

Members

Rep. Sheila Klinker, Chairperson  
Rep. Suzanne Crouch  
Sen. Connie Lawson  
Sen. Connie Sipes  
Sally Lowery  
Suda Hopkins  
Betty Williams  
Christopher Durcholz  
Susan Ferverda Hoback  
Bettye Dunham  
Scott Sefton  
Sharon Kooi



# COMMISSION ON DEVELOPMENTAL DISABILITIES

*Legislative Services Agency*  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Susan Kennell, Attorney for the Commission  
Bill Brumbach, Fiscal Analyst for the Commission

Authority: IC 2-5-27.2

## MEETING MINUTES<sup>1</sup>

Meeting Date: August 17, 2010  
Meeting Time: 1:00 P.M.  
Meeting Place: State House, 200 W. Washington  
St., House Chamber  
Meeting City: Indianapolis, Indiana  
Meeting Number: 1

**Members Present:** Rep. Sheila Klinker, Chairperson; Rep. Suzanne Crouch; Sen. Connie Lawson; Sen. Connie Sipes; Suda Hopkins; Betty Williams; Christopher Durcholz; Bettye Dunham; Sharon Kooi.

**Members Absent:** Sally Lowery; Susan Ferverda Hoback; Scott Sefton.

### I. Call to Order and Introductions

**Representative Sheila Klinker, Chairperson**, called the meeting to order at 1:10 P.M. The Chairperson thanked the members for serving on the Commission and asked them to introduce themselves. Chairperson Klinker asked Ms. Susan Kennell to review the new electronic procedures for meeting notices and minutes. (Exhibit 1)

### II. Updates from the Family and Social Services Administration (FSSA), Disability and Rehabilitative Services Division (DDRS)

**Ms. Julia Holloway, Director of DDRS**, updated the Commission on the waiting list, budget issues, pre-vocational and jobs programs, the impact of transfer of individuals with developmental disabilities out of mental health institutions, and the future plans for the

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<sup>1</sup> These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative>. Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

division. **Ms. Dawn Downer, Director for First Steps**, updated the Commission on the First Steps Program. (Exhibit 2) In answer to questions from Chairperson Klinker, Ms. Holloway indicated that DDRS has a plan to follow individuals with developmental disabilities who are returning to communities upon leaving mental health institutions for two years. When considering programs for those leaving mental health institutions, Ms. Holloway stated that DDRS is looking for community programs with strong behavioral components. Chairperson Klinker emphasized the importance of sheltered workshops for individuals who are returning to local communities. In answer to Representative Klinker's question concerning the budget reversions of DDRS, Ms. Holloway said that the reversions were made without any loss of services for clients.

**Representative Suzanne Crouch** shared with the Commission concerns of the Evansville ARC on pre-vocational services. (Exhibit 3) DDRS will provide answers to the questions raised by Representative Crouch at the next meeting. The issues include providing additional budget information for day services versus residential services, whether day services are provided by nonprofit organizations, and the percentage of budget cuts for day services and residential services. Ms. Holloway reiterated that services were not cut but rather increased. Ms. Holloway will bring more detailed information on the cuts and increase in services to the next meeting.

**Senator Connie Sipes** raised questions concerning the number of children who exit the First Steps Program by age three. Ms. Downer said that children who leave the program at age three and do not go to government funded programs are not tracked. It is possible that those children are receiving services paid for by private insurance and that some of the children do not need additional services. In answer to questions from **Senator Connie Lawson**, Ms. Downer indicated that there is a probability that there will be a decrease in state funding for First Steps programs. The amount of money for the program received from the federal government is expected to remain unchanged.

Senator Lawson asked Ms. Holloway about why there are unused waiver slots when there is still a waiting list. Ms. Holloway replied that there are some timing issues in filling the slots. Ms. Holloway will provide additional information on issues relating to the waiting list at the next meeting.

### III. Update from INARF

**Mr. James Hammond, CEO of INARF**, discussed INARF's concerns in the areas of employment, budget cuts, and allocations of resources for consumers in the system. (Exhibit 4)

### IV. Update from ARC of Indiana

**Mr. John Dickerson, Executive Director of ARC of Indiana**, discussed the ARC of Indiana's concerns in the areas of federal stimulus dollars, addressing the needs of individuals in the system, crisis care, the waiting list, and the relationship between TANF money and First Steps. (Exhibit 5)

### V. Update from Self Advocates

**Ms. Betty Williams, Self Advocates of Indiana**, provided the members with an update on the concerns of self advocates with an emphasis on the needs for and importance of employment. (Exhibit 6)

## **VI. Update on Work Services**

**Mr. Jeff Darling, Director of the Wabash Center, and Dr. Catherine Hatvani** discussed issues facing sheltered workshops. (Exhibit 7) Dr. Hatvani emphasized the importance of work for individuals with developmental disabilities.

**Senator Brandt Hershman** also addressed the Commission on the importance of the services provided at the Wabash Center. Senator Hershman thanked Representative Klinker for her long service on behalf of individuals with developmental disabilities. Senator Hershman stated that the need for budget controls and cuts does not make for easy choices in state government. The options in the current economic climate are raising taxes, cutting expenses, growing the economy, and innovating by doing more for less. Senator Hershman discussed the importance of jobs for individuals with developmental disabilities and thanked FSSA for extending the time for funding jobs from 12 to 24 months.

## **VII. Next Meeting and Adjournment**

The next meeting will be September 13 at 1:00 P.M. in the House Chamber. At that meeting, the Commission will receive follow up information on issues raised at the first meeting. The final meeting will be October 5 at 1:00 P.M. in the House Chamber, at which time the Commission will consider legislative proposals.

The meeting was adjourned at 3:10 P.M.

00 Commission  
Meeting 1  
August 17, 2010  
Exhibit 1

**INFORMATION ON 2010 STUDY COMMITTEE MEETINGS**

**2010 INFORMATION:**

The "home page" for the General Assembly is at <http://www.in.gov/legislative/index.htm>

For Legislative Council resolutions concerning study committee topics and procedures, see the links under the "What's New" heading near the bottom of the home page.

For meeting notices, minutes, and other information, go to the "Interim Study Committees" heading on the left side of the home page and click on the "Study Committees" link. This will take you to an alphabetical list of links to web pages for individual study committee pages, where you can view and print these items. In order to reduce copying and mailing expenses, the Legislative Services Agency (LSA) is no longer maintaining study committee mailing lists for the distribution of hard copies of notices or minutes via US mail.

To determine whether a meeting will be webcast, check the meeting notice on the committee's web page. Notices for meetings that are to be webcast will contain a link to the broadcast.

