



**Division of Developmental Disabilities (DDD)
District Central Independent Oversight Committee (IOC)
Public Meeting Minutes Summary
Monday, August 23, 2021 – 10:00 AM to 1:00 PM**

Call to Order

Meeting called to order by Committee Chairperson, **Karen Van Epps**. The date is August 23, 2021 at 10:04 am. **The meeting took place Virtually due to COVID-19.** Physical location when meetings resume in person will be at 4000 N Central Ave, Ste (to be determined) Phoenix, AZ 85012.

Welcome and Introductions

Attendance Virtually:

- **Karen Van Epps**
- **Sherry Wilhelmi**
- **Eva Hamant**
- **Marlene Riggs**
- **Mandy Harman**

Attendance by Phone:

- **Eduarda Yates**
- **Debbie Stapley**
- **Lisa Whitt**
- **Linda Mecham**

Absent:

- **Andrea Potosky**

Public in Attendance:

- **None**

Health Plan Liaisons:

- **None**

ADOA:

- **Larry Allen**



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DDD:

- **Octavia Lamb** (IOC Liaison)
- **Megan Dougherty** (District Central Program Manager)
- **Patricia Sandino** (PRC Chairperson)

Call to Public

There were no members of the public on the call

Article 9

Linda Mecham gave an update on what was discussed at the most recent Article 9 work group. There will not be any more meetings until public comment is ready to go out. The group are happy with the process and the revisions. Behavioral health has been removed from Article 9 and the restrictions, restraints and sanctions have been put back in and it is as close to the original Article 9 as it can be. The first revision was behavioral health dominant and then with all the comments from the public and from the work group discussions there was an agreement on the final revision, and everyone seems happy with the latest revision. She is pleased to report that she feels that everyone will be happy with the final report.

Eva Hamant asked at the DDD Provider Rate Increase Virtual Forum, Leah Gibbs spoke about abuse, neglect and exploitation was she referencing a whole new training? And does it involve Article 9?

Karen Van Epps stated that she was at that Forum and it was talking about the follow up on the report with the Hacienda incident that occurred a year ago and it does not involve Article 9. It was discussed how to prevent sexual abuse and how to train staff correctly.

Carol McNulty asked was informed consent put back into the Article 9 revision.

Linda Mecham answered, yes it has been put back into the final revision as well as Tardive dyskinesia.

Eva Hamant asked a question for Leah Gibbs and that was is the abuse, neglect, and exploitation in addition to Article 9 or how are they incorporating it?

Linda Mecham stated that any training that is required by providers have to be completed before they can start their on-the-job duties. All the abuse, neglect and exploitation training has already been in place.



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Karen Van Epps thanked Linda for representing Central IOC in the work group and writing the comparisons and requests that the committee had put together. She even elevated her document to the previous DDD director, and she said “the committee needs to keep it going and to continue to speak their concerns about what is going on within DDD and she was very supportive.

Update on Response about Pain Scale

Karen Van Epps discussed the response letter from Mary DeCarlo and that it said there is currently no pain scale assessment at this time and recommended that DDD spend some time looking into implementing this into the system. When DDD members have behaviors, the team needs to make sure that the behaviors are not because of pain and the only way to determine that is to have a pain scale.

Sherry Wilhelmi gave an example of why a pain scale is need.

Karen Van Epps stated that as she was reviewing the annual report from last year, she noticed that some of the same topics that was on last year’s annual report will be on this year’s annual report and the Pain Scale was on there already and feels that this may need to be elevated to the proper people and want to make sure that someone is looking at resolving this concern.

Karen Van Epps asked if she writes a letter to have this topic elevated who will she need to elevate it to?

Larry Allen answered with any topic that is elevated will need to be written and sent to the IOC liaison and his self and then it will be elevated to the proper people. Once received the committee will receive a response in 21 days or by the next committee meeting.

Karen Van Epps stated that she is in hopes that it is elevated high enough because this has been on their annual report two years in a row, and this needs some attention.

Sherry Wilhelmi stated that she would like to know how many DDD members are on anti-psychotic medications for untreated issues like toothaches, arthritis, etc.

Linda Mecham asked how is it determined that members who are nonverbal have pain?

