

Summary of Proceedings - January 23, 2008
Most Integrated Setting Coordinating Council (MISCC) Meeting

MISCC Meeting Participants

Diana Jones Ritter, Chair

Commissioner, New York State Office of Mental Retardation and Developmental Disabilities

Dennis Whalen

Deputy Secretary for Health and Human Services, Executive Chamber

Joseph Baker

Assistant Deputy Secretary for Health and Human Services, Executive Chamber

Deborah VanAmerongen

Commissioner, New York State Division of Housing and Community Renewal

Gladys Carrion

Commissioner, New York State Office of Children and Family Services

Nancy Martinez

Deputy Commissioner, New York State Office of Children and Family Services

John Allen

Special Assistant to the Commissioner, New York State Office of Mental Health

Dr. Rebecca Cort

Deputy Commissioner VESID (representing Richard Mills, Commissioner, New York State Education Department)

Michael Burgess

Director, New York State Office for the Aging

Gary O'Brien

Chair, Commission on Quality of Care and Advocacy for Persons with Disabilities

Mark Kissinger

Deputy Commissioner (representing Richard F. Daines, MD, Commissioner, New York State Department of Health)

Ron Epstein

Director, Statewide Policy Bureau (representing Astrid Glynn, Commissioner, New York State Department of Transportation)

Fran Harding

Associate Commissioner Division of Prevention and Recovery (representing Karen Carpenter-Palumbo, Commissioner, New York State Office Alcoholism and Substance Abuse Services)

Public Members

Debra Holland

Government Affairs Associate (representing Carol Raphael, President and Chief Executive Officer, The Visiting Nurse Service of New York)

Constance Laymon

Chief Executive Officer, Consumer Directed Choices

Harvey Rosenthal

Executive Director, New York Association of Psychiatric Rehabilitation

Patricia Frantangelo

Executive Director, Onondaga Community Living

Kimberly T. Hill

Director of New York State Assembly Task Force on People with Disabilities

- Commissioner Diana Jones Ritter, Chair, welcomed the council members and audience, commenting that this is the year MISCC will achieve great things.
- Commissioner Ritter welcomed Dennis Whalen, Deputy Secretary for Health and Human Services and Joseph Baker, Assistant Deputy Secretary for Health and Human Services.
- Dennis Whalen thanked the group for their presence. Mr. Whalen spoke on policy issues regarding the proposed Executive Budget. The Governor's Office was encouraging input from the group as the process moves forward. He said the Governor came into office with the State of the State message of "Putting People First." Mr. Whalen spoke of the series of People First Forums where the Commissioners of OASAS, OMRDD, DOH and OMH went out into the communities to speak with the citizens of New York State, and came back with feedback on the difficulty experienced in negotiating the systems of care and talked about the needed programs. The Governor is relying on Commissioner Ritter to revitalize MISCC and to lead in the formation of committees on the top three issues that came out of the forums: housing, transportation and employment.
- Mr. Whalen stated that those work groups form the core of the Governor's agenda. He stated that MISCC participation is encouraged as an advocacy board; it is welcomed and it makes for good policy and programs.
- Mr. Whalen highlighted items in the Governor's Budget: planned expansion of OMRDD's Supportive Employment Program; proposed funding for OMRDD Self Advocates with an additional 128 internships; planned aggressive \$400 million housing opportunity fund to pursue additional housing units; proposed 1,500 additional supportive housing units; capital funds for an additional 500 single units; and more adult homes for community placement of individuals in developmental centers and special behavioral units or nursing homes. Mr. Whalen reported that the Western New York Developmental Disabilities Services Office is scheduled to close. Other proposals include: 120 new community beds, 125 scattered site apartments with case management services through OASAS, and a COLA for an additional three years through 2012 for direct care staff.
- Joseph Baker then reviewed a number of proposed items in the Executive Budget proposal. Mr. Baker discussed the Governor's reform agenda for the various sectors of Medicaid. Pharmacy has been extricated to obtain the right price and to expand coverage. The Governor proposes to eliminate the asset test in the Medicare savings program to help people pay for their Medicare Part D expenses, decreasing reliance on Medicaid and the EPIC program. He reported on the introduction of an EPIC discount card for people who are uninsured, regardless of age or health status, which will provide a savings of 25 to 30 percent for drugs and can be combined with other coverage to contain costs. This new EPIC discount card is connected to EPIC financial and eligibility guidelines currently in place.
- The Governor has proposed to reform hospital rates and make a significant investment in outpatient and ambulatory care. The Department of Health is working with hospitals to rebase hospital rates. It is all about "the right care, at the right price, in the right setting." Mr. Baker noted, for example, that these changes will bring down the rate paid for cardiac care and raise the rate paid for neonatal. Currently the state is overpaying for inpatient care by approximately \$600 million. Over the next four years the state will take those funds out of

the inpatient area and put them in the outpatient area, both in the hospital setting and in the setting which includes free-standing clinics and doctor's offices, encouraging hospitals to focus their attention in that area.