For the upcoming schedule of study committee meetings that are staffed by the LSA, go to the "Interim Study Committees" heading on the left side of the home page and click on the "Calendar" link. You may also pick up a hard copy of the calendar at the Legislative Information Center, in Room 230 of the State House adjacent to the rotunda. The calendar is subject to additions and corrections, including notice of cancellations. Please feel free to call the Legislative Information Center for an update at (317) 232-9856.

**NOTE CONCERNING STUDY COMMITTEE EXHIBITS:** Beginning with the 2010 interim, any exhibits that were distributed during a study committee meeting will also be attached to the minutes on the committee's web page in a PDF format, eliminating the need to request hard copies through the Legislative Information Center. Please bear in mind that the file for a meeting that had numerous exhibits will be a large document, so it could take a while to open and you may want to consider whether or not to print the entire document.

**STUDY COMMITTEE ARCHIVES FROM PRIOR INTERIMS**

From the home page of the General Assembly at <http://www.in.gov/legislative/index.htm>, scroll down to the "Archives" heading in the lower left corner, and then select the "Interim" link. This will take you to various links for study committees from 1998 through 2010. Note that exhibits from these meetings are not available online and must be obtained through the Legislative Information Center.



DD Commission

Meeting 1

August 17, 2010

Exhibit 2

# **Serving Individuals with Developmental Disabilities in Indiana**

*Presentation to the Indiana Commission on Developmental  
Disabilities*

Julia Cunningham Holloway, Director

Division of Disability & Rehabilitative Services

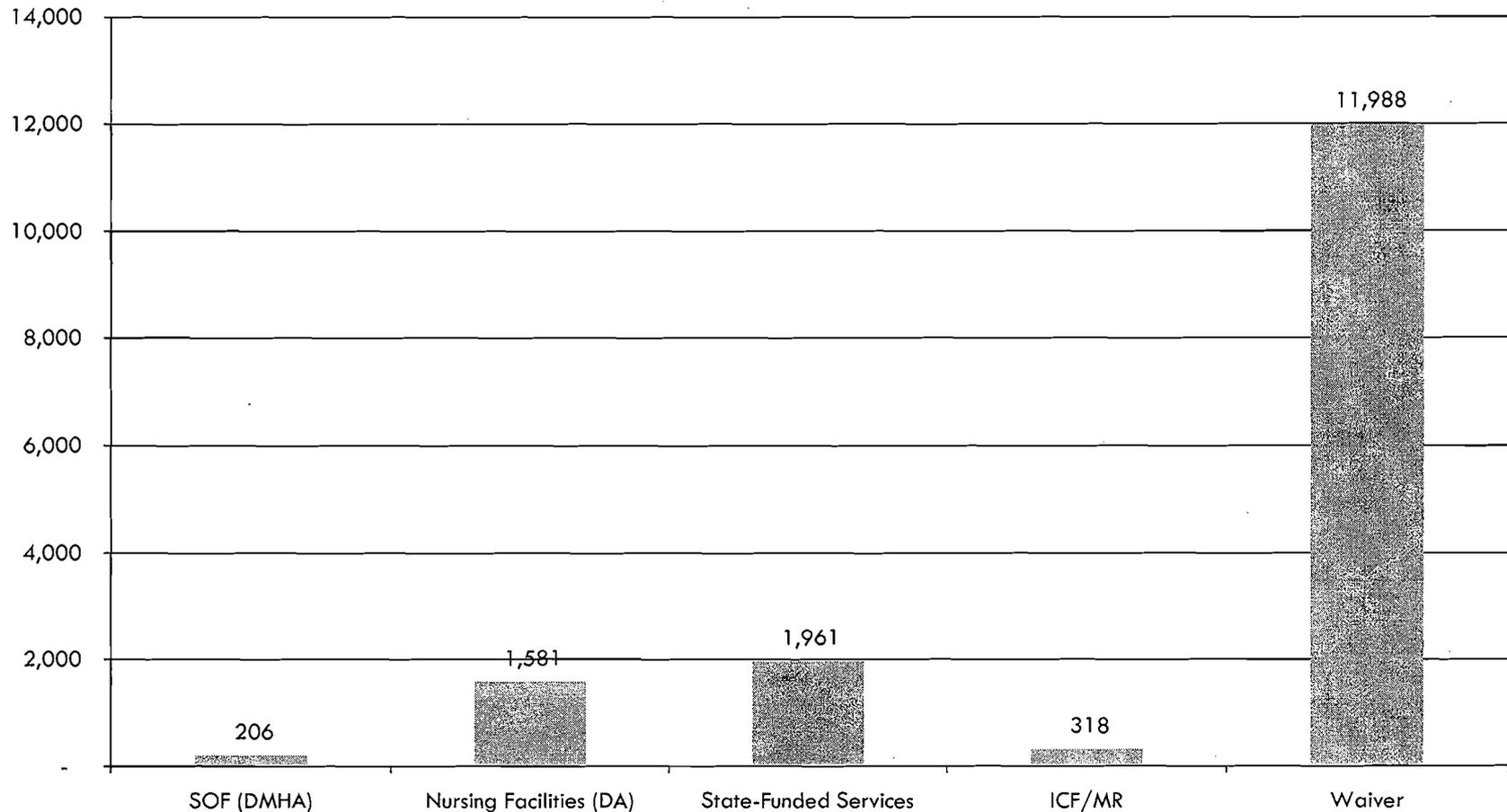
August 17, 2010

# DDRS CONSUMERS

Who do we serve and how do we serve them?