Sherry Wilhelmi answered that there is a pain scale called F.L.A.C.C. that focuses on facial grimacing, they way they move their arms and legs, it can bring comfort when crying, are they thrashing, etc. It is a pain scale that must be filled out 1-10 and if at a 9 the member is in pain. This pain scale is the easiest because a parent or an untrained staff can use, understand and communicate to the medical provider.

Karen Van Epps stated that if the division cannot implement a pain scale then the committee needs to know why.



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Sherry Wilhelmi stated there is no reason why a pain scale could not be implemented because medical professionals use them all the time in different patient situations and wanted to know when and why the division stop using the pain scale because there use to be one.

The committee is requesting an update be given because the committee has been discussing this topic for serval years and if there is no pain plan in place that the division should develop one for implementation to all members served by the division.

Marlene Riggs stated this is a very important topic because it does come up many times in terms of being able to tell the difference whether someone's actions are because they are in pain or they are unable to communicate it and people do not understand. One of the things she found helpful is having a risk assessment specifically for members who are nonverbal who have pain indicators. She suggested that maybe there should be something written in the members planning document that would identify what pain looks like for each member.

Linda Mecham agreed with Marlene and stated that there should be a pain scale in place first then written in the planning document explaining the situation.

Karen Van Epps stated that it would be a great idea to have a risk assessment written in certain situations because some DDD members that are nonverbal communicate by hitting themselves to indicate they are in pain and if it is written about what their pain indicators are then staff will not automatically assume that the member is having behaviors and need to medicate them.

Patricia Sandino stated in the behavioral plans it is identified about a member's pain tolerance. She agrees that something could be added such as a check box or something that clearly states a member's pain tolerance.

Sherry Wilhelmi- Motioned that based on the letter received from the division that there is no pain scale being used and the committee will put together a letter with all the committees concerns and will sent it to the ADOA and the IOC liaison requesting that the division develop a pain scale for implementation for DDD members who cannot express pain verbally by having it written in the risk assessment.

Eva Hamant- Seconded the motion.

All present members agreed by "aye" and no "nays"

Eva Hamant asked for an update from last meeting discussion and follow up on one of the committee members filing a grievance to customer service about a specific day program not allowing her daughter to attend without wearing a mask.

Debbie Stapley answered that she did call Customer Service the day of the last IOC meeting and they told her that the grievance was filed and that they would follow up with her within two days.



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The next day she heard that the CDC had lifted the mask mandate, but she never received a call back with follow up regarding her grievance.

Debbie Stapley also stated that Leah said she had visited 15 day programs and Hacienda and TCH were the only day programs not letting their members in without wearing a mask. According to the ADA her daughter meets the requirements to not have to wear a mask and does not know what to do next.

Karen Van Epps stated that Debbie should call the Customer Service number again and follow up with them and suggested that Leah knows about this and follow up with this concern.

2020-21 Annual Report

Karen Van Epps stated that she is still working on annual report and her goal was to have it completed so she could discuss it at this meeting, but it took her more time to look through all the previous IOC meeting minutes. She went over with the committee what she had so far and said that many of the topics she had were on last years report as well. When she completes the annual report, she will send it out to the committee.

Linda Mecham asked if she included in the report that all issues in this year's annual report were mentioned in the last 3 previous annual reports.

Karen Van Epps answered with, yes, she included the concerns from last year and she will include them again in this year's report.

Linda Mecham Suggested that once Karen finishes the annual report that it should be discussed at the next IOC meeting that the issues that have been repeated year after year the committee should but the issues into motion's and elevate them to ADOA and the IOC liaison so the issues can start being investigated.

DDD Staff Updates

Marlene Riggs informed the committee about the **Electronic Monitoring Devices Virtual Forum**. DDD will host a virtual forum on Thursday, August 26, 2021, from 6:00 p.m. to 8:00 p.m. to discuss electronic monitoring in group homes, nursing supported group homes and intermediate care facilities. All members, families, staff, vendors, and providers are encouraged to attend and share their feedback. It is a revised version of Article 14 and it will be up for public comment.

- Join online: <https://azdes.zoomgov.com/j/1617747974>
- Join by phone: 1-669-254-5252, meeting ID 161 774 7974



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This will address having cameras in licensed settings and day programs and allowing DDD to put a procedure in place.

