

Independent Oversight Committee

DISTRICT EAST

July 1, 2022-June 30, 2023

ANNUAL REPORT

Division of Developmental Disabilities

**Prepared by Suzanne Hessman, Chairperson and Sarah McGovern, Vice-Chairperson  
on behalf of the Independent Oversight Committee District East**

Each committee shall provide independent oversight to:

- Ensure that the rights of clients are protected.
- Review incidents of possible abuse, neglect, or denial of a client's rights.
- Make recommendations to the appropriate department director and the legislature regarding laws, rules, policies, procedures, and practices to ensure the protection of the rights of clients receiving behavioral health and developmental disability services.
- Each committee shall issue an annual report of its activities and recommendations for changes to the ADOA Director, the Director of the Department of Economic Security, the President of the Senate, the Speaker of the House of Representatives, the Chairpersons of the Senate health and human services committee and the House of Representatives health committee, or their successor committees.
- Approve the use of sedation for medical and dental procedures as needed for members living at ATPC on an annual basis.

Our primary efforts have been focused on reviewing Incident Reports given to us by DDD Quality Management and Behavior Treatment Plans submitted to DDD, that have been approved by Program Review Committee for DDD, for individuals who live in a DDD residential setting and are taking any medication(s) that assist in behavior modification.

We look at data trends regarding providers and the number of incidents they report in a month, we also look at individual members and the number of incidents they have in a month to see what resources need to be extended to them or action taken by the team to improve the quality of life.

## **Membership**

Suzanne Hessman – Chairperson – Parent/Advocate

Sarah McGovern – Vice-Chairperson – Parent/Social Worker/Parent Educator

Elizabeth Bird – Parent

Kin Counts- Parent

Tonia Schultz NON-VOTING MEMBER ATPC

Yolanda Huynh

Teresa Brooks -Parent

Aimee Johnson

Rebekah Giglotti (new member as of 1/11/2023)- registered nurse

### Resigned/Retired Members:

- Sophie Stevenson (Resigned 10.17.22) She had been out on medical leave.
- Susan Kingsbury Resigned 12.31.22) No reason given.
- Amanda Godek (Resigned 9/20/22) Cited conflict of interest.

Per ARS 41-3801 our committee is to be comprised of at least seven and no more than fifteen members with members having expertise in the following areas: psychology, law, medicine, educator, special education, social work, criminal justice and at least two parents of children who receive services from DDD.

Our committee is made up of volunteers who mostly are employed full time, primarily parents who have family members receiving a variety of services from DDD. Dedicating the time necessary to participate on the committee has been a strain at times on our members; however, they chose to serve regardless because they want to make a difference. We have lost many members over the years due to the feeling that we are not accomplishing anything that improves the lives of our members but are merely pushing paper around. We believe that the statutory intention of this committee is to protect our members and improve the quality of their lives as it pertains to DDD services. To be able to affect real change we need a change in the role that we currently are playing in this committee. We believe that we need more influence in DDD Policy changes and Legislative changes to accomplish the goals of what the statute intended. We started off the year with 11 members and now are down to 9.

Training- Article 9 training is now online and can be completed by IOC members. Feedback about the new training was favorable, especially around making changes to the way that you speak to your child or a DDD member. IOC members who completed training were Kin Counts, Suzie Hessman, Amanda Godek.

No site visits were conducted, as DDD does not allow the committee access to any residential sites.

### **Meetings**

10 meetings were conducted via Google Meets:

- Aug 2022 meeting held with no quorum
- May 2023 no meeting

Holding virtual meetings increased participation due in part to decreased time requirements and no travel. We invited many different stakeholders to participate; United Health Care, Mercy Care, National Core Indicator liaison, PRC Chair, OIFA leadership, Behavioral support, and District Program Manager. Many of these stakeholders have been regulars in attendance for those meetings.

### **ADOA Administration**

Larry Allen handles the administration for ADOA with all the different IOC Committees across the state. He has been very professional, supportive, and readily available for our committee. The committee wishes to thank him for all his work on behalf of the committee.