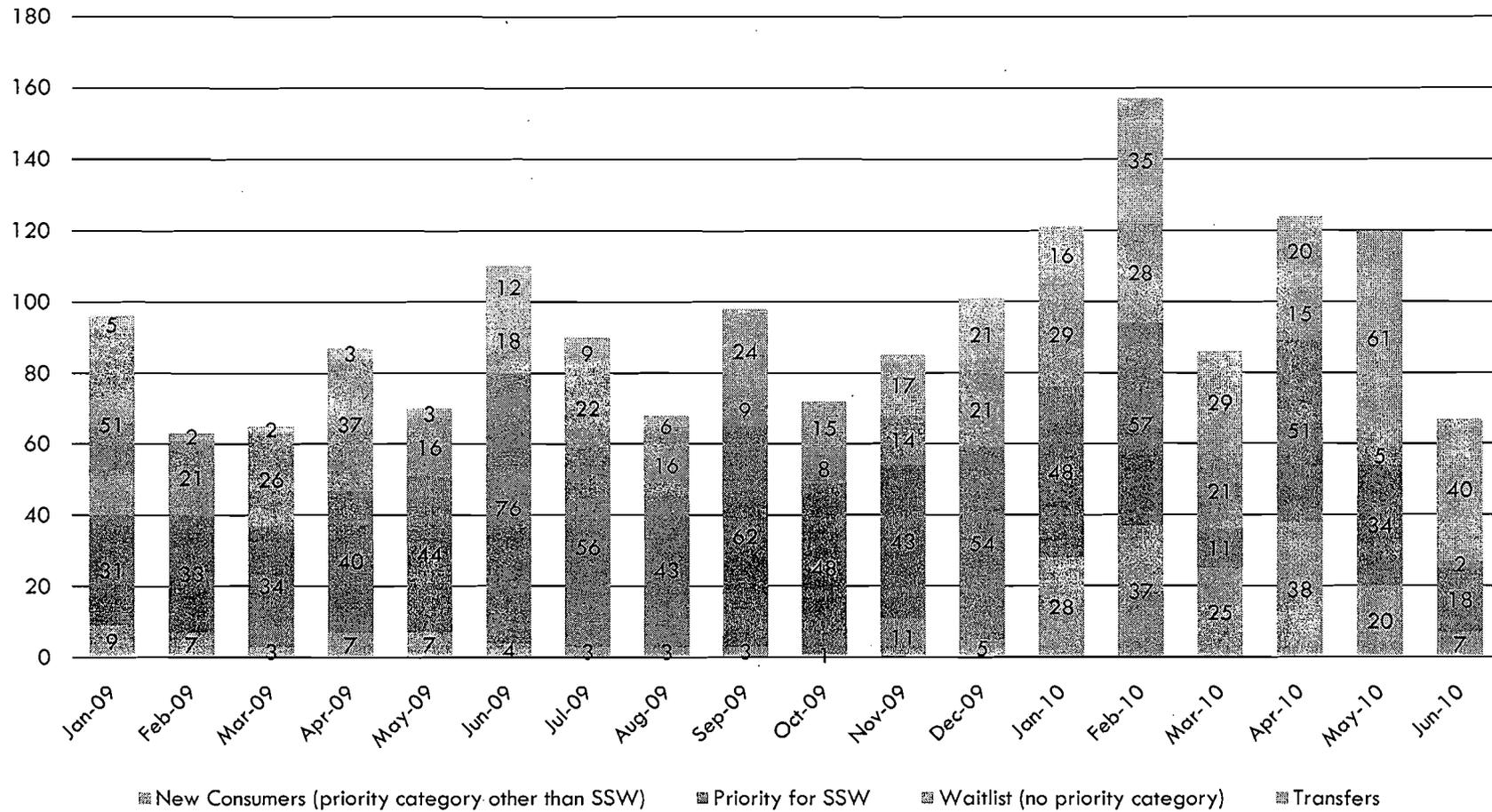
# Serving Hoosiers with Developmental Disabilities (Counts as of June 30, 2010)

3



# Total New Consumers

4



# Waiver Slots Available, by Waiver Year

5

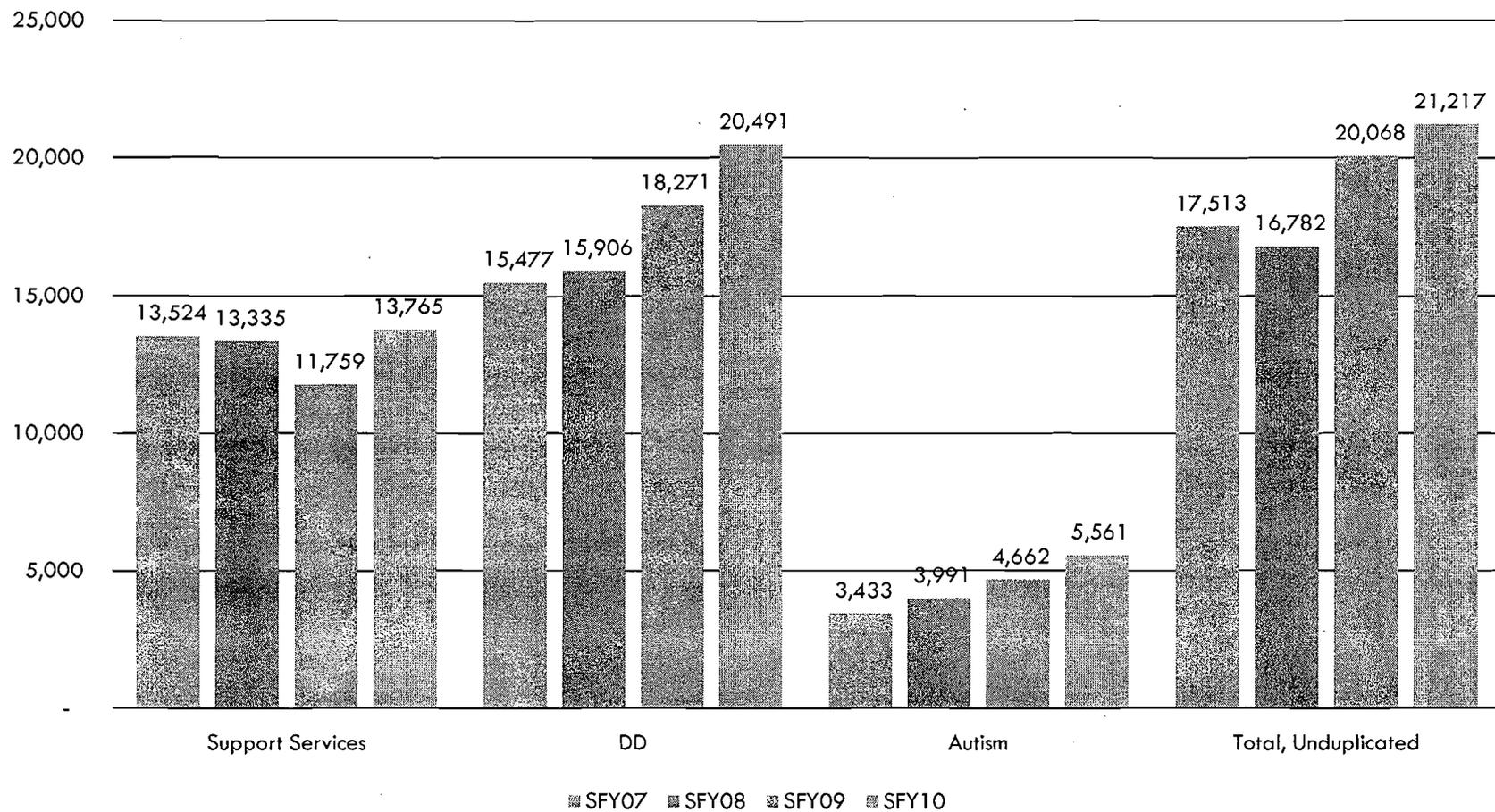
<b>Support Services Waiver (4/1/10-3/31/11)</b>	
Total Available	460
Total Filled	164
<b>Total Remaining</b>	<b>296</b>
Months Remaining in Waiver Year	7.5
<b>DD Waiver (10/1/09-9/30/10)</b>	
Total Available	514
Total Filled	452
<b>Total Remaining</b>	<b>62</b>
Months Remaining in Waiver Year	1.5
<b>Adult Waiver (1/1/10-12/31/10)</b>	
Total Available	54
Total Filled	35
<b>Total Remaining</b>	<b>19</b>
Months Remaining in Waiver Year	4.5

# THE WAITING LIST

What does it look like?

