

**KENTUCKY COMMISSION
ON
SERVICES AND SUPPORTS
FOR INDIVIDUALS WITH MENTAL RETARDATION
AND OTHER DEVELOPMENTAL DISABILITIES**

**March 20, 2006
Fair Oaks, 4th Floor
Frankfort, Kentucky**

MEMBERS PRESENT

Secretary Mark Birdwhistell, Chair	Senator Julie Denton
Commissioner John Burt	Senator Tom Buford
Representative Jimmie Lee	Representative Steve Nunn
Carol Estes for Beth Smith	Commissioner Shannon Turner
Pat Seybold	Elbirda Haley for Louise Underwood
Glenna Taylor	Harold Kleinert
Dan Baker	William Shaw
Gwynn Royster	Roland Mullins
Karen Gardner	

MEMBERS ABSENT

Herman Terry Leigh	Marsha Vanhook
Roy Shirley	Cathy Edwards
Gayle Rees	Malkanthe McCormick
Patricia Dissell	

OPENING REMARKS

The meeting was called to order by Secretary Mark Birdwhistell.

REVIEW OF MINUTES

A motion was made by Representative Jimmie Lee to accept the minutes as submitted and seconded by Commissioner Shannon Turner. The motion passed.

OAKWOOD UPDATE

This update was provided by Steve Shannon, Deputy Commissioner. Many residents have been transitioned to agencies in the community using the transition protocol and have been successful. The top priority is the health and safety of the residents. Overall, residents/family members have a better view of the situation at Oakwood and a positive attitude toward what the Cabinet is trying to accomplish. Liberty Healthcare has brought in a management team with members from all over the country. Most residents have met with Bob Ritz, the new facility director. Liberty has prioritized hiring more direct support staff.

Deleted: 273

Deleted: s

Deleted: from Liberty: Bob Ritz

There are currently 127 employees in orientation and over 60 more in the hiring process. The hiring of more staff has led to a decrease in overtime hours. CMS continues to work collaboratively with Office of the Inspector General and is encouraged by the current progress at Oakwood. The Department of Justice visited in February. They were also pleased with what they saw. Oakwood has developed its strategic action plan and they are in the process of implementation. This action plan will be the blueprint for ICF/MR facilities in the state.

Deleted: are

Deleted: There are licensure issues pending. Liberty is taking the lead on getting these issues resolved.

Deleted: -

BUDGET UPDATE

This update was provided by Donna Perkins, Director of the Division of Administration and Financial Management in the Department. The total proposed budget for each year is \$413 million. New areas that received funding include Crisis Stabilization, Aging Caregivers, and the ARC of Kentucky.

LEGISLATION UPDATE

This update was provided by Betsy Dunnigan. Highlights included Senate Bill 146, which renamed the Supported Living Program as the "Hart Supported Living Program" after Jane Hart, who was instrumental in developing the program. Senate Bill 174, which relates to the involuntary admission to an ICF/MR facility, now requires evaluations from two professionals, one from the facility and one from the community, before admission. Senate Bill 234 includes additional funding for a one-stop system for support to aging caregivers.

Deleted: d

SUBCOMMITTEE REPORTS

Quality and Best Practices

This report was given by Karen Gardner, chair of the subcommittee. The subcommittee met on 1/23/06 and 3/2/06. In the last two meetings, the subcommittee has had several educational presentations and discussions on quality monitoring in the state and information/access to services.

The subcommittee has the following recommendations:

- Appoint a representative from the Department of Education to serve on the full Commission. After further discussion the issue was tabled since adding a new representative requires legislative action. A representative from the Department of Education has been added to the subcommittee membership.
- Continue and expand the Real Choices program.

SJR85: Aging Caregivers

This report was given by Roland Mullins, chair of the subcommittee. The subcommittee met on 1/20/06 to complete its draft of the report required in SJR85.

The subcommittee made two recommendations:

- Allocate funding to support individuals on the Supports for Community Living waiting list whose caregivers are age 61 and older. People living with aging

Formatted: Indent: Left: 0", Hanging: 0.25"

Formatted: Indent: Left: 0", Tabs: Not at 0.54"

Deleted: The number of

Deleted: p

caregivers who aren't on the waiting list also need to be considered. After further discussion members agreed to expand the funding request to include all those estimated to be living with aging caregivers, over 10,500 individuals.

- Develop a centralized source to serve as a single point of entry and provide information to aging caregivers about resources, options for creative planning, opportunities for family driven supports and interventions, and knowledge about how to access information.

Deleted: ic

Funding Sources

This report was given by Dan Baker, chair of the subcommittee. A team of psychologists from KAPP reviewed seven different assessment tools. The team recommended the use of the Kansas Developmental Disabilities Profile (DDP) over the NC-SNAP. However, it is not currently recommended that the assessment be tied to reimbursement. With regard to reimbursement, the recommendation is to develop a concept of an individualized rate structure. The issue needs further evaluation.

Deleted: this assessment would not be necessarily

UPDATE ON WAITING LIST SETTLEMENT

This update was provided by Commissioner Shannon Turner from the Department for Medicaid Services. Medicaid recently settled the Michelle P. lawsuit with Protection and Advocacy (P&A) regarding the waiting list. The settlement includes a home and community based service package that will address the needs of people living with their families who wish to continue living in their communities, at a lower cost than the traditional SCL slot. A crisis stabilization component is also being developed. P&A will work with Medicaid in developing future regulations.

Deleted: a lawsuit (termed

Deleted:)

Deleted: rotection and

Deleted: dvocacy

UPDATE ON 1115 WAIVER

This update was also provided by Commissioner Turner. The waiver was submitted to CMS on November 4, 2005. The Cabinet is still awaiting final approval from CMS. The goal of the new waiver is to stretch resources and give consumers more choices and responsibility for their healthcare needs. The full waiver is on the DMS web site but adjustments continue to be made based on CMS requirements. Implementation may also be affected by the Deficit Reduction Act passed in February 2006.

PUBLIC COMMENTS

NEXT MEETING

Next meeting date is **June 20, 2006** from **1 p.m. to 4 p.m.**
100 Fair Oaks Lane, Frankfort

The meeting was adjourned.