

Summary of Proceedings – October 5, 2009
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
Chief Operating Officer Jane Lynch	CQCAPD
Director Michael J. Burgess	SOFA
Deputy Commissioner Rebecca Cort	VESID/SED
Frank Coco	VESID/SED
Nancy White Martinez	OCFS
Thomas Vaughan	DOT

Ex Officio Members

Director Shelia M. Carey	DDPC
Elise A. Melesky	OTDA
Executive Deputy Commissioner Mario Musolino	DOL

Public Members

Patricia L. Fratangelo	<i>Onondaga Community Living</i>
Lisa A. Holmes	<i>Tompkins County Office for the Aging</i>
Constance Laymon	<i>Consumer Directed Choices</i>
Harvey Rosenthal	<i>NY Association of Psychiatric Rehabilitation Services</i>

Chair Welcome and Remarks

- Commissioner Ritter welcomed everyone to the meeting, acknowledged and thanked advocates for attending, and noted that Kristin Proud and Michael Seereiter from Governor Paterson's office were 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 website. Meeting attendees were encouraged to provide their E-mail address in order to receive information and handouts in advance of future meetings.
- Today's meeting will focus on three items: (1) the 2010 MISCC plan and format, (2) the 2009 report, and (3) data.
- The 2010 MISCC plan was molded on the Virginia Olmstead Plan. The MISCC will first create a short-term plan that will have measurable and tangible goals to be achieved over the next two years. Specifically, the plan will identify the top 1-3 priorities per agency and subsequent MISCC meetings will be centered on reviewing progress on these priorities.
- Commissioner Ritter clarified that in addition to the short term MISCC plan, work will definitely continue on development of a long term Olmstead plan.
- Commissioner Ritter acknowledged the recent *Disability Advocates, Inc. v. Paterson* decision related to adult homes, which was not on the agenda due to pending litigation. The Commission on Quality Care (CQC) will host a meeting of the Adult Homes Facilities Workgroup in October and interested individuals were encouraged to participate in that meeting.
- CQC provided an overview of the court decision and information on the Americans with Disabilities Act of 1990 (ADA) requiring government services to be delivered in the most integrated setting.

- Harvey Rosenthal said that he and the public members of the MISCC will send a letter to Governor Paterson requesting that the MISCC plan provide a remedy for "...unlawful segregation of thousands of New Yorkers with psychiatric disabilities in adult homes." The letter also requests that Governor Paterson not appeal the September 8th decision. Commissioner Ritter thanked Mr. Rosenthal for sharing the letter.

2010 MISCC Plan

- Prior to this meeting, draft templates of the housing, employment and transportation plans that would be included in the 2010 MISCC plan were sent to MISCC members. Commissioner Ritter ask for feedback on the templates.
- The mission, vision, values and goals in the template plans were taken from the 2008 MISCC report. Each agency for the 2010 plan has been asked to identify three priorities, which will be due no later than October 26th. Priorities for the MISCC committees will be due in early November.
- Commissioner Ritter indicated that MISCC is interested in obtaining public comments on the draft MISCC plan. Therefore, the draft plan will posted on the MISCC website from November 16 to November 30, 2009. Feedback can be sent using a link on the website or may be mailed.
- Constance Laymon said that the MISCC could benefit from a Long-Term Care Committee, which she said was one aspect of the authorizing legislation. The Department of Health (DOH) stakeholder group has started to look at long-term care, although MISCC needs to ensure that long-term care is included in the plan.
- Commissioner Daines said the Long-Term Care Advisory Group is ready to carry that work forward.
- Harvey Rosenthal expressed concern that each agency will be given one page in the plan. Mr. Rosenthal added that the Virginia Olmstead Plan was a good model because it provided the number of people impacted, funding required, regulatory barriers and timelines.
- Harvey Rosenthal acknowledged that this is as close as the MISCC has ever gotten to using data and having an action-oriented plan. He said we want to ensure data is included in the report to ensure that MISCC continues to move forward.

2009 Report

- Commissioner Ritter said the 2010 MISCC annual report will be 15 to 20 pages. Questions have been sent to MISCC agencies and committees. The questions will be posted on the MISCC website. Commissioner Ritter asked for feedback on questions.
- In response, Constance Laymon said that we need to be cognizant of the systems-wide approach and to prevent