

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

**September 9, 2009
Fair Oaks, 4th Floor
Frankfort, Kentucky**

MEMBERS PRESENT

Acting Commissioner Eric Friedlander	Pat Seybold
Karen Martin for Commissioner Johnson	Shannon Caldwell
Carol Estes for Beth Smith	Cherri Walker Lolley
Harold Kleinert	Jonathan Trimble
Senator Julie Denton	Cathy Edwards
Representative Jimmie Lee	Stephen Hendricks
Gwynn Royster	Steve Shannon
Linda Sandidge	William Shaw
Patty Dempsey	Glenna Taylor via teleconference
Clyde Lang	Malkanthie McCormick
Don Putnam for Anne Montgomery	

MEMBERS ABSENT

Secretary Janie Miller	Representative Carl Rollins
Senator Tom Buford	

OPENING REMARKS

The meeting was called to order by Acting Commissioner Eric Friedlander. He also gave an update on the Commissioner search. A recommendation has been made by the interview panel to the Secretary.

REVIEW OF MINUTES

A motion was made by Steve Shannon to accept the minutes and was seconded by Shannon Caldwell. There was a question about the numbers on the SCL waiting list. Betsy Dunnigan responded that the number changes daily. The motion passed.

ANNUAL REPORT

Betsy Dunnigan gave the update on the Annual Report. A draft copy was distributed to the members prior to the meeting for review. Members made many positive statements regarding the annual report's new format. Modifications to the report were suggested by the members. Glenna Taylor commented on changing Consumer Directed Option to Self Directed Option on page 3 and asked that self employment numbers be added under the supported employment

information. Carol Estes will submit updated numbers. The transition numbers for MFP on page 6 will be updated from June 15, 2009 to August 31, 2009 and the data provided for persons in the process of transitioning will include the categories similar to those reported for individuals who have already completed the transition process. Harold Kleinert commented on the low numbers listed in the National Core Indicators section regarding exercise, and voiced concern about sedentary lifestyles of individuals. Concerns about a lower percentage of agencies achieving benchmarks each year were also expressed by members. A clarification was made regarding additional individuals served with the new allocation of one million dollars to the Hart-Supported Living Program. Marie Allison indicated 68 additional individuals were supported. Necessary changes will be made to the report and emailed to members to review and submit any additional comments. The motion was made by Pat Seybold to accept the report pending changes and seconded by Steve Shannon. The motion passed.

JOINT SUBCOMMITTEE REPORT

The statement generated by the three subcommittees and their recommendations were reviewed by the Commission members. The Quality and Best Practices, Workforce Development and Funding Sources Subcommittees recommended the following to the Full Commission for submission to the Cabinet, Governor and General Assembly:

- Fund an additional 200 SCL slots in each of the next 2 years;
- Move toward a living wage for Direct Support Professionals (DSPs) within community base waiver programs. Funding to provide for an 8% total compensation cost increase for DSPs in each of the next two years;
 - FY '11: \$14,600,000
 - FY '12: \$30,300,000
\$44,900,000
- Expand DSP recruitment/retention/training/mentoring through the Support Providing Employees Association of Kentucky (SPEAK) program to at least four additional regions by 2012. Fund \$822,000 over the next biennium;
- Flexible and individualized waiver funding for people to stay in their residence of choice as they age (age in place);
- Two State-funded Registries be developed: 1) availability of employment and 2) adult abuse and neglect registry;

- Expand Provider Profile to include all funding sources.

Some members voiced concerns about funding the Support Providing Employees' Association of Kentucky (SPEAK), program as opposed to funding actual services to people. Subcommittee Chairs pointed out that additional slots were also requested for the next two years. They also stressed the importance of increasing the quality of care through lowering Direct Support Professional (DSP) attrition rates. Linda Sandidge was concerned that the SPEAK program would be implemented in the Western region of Kentucky without local input. The Subcommittee Chairs assured Ms. Sandidge that each program will be specialized to the needs of each region. Damian Barthle commented that the recommendations were short-term goals and will be expanded in the upcoming year. Acting Commissioner Eric Friedlander agreed that the Subcommittees needed to continue developing outcomes and revising the "Ten Year Plan". Don Putnam spoke in favor of the 8% wage increase for DSPs and the SPEAK program. Cherri Lolley requested that the abuse and neglect registry be expanded to include adult victims. Senator Denton mentioned that a bill proposed previously to expand the child abuse registry to include adult perpetrators is expected to be reintroduced during the next session. Clyde Lang motioned to accept the report with the amendments, Patty Dempsey seconded. After further discussion, Steve Shannon made a motion to make the statements and recommendations made by the Subcommittees be an addendum to the annual report. The motion was seconded by Steve Hendricks and passed by the Commission members. Patty Dempsey asked that each Commission member be notified as to when the Subcommittee meetings are being held in case someone would like to attend. In addition, Acting Commissioner Eric Friedlander, reminded the members to bring questions or ideas about any of the Medicaid waivers to the Full Commission for discussion.

OVERVIEW OF STATE GUARDIANSHIP

Phyllis Culp gave an overview of the State Guardianship program and provided handouts. Currently, 2737 individuals have state guardians. State guardians have a caseload of 60-100 individuals. Each guardian is required to have a face to face meeting with the individual quarterly. Members discussed and questioned whether wards are adequately supported by guardians due to high case loads. Ms. Culp emphasized that the Commonwealth of Kentucky does not receive additional funding for each ward. State guardians manage existing incomes for each individual on their caseload. According to Debbie Anderson, the state guardian caseloads have increasingly changed from elderly individuals to younger violent criminals who are incompetent to stand trial.

OVERVIEW OF HDI TRAINING FOR TRANSPORTATION PROVIDERS

Harold Kleinert presented on a new video developed by HDI that illustrated the wrong way and the right way for transportation providers to assist riders with

disabilities. Sensitivity is the key to inclusion. TARC in Louisville is currently training providers. Due to some technical problems with the presentation, it was requested that he present again at the next meeting since it is such an important topic.

PUBLIC COMMENTS

Alice Blackwell commented on recent training completed by DDID staff for SCL transportation providers.

NEXT MEETING DATE

Next meeting date is December 2, 2009.

The meeting was adjourned.