

# DAIL Advisory Board Meeting Minutes

March 8, 2018

Conference Call, 10:00-11:30

## ATTENDEES:

**Board Members:** Robert Borden, Nancy Breiden, James Coutts, Kim Fitzgerald, Mary Fredette, Kenneth Gagne, Jeanne Hutchins, Nancy Metz, Virginia Milkey, Delaina Norton, Diane Novak, Judy Peterson, Steven Pouliot, Martha Richardson, Christine Scott, Beth Stern, Lorraine Wargo

**Guests:** Sue Aranoff, Toby Howe, Sean Londergan, Lynne Vitzhum Cleveland, Liz Vogel, Linda Berger

**State Employees:** Monica Hutt, Camille George, Liz Perreault

**Motion to Approve Minutes:** January 11, 2018 minutes: Approved: Steve Pouliot  
Seconded: Martha Richardson

One correction on the January minutes was to add the date of the meeting at the top of the document.

Abstained: Diane Novak, Beth Stern and Kim Fitzgerald

**Minutes are approved.**

**Motion to Approve Minutes:** February 8, 2018 minutes: Approved: Kim Fitzgerald  
Seconded: Jeanne Hutchins

Abstained: Robert Borden, Diane Novak, Lorraine Wargo and Nancy Metz

**Minutes are approved.**

## **Welcome New Advisory Board Member**

Deputy Commissioner, Camille George

We welcome Delaina Norton as a new member to the DAIL Advisory Board. We are very excited to have Delaina who comes to us as a family caregiver of a person with disabilities and the Director of Long Term Supports at the HowardCenter. Delaina believes between her personal and professional experience, she will bring a unique perspective to the advisory board.

Deputy Commissioner George announced that the DAIL Advisory Board is at maximum capacity with 24 members representing all required slots. There are terms that will expire in 2019 and a few in 2020. If you are anticipating leaving the board, please let us know as soon as you can. It takes some time to recruit and fill the positions.

## **Code of Ethics**

Deputy Commissioner, Camille George

The advisory board has had many discussions about the wording of the Governor's Code of Ethics and Deputy Commissioner George has relayed the questions and concerns to the Governor's office twice. Currently, we are the last of the boards to complete the acknowledgment agreement and we need to do that now. Please mail the acknowledgement with an original signature to the Commissioner's office no later than Wednesday, March 14. Once we have the signed acknowledgements, we will send the packet to the Governor's office.

## **Conversation with the Commissioner**

Commissioner, Monica Hutt

### *Legislative Updates: Budget, Process and Current Planning*

This week the legislature is not in session. Every year they take the week of Town Meeting off to be with their constituents and in their towns during this time.

The proposed budget for FY19 is still moving through the House. Commissioner Hutt spent a lot of time testifying in front of the House Human Services Committee which made recommendations to House Appropriations Committee. At this time, we do not know what the final appropriation will be. Once that is decided, the Appropriations Bill will move to the Senate Appropriations Committee for scrutiny. The crossover of this bill to the Senate will have to be completed by March 16

### *Certificate of Need (CON), Nursing Home Transfers*

Commissioner Hutt and other DAIL staff members met with the House of Human Services Committee several times on this topic. Currently, the CON is reviewed by the Green Mountain Care Board (GMCB). GMCB receives CON applications when a new nursing home is being created, if an existing home is requesting to make changes or when there is a change in ownership. The process is intended to allow the State to decide whether a home is needed and if it meets the States needs and has adequate qualifications. The issue that has been the focus of these meetings is specifically around transfers of ownership.

When Brookside Nursing Home closed, it brought a lot of attention to how a nursing home changes hands and what oversight the state has in that process. Even though the closure was very disruptive, it did prove that the state oversight, through the DAIL DLP Division, was working. Because of the oversight, violations were observed and recorded which led to CMS deciding to close the facility.

While the closing of Brookside was difficult, it has brought to light that the CON process could be improved. One of the main questions has been who should be responsible for overseeing the transfer process and enforce regulations? Currently there is a bill that repeals the CON and creates a workgroup that will have a DAIL staff member as its chair. The bill requires a tight timeline that will review DAIL's licensing standards and what the GMCB has been looking at when considering a CON

for Nursing Home Transfers. The bill calls for a plan of action with identified resources to implement the plan by January 2019.

One main concern raised by some individuals with this proposed bill is that it repeals CON without anything to take its place while a better process is created. However, the CON as it is now, is not effective so eliminating it shouldn't create a gap in oversight. There are other laws and regulations that address oversight concerns.

