

**Summary of Proceedings – January 13, 2010  
Most Integrated Setting Coordinating Council (MISCC) Meeting  
Empire State Plaza, Meeting Room 6**

**MISCC Meeting Participants**

Members

Commissioner Diana Jones Ritter, Chair	OMRDD
Commissioner Michael F. Hogan	OMH
Commissioner Deborah VanAmerongen	DHCR
Commissioner Karen Carpenter-Palumbo	OASAS
Commissioner Richard Daines, MD	DOH
Commissioner Gladys Carrion	OCFS
Chief Operating Officer Jane Lynch	CQCAPD
Director Michael J. Burgess	SOFA
Deputy Commissioner Rebecca Cort	VESID/SED
Frank Coco	VESID/SED
Thomas Vaughan	DOT

Ex Officio Members

Director Shelia M. Carey	DDPC
Elise A. Melesky	OTDA

Public Members

Patricia L. Fratangelo	Onondaga Community Living
Lisa A. Holmes	Tompkins County Office for the Aging
Constance Laymon	Consumer Directed Choices
Harvey Rosenthal	NY Association of Psychiatric Rehabilitation Services
Judy Farrell	Visiting Nurse Services of New York

**Chair Welcome and Remarks**

- Commissioner Ritter welcomed everyone to the meeting, acknowledged and thanked advocates for attending, and noted that Michael Seereiter from Governor Paterson's office was present.
- It was noted that in compliance with the Office of Taxpayer Accountability, materials for the meeting were sent out in advance. Once these documents are finalized they will also be available on the MISCC Web site. Meeting attendees were encouraged to provide their e-mail address to receive information and handouts in advance of future meetings.
- Commissioner Ritter acknowledged that the January 13, 2010, MISCC meeting would be Commissioner Deborah VanAmerongen's last meeting as a member of the MISCC. Commissioner Ritter thanked Commissioner VanAmerongen for her service to New Yorker's with disabilities and the

work she has done to ensure that DHCR fully embraces the vision of MISCC.

### **Draft MISCC Plan**

- An update was provided on the 2009 Annual MISCC Report which is a separate document from the draft MISCC plan. The report is still being finalized.
- An overview was provided on the draft MISCC Plan. The draft plan includes the top 1 to 3 priorities that MISCC agencies will focus on over the next two years. Future MISCC meetings will focus on implementation of the short term plan. The draft plan is on the MISCC Web site.
- While the short-term plan is being implemented, MISCC will continue to work on development of a longer 2020 and 2040 plan.
- Public Comments to the draft plan have also been posted on the MISCC Web site.
- More than 55 pages of comments were submitted and have been shared with the full Council.
- There was overwhelming excitement in the public comments regarding the creation of a draft plan; however, there was also consensus that the plan needs to be more specific and measurable.
- The MISCC agencies will work to add more details to the draft MISCC Plan.

### **Public Comments**

- Public comments were moved up sooner on the agenda.

Center for Disability Rights (CDR) - While recognizing the current budget crisis, this does not excuse New York from its Americans with Disabilities Act (ADA) obligations. Advocates are talking about what happens in the budget as an indicator to measure State interest in implementing the Olmstead decision. The MISCC should invite the Department of Justice to speak to MISCC. The U.S. Senate Health Care legislation provides for enhancements for community first options. New York State should look at how to use this enhanced match.

- Buffalo Peer Connection - The 2010-11 MISCC plan proposes to increase housing for the homeless recovering from substance abuse by 10 percent (i.e. 125 apartments). Erie County alone has more than 2,000 homeless

individuals, many with substance abuse issues. MISCC should consider assisted technologies and creating a dedicated revenue stream. Funding for segregated settings should be decreased. The lack of data is a barrier to MISCC accomplishing its goals. Also, MISCC should work towards reducing poverty for people with disabilities.

- CDR & ADAPT- What will the MISCC do to help people transition out of nursing homes? New York should not have gone to court in the adult home case. New York should not be considering an appeal to this decision. MISCC should make a recommendation to urge the Governor not to appeal this decision.
- RCIL-Utica- Encouraged the Council to understand rights of individuals under the law. MISCC should make a recommendation to the Governor to adopt Assembly Bill 1192, which would make it illegal to operate segregate housing.
- The Opal Project/ We the People - Forced psychiatric procedures need to be stopped, which would in turn save money. The State should not spend money on individuals that don't consent to services. For 10 years advocates have fought in support of Olmstead and have always heard the excuse of budget problems – that's not good enough anymore. Additionally, the Governor should not to appeal the adult home decision.

### **Discussion of the Draft MISCC Plan**

- Commissioner Ritter asked the Council what could be done to improve the draft plan and demonstrate commitment to people with disabilities living in the most integrated settings.
- Judy Farrell suggested that more could be done to get people through the Nursing Home Transition Diversion Waiver more quickly.
- Matt Mathai said that numbers and percentages in the plan will be the first thing that he'd look for. Benchmark data that OASAS is using is an example of what he's looking for in terms of data. It makes sense during a budget crisis to know where the funding is being used and be able to transition it to where we want it to go. Also, data should be outcome focused, rather than process focused.
- Constance Laymon said if home care is cut people won't move and transition. The slash-and-burn budget mentality won't do anything to resolve long-term budget issues and/or enhance the lives of individuals. In the consumer-directed model the middle-man is eliminated, which is a potential cost savings.

- Patricia Fratangelo said we could be clearer about where funding is going. She noted that if each department could demonstrate the number of individuals transitioning to integrated services that would create pressure to encourage additional progress.

### **Committee Updates**

- **Housing** (Commissioner Deborah VanAmerongen)-The Committee had recently convened and many of the issues around the need to collect data surfaced at that meeting as well. The Housing Committee will continue to meet and will flesh out the details related to data for the draft plan.
- **Employment** (Deputy Commissioner Rebecca Cort) - The MISCC Employment Committee is fortunate to be working with the Make Works Pay initiative. The committee will also be working on the Think Beyond the Label campaign, a national marketing effort for the employment of individuals with disabilities. Data collection will be a part of this initiative. The committee is also working to encourage increased public sector employment for individuals with disabilities.
- **Transportation** (Tom Vaughn) - Mobility management, better coordination of planning, pedestrian issues and paratransit are the four areas of focus for the Transportation Committee. The committee intends to bring numbers back to the MISCC for review and comment. Additionally, agencies and disability stakeholders are encouraged to participate in local transportation coordinated planning efforts. Furthermore, the Paratransit Sub-Committee will be working to identify gaps in transportation services.

### **Closing Comments**

- The next MISCC meeting is planned for Wednesday, April 28, 2010 at 1pm in Meeting Room 6 of the Concourse.
- Meeting adjourned.