# Waiver Waitlist, by SFY

7



# Waiting List Details

8

- 36% of individuals on the Waiting List are currently receiving services through DDRS.
  - ▣ 21% of those individuals are currently being served by another waiver.
- 11% of individuals on the Waiting List are either ineligible, out of state, have refused services, or are not past the application status yet.

# DDRS BUDGET

What impact have these tough times had on serving individuals with Developmental Disabilities?

# Impact of DDRS Reversion on Services

- DDRS will meet its reserve target primarily through reductions in administrative functions and by moving individuals from 100% State-funded services to federally matched waiver services.
- These reductions will allow us to increase the number of individuals in waiver services during the current waiver years.

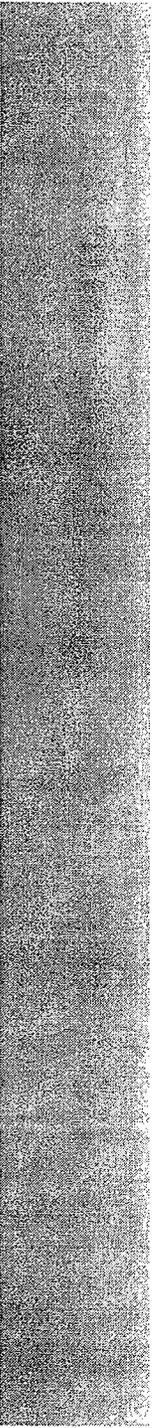
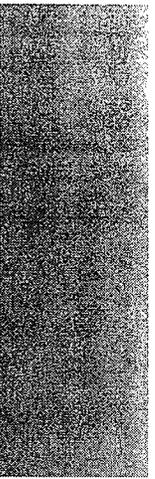
# Unlike Other Indiana Programs, Spending on Medicaid and Waiver Services Has Increased.

11

## SFY2010 Medicaid Spend

- Total Spend - \$865,790,000
  - 2% increase in Medicaid spending over 2009
- DD Waiver - \$458,985,000
  - 1% increase in spending over 2009
- SS Waiver - \$32,770,000
  - 23% increase in spending over 2009
- Autism Waiver - \$18,362,000
  - 9% increase in spending over 2009

**PRE-VOCATIONAL  
SERVICES**



# Pre-Vocational Services

13

- DDRS continues to work with stakeholders to devise a rational payment plan for Providers while preserving individuals' ability to work.
- DDRS continues to work towards the goal that every individual has the opportunity to get community integrated jobs at competitive wages.

**BRS**

Bureau of Rehabilitative Services

# BRS Overview

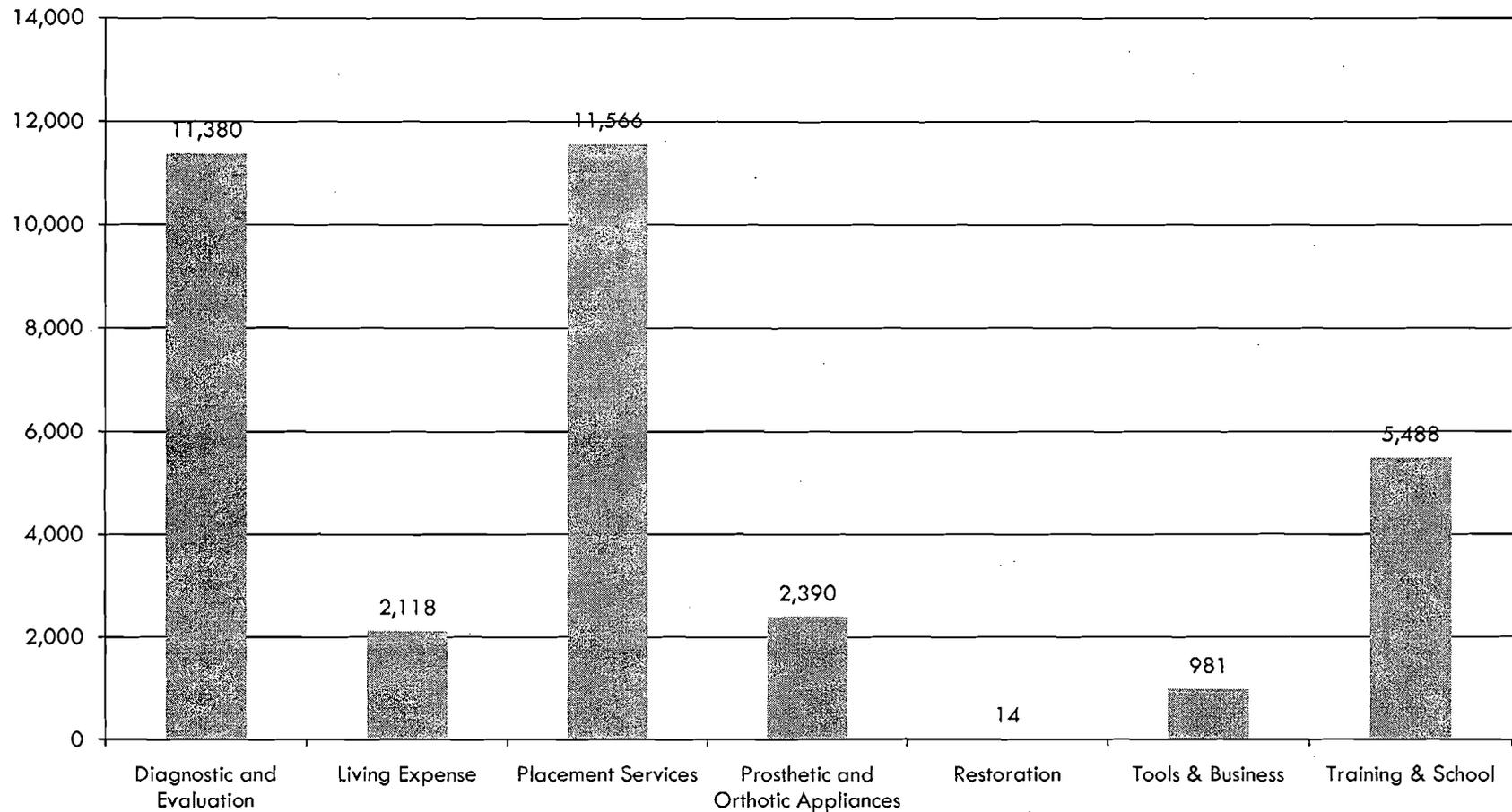
- 36,286 Total Participants
- Average Hourly Wage - \$11.87
- Average Weekly Hours – 30 hours