Linda Mecham stated she feels that it would be good to have consistency in the division as to what is allowed and what is not.

Debbie Stapley stated that she could not imagine parents not wanting cameras in their child's group home because it is for the safety of the member and gives families reassurance that their child is safe and being taken care of properly.

Octavia Lamb stated the division continues to track the numbers for COVID-19 amongst the DDD population. As of August 17, 2021, there has been 45 additional members who had tested positive for COVID-19. The largest number since February 2021. the division is currently supporting 40,787 members who live in their own home or the family home and 5,032 live in a residential licensed setting. The division is currently supporting a total of 45,910 DDD members and 3,032 members tested positive for the virus since the onset of the pandemic which breaks down to 1,881 lived in their own home or family home and 1,151 lived in a residential licensed setting, 75 members have passed away as a result of the virus, 31 lived in their own home or family home and 44 lived in a licensed residential setting. The last update that a member passed away from the virus was back in March/2021. As of August 20, 2021, 50% of the DDD population that are eligible have been fully vaccinated and 54.6% of eligible Arizonians have been fully vaccinated.

Patricia Sandino asked has the CDC determined that a third vaccination will need to be taken.

Karen Van Epps stated it was just suggested and 8 months after you received the second one and it was under discussion that a doctor's note would be required and you would have been taking some Immunol suppressant. She believes that it has not been passed yet but there maybe more information on the national news.

Updates from Integrated Health Plans

No Representatives from United Healthcare or Mercy Care at this meeting

Updates from Arizona Department of Administration

Larry Allen informed the committee on how to file motions and providing the information to ADOA and the IOC Liaisons, the committee will receive a response in 21 days or by the next IOC meeting and will start once the written information is received by the IOC Liaison and ADOA. Also, he heard the issues about similar topics being addressed on the annual report and agreed with Linda Mecham that the issues should be put on the next agenda, discussed, and then voted on and see if some or all of the issues can be elevated to leadership and resolved. Also, he is aware that the IOC badges have



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expired, and new ones have been mailed out to each committee member and should be receiving them soon if they had not already.

Karen Van Epps asked why do the committee need the badges?

Larry Allen answered, if any committee member needs to access a DES building, the hope is when meetings go back to in-person each committee member will need their badge to gain access into the building. It does not give you access turn style into a state building, but it does give some access in a state building.

Discussion and Review of Incident Reports and Behavioral Plans

Octavia Lamb provided an update on incident reports and the incidents reports that have been uploaded on the shared drive are up to date with the most recent August 8-14th.

Eva Hamant asked when will the committee receive a response on their questions and comments on incident reports? Have they even been sent to James Maio to respond at all?

Octavia Lamb responded all the questions and comments that have been received have been emailed to James Maio and he has responded that he is working on them as quickly as he can, there was a delay because he was on vacation for short period of time and part of the reason that it takes so long to provide a response because some of the questions asked he has to reach out to other parties to respond and that can take some time. There will be follow up with James to find out when responses will be given.

Karen Van Epps asked Carol if she was happy with the amount of information provided on the incident reports?

Carol McNulty answered that the information provided on the incident reports are the same, nothing has changed at it is still summarized.

For July IRs, the Committee members have been given 787 incident reports in the Shared Drive. This included 49 open and 738 closed reports.

Type	Open	Closed
Accidental Injury	4	151
Consumer Missing	7	23
Deaths	0	9
Emergency Measures	1	41
Human Rights	5	6
Legal	1	1
Medication Errors	1	49



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Neglect	9	37
Other Abuse	14	39
Other-Behavior	0	223
Other -Injury unknown	3	113
Physical Abuse	3	14
Property Damage	1	7
Suicide	0	25
TOTALS	49	738

Number of Questions for QIM: **38**. members of the committee will send the incident reports questions to the DDD Liaisons **Jeffrey Yamamoto and Octavia Lamb**.

Roundtable concerns from members

Carol McNulty would like someone from Client funds to speak about increase in social security benefits next year and how will it affect the limit of \$2,000 amount.

Linda Mecham would like issues discussed on the annual report to be discussed at the next IOC meeting.

Adjournment

The meeting was adjourned by Karen Van Epps. The public meeting ended at 12:22 pm.

The next District Central IOC meeting will be held on September 27, 2021 at 10:00 am.
