



**Arizona Department of Administration
Arizona Department of Economic Security
Division of Developmental Disabilities**

**Statewide Independent Oversight Committee Meeting
Meeting Minutes**

January 15, 2019 - 10:10am to 12:10pm
5328 E Washington St, Building C, Phoenix, AZ 85004

Welcome and Introductions

Present In-Person:

- **Suzanne Hessman** (District East Chairperson)
- **Lynda Stites** (District South – Tucson Chairperson)
- **Karen Van Epps** (District Central Chairperson)
- **Larry Allen** (ADOA Independent Oversight Committee Manager)
- **Jeffrey Yamamoto** (DDD IOC Liaison)
- **Eric Houghtalin** (DDD IOC Liaison)
- **Richard Kautz** (DDD Chief Advocate)
- **Barbara Picone** (DDD Program Manager)
- **Mary DeCarlo** (DDD Behavior Analyst and PRC Administrator)

Present by Phone:

- **Zane Garcia-Ramadan** (Interim Assistant Director of DDD)
- **De Freedman** (District West IOC Chairperson)

Public Attendance: None

DDD Updates: Assistant Director Zane Garcia-Ramadan

Zane Garcia-Ramadan: Advised that he will be available for the next quarterly meeting for more detailed updates. Updated the committee about changes of leadership. The current Interim Director of the Arizona Department Economic Security is **Dr. Cara Christ**. He advised that once a permanent Director can be hired for DES that the new Director will be able to hire a permanent Assistant Director for DDD. He expressed the concern that there have been about five Assistant Directors in the last three years. He advised that this isn't good for the furthering of the mission and vision of the Division. He



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noted that the leaders below the Assistant Director level has been quite stable and long-standing. He advised that he is seeking the council and direction of the leaders that they already know to make his decisions. He apologized for any slow communication regarding the changes of management. Advised that we are working to become open and transparent as a division. He thanked **Karen Van Epps** for forwarding the IOC Annual Reports to him. He thanked all of those present for the work that was being done to meet the health and safety needs of the members. He advised that he would like to give a more in-depth update in the future.

Suzanne Hessman: Thanked **Assistant Director Garcia-Ramadan** for his updates. She also advised that they will be looking forward to his input the next statewide IOC meeting.

De Freedman: Asked about an email that District West sent to his predecessor, **Cheryl Lovell** that documented the lack of communication with **Barbara Crawford**, District Area Program Manager. She advised that they are still waiting for a reply.

Zane Garcia-Ramadan: Advised that he hadn't read the email but was aware of the concern. He added that both Barbara Crawford and Leah Gibbs, Community Outreach Manager and OIFA Administrator, will be attending the next District West IOC meeting. He said that he agreed that, at minimum, staff responses should happen.

Karen Van Epps: Advised that the letter in question was included in the IOC Annual Reports.

Zane Garcia-Ramadan: Replied that he read it in a PDF document and wasn't aware that it was an email at first.

De Freedman: Added that the reason that the email was added to the annual report was to try to get a response when there was nothing coming from DDD management. She advised that they believed that this is the only way that the concerns will get addressed.



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Call to the Public

No members of the public were present at the meeting.

Arizona Department of Administration Updates

Larry Allen: advised that the statewide reports are being published soon. He announced that he received two more this morning. He hopes to have that done by tomorrow. He advised that Director Tobin has been pretty busy but should have approval within the next 48 hours. They are waiting for the IOC manual to be approved. He advised that they are excited about the taskforce meeting tomorrow. He advised that there have been some resources such as trainings. He noted that he would like to have a symposium of IOCs to help get everybody doing the same thing statewide. Advised that they have revamped the website recently. They set up a master calendar for all of the IOCs in the state. He added that Jeffrey Yamamoto was now an article 9 trainer for the Division. He brought recruiting pamphlets for IOC members to pass along. He added that he believed that **Veronica Peralta** sent an email to the Chairs about business cards. Mentioned the newsletter and asked that the committees send them content.

Karen Van Epps: Thanked Larry Allen for the information sent to her. She advised that she used it already.

Larry Allen: Advised the rest of the Chairs that he would be happy to send the information to them.

District Updates

District Central

Karen Van Epps: Advised that she saw an article about a member that was murdered. She asked if CPES held any type of meeting or review. She gave some details about the case. She asked if this was the biggest coverup ever. She sent the story to **DES Interim Director Dr. Crist** and other leaders.



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Barbara Picone: Advised that it was in District East. Added that there were a couple of incident reports around the incident. She advised that committees to reach out to the current QIM in District East for more information.

Suzanne Hessman: Added that death incident reports frequently lack details. She noted that so much was redacted.

Karen Van Epps: Gave more detail about the incident to the committee. She asked what if anything was done. She also recounted another incident about another member that died after suffering a broken arm. She advised that the Division did nothing.