- Mr. Baker reported that under the Doctors Across New York initiative, graduate doctors across New York will have access to initiative education money redirecting incentives to students and interns to under served areas, mostly in upstate New York. Tuition reimbursement and grants of \$100,000 over two years are planned to help doctors establish practices in those underserved areas. Additionally, these doctors will get an increase in Medicaid reimbursement. The incentive is to provide new Medicaid reimbursement rates for staying open evenings and weekends, thus increasing the number of hours of available medical service. Also the Executive Chamber has a program for increasing the number of nurse educators in SUNY/CUNY, with the goal of increasing the numbers of nursing students.
- Mr. Whalen added that although an enormous amount of focus is on the Budget, because that is the main activity for the moment for government, it is not the only activity that the Executive Chamber is paying attention to and he realizes the agencies are hard at work.
- Harvey Rosenthal of the New York Association of Psychiatric Rehabilitation thanked the Governor and Mr. Whalen for their presentations. He said it gives hope to many people.
- Commissioner Ritter acknowledged Michael Seereiter, Program Assistant to the Governor, who was in the audience.
- Commissioner Ritter announced that Lisa Kagan has retired from OMRDD. The Commissioner thanked Ms. Kagan for her many years of behind the scenes work and for her participation in drafting the first initial MISCC report. The Commissioner had a Certificate of Appreciation to present to Ms. Kagan and hoped that she was looking in on the Web cast.
- Commissioner Ritter announced that it will be the practice to review action items from the previous meeting.
- MISCC state agencies were asked to provide a link on their Web site to the Accessible Housing Registry, and Commissioner Ritter was happy to report that task had been accomplished.
- Commissioner Ritter reported that she is working with the Governor's Office and the Legislature on the issue of inactive public members on the MISCC.
- Commissioner Ritter called on each state agency leader to provide an update on its stakeholder group.
- Rebecca Cort, Department of Education/VESID said the agency has formed an intra-agency collaboration within three advisory groups: the Commissioner's Advisory Panel on Special Education, the State Rehabilitation Council on Vocational Rehabilitation and the State Independent Living Council, which have all given VESID guidance in a variety of areas. She

reported that the groups' first meeting in November was used to work on how to make the process better and more accessible. The group was looking at issues around inclusion and less restrictive environments; transitioning students from out of state placements to in state placements, both residential and day; VESID transition from school to adult life; funding of large-scale grants to improve collaboration between the school and adult systems; cultural education for disability issues; integrated employment opportunities to bring individuals into higher level positions; and continued focus on the area of family involvement.

- John Allen, Office of Mental Health, reported that the agency has a number of internal advocacy groups. Those groups consist of recipients, family members, providers and various groups with diverse cultural backgrounds. His question to the group was, "What do we do that would allow us to focus on the MISCC priorities?" They determined that global integration would require that they review their community of care and ask if they are integrated. Each group was also asked what challenges exist? Housing, employment and integration were the topics of concern that would be focused on over the year.
- Gary O'Brien, Commission on Quality of Care and Advocacy for Persons with Disabilities (CQCAPD), said the Commission currently has two stakeholder groups; an agency Advisory Council as well as a Protection Advocacy for Individuals with Mental Illness (PAMI) Advisory Council. He announced that in July 2008, a third stakeholder group the Interagency Coordinating Council for services to persons who are deaf, deaf-blind or hard-of-hearing will meet. He reported that the stakeholders will review, provide feedback, and participate and review the specific CQCAPD items with internal staff members. To date, they have drafted a proposal for program services that will be reviewed during the first annual reporting period. Mr. O'Brien indicated that CQCAPD has identified and met with internal staff members who will further review and recommend action steps. A directive was sent to all commission divisions to incorporate MISCC principles and guidelines to existing policies and procedures, training and daily activities, where applicable. Dates have been set to brief stakeholders.
- Mark Kissinger, Department of Health, reported on numerous advisory committees and groups. Mr. Kissinger decided to link his report up with the Advisory Council on the Long-Term Care Restructuring Project, as well as to integrate the work on the "money follows the person" program. He reported that those groups met in the last quarter of 2007 and anticipates meeting again this quarter and onward. Both projects have a multi-year timeframe and will be incorporating the MISCC principles into their work.
- Commissioner VanAmerongen, New York State Division of Housing and Community Renewal, reported on the housing task force and "money follows the person" joint meeting. She said the Governor's \$400 million Housing Opportunity Fund shows that the Governor gets it – and not just about the need for affordable housing, but also about the need for housing. She hopes that it will result in housing that is the most integrated setting. Commissioner VanAmerongen said that the Governor stated that the fund will build supportive housing that enables persons with disabilities and others with special needs to live independently.
- Fran Harding, New York State Office of Alcoholism and Substance Abuse, reported that between the outcomes of the People First Forums and the two forums OASAS held for

persons in recovery from addiction, the agency now has more empathy for the work of MISCC. She stated it was determined that the most important items were housing, employment and transportation. Stakeholders have been scheduled to meet in February to begin working on the new employment segment.

