



**Department of Economic Security
 Division of Developmental Disabilities (DDD)
 District West Independent Oversight Committee (IOC)
 Public Meeting Minutes**

Meeting was conducted by Virtual format Only due to COVID-19 concerns

August 25th, 2020

5:30 pm – 7:30 pm

Call to Order	De Freedman
Start Time	5:42 pm
Facilitator	De Freedman
Liaison & Note taker	Jeffrey Yamamoto
Attendees	<p>IOC Members Present by Phone: Diedra (De) Freedman, Cynthia Macluskie, Bernadine Henderson, Pat Thundercloud, Julie Heineking, Brad Doyle</p> <p>IOC Members Absent: Pamela Grady, Laurene Zemis</p> <p>Division of Developmental Disabilities (DDD) Staff: Jeffrey Yamamoto (DDD IOC Liaison) Ryk Scott (DDD Quality Improvement) Desi Preciado (DDD Benefits coordinator)</p> <p>Arizona Department of Administration (ADOA) by phone: Larry Allen</p> <p>Health Plan IOC liaisons by the phone: Sophie Legaspi- United Health Care, Janet Holtz- Mercy Care Liaisons</p> <p>Public- Julie Arrington (possible member)</p>
Agenda Topics	Call to Order, Welcome and Introductions, Call to Public, ADOA update, Healthcare liaisons update, Discuss Over-Resource report, Discuss cross agency IOC meeting, IOC liaison update with DDD Staff update, Review and possible action on membership, Discussion and review of Incident Reports (IRs) and Behavior Plans (BP).

Call to Order

De Freedman

Discussion	De Freedman called meeting to order at 5:42 PM Meeting was conducted by Virtual format Only due to COVID-19 concerns
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Welcome and Introductions

Committee

Discussion	<p>The Independent Oversight Committee (IOC) members introduced themselves. Diedra (De) Freedman, Cynthia Macluskie, Bernadine Henderson, Julie Heineking, Brad Doyle, Pat Thundercloud,</p> <p>Division of Developmental Disabilities (DDD) Staff: Jeffrey Yamamoto (DDD IOC Liaison) Desi Preciado (DDD Benefits Coordinator) Ryk Scott joined later (DDD Quality Improvement)</p> <p>Health Plan IOC liaisons by the phone: Sophie Legaspi- United Health Care, Janet Holtz - Mercy Care Liaisons</p>
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Call to Public

De Freedman

Discussion	<p>De Freedman: Announced for Call to the public, Julie Arrington (potential new member) introduced herself and gave comment. She is an accountant for several DDD group homes and agencies. She commented that the providers find it hard to follow the policies and rules for maintaining and billing the Division. Also, for new contracts to be awarded there is considerable efforts to get one. Her firm made a guidebook for those who want to pursue contracts with DDD. She would like to see an easier way to apply for DDD contracts. De Freedman wanted to inform Julie that the purpose of this IOC is to review IRs and Behavior plans for human rights violations. And while it would be great to have someone represent from the provider side of DDD. Contracts and policies typically are not the issues that this IOC is charged with overseeing. If she were to become a member, she would need to recuse herself from any client involved IRs and that would be up to Jeffrey to sort out the assigned IRs to ensure that did not happen. Pat Thundercloud commented that would she be eligible to become a member since she works with DDD. Jeffrey pointed out that she works independently of the providers helping in accounting matters and it should not violate the no DDD provider as a member rule. Larry Allen concurs with this statement. If Julie is to become a member her review of IRs will be selected for her, so she is not at risk of conflict of interest.</p>
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ADOA Liaison Update

Larry Allen

Discussion	<p>Larry Allen: Said that he did not have any real updates for the committee. Jeffrey Yamamoto did bring up the matter that he and ADOA are trying to bring the IR system to a digital format. This is where the committee members can log into a secure server and review only the IRs that they have been given permissions to review. This would keep the committee up on current redactions and save on the printing and labor</p>
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	costs associated with printing the Incident reports monthly for the committee. AHCCCS and DDD will be working together to try to get this done.
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Health Plan Update

