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**Summary of Proceedings – April 18, 2012**  
Most Integrated Setting Coordinating Council  
Empire State Plaza, Meeting Room 6

**Agency Members**

*Commission on Quality of Care and Advocacy for Persons with Disabilities*  
*Department of Health*  
*Department of Transportation*  
*Homes and Community Renewal*  
*Office for the Aging*  
*Office For People With Developmental Disabilities*  
*Office of Alcoholism and Substance Abuse Services*  
*Office of Children and Family Services*  
*Office of Mental Health*  
*State Education Department*

**Ex-officio**

*Department of Labor*  
*Developmental Disabilities Planning Council*  
*Office of Temporary and Disability Assistance*

**Public Members**

Bruce Darling  
*Center for Disability Rights, Inc.*  
Patricia L. Fratangelo,  
*Onondaga Community Living*  
Kimberly T. Hill,  
*NYS Assembly Task Force on People with Disabilities*  
Lisa Holmes,  
*Tompkins County Office for the Aging*  
Constance Laymon,  
*Consumer Directed Choices*  
Dr. Karen Oates,  
*Mental Health Association of Rockland County*  
Carol Raphael,  
*Visiting Nurse Service of New York*  
Harvey Rosenthal,  
*New York Association of Psychiatric Rehabilitation Services*

Members

Courtney Burke, Chair	OPWDD
Mark Kissinger	DOH
John Cochran	NYSOFA
Kathleen Caggiano-Siino	OASAS
John Allen	OMH
Roger Bearden	CQC-APD
Nancy White Martinez	OCFS
Michael Peluso	ACCES-VR
Stanley Gee	DOT

Ex Officio Members

Linda Glassman	OTDA
Anna Lobosco	DDPC
Mary Kelly	DOL

Public Members

Judy Farrell	Visiting Nurse Service of NYS
Lisa Holmes	Tompkins County
Kimberly T. Hill	NYS Assembly
Bruce Darling	Center for Disability Rights
Patricia Fratangelo	Onondaga Community Living
Constance Layman	Consumer Directed Choices
Harvey Rosenthal	New York Association of Psychiatric Rehabilitation Services

**Welcome and Introductions**

- Commissioner Burke welcomed everyone in attendance. She acknowledged the advocates in the audience and thanked OCFS for creating the Braille translation of the agenda and minutes for the previous meeting.
- The MISCC membership proceeded to introduce themselves to the public.

- Commissioner Burke discussed the agenda for the meeting which focused on the developing recommendations for the Olmstead Plan. The action steps that the MISCC members were charged with from the last meeting in March were to:
  - Review previous stakeholder comments;
  - Create a problem summary;
  - Inventory current Olmstead-like initiatives in NYS;
  - Develop an outline for the scoping document; and
  - Finalize recommendations for the public engagement process.

### **Action Steps from March 15<sup>th</sup> Meeting**

- Commissioner Burke gave an overview of the materials provided after the previous meeting and asked the membership if there were any other documents that should be shared and reviewed by MISCC.
- Bruce Darling handed out a document prepared by advocates with initial recommendations for action items. He asked the membership to review it because there were Olmstead issues that may not be addressed in the existing materials.
- The membership noted that the MISCC could help oversee how the new supportive housing development program funding is used to ensure that housing is in the most integrated setting.
- Other members discussed the definitions of institutional and segregated settings shared by the federal government. When congregate programs are populated by people with disabilities, then it is considered segregated. We want people to move out of institutions, but it needs to be the most integrated setting based on the needs and preferences of the individuals. NYS has the opportunity to set a standard that could be replicated.
- Unfortunately other states have not been progressive in defining community-based settings.

### **Scoping Document**

The purpose of the scoping document is to clarify the composition of the Olmstead Plan. MISCC members were asked to think about what can be accomplished in the

given timeframes of one, three, and five years. Ultimately, this will be the basis for providing recommendations to the Governor.