- Commissioner Carrion, Office of Children and Families Services, reported that the office has many advisory groups appointed by the Governor. She reported on the Bridges to Health Medicaid waivers for children in foster care who have special needs. This program enables OCFS to put together supports to cover severe medical, emotional and mental health needs. Commissioner Carrion reported that these supports will wrap around the biological family, foster care families and adoptive home and that services travel with the young person. She reported that the program started Jan. 1, 2008, and the first child enrolled is from Albany.
- Joseph Baker noted that this provision was to make sure that foster kids get coverage to age 21.
- Michael Burgess, New York State Office for the Aging (NYSOFA), spoke about the steps necessary to keep people at home. NYSOFA has formed an eleven person MISCC Stakeholder group which met on January 18, 2008. The members of NYSOFA's MISCC Stakeholder Group include advocates for seniors; recipients of NYSOFA funded services, caregivers for seniors and Bruce Darling who is an advocate for adults with disabilities and who has a good concept of MISCC. A work plan will be developed. The MISCC recommendations will be shared with NYSOFA's Family Caregiver Council. NYSOFA's MISCC stakeholder group is planning to meet quarterly.
- Commissioner Ritter made a note of the Family Caregiver Council and would like to come back to NYSOFA's Family Care Council for the next agenda.
- Commissioner Ritter introduced Shelly Okure from OMRDD's Department of Policy, Planning and Individualized Initiatives; and Steve Holmes, who is the Administrative Director of the Self Advocacy Association of NYS (SANYS), to describe OMRDD's partnership with SANYS and its other stakeholder groups.
- Steve Holmes introduced David Liscomb, President of the Self Advocacy Group of New York. Liscomb commented that he was happy to be at the meeting and wanted to thank the Commissioner and reiterated the statement "nothing about us, without us."
- Steve Holmes noted the importance of involving self advocates in the MISCC's work. Holmes commented that decisions made about all people with disabilities are different when policymakers have relationships with people with disabilities.
- Shelly Okure stated that she works with Gary Lind and that her responsibility is to oversee the administration of the innovative and individual services. Ms. Okure stated that it is important that OMRDD staff meets with self-advocates, speaks with them, shares agendas, shares notes, to let them know that they do not need an advocate for themselves. Everyone becomes involved at all levels. Okure commented that the relationship is built on respect and friendship.

- Commissioner Ritter introduced Mark Kissinger from NYS Department of Health.
- Mark Kissinger shared his PowerPoint presentation with the group entitled: “New York State Department of Health Office of Long Term Care: Current and Proposed Initiatives.”
- Commissioner Ritter continued to move the agenda forward by turning attention to the two work groups. Commissioner VanAmerongen, of DHCR, presented on the Housing Work Group and Ron Epstein, of DOT, provided an update on the newly formed Transportation Work Group.
- Ron Epstein from the Department of Transportation provided a PowerPoint presentation: "MISCC Transportation Work Group Status Report."
- Harvey Rosenthal thanked Ron Epstein for his report and asked if he could provide detail about the pilots. What does a partnership look like?
- Ron Epstein gave as an example the Erie County Center for Transportation Excellence, a group formed to develop a network to support transportation trips for seniors by bringing everyone to the table and discussing how those trips can get done. They have started training regarding disability and cultural awareness.
- Commissioner Ritter stated that she had made a note about the three pilots and, at some point, would like the MISCC to hear more about them.
- Commissioner Ritter introduced Commissioner Deborah VanAmerongen.
- Commissioner VanAmerongen stated that before presenting the Housing Work Group report that she wanted to take a moment to introduce a new hire at her agency - Maureen Freehill. Ms. Freehill will be housed at DHCR and working on housing issues related to the “money follows the person.” Her position is funded through the nursing home transition waiver and the Medicaid money flowing through DOH.
- Commissioner VanAmerongen said that the board, which will oversee the Housing Opportunity Fund, has suggested that the advisory panel be co-chaired by Priscilla Almodovar, President and CEO of the New York State Housing Finance Agency and State of New York Mortgage Agency, with guidance from OTDA, OMH, OASAS and OMRDD. The composition of the panel is open for discussion. Funding will go toward both traditional housing programs and non-traditional housing programs. The group will look at new models and will seek to serve people with disabilities and create supportive housing. The Housing Work Group would be happy to speak with MISCC. A joint meeting of the MISCC and the “money follows the person” housing task force is one of the things shared during the finalization of the group’s qualified allocation plan. Commissioner VanAmerongen noted that certain aspects deal with the need for both supportive housing and accessible housing. She presented the DOH update on nursing home transition diversion. Commissioner VanAmerongen reported on the MISCC Housing Task Force meeting and each subcommittee. Rent subsidy is working with DOH on its nursing home transition waiver and implementation of rent subsidy program. Education is both getting the word out about the

housing push for persons with disabilities and people who have need for supportive services, and updating program inventory and real time information to educate people, families and developers who are building houses and doing a needs assessment and getting good information about both where there is need and where there is opportunity. Those subcommittees as well as the Housing Task Force itself are meeting on a regular basis.