# BRS 2011 Key initiatives

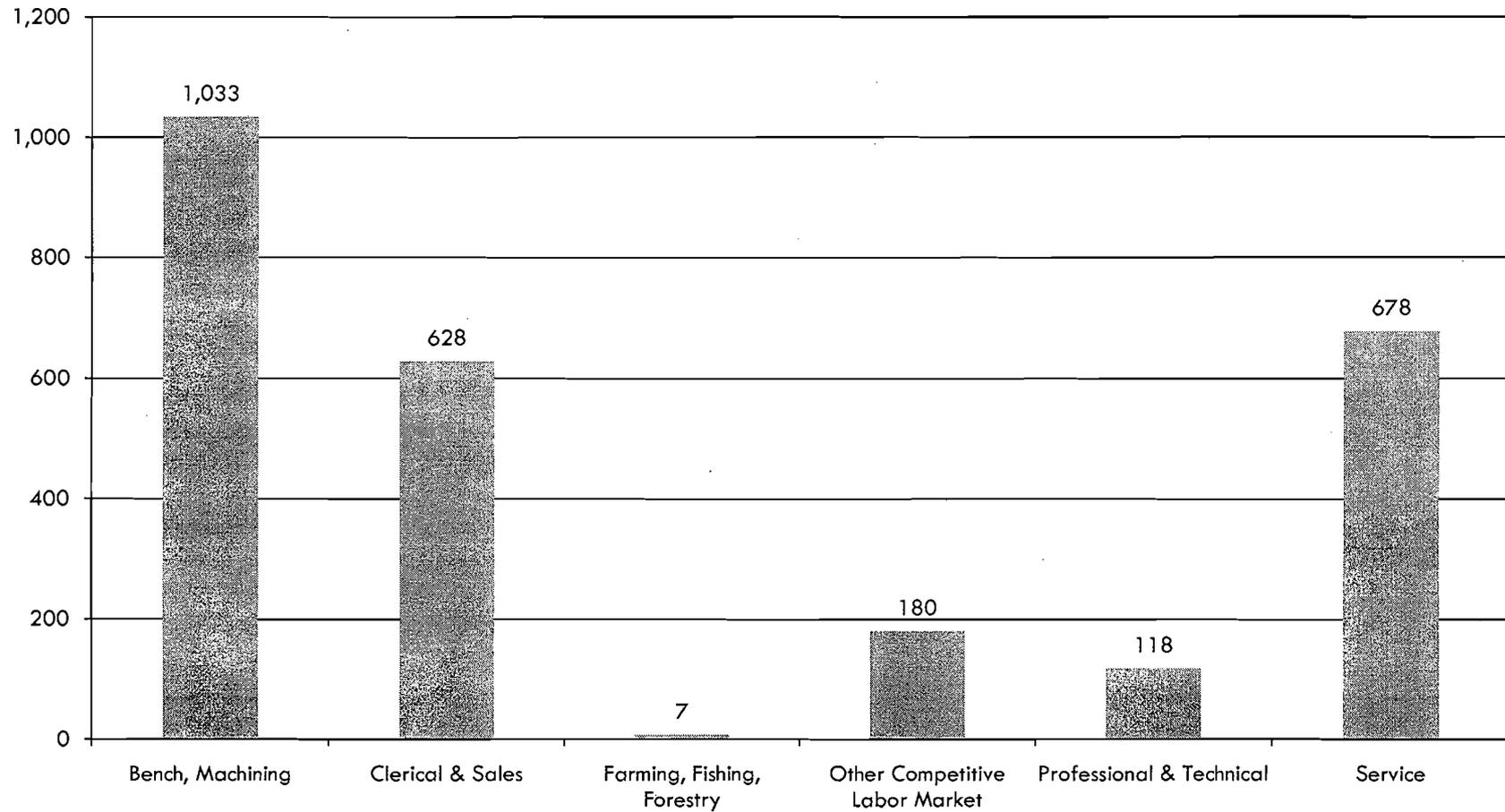
16

- SSA/VR Ticket to Work Improvements
- Virtual Office Implementation
- ARRA Funds
- RSA Monitoring Corrective Action Plan (CAP)
- Corporate Job Development

# BRS Services Provided



# BRS Jobs Provided, by Type



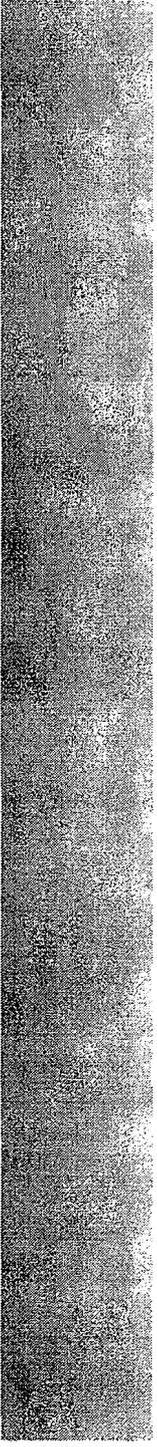
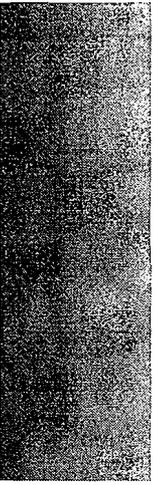
# STATE OPERATED FACILITIES

Transferring Individuals Out of an Institutional Setting  
and into the Community

# SOF Transfers

- Started the process with 206 Individuals.
- An initial assessment for LOC was performed by DMHA and BDDS staff.
- Identifying Guardians to work with.
- Working on the identification of relationships with others that might make good roommates and easier transitions into the community.
- Conducting on-going interviews of providers.
- Follow up reviews by clinical staff with backgrounds in community placements.