To clarify, there are two CON proposed bills. One (H. 669) pertains to hospitals and other health care facilities, not nursing home transfers. The other (H. 822) which repeals CON laws.

#### *Other Legislative Bills of Interest*

- Older Vermonters Work Group has moved from House to Senate – the work group reflects the provider community and references the Choices for Care (CFC) system as well as the System of Care that is attached to the Older Americans Act. Between the proposed Older Vermonters bill and the Older Vermonters Caucus, DAIL is meeting its goal of having awareness of older Vermonters and the struggles they face and broadening the message that older Vermonters are an important asset to this State.
- A bill is being proposed concerning the Deaf/Hard of Hearing/ Deaf Blind (D/HH/DB) community. The proposed bill would recreate a position that would work with both AHS and AOE and the D/HH/DB council to bring policy and practice together. This proposal may be attached to the budget bill.
- The bill addressing the increase in minimum wage (S. 40) is something to watch. This bill has passed the House and is now in the Senate. There is some concern DAIL has about the increased pressures this bill would put on services that Medicaid and Medicare pay for.
- The bill eliminating Social Security tax for financially eligible Vermonters is another bill DAIL is keeping track of.

#### **Oral Health and VDH**

Recently, DAIL staff members and Commissioner Hutt met with Vermont Department of Health (VDH) to discuss oral health for older Vermonters and Vermonters with disabilities and address how to improve their overall health through better oral health. Poor oral health is linked to many chronic health conditions as well as negatively effecting employability and social interactions.

Currently, VDH has some pilot screenings in skilled nursing facilities and would like to expand into health centers. Another outreach idea is to bring screenings to senior centers as well.

Commissioner Hutt outlined five next steps that were identified during this very encouraging and productive meeting with VDH. Those steps are:

1. Have DAIL staff on the Oral Health Coalition and maybe a DAIL Advisory Board member- if you are interested in joining this coalition, please let Commissioner Hutt know.

2. Bring this issue to the Older Vermonters Caucus.
3. Develop a plan to frame this issue to the Accountable Care Organization, showing the return on investment for screenings and other outreach.
4. Looking at how to get data from dentists and hygienists and looking at the training they receive to work with people with disabilities and adding pertinent questions to a provider survey that already goes to this group.
5. Giving grants to senior centers for Oral Hygiene pilots.

## **Developmental Services and Payment/Service Reform**

### *Payment Reform*

The Developmental Disabilities Services Division (DDSD) and Department of Vermont Health Access (DVHA) are working on payment reform with our agency partners. The purpose is to create a better structure that links services with payments.

The next step is to bring stakeholders into the work group. The content of the information that will be discussed will be quite technical as financial models are reviewed. However, it is very important that self-advocates and family members are involved since they must work within the new structure.

The make-up of the work group will include, self-advocates, family members and providers, among others. The target date in identifying the members of the work group is by the end of March. If any one would like to join, please let Deputy Commissioner George know.

The Developmental Disabilities State Standing Committee will be regularly updated and be given an opportunity to give feedback on the updates.

### *Children's Work*

Work is being done to bring integrated providers who can work with children who have a dual diagnosis and need both mental health and developmental disability services. Currently, we do not have a comprehensive system of care plan for children and we are trying to partner with DMH to create a better system for children and their families.

We are using the knowledge base from the DS State Program Standing Committee, advocates and self-advocates to help create a plan that works. From a developmental disability stand point, we need to slow down and allow the mental health system to move forward and we will join when we are in a better position.

The Medicaid Pathways process did not involve consumers and other stakeholders to the extent needed. Payment reform is needed and DAIL must obtain meaningful input from the families. There is an opportunity to have families at the beginning stages of this planning which is very beneficial in creating a system that will directly impact their lives.

## **Upcoming Agendas**

During the afternoon of the April DAIL Advisory Board meeting, there will be a public hearing on the State Plan on Aging from 12:30-2:00. We invite the board and its visitors to stay and give input.

The agenda items we were going to cover today will be covered during the May meeting.

**DAIL Advisory Board Members Update**

CVCOA is having their annual *Aging Out Loud* event. Tickets are on sale. Beth Stern will share the flyer.

Jeanne Hutchins announced that the Gerontology Symposium is happening in Burlington on March 26, 2018.

On May 5, 2018 there is a 5K for the Respite House in Colchester.

The Spring Education Series is once again being offered by HowardCenter. Delaina Norton will share the flyer.

Interdisciplinary Grand Rounds/ Dementia Care in Vermont- A Prescription for Hope is on March 26, 2018 and is happening at OneCare Vermont.

**Meeting was adjourned**      **11:30**