MISCC members provided the following feedback related to the scoping document:

- There needs to be accurate data to determine where people are living and receiving services in order to develop plans to transition people from institutional settings. The data will also help with the assessment process. During the MRT initiative, the State was able to access data for various sessions. Therefore, data should be available for creating the Olmstead Plan.
- Related to employment, the state agencies need to make a commitment to transition people out of sheltered employment and move into integrated settings. It is important to know how many people are in shelter work and day programs, and then assess who is able to participate in competitive employment. The targets should be based on a percentage increase. Employment should be in integrated settings where people make minimum wage or higher. The membership should also review policies and regulations that perpetuate sheltered workshops and sole source contracting.
- The scoping document should also emphasize that the money follows the person as he or she transitions from an institution to a community-based setting. The MISCC should support this concept, however; it may cost less to provide services in the community and any surplus funding should be reallocated to other individuals who need services.
- MISCC members expressed interest in learning more about the timeline for implementing the uniform assessment tool adopted by DOH and OPWDD. DOH agreed to present on the InterRAI at the next MISCC meeting.
- For outreach, the MISCC should look at where NY Connects is located in the State and determine where it is needed.
- Thought should be given to whether separate assessment tools and processes should be created for children with disabilities. These assessments could help to determine what types of services people need in the community.

- Sometimes people view assessment as a way to screen people out of services rather than into services. Some presumptions need to be added to the assessment process, such as all people with disabilities have the ability to work in the community. The people who are administering the assessment must also embrace the value of the most integrated setting.
- Olmstead will require a large systems change and training may need to be provided to the state agencies. The focus should not be about programs, but about how to develop an organizational culture that best supports integrated services. There needs to be a focus on determining what type of training is needed to move Olmstead forward. There needs to be a change to mindset and values related to long-term care provision.
- One important training area relates to culture change and how to sustain it over time. There will also need to be an assessment of the results of the training to ensure that it is making the desired impact.
- It would be good to tie culture change to the roll-out of the uniform assessment. It is important to involve the independent living centers in testing the assessment process and the staff who are administering the assessment tool.
- Self-direction is another important piece of the Olmstead Plan. Individuals must have the option to self-direct their services no matter what type of service or program they receive. All individuals have the capacity to self-direct, it is not just limited to a select group of people.
- Community First Choice needs to move forward by appointing people to the Action and Implementation Council. The federal government will be releasing the new regulations in the next few weeks.
- MISCC should take a look at the outcomes from MRT and determine what the impact on Olmstead will be. It would be helpful if DOH presented on MRT at a future MISCC meeting.
- Commissioner Burke asked the membership to forward any further thoughts via email or phone to OPWDD.

## **Public Engagement Process**

- Commissioner Burke relayed the message from the Governor's Office that the state agencies need to be inclusive in the public engagement process. At the last MISCC meeting there was a discussion about public hearings and focus groups as possibilities. The public hearings will give the public the opportunity to respond to the scoping document and provide feedback.
- Dates for the public forums have not been finalized. Notice will be sent out once there are final dates, times and locations.

## **Public Comments**

- A staff person from independent living shared his feedback related to the People First Waiver. He asked for additional information about DISCO operations, service definitions, self-directed options, assistive technology, and care coordination.
- A staff person from an independently living center discussed the need for supported employment opportunities in her locality. There are more individuals interested in supported employment and she is asking for OPWDD to support this need. OPWDD will address this with the local offices to ensure that opportunities are available.
- A self-advocate who receives services through the mental health system discussed his experience with his housing and clinical supports. He currently lives in a congregate setting and hopes to transition to supportive housing in the near future. Representatives from OMH will meet with him after the meeting to discuss his situation in greater detail.
- A member of the public suggested that the MISCC needs to focus on changing policies and regulations that prevent service provision in the most integrated setting. The State also has to take a holistic approach to implementing system change at all levels of NYS government, including the cities and the counties.
- A member of ADAPT noted that we must ask individuals with disabilities about what they want in regards to employment. In the 1970s she worked in the New Careers program which created partnerships with area business to develop career ladders for people with disabilities. This program was successful and should be replicated.

## **Closing Remarks**

Commissioner Burke thanked everyone for attending. The next MISCC meeting is scheduled for August 22<sup>nd</sup>. **Please note that this meeting was cancelled.** If you have more input related to the scoping document, please share it with us.