**DDRS MOVING FORWARD**



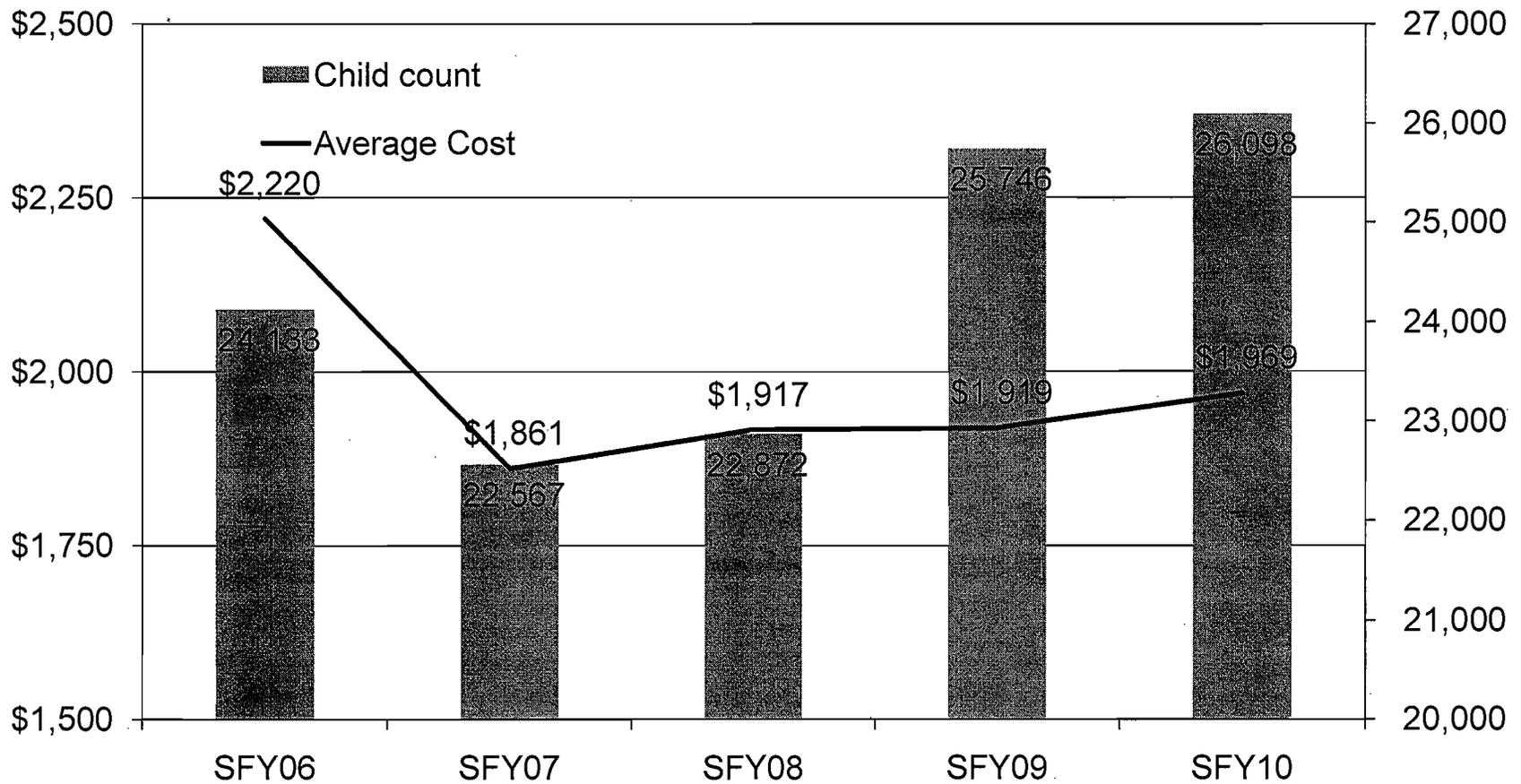
# DDRS Initiatives for 2011

- BDDS will work to ensure the accuracy of the waiting list for its waivers while creating real movement into services within budget constraints.
- All waiver participants will transition to an objective budget system that will include the opportunity for day services, and wherever possible, meaningful opportunities in the community for work or other activities.
- BDDS will continue to encourage individuals to be in roommate situations. Not only does this help conserve state resources, but as the Arc of Indiana says, “finding the right housemate can lead to companionship and friendship and a life that is truly integrated into the community.”
- First Steps will balance its budget within the existing state appropriation.
- BDDS and BQIS will work together to reengineer their processes to provide improved quality control over providers, case managers, and other contractors. This oversight will include the implementation of sanctions similar to other State agencies, up to termination, and will also evolve to better matching provider capability to individual consumer needs. This will result in cost savings and quality improvements.
- VR will continue to become more integrated into all services. This will result in people being evaluated for the opportunity to work prior to or simultaneous with receiving waiver services.
- VR will be going after SSA payments for transitioning people to work by \$1 million.

# BCDS: BUREAU OF CHILD DEVELOPMENT SERVICES

First Steps

# BCDS Child Count and Costs



# BCDS – First Steps

**First Steps is Indiana's early intervention system, providing services to children birth up to age 3, who have developmental delays or disabilities and their families.**

- Indiana's First Steps system met the federal ranking of "Meets Requirements" for the 2<sup>nd</sup> year. "Meets Requirements" is the highest ranking that is provided
- Program highlights include:
  - 99% of all children referred to the First Steps program received a timely evaluation and service plan
  - 98% of all eligible children received timely services
  - Over 10% of eligible children met their developmental goals prior to age 3, no longer needing services.

First Steps performance reports may be located at: <http://www.in.gov/fssa/ddrs/2812.htm>

OO Commission

– Meeting 1 –

August 17, 2010

Exhibit 3

Basic Information About Pre-Vocational Services at Evansville ARC:

1. Pre-Vocational Services (Pre-Voc) fall under the Medicaid Waiver for individuals with developmental disabilities. Pre-Voc was developed about 7-8 years ago when the State converted individuals from 100% state line item funding to Medicaid Waiver funding.
2. When the conversion to Medicaid Waivers occurred, the State created “Pre Voc” funding as a service code – and at that time the State moved everyone who was working in a sheltered environment AND working at less than 50% productivity into the Pre-Voc service code.
3. The State is now saying that CMS (Federal oversight body for Medicaid) limits “Pre-Voc” services – it cannot be an on-going service. The State is proposing a 24 month limit for Pre-Voc funding going forward. It is our understanding the 24 month limitation begins retroactive to October 2009 and individuals with Pre-Voc Services will begin losing services in October 2011, however, clients and families have not been notified of this decision.
4. Many of the individuals receiving Pre-Voc services have been working for many years (10, 15, 20 years) – historically with State-funded Sheltered Work Services funding – and during the past 7-8 years under Medicaid Waiver with Pre-Voc.
5. The folks who are utilizing Pre-Voc services WANT TO WORK and NEED THE INCOME – but they have challenges/barriers to community employment including: limited dexterity, poor health, issues with attention to task, behavioral challenges, cognitive limitations, difficulty learning new tasks/changing tasks, visual or hearing impairments, as well as mental illness
6. Evansville ARC has approximately 120 individuals utilizing Pre-Voc Services at Evansville ARC. During the past fiscal year ending 6/30/10, we billed approximately \$338,000 to the State of Indiana for Pre-Voc services and the clients working in Pre-Voc earned approximately \$278,000 in gross wages. Approximately 57 of the 120 individuals have a Residential Provider and receive Residential supports through Medicaid and the remainder either live at home with family or live independently.
7. The \$338,000 in State billings represent actual days attended – some clients coming in mid-year, toward the end of the year, some with extended absences for illnesses, etc. If these clients had attended Evansville ARC full-time all year for Pre-Voc Services, the annual billings to the State of Indiana for Pre-Voc services would have been