## **DDD Staff**

Jeffrey Yamamoto was transitioning to another position and Michelle Rademacher became the liaison for our committee. She is a true professional and has provided excellent support for our committee. She is responsive to all communications and provides support beyond what is requested. She continues the consistency and follow through started by Jeffrey Yamamoto. We are incredibly pleased with the Office of Individual and Family Affairs (OIFA) TEAM – Leah Gibbs, Joan McQuade, Barb Picone and Michelle Rademacher.

A major concern from the past was adequate staffing in terms of DDD Support coordinators. The committee was pleased to see DDD take a more robust approach to staffing. Shared at the January 2023 meeting:

*“To be able to hire and fill those vacant positions and we can let you know that between August and January. We have successfully netted over 100 new support coordinators into the support coordination system in DDD... which is absolutely fantastic. And it's moving in the right direction. We are very much dedicated to make sure that we're providing those new staff with the training and the support and the onboarding support, they need to be successful in these new roles for them. We are optimistic that over the next few months by hopefully mid-2023.”*

## **District East Members**

There are currently 12,548 members being served in District East. Additionally, ATPC has 55 members living in their facilities in Coolidge. There are 51,851 members served throughout the state with 46,517 living in their own homes and 5,334 living in licensed facilities.

In October of 2022, Down Syndrome was accepted as a DDD qualifying limitation.

## **Program Review Committee**

164 Behavior Treatment plans were reviewed. We are concerned that the PRCs are not meeting the policy mandated number and makeup of members. Many times, BTPs are approved by the PRC Chair and one or two other members. This does not provide the adequate oversight to ensure that these plans are addressing our members' behaviors.

During this reporting period, the PRC chair for District East resigned and other PRC chairs were covering and helping with plan approvals.

Susan Kingsbury and Kin Counts attended PRC meetings and reviewed plans July, August, September, October, November, and December of 2022. Susan K resigned at the end of December and Kin C continued but had some difficulty with new meeting times. District East continues to have a backlog of BTP's needing approval due to staffing issues. Most of the committee members work during PRC meeting hours so it has been tough to provide IOC members to review the BTP's. The PRC chair

suggested committee members can pull the BTP's from the shared website and fill out dispositions and submit.

### **Positive Behavior Support**

DDD reached out to behavioral support providers and networks throughout the state to share curriculum and study training programs. This is necessary when addressing the direct care worker staffing crisis. The people who work directly with DDD members must be trained properly in understanding behavior and their role in promoting positive behavior and outcomes. The hoped for outcome is a reduction in crisis calls.

Making resources and training available to family members will contribute to the overall goal of creating an inclusive atmosphere for DDD members and support families who may be struggling to care for their family member.

### **Use of ECT**

During this reporting period, DDD presented information around access to ECT for DDD members:

*“today electroconvulsive therapy is currently a Medicaid-covered service that is evidence-based and is no longer performed in the manner in which it was in the past. Currently, DDD members who have exhausted all other treatment options are unable to access this option as a form of treatment. Other people in the state of Arizona who have these types of psychiatric disorders have access to this treatment option. However, this law restricts the option for people with intellectual and developmental disabilities that are eligible for our program today”*

Committee members expressed concerns about safety and abuse and decision-making regarding member's rights. Barring members access to this type of therapy presents a greater infringement on their rights to beneficial treatment so the committee agrees with moving forward in aligning DDD with AHCCCS and making ECT available as an option for serious situations when all other options are ineffective.

### **Incident Reporting**

One of our IOC members expressed concerns regarding trends in the Emergency Measures Category. She noticed that during this reporting period, there was an overuse of basketweave instead of lesser de-escalation techniques. At that time, we were told that the division was considering adopting a new program for prevention in emergency measures before using basket weave. It was the opinion of the committee that this was a system problem that needed to be addressed- vendor and staff training on precursors and de-escalation techniques.