Sophie, Janet

Discussion	<p>Sophie Legaspi with United Health Care Community Plan (UHCCP): Began that she did not have much updates. She is reporting that UHCCP is still providing member outreach during the COVID-19 crisis. She mentioned that the Augmentative and Alternative Communication devices authorization and distributions from DDD will be transferred to the integrated health plans. She sent out the announcement for the DDD liaison to distribute. De Freedman asked about if the Health Plans will utilize the same criteria for "medically necessary" as DDD did in the past for approval of Augmentative Communications devices. Sophie was not sure but will take it down and report it upwards to her leadership.</p> <p>Janet Holtz with Mercy Care: Added Mercy care continues to keep helping with assigned case managers to aid the members with COVID-19.</p> <p>De Freedman- informed the health plans that a member not in West, was denied hours for services not due to individual necessity. De will provide all her contacts with the health plan liaisons numbers to make sure that the member knows that it's their medical necessity and not a formula for their service hours. She also wanted to thank Mercy Care on the helping of COVID necessary supply chains to group home and their donations to their members. Cynthia Macluskie wanted to thank both health plans for their help for her organization and for the picking up the Augmentative service contract from DDD.</p>
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Discussion Over-Resource report

Desi Preciado

Discussion	<p>Desi Preciado: Stated that she was asked to talk about the benefits portion of her job. She is an advocate of the Achieving a Better Life Experience (ABLE) program and there were questions about the over-resource reporting of members. Over-Resource is when a member is over the \$2000 personal limit that keeps the individual completely covered by DDD through Arizona Health Care Cost Containment System (AHCCCS). She reports that she is working with all the members but specifically a member in District West which is over-resourced for some time now but continues to receive benefits. She is working with the family to come up with a way to put the money somewhere. This will end up in a special needs trust. She asked the committee if they had any questions for her.</p> <p>Cynthia Macluskie asked that for members who maybe fathered in for Social Security Disability Insurance (SSDI) under their parent's work, that are still exempt from the Over-Resource are still occasionally being dropped benefits by AHCCCS. Is there a code that can be used by DDD to</p>
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show that they are exempt from the over-resource policy? **Desi Preciado** stated that she did not think there was a different code. If there was a specific member that it is happening to, she would like to try to get something in the file for the member, so it does not happen again. Otherwise she will check for the overall if there can be put in a designation to reflect the exemptions. **Brad Doyle** asked if she sees that there is an under representation of legal guardians being appointed. He sees many members who are their own guardians who would benefit from a conservator or guardian or a public fiduciary. **Desi Preciado** says this is a problem. The problem is the members need to have someone set up the ABLÉ account but is limited to specific people. Public Fiduciary is limited to those members who do not have someone looking out for them. This negates a lot of members who have supports. This is a legal issue due to the courts having to determine that a member needs a guardian and that is not always done. **De Freedman** stated that the "Federal Stimulus check" is exempt from the over-resource limit. She said that those members who may have received the money would have exemption for one year but would need to spend it down within that time. Her question is DDD being pro-active to ensure that those members spend it down throughout the year and not be caught at year end with a large purchase. **Desi Preciado** said that for District West there are about 100 members who received stimulus checks and that she did not know of any specific programs offered to give the members or Support coordinators reminders or information to spend the money. DDD Client Funds would oversee that portion of this situation. She will investigate it and report it back to the DDD liaison.

De Freedman asked if Desi could answer something from the Justice side of DDD. She asked if a member is incarcerated and is COVID positive are they still being segregated from the both the general population and the medical population. What precaution is the jails doing to mitigate the spread. **Desi Preciado** said that unless the member informs DDD of a positive result DDD is not informed of any testing data from the jails. Sometimes members may not show up on her incarceration report. If that occurs the jails may not inquire on the DDD status and the member may end up with the general population. If DDD does not follow up on the incarceration report then standard incarceration protocols will occur with the member. If the jail recognizes the individual members are displaying behaviors, they may segregate while they investigate if member is DDD.

