided) and payment model design. DAIL will provide further updates on the progress of this project as developments occur.

Transition Services for Youth

Tara Howe, VR

VocRehab Transition Counselors and Youth Employment Specialists from the Vermont Association of Business Industry and Rehabilitation (VABIR) have been working in collaboration with high schools across the state to provide Pre-Employment Transition Services (Pre-ETS). The transitional service from high school to postsecondary education or employment is provided to students with disabilities. There are currently 14 VR Transition Counselors, 14 VABIR Youth Employment Specialists and 12 local Core Transition Teams who provide Pre-ETs. These teams work in collaboration with the students, family and the community.

Some of the offerings to student through Pre-ETs are activities such as; work readiness, resume writing or career inventories. These activities are offered in a school setting or during workshops within the community.

Linking Learning to Careers (LLC) is a 5-year statewide initiative that will, “build on effective career exploration and employment services already provided to students and engage them in additional experiences that will help them to successfully transition from high school into adulthood. LLC creates a powerful partnership involving Community College of VT, VABIR, the Agency of Education, and high school and career and technical educational centers throughout the state, along with VocRehab Vermont.”

The Youth Advisory Council is beginning, and it will provide an opportunity for the voices of youth to be heard in a way that can affect change. There were 25 applicants and they were all accepted. There is a one-year commitment with the summer off and a three-year max. The ages range between 15 and 26 years old. With such a range in ages the feedback that this group will be able to give around training and development needs will be incredibly valuable. November 8 is the next scheduled meeting and they will meet every other month from that point. One idea is to have an annual youth summit that is planned and run by the youth.

Adult Protective Services (APS) Update

Joe Nusbaum, APS Director

The APS division currently has 9 investigators, 2 field supervisors, 3 intake specialists, 2 support staff and the Director of DLP and Director of APS. During the first quarter, July through September 2018, APS had 205 investigations open and closed 214 compared to last year when APS had 148 cases closed. The percentage of substantiated claims has gone up from approximately 10% to approximately 15%. The increase in substantiations is thought to be the result of a better intake process that vets out information in a more thorough way. There has also been an increase in reports and investigations and it is thought that because people are better educated of what abuse is, there are more reports.

If it is substantiated that a person has neglected, abused or exploited a vulnerable adult, that person is put on a registry. If that person pursues a job working with vulnerable adults and the employer does a background check, it will show that this person was found guilty of abuse. However, if a person does not pursue a job in this field, the fact that they are on a registry has little consequence.

Nationally, there is a general trend to move away from registries. Some states use restorative justice as a way to educate and provide some restitution to the person that was abused. There is a study that looks at the alleged perpetrators background and looking at the needs and services they may need. This approach is a way of addressing the systematic cycles that occur.

One on-going report APS gets is the concern about self-neglect. Vermont APS does not intervene in these situations unless there are town ordinances being broken or the Health Department finds uninhabitable conditions. Vermont is the only state in the nation that does not investigate self-neglect. If reports come to APS about self-neglect, the Area Agency on Aging is contacted and informed when the subject is an older Vermonter, so they can possibly help the person.

A challenge with people who appear to be self-neglecting is whether they are choosing a lifestyle that the general public finds unsatisfactory or is the person unable to maintain a lifestyle that is more streamlined due to incapacities. There is a tool called IDA (Interview for Decisional Ability) that would

be helpful in determining the capacity of an individual. It could be good training for the AAA staff and Public Guardians when trying to determine the ability of an individual to make decisions.

There are grants given by the ACL that could be helpful in funding new services, but there is a match required that has been a barrier in the past. Vermont is only one of six states that have not received this grant. DAIL will most likely be applying in the spring of 2019.

Meeting was adjourned: 2:01