approximately \$751,000. Based on our analysis, if Pre-Voc Services are eliminated, and the 57 individuals with Residential Supports decide to “retire” and stay at home, the annual cost of additional Residential Supports services would be between \$1 million and \$1.6 million per year (\$1 million if they had a roommate who ALSO stayed at home; \$1.6 million if they received 1:1 supports). If all 120 individuals moved to another type of Day Service Program, it would most likely be a combination of facility-based programs and community-based programs and we estimate the cost for this combination of services to be approximately \$930,000. In addition, the earned income of approximately \$278,000 would need to be replaced in some way through some other income stream (SSI? Food Stamps?) as this is money used by people with disabilities to purchase goods and services.

8. BDDS (Bureau of Developmental Disabilities Services) regularly talks about “Work First” and the importance of all people working as part of their livelihood. BDDS also talks about “Consumer Choice”. The decision to eliminate Pre-Vocational Services and the work option for individuals who have been working for many years seems to conflict with both of these basic values.

**Susan Kennell**

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**From:** Jim Hammond [jmh@inarf.org]  
**Sent:** Wednesday, August 25, 2010 1:03 PM  
**To:** Susan Kennell  
**Subject:** DD Commission Meeting Notes

DD Commission  
Meeting 1

Developmental Disabilities Commission

August 17, 2010

August 17, 2010  
Exhibit 4

- I. Thanks to Chairwoman/Representative Klinker, other members of the Commission for inviting comments from INARF on a variety of issues affecting consumers, families and providers. Will be brief.
  - A. My comments will focus on three issues – Employment & employment related activities, the budget, and allocations for consumers currently in the system and those who enter.
  - B. Thank Senator Lawson and members of the Commission who endorsed legislation last year that resulted in SB 148 being passed and signed into law by Governor Daniels. That sent a good and refreshing message to families, consumers and providers – that if you want to do business in Indiana, you must meet minimum standards.
- II. Employment – For over two years we have been engrossed in discussions related to employment both in the community and facility based. Eliminate time limitations and preserve paid work that is.
  - A. Yesterday, some good news arrived. Under the leadership of Senator Hershman and Lawson, and the goodwill of Secretary Anne Murphy and industry representatives. Secretary Murphy has agreed to thoroughly review the industry's proposal.
  - B. Contact States', like Wisconsin to confirm their application

- c. Provide us with a copy of the Waiver application in order to review the various components – time limitations, definitions and rates.
  - d. Everyone seemed committed to do everything to preserve paid work.
- iii. Our goal should be to eliminate time limitations for SEFA and current paid work programs.

- iv. Develop a more comprehensive Employment package that ensures :

Competitive integrated employment, career advancement opportunities, Employee Assistance Programs, Corporate Job Development (Projects with Industry) facility based work experiences and to the maximum extent possible utilize Indiana's State Use Program (which is a preferential purchasing program) which has been in existence since 1976.

- v. Ensure adequate resources in the biennial budget (don't erode the base)
- A. Support the needs of the consumer
  - B. Reflect the true costs of services
  - C. Provide Predictable costs for the state
  - D. Promote a sustainable business model
- vi. Budget Allocation Program – In the next few months a new system will be introduced that creates budgets for services to consumers. (OASIS).
- A. We need to ensure that that it is fair and equitable, validated and tested to ensure its efficacy.
  - B. The last thing we want is to have skirmishes for precious resources at the local level during the annual team planning meetings
- vii. Thank you for your time and continual support to people with disabilities and the whole service delivery system.

The information in this email, and any attachments, may contain confidential information and is intended solely for the attention and use of the named addressee(s). It must not be disclosed to any person(s) without authorization. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to, and must not, disclose, copy, distribute, or retain this message or any part of it. If you have received this communication in error, please notify the sender immediately.

Testimony of John Dickerson

DD Commission

DD Commission  
Meeting 1

Budget Will be critical

- use of stimulus dollars to prevent future cuts
- address needs of people currently in services
- address needs of crisis cases
- address needs of people waiting

August 17, 2010  
Exhibit 5

have to be strategic in what we can and should do

question of revenue and recovery

Impact of budget reductions have greatly limited what we can do yet we realize that we are in the most difficult times of my nearly 40 years

First Steps – looking for solutions to budget issues that do not cut back our ability to affect the lives of children which will have decades of impact

State Operated Facilities – working with DRS and DMHA to do community based supports that will give better lives and more effective therapy for individuals

Employment – developing a comprehensive approach to employment that uses all options and maintains choice for the individual, using dollars the most effectively to get outcomes for individuals – fully support the AFN goal of increasing by 50% the number of people with paid work. Indiana already better than the national average but need to be doing much better.

Community – support efforts to really understand the waiting list and make sure people are coming off. This includes maintaining priority for aging parents and crisis cases as well as people who in many cases have waited a decade or more. Secondly developing ways to address when people on the waiver have life changing situations. This also means we have to work on housemates, conserve dollars and use every dollar we have more meaningfully. Community living is the greatest expenditure we have on the waiver

Lastly we are looking to the future, with our Pathways to Empowerment we have engaged the 20 best minds from around the country coming to Indianapolis to help us identify what we need to do to reinvent our system.

Testimony of Betty Williams  
DD Commission

DD Meeting 1

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Exhibit 6

First of all Thank to the commission members for allowing me to speak today.

The AFP choice employment as the one thing that was important to people's lives. The AFP is an organization of about 12 to 14 groups working together on a National level improve the number or percent of people with developmental from 22 to 44 percent by the year 2015.

Indiana wants to move from 28 to 51 percent by the year 2015.

Most people with disabilities can talk about how important is for them to have a pay check . Some can if tell you about how important is to earn a decent pay check.

I want to talk about Employment and having a numbers of Choice for people.