Barbara Picone: Advised that the committees should elevate the concerns that they have. She advised that the first case was already elevated to the District East Quality Improvement Manager for them.

Karen Van Epps: Asked what happened to the agency.

Richard Kautz: Added that any reporting that she may have read in the news may have only the side of the member's mother.

Karen Van Epps: Answered that the member was dead.

Richard Kautz: Replied that he got it but that there was likely more information than was being presented in the article. He noted that with **Joan McQuade's** (District East QIM) involvement that more information may become available.

Karen Van Epps: Added that she already sent this up to **David Blount** and he wasn't aware of the incident.

Barbara Picone: Added that the question was about CPES and that is the question that she should be asking.

Karen Van Epps: Noted another article from Washington state about an elderly developmentally disabled person being prepped for a medical procedure and being given vinegar (killing the individual). She advised that the state covered that up until they were sued.



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De Freedman: Advised that there was a conference being held by Adult Protective Services (APS) on the 23rd.

Karen Van Epps: Reminded the committees that APS only substantiates 2% of all cases. She wants to see incidents that are at least acknowledged for the purposes of creating a record of the needs.

Suzanne Hessman: Added that doesn't take away the incident. The report is still filed and can be addressed in risk factors of the annual planning document (formerly Individual Service Plan).

Karen Van Epps: Added that the information is needed to add to the planning document under social history and risks.

Suzanne Hessman: Replied that was up to the team and there are no limits to what can be placed on the annual document. She advised that she would like to see a watch-list for providers that are offenders.

Lynda Stites: Added that redaction was a problem.

Karen Van Epps: Advised that she brought up the issue with **Arizona State Rep. Barto**.

Lynda Stites: Advised that offenders are being protected. She added that is beyond the redactions.

Suzanne Hessman: Added that there isn't enough information on the incident reports.

Karen Van Epps: Stated that she was in a PRC when the case of a young female member was brought up. She stated that the agency told her that they hadn't run the program because "she was doing so well that we didn't have to." She followed up with the agency and reported that an employee she spoke with said that the company hasn't been doing the plan and she has reported it.

De Freedman: advised that individuals are held accountable for personal responsibility. She noted about 250 DDD members in jail or prison. She advised of a case of a member that was taken to a children's restaurant. This member sexually assaulted a toddler and ended up in jail. The member was incarcerated for about six months. Once the member turned 18 years old, he was moved to a more reasonable facility.

Karen Van Epps: added that there is little accountability. She noted that she was referring to people that are completely aware.



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De Freedman: advised that they are getting a report of what members are in jail.

Jeffrey Yamamoto: added that only District West is getting that report.

Suzanne Hessman: asked Jeffrey Yamamoto to share the report with District East as well.

Karen Van Epps: She added that she would want to see a DDD staff member to visit the group homes on a regular and unannounced basis in a friendly manner so that the members can open up if there were issues. She advised that once a year monitoring is a joke.

Suzanne Hessman: Added that this would give member resources.

Eric Houghtalin: Asked about the conversation with **David Blount** about staggering oversight and annual reviews.

Karen Van Epps: Answered that they would only be once a year as all of the group homes are getting the points required to remain annually reviewed. She noted that this was just a check off. She advised that District Central hasn't met since November.

Lynda Stites: Added that if the employees of DDD were to go in from a positive standpoint and offer them resources and not just be there to criticize them for doing wrong will change the dynamic.

Karen Van Epps: Asked that the committees brainstorm ideas to improve oversight (as noted by **Rep. Barto** below).

Suzanne Hessman: Mentioned that she will reach out to Quality Improvement.

District South (Tucson)

Lynda Stites: Advised that they hadn't held a meeting since the beginning of December. She noted that the committee has recently lost two members and that they are recruiting to get back up to full membership. She advised that she submitted her resignation and that **Jessica Richards** will become the Senior Co-Chair.



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District West

De Freedman: added that they hadn't held a meeting in a couple of months. She added that she had a number of questions but that she felt that the answers may take longer during the holidays. She noted her frustration with the lack of representation by the Area Program Manager and Quality Improvement Manager. She noted that they currently have eight members and talked about the individuals. She added that they voted out two members due to loss of contact over the last year. She detailed the members of the team and their talents. She asked Leah Gibbs to show them how to become a model IOC.

Suzanne Hessman: added that **Leah Gibbs** is a great resource.

Jeffrey Yamamoto: Stated that he just met with **Leah Gibbs** within the last 48 hours and that she confirmed her attendance for the District West meeting on the 28th.

De Freedman: Added that the support from Downtown has been great. She advised that **Jeffrey Yamamoto** does good work for her committee but the at he can only do so much when District West leadership is not cooperating.