The committee reported favorably about improvements to the IR's. There was more and better information provided and the ability to see more about follow-up within DDD. The new

reporting form provide much more information in the incident description which was an issue on previous reports.

### **Policy Updates:**

Committee members shared ongoing concerns about ARPA funding and when it would come to an end. A chief concern was changes to the parents as paid providers policies.

There were a lot of policy changes over the year to align DDD policy wording with AHCCCS language. Committee members agreed that it became overwhelming to look at and impossible to keep up with every single policy change. The concern being that an important policy change would be overlooked due to sheer fatigue from receiving so many policies in the email inbox that only contained minor changes to wording.

Public comment regarding Article 9 policy changes was strong with the result that many of the proposed changes were not implemented. While proceeding cautiously with Article 9 changes is necessary, committee members are concerned about the timeline and want to make sure there will be no adverse effects on members.

The budget as of June 2023 did not include raises for qualified vendors. This is a disappointment and is a huge concern for IOCs. Pay increases for qualified vendors is necessary if we are going to find and keep good staff who will care for and work with DDD members. Wage competition is severely limiting the candidates who will work with our members.

### **Support Coordination:**

With the end of the public emergency, DDD resumed in-person planning visits. While virtual services are extremely helpful for families with mobility and transportation barriers, the in-person visits definitely add a level of safety into DDD contact with members to ensure that they are in safe environments.

The committee applauds DDDs improving onboarding support and much improved employee retention rate.

### **Police Involvement**

A continuing concern for the committee is lack of training for police and first responders when it comes to dealing with DDD members, behaviors and developmental disabilities. An IOC committee member met with Kirk Cree- community engagement supervisor with DDD to learn more about proposed trainings for first responders and officers when dealing with people with developmental disabilities. Kirk attended the October 2022 committee meeting and

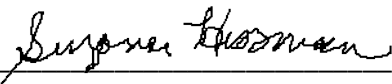
*stated that he was excited to present the new project to train first responders on dealing with the IDD population. He described the responsibilities of the Community Engagement team isn't only to go about the state and inform the members and communities of the benefits, eligibility, and resources that DDD offers. The team also attends community events to provide information to the general public. Lastly the team is to train first responders on the Intellectual & Developmentally Disabled (IDD) population. This is*

*not the first time that DDD has approached the training about first responders as a few years ago DDD had put together a few short videos on how to work with first responders. Kirk Cree mentioned the "B Safe" program around autism, currently the trainer for the Chandler Police Department is working with the Southern AZ Autism society to launch a pilot program to first responder and IDD training to the Tucson Police Department. Kirk has been invited down to see the training in person. He states that the creation of this type of training that he's getting involved in has not been done anywhere else in the nation and is truly cutting edge on this type of program and training for first responders. By definition First Responders can cover a whole variety of people who see the member first in an incident. This includes the typical Police, Fire and EMS, but also include Forest and Park Rangers, Life Flite services, and including the state's 22 tribal nations first responders.*

Committee members were very enthusiastic about this program and the rollout of 988 and enhanced services with the Arizona Crisis system. The committee applauds efforts to reduce members going to hospitalization or police involvement and only after other crisis management options have been exhausted. There were two questions regarding the 988 system:

- *Question: When an individual calls in, how many steps does a person have to go through before reaching a real person? Answer: 988 is answered with a robot. SAMHSA is evaluating where an individual drops off. In Arizona per the local lines, the call is answered within 18 seconds, therefore Arizona is asking for a solution to the robot prompts.*
- *Question: There are holes when related to IDD people. Answer: The local system in Arizona is working to better serve IDD individuals. One of the main rules is the hands off and voluntary system. There are several workgroups and advocacy groups working on involuntary pick-ups and transports, which is not our crisis team.*

This report is a compilation of District East meetings, statewide meetings, review of Behavior Treatment Plans for DE, review of Incident Reports for DE, meetings with families, providers and DDD employees and personal experiences of our committee members during July 2022 to June 30, 2023.



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Suzanne Hessman, Chairperson