I know that work should be the first thing we talk to young people coming out high school. The choices should be there for them to choice from.

### Self-Advocates of Indiana

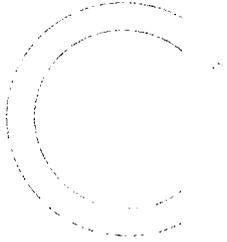
The Board of Directors had it first meeting with Julia Holloway Thursday. We talk about how services were affecting our lives and what we want to see in the future.

The number one thing everyone should know is that we are growing and sometime having growing pain because of it.

Such we had to find a bigger park to hold our annual picnic we even attract people who not yet a member of Self-advocates of Indiana.

We now have 39 chapters and all over the state.

We also have an associate with the Aktions clubs.



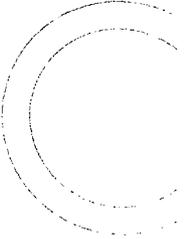
# Work Services and Employment Services at Wabash Center

Presentation to the DD Commission

By Jeff Darling, President

August 17, 2010

DD Commission  
Meeting 1  
August 17, 2010  
Exhibit 7



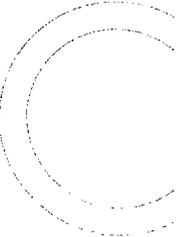
# Overview of Work Services

- Currently serve 139 consumers in Work Services
- Work Services not one service component, but two
- Workshop

- Contract work secured to provide opportunities for real work
- Focus on training for “soft employment” skills (pre-vocational)
  - Attention to task – stay at work station
  - Daily attendance
  - Social interactions with co-workers
  - Following direction
- Consumers are productive and earn a paycheck

## Community Based Work Services

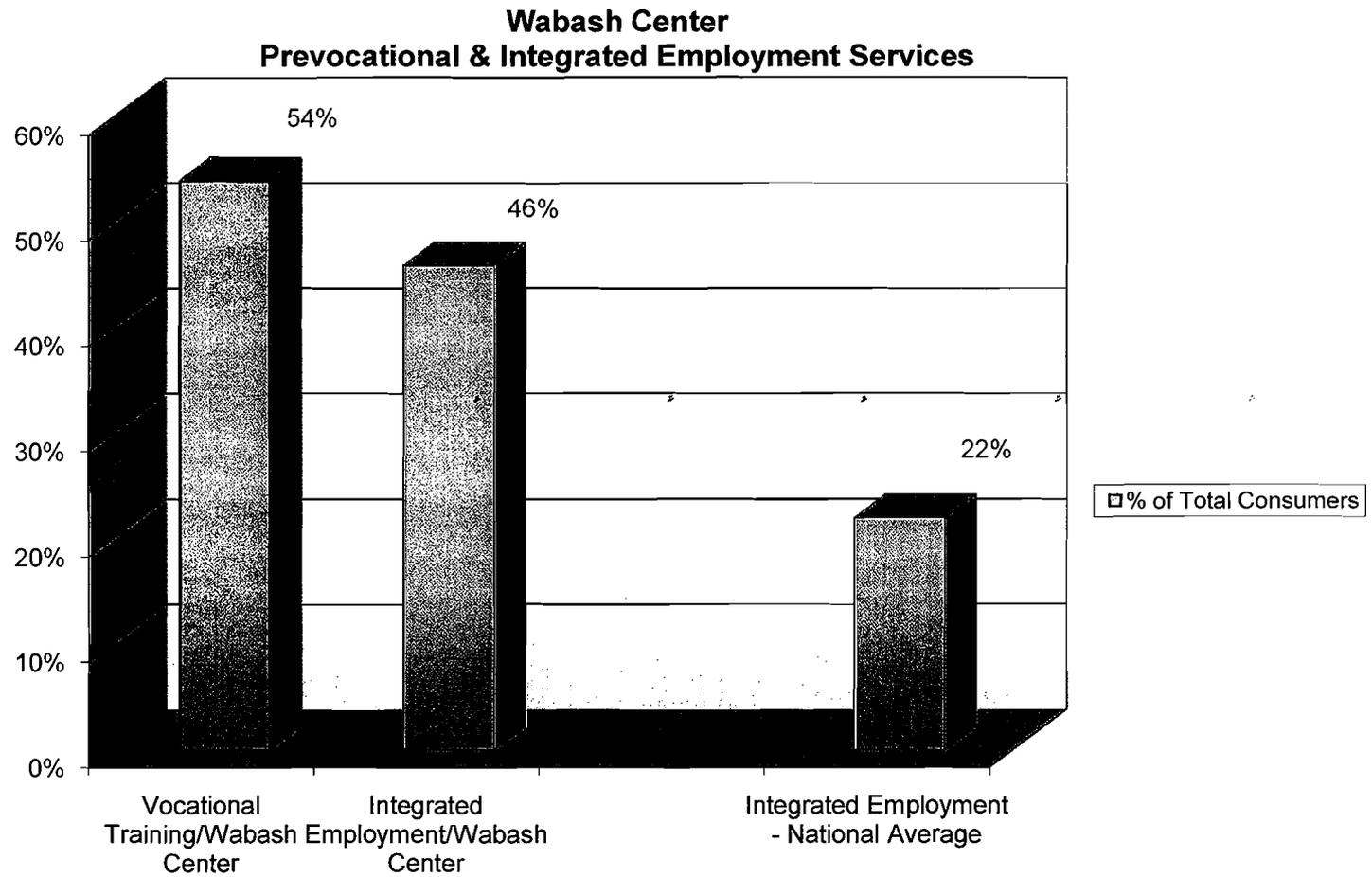
- Work crews embedded in area businesses
- Perform contract work
- Integrated work sites
- Supervised by trained Wabash Center specialist
- Expose consumers to competitive working conditions

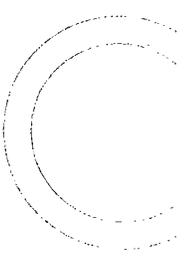


# Overview of Employment Services

- **Supported Employment**
  - Individual placement in competitive employment
  - Currently serve **80** consumers
  - **Supported by job coach**
    - Intense support during initial phase of employment
      - Paid for by Vocational Rehabilitation
    - Less frequent contact for the long-term
      - Supported Employment Follow-Along services
        - Paid for by Medicaid Waiver
      - Equates to long-term support in residential services

# Statistical Breakdown





# Dynamic Interaction

- Many consumers graduate from workshop to integrated employment
  - 15% to 20% per year on average
  - Less so in current business climate
- Reverse is also true
  - Many consumers fail in integrated employment
    - Offered opportunity to return to workshop
    - Keep honing those soft employment skills

# Sources of Reimbursement