Lynda Stites: Advised that District South Tucson is having some of the same issues.

Suzanne Hessman: Added that can be very frustrating.

Karen Van Epps: Added that **Rep. Barto** is suggesting that they need contacts from upper management to assist with the issue.

District North and District South (Sierra Vista)

Eric Houghtalin: advised that District North recently lost a member, **Theodore Garland**, and is currently at seven members. He added that his mom may have interest in the committee. He noted that District North is currently back to seven members. He also added that District South Sierra Vista is working on a recognition program for providers that excel at their work. He noted that they are working closely with Cochise College to provide scholarships and training programs. It was noted that the idea was to push members to become management and affect better outcomes for more people.

Lynda Stites: Stated that they should do something like this too.



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District East

Suzanne Hessman: advised that they currently have 13 members. She advised that they now have a nurse to fill the medical requirement. She advised that DE has a new PRC Chairperson. She noted that she was upset that the new Chair was trained by the DW PRC Chair.

Karen Van Epps: Advised that the committees should ask for the files well ahead of the meeting.

Mary DeCarlo: Advised that the administrative assistants will be instructed to push the plans to the committees quickly. She also advised that she is holding a two-day training for all PRC Chairs to ensure everybody is on the same page. Advised that the support coordinator for the members should be at the PRC. She noted that they don't want fill ins.

Karen Van Epps: Added that third party companies have been writing some of the behavior plans. She feels that the plans should be written by someone that knows the member and that the author should show up to the meeting. She also stressed that the author should be present at the PRC as well, but she has been getting some push back from the vendors telling her that they can't spare the employee from work to attend the meetings.

Suzanne Hessman: Asked why there weren't evening PRC meetings. She stated that should be an accommodation that could be made.

Karen Van Epps: Answered that the same people are coming to the annual meetings during the day. She asked why they can't make it to the PRC meetings.

Mary DeCarlo: Advised that these are some of the changes that are being made. She affirmed both **Karen Van Epps** and **Suzanne Hessman's** questions/statements. She said this was all good feedback for her to work with as she works with the PRCs.

Suzanne Hessman: Added that there needs to be an assurance that parents and guardians are being notified of the meetings.

Mary DeCarlo: Stated that within the last week, an email was sent to support coordinators advising them that they are required to attend PRC meetings and should not be sending anybody else to cover for them.



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Karen Van Epps: Pointed out that there has been a constant stream of this in District Central.

Eric Houghtalin: Advised that as of just a couple of months ago, there was a 40% vacancy rate in District Central support coordination units on average. He advised that will lead to a lot of fill-ins for now.

Karen Van Epps: Advised that they need to make PRC important.

De Freedman: Added that PRC attendance by phone or other electronic means eliminates the excuse for missing the meetings.

Statewide Stakeholder Meeting with State Rep. Nancy Barto

Karen Van Epps: Advised that **Rep. Barto** emailed her last night asking how they can add more oversight (legislation). She noted that the need was strong in vocational rehab. She added that members are dropped (from VR) if they can't get a full-time job. She noted that some are having difficulty with the interviews (mostly with autistic people). She advised that redaction of incident reports is an issue. She added that she believes that there is no need to redact information. She acknowledged that there was one incident that a member of an IOC leaked information in the past.

Lynda Stites: Added that her member niece just got a new job.

Mary DeCarlo: advised that members can ask for a reasonable accommodation can be made for interviewers.

Please see District Updates as this topic was covered at two different times during the meeting.

Article 9 Discussion

Mary DeCarlo: advised that she was the new head of the Program Review Committees (PRC Administrator) statewide. She added that she was a Board-Certified Behavior Analyst (BCBA). She



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advised that she is supported by a team of behavioral health professionals at the central office. She added that she would be providing more clinical oversight in the PRC. She also noted that once the article 9 is re-released for public comment that she would email **Eric Houghtalin** the link to forward to the committees. She advised that the current timeframe was for a mid-February or early-March release.

Suzanne Hessman: Asked what it was administratively that she would be doing.

Mary De Carlo: Advised that she had been attending PRC meetings in the districts, providing technical assistance to the vendors, auditing PRC plans that have been approved, pushed back approved plans that needed attention, and ensuring health/safety/best practices are being utilized.

Eric Houghtalin: Asked if **Mary DeCarlo** was still part of the Article 9 planning.

Mary DeCarlo: Advised that the meetings to develop the new article 9 will resume Friday. She advised that it is currently be revised. She added that she wasn't sure what the Assistant Director shared with the committee prior to her arrival.

Suzanne Hessman: Stated that **Zane Garcia-Ramadan** was not able to give any article 9 updates considering the time he had available. She asked what the agenda or time frame is now.

