

March 8, 2012

**NDICC MEETING
MARCH 8, 2012
STATEWIDE VIDEO CONFERENCING**

APPROVED: 6.7.12

MEMBERS PRESENT

Shannon Grave
Nancy Skorheim
Jill Staudinger
Holly English
Jennifer Barry
Karen Tescher
Joe Elsberry

David Zimmerman
Allison Driessen
Stephen Olson
Amanda Lausch
Tina Bay
Jack Harasym
Carol Brakel

Staff Present:

Amanda Carlson
Roxane Romanick
Colette Perkins

Guests Present:

Kathy Lampmann, Nurse Health Consultant for North Dakota Child Care Resource and Referral

TOPIC: AGENDA

- No changes were made.

TOPIC: MINUTES

- Dec 2011
 - Page 2 –change "ally" to "tally"
 - Autism Waiver Update –consistencies to inconsistencies
 - A motion was made by David Zimmerman and seconded by Tina Bay to approve the December 2011 minutes with suggested changes. Motion carried.
- Jan 2012
 - A motion was made by Karen Tescher and seconded by David Zimmerman to approve the January 2012 minutes. Motion carried.

TOPIC: MEMBER UPDATES & ISSUES

- No updates from this morning.

TOPIC: PART C BUDGET REPORT

- A report was shown to the committee over polycom, but was not distributed. This received from fiscal on 1-31-12. The report showed what has been liquidated from the FFY '10 budget.

- A question was asked about Data Processing/ Operating – this is Therap costs. There was a cost of \$121,658. These costs are associated with Therap set-up and revisions. It was reported that the Division continues to be expanding and revising Therap fields and because of Part C regs there will be more charges.
- A question was asked about whether a budget amendment needs to be made to OSEP if needed. Answer: If a state stays within the category in the application or within a percentage, you don't have to do an amendment.

TOPIC: NDICC MEMBERSHIP UPDATES

- Roxane reported that the membership is almost filled. She has asked the Governor's Office to appoint Nancy Skorheim, but she hasn't heard anything official.
- There is only one open position which is for a parent from Devils Lake. Roxane and Allison visited and Allison has an idea. The parent has had to have a child in early intervention and under 12. Allison has a couple of names to submit to Roxane.
- We will be looking at reappointments in August.

TOPIC: DD SLOTS REPORT

- Traditional Waiver –At this time, 4094 slots have been used. Capacity is at 4,154.
- There are 135 slots reserved for children under 3.
- April 1, if they are active they will roll over when the new waiver year starts.
- 60 new slots for Feb and 58 were infant development.
- Tina noted that the Division is working with Therap to secure a better way to track the number of slots.
- Question was asked about how slot management is affecting the DD grants budget – Answer: When the waiver was developed, it was difficult to equate a dollar amount to a waiver slot. Now that services have been established and people know what services are available, DD grants is seeing higher usage and spending than anticipated. Slot dollar amounts are different depending on what services the person is receiving. There has been a significant increase in In-home supports.
- The Division has considered the issue of a child only using a waiver slot for a short period of time and whether or not it would be more appropriate to serve that child through Part C funding vs. putting them on the waiver. The Division is considering developing some guidelines regarding this issue.
- Question: When a child turns 3, is the Medically Fragile waiver considered? Answer: It should be considered during the transition discussion. Children cannot be under two waivers at one time such as the Hospice and MF waiver. It was noted that when the MF waiver was launched there were several referrals and kids didn't score high enough to be on the waiver. Karen Tescher noted that the Level of Need criteria has been reduced and ten additional points can be given for parent input on how the child's condition affects the whole family. She noted that there could be room to consider going to a different level. Karen noted that she believes that there are between 4 and 6 individuals on the MF waiver at this time. Max is 15 children.
- It was noted that there has been consideration of serving children who are only in EI for a few months with Part C funding vs. having them go on the traditional waiver. Comment: From parents' perspective there is an appreciation for the assistance that Medicaid can provide. The Medicaid is huge assistance for accessing private

therapies. Concerned about how these decisions may be communicated to families and that families may not know what all of their options may be.

- The Division noted that they will start building the budget for the next biennium in April, 2012.
- Comment: Parents don't know what they can have or what is available. This really is an issue for us. Information is withheld or not given out. Better to have families more informed. It is important to promote to the EI field that everyone carries their certain roles, but it's important for everyone to have the information and to work closely together.

Kathy Lampmann from Child Care Resource and Referral introduced herself and noted that she has a new emphasis of working with children with special needs. Kathy noted that she recently ran into a child under 3 with spina bifida in a child care setting who needed extensive supports. This example shows that there continues to be missing links and that health care plans in child care are critical. Presently, the health nurse consultants are providing indirect medical care and consultation and agency coordination.

TOPIC: GENERAL SUPERVISION WORK PLAN UPDATE

- The state team will meet next week with their national technical assistance partners from Mountain Plains Regional Resource Center and the Data Accountability Center. The APR was filed on time and now there is work being done on the 2012 application as well as ongoing monitoring activity. North Dakota discussed their extensive use of national TA assistance in their FFY '10 APR as OSEP wants to know that TA is being used when performance is below expectations.