De Freedman expressed that she finds it disturbing that the Dept of Corrections and the county Sheriff's dept do not automatically put any DDD member in a segregated unit due to their vulnerability. **De Freedman** asked **Pat Thundercloud** if she had any specific questions for the benefits coordinator. Pat did not have any questions for the over-resource reporting but echoed De on the fact that DDD needs to develop a system for the jails to identify DDD members and treat them accordingly. **Desi Preciado** mentioned that Serious Mental Illness (SMI) will trigger the jails for exceptions to put in a separate area. Desi is trying to make sure that the jails know to call after hours and weekends numbers to verify for DDD members. Those members are able to be on a diversion program for their crimes.



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Update cross agency IOC meeting

De Freedman

Discussion	<p>De Freedman began by stating that this is a continuation of the meetings set up in January and that they received some flowcharts on what happens when an incident is reported and a flowchart on what to do in case of abuse, neglect and exploitation. They discuss the merits of both charts. They also gave comments to what needed to be added and subtracted from the charts. De found the IR flowchart too complicated for members but possibly may work for staff and families. The cross-agency IOC meeting will try to work on meeting once a quarter to help each other in their long-term goals. De’s recommendation to the cross-agency IOC was to have one point of contact of Abuse, Neglect and Exploitation.</p>
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DDD Staff and IOC Liaison update

Jeffrey Yamamoto

Discussion	<p>Jeffrey Yamamoto: The IOC meetings will be conducted by teleconference until DDD determines that it is in the best interest to have face to face meetings again. Jeffrey did confirm the effort of DDD and ADOA on the movement of IRs from paper to digital (See ADOA update for more detail.) Jeffrey informed Ryk that IRs are to be printed when the point person from redactions emails from this person. Jeffrey was asked and will invite Delorah Grant, Mary DeCarlo and Amy Rose to the next meeting.</p>
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Discussion, Review of Incident Reports (IRs) & Behavior Plan (BP)

De Freedman

Discussion	<p>Quality Improvement (QI) Ryk Scott. Ryk was available to take questions. Bernadine Henderson brought up the question of the Day Treatment Programs for Adults (DTA) do not appear to be following the members goals and documenting their achievements. De Freedman asked about what is happening to Quality with Liberty. Ryk will ask Delorah Grant to the next meeting to answer questions on Liberty taking over Quality.</p> <p>Incident Reports: June IRs Total__921____ Open__156____ Closed__765_</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #e0e0e0;">Type</th> <th style="background-color: #e0e0e0;">Open</th> <th style="background-color: #e0e0e0;">Closed</th> </tr> </thead> <tbody> <tr> <td>Accidental Injury</td> <td align="center">6</td> <td align="center">67</td> </tr> <tr> <td>Client Missing</td> <td align="center">10</td> <td align="center">7</td> </tr> <tr> <td>Deaths</td> <td align="center">3</td> <td align="center">9</td> </tr> <tr> <td>Emergency Measures</td> <td align="center">2</td> <td align="center">16</td> </tr> </tbody> </table>	Type	Open	Closed	Accidental Injury	6	67	Client Missing	10	7	Deaths	3	9	Emergency Measures	2	16
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	Human Rights	3	3
	Legal	4	5
	Medication Errors	24	59
	Neglect – Potential & Imminent	24	38
	Other Abuse – Sexual, Verbal & Emotional	2	5
	Other – Behavior	3	265
	Other Injury Unknown – Hospitalization	64	273
	Physical Abuse	8	13
	Property Damage	0	0
	Suicide	3	5
	TOTALS	156	765

All 156 of the “Open” IRs will be sent to attending members to their residence.
 Number of Questions for QA: will forward to Ryk Scott
 Number of Behavior Plans turned in by IOC Members: 0
 Number of New Behavior Plans given by PRC: 0

Meeting was called into Executive Session

De Freedman

Discussion	<p>De Freedman asked for meeting to be called to Executive Session to discuss a Behavior Treatment Plan from Bernadine Henderson. Pat Thundercloud Motioned to move meeting into Executive Session Bernadine Henderson seconded the Motion. All attending members agreed. The Committee went into Executive Session at 7:10pm.</p> <p>The meeting was called out of Executive Session at 7:26pm to adjourn the meeting.</p>
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Adjournment of meeting

De Freedman

Conclusion	<p>Jeffrey Yamamoto for De Freedman adjourned meeting at 7:26pm, the next meeting will be held on Sept 22nd, 2020 at 5:30pm by Teleconference</p>
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