Mary DeCarlo: Answered that, originally, they planned to get it out by October 2019. She advised that, with the changes, it was held at the executive leadership level for a while. She added that they have two four-hour meetings over the next two Fridays. She anticipates getting it signed by executive leaders soon after that.

Karen Van Epps: Asked if PRC would have a template that was standard.

Mary DeCarlo: Advised that she was working on a standard template as a part of the entire PRC overhaul. She added that data sheets and behavior treatment plans would be standardized. She advised that they would like to get away from "so and so will self-calm" as she noted that was 80% of the goals on plans. She advised that she doesn't have a ton of details to pass along.

Richard Kautz: Told **Mary DeCarlo** that he was happy to see her at the IOC meetings because the committees have been pushing and pushing. He welcomed her to future meetings and invited her participation.



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Mary DeCarlo: added that she is open to committee feedback.

Karen Van Epps: added that all DDD employees have to be trained in article 9.

Abuse and Neglect Prevention Taskforce Discussion

De Freedman: Advised that the report was made public in November. She noted that there are two specific action items for IOCs. Advised that there is a scheduled meeting Friday to determine how that looks.

Karen Van Epps: Said that she wasn't comfortable with who comes to interview members when there is an incident. She advised that most of the IRs are unsubstantiated or that the organizations say that the member is known to lie.

Richard Kautz: Noted that feedback that Adult Protective Services gave was that the term validation should be used more and less use of substantiated and unsubstantiated.

Karen Van Epps: Advised that DDD used to have an investigative person.

Barbara Picone: Noted that Adult Protective Services won't come out and that they could reach out to Quality Improvement upper management.

Eric Houghtalin: Advised that he sent an invitation for a District Central IOC meeting to APS but that it was denied.

Lynda Stites: Suggested a liaison between APS and DDD would be helpful. She suggested that APS is not forthcoming about dispositions. She called it a black hole for information.

De Freedman: Stated that she didn't sit on the taskforce but on the workgroup. She added that she sat on the taskforce agency alignment workgroup. She noted that they are providing a comprehensive framework. She mentioned that one of the reasons APS only substantiates only 2% of the claims is that the bar is very high to qualify. She would like to see language between unsubstantiated and substantiated. She suggested that more likely than not might be a good term.



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Karen Van Epps: Added that the bar that they use is “can it go to court and win?”

Lynda Stites: Asked De Freedman if it fails to meet the bar (burdon of proof) that there should be verbiage to acknowledge the incident so that it can be recorded and tracked.

De Freedman: Answered that was what she was saying. She stated that one would think that this would fall under the Quality Improvement. She noted DDD QI involvement with an outside contractor (she thought it was called Liberty Group) soon. She is hoping that the Division will come up with a new system. She acknowledged that there may not be full access to the other state agencies but that she would like to see better communication. She added that she is hoping that there is a revision of the system. She noted that Quality Improvement stated that they can’t communicate with the support coordinators.

Eric Houghtalin: Added that **Barbara Picone** communicated with him when he was in support coordination all the time.

De Freedman: Added that the SCs need to use dispute resolution skills to address issues but this cannot happen if there’s no communication between QI and SCs.

Barbara Picone: encouraged committee chairs to reach out to **David Blount** to rectify this situation. She noted that it is a systemic issue.

De Freedman: Advised that **Delorah Grant** is now the QI Manager for District West. She added that **Delorah** has more than 20 years of DDD experience. She noted that she is doing the work around and relying on her relationship with support coordination staff to get messages to individual SCs.

Barbara Picone: Reemphasized that contacting **David Blount** was important for this reason.

Office of Individual and Family Affairs DDD Updates

Richard Kautz: advised that he was grateful for the work the Chairs put in on the annual reports. He thanked **Eric Houghtalin** for helping with the District North annual report. He added that the Liaisons were still actively recruiting. He thanked **Lynda Stites** for her years of service to the IOC.



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Eric Houghtalin: Reminded the committee that he and **Jeffrey Yamamoto** would be happy to send out letters or reach out on their behalf.

Suzanne Hessman: added that she wished to thank **Jeffrey Yamamoto** and **Eric Houghtalin** for their work with the committees. She added that for her committee prior to the Liaisons, she put in more than 20 hours per week for her committee alone.

Barbara Picone: gave an update of how the HERO unit became the Office of Individual and Family Affairs. She addressed the positions within the department (see attached document).

Roundtable Discussion

Roundtable items were covered during the district updates.

Next Meeting Date/Time/Facilitator Discussion

The committee Chairs agreed that next statewide meeting will take place on April 15, 2020 at 10:00 am. **Karen Van Epps** will facilitate the next meeting.

Adjournment

The meeting was adjourned at 12:10 pm by **Suzanne Hessman**. The next meeting will take place at 5328 E Washington St, Building C, Phoenix, Arizona 85004 on April 15, 2020 at 10:00 am.