TOPIC: COMMITTEE REPORTS

- Executive Committee – 1/10/12
The minutes were sent to members.
Purpose was to go ahead and inventory the bylaws.
- A work group met this meet to discuss the Legislative Event that the Council had talked. Allison reported that there is discussion about putting together a white paper on services for infants and toddlers. There was agreement to focus the event on infants and toddlers per se.
- No meeting has been scheduled for the early intervention subcommittee as we are still working with Outcome Tool publishers to get them set up to talk about the child outcomes tool.

TOPIC: AUTISM WAIVER UPDATES

- The waiver year runs from November 1st to October 31st of a given year. There are 30 slots available and currently 15 slots are being utilized. There is not a reserve capacity for this waiver.
- Roxane went through minutes and summarized the recommendations:
 - Side-by-side comparison/Development of family materials – Karen noted that there is a document that was put together by Medical Services. Roxane will get this and see if this would be helpful for family members.
 - Survey regarding eligibility determinations and timeliness – Roxane checked with Family Voices as noted in the December minutes. There was no

specific survey done. There are only anecdotal stories. Amanda and Tina reported that they are asking for clarification on whether or not the GPASS team evaluations can be used for the EDT evaluations since it is the same time of professionals performing both. Waiting for a response on this. Minot State has hired additional staff and is expecting to be caught up with outstanding evaluations/reports by the end of March.

- Modifications to the Autism Waiver – **Decision** to have the EI Services Subcommittee look at the various services covered under the Autism waiver.
- Opening up waiver for revisions - If the waiver is amended, it must be put out for public comment prior to submitting to CMS and then they have a 90 day calendar clock in which to provide the state with a response. CMS can then look at any issue within the waiver once it is opened up. It is uncertain at this time if the Division will do this. Information from stakeholders can also be used for the waiver renewal when it comes due.

TOPIC: LETTER REGARDING ESEA/IDEA REAUTHORIZATION

- No decision has been made - Division has not had an opportunity to talk about this letter.

TOPIC: LEGISLATIVE UPDATES

- The group discussed having an activity evening educational session. The group decided that the focus would be on what is available for families supporting their babies and toddlers in ND. Reviewed information from Zero to Three which provides many good statistics on infants and toddlers. Overall ND ranks 10th in child well-being for children birth to 3. Will be meeting in June prior to NDICC meeting.

TOPIC: APR UPDATES

- These were reviewed this morning.

TOPIC: DISCUSSION ABOUT BYLAWS VS. STANDARD OPERATING PROCEDURES

- A motion was made by Shannon Grave and seconded by Carol Brakel that we waive the 30 day notice since we missed it by only 2 days. Motion carried.
- One change suggested – no regulation in IDEA about having bylaws. This is advice and assist, no legal responsibility that we operate under bylaws.
- No changes made without simple majority.
- Page 1, I: add NDICC
- Page 1, II: added reauthorization statute
- Page 1, III: advise and assist and suggest advice and assist lead agency, which is Dept of Human Services. We cannot advise those agencies as we have to direct link to those agencies. Does not preclude us from adding language that would be more collaborative. Will leave the Birth to 5 language as it allows us to consider options of services and supports through transition.

- Page 3, V.A.1.m: adding ICC member – position reserved for individuals who are native American, **recommend** that we do not add a position but attempt to create a representiveness through all other positions we have.
- Page 4, V.A.3: terms for office – had to assign shorter terms, not allowed in bylaws and new language added to give us some flexibility. There had been no guidance on reappointments – contact and ask if you want to continue and if approved forwarded to governor for reappointment. There are times that the Governor’s Office has asked the Division for additional names for reappointment.
- Page 4, V. B. 1: changed the start of the new chairs and vice chairs to Oct 1. Did work on elections on the last revisions.
- Page 5, V. C: Question about whether or not we will be able to get rooms at state rate in the future. This is becoming more difficult as rooms fill up and there is less availability. Suggestion that the meetings could potentially be held outside of Bismarck. The Division will talk with DHS’s CFO about whether or not lodging can be paid above state rate.
- Page 5, VI. B. 1: Simple majority will be needed to revise the standard operating procedures.
- Page 6, VI.C. 1: Public announcements – talked about that this morning.
- Page 6, VI.E: No substitution for purposes of voting. Add; other individuals are able to attend the meeting to provide (with the council’s approval) or gather information.

A **motion** was made by Joe Elsberry and seconded by Karen Tescher to approve suggested changes to bylaws and that they would now be called Standard Operating Procedures. Motion carried.

TOPIC: PART C APPLICATION/PUBLIC COMMENT – any remaining items

- Jan 20 to March 20 public comment.
- Public hearings were held on Feb 21 and Feb 23.
- State office has received 3 to 4 emails regarding public comment at this time.

TOPIC: NEXT MEETING

- June 7, 2012 at Prairie Hills Plaza
- Roxane will send an email to members that need a motel room: Jackie H, Nancy S, Shannon G, Stephen O, Carol B, Allison A-D
- Possible agenda topics: Report and discussion on Right Track – how many screened and how many have been referred – look for a Right Track family story; Transition Guideline Update; regional provider updates; outcomes – early intervention services subcommittee; EDT Team and assessment plan.