- Harvey Rosenthal stated that OMH’s proposed budget will allow for more than 2,000 beds for the second year in a row. He asked if opportunities existed for more than 2,000 beds by dipping into the other beds because of the changes in the regulations.
- John Allen, OMH, stated opportunities would exist for more than 2,000 beds, assuming that the Article VII would permit funding to be used with DASNY, DCHR and other state agencies in ways they have not been able to do before and to combine funding streams to enhance affordable housing. He felt the Article VII language would allow OMH to do that in a more comprehensive way.
- Commissioner Ritter opened the discussion to the audience and particularly to stakeholders.
- Erica Von Nardroff, CIAD/an adult home resident stated that they are very grateful for the 60 beds given to them by OMH. She also stated, however, that OMH needed more than 60 beds. She made a request, asking MISCC to “give us a place to move to and to please don’t let her die isolated.”
- John Allen said OMH’s budget proposal is to expand supportive housing by 1,500 beds. Adult home residents are a priority population, with a 500 bed expansion of SROs and \$20 million for an adult home buyout initiative with OMH hoping to use that money to buy out adult home operators and convert those facilities to other forms of housing options. OMH is working with CQC and other partners in the state. The agency is in negotiations with the Attorney General’s office to use the proceeds of the settlement fund to permit OMH to do a demonstration project to help adult home residents to look at and explore other options as well. John Allen personally encouraged Ms. Von Nardroff to speak with him.
- Dean DeRusso is an advocate for people who are deaf, deaf-blind or hard-of-hearing from Rochester and works for the Center for Disability Rights, an independent living center. He said that deaf people who go into service systems in New York often are really lonely and because staff working with them cannot sign, they are not getting services in the most integrated setting.
- Commissioner Ritter stated that the MISCC should consider how to increase the diversity of staff to sign and communicate and explore how to integrate that type of support into work of the MISCC.
- Chris Hilderbrandt spoke regarding affordable and supportive housing and accessible housing as well as accessible transportation. He also stated that much that was presented at the MISCC meeting would not assist him because he has a physical disability. He stated that supportive housing is not necessarily accessible housing. He noted that \$400 million is a huge opportunity. “We want affordable housing but we need it to be accessible and we need it to be integrated,” he said.

- Bruce Darling of the Center for Disability Rights in Rochester said supportive housing does not meet the needs of seniors and people with physical disabilities.
- Constance Laymon asked that the public question and answer period be at the beginning of the meeting.
- Anita Cameron, Systems Advocate for ADAPT, spoke about transportation drivers in Rochester and the need for sensitivity training in dealing with people with disabilities. She stated that drivers often lack consideration and often do not act appropriately. She asked if training could be provided in Rochester.
- Ron Epstein of DOT reported that the agency offers training but it is not mandatory.
- Geoff Lieberman of the Coalition of Institutionalized Aged and Disabled stated that his group is afraid that adult home housing for people with psychiatric disabilities is not a priority.

Commissioner Ritter reviewed the action items from the meeting with the MISCC.

Action Items

1. Ed Placke (VESID) will chair the Employment subcommittee which will meet before the next MISCC meeting scheduled for April 9, 2008.
2. Subcommittee legislative proposals – The three workgroups will begin to think and share ideas regarding legislative proposals related to the work of MISCC with Carl Letson and Michael Seereiter.
3. Identify two brief reports for the next MISCC meeting: Mike Burgess (NYSOFA) - Family Caregiver Council; Mark Kissinger (DOH) - Traumatic Brain Injury Waiver.
4. Transportation Committee report on DOT's three pilots by Ron Epstein.
5. Housing Fund – clarity of accessibility across the board in the supportive housing by Deborah VanAmerongen (DHCR).
6. Update on membership by Diana Jones Ritter.
7. Handouts will be posted on the MISCC Web site.
8. OMH will address issues related to adult homes at the April 9th meeting.
9. MISCC will figure out a way to know the concerns of people coming to the MISCC meetings and share them with MISCC members earlier in the meeting.

A motion to adjourn the meeting was made at 3:50 p.m. The next MISCC meeting is scheduled for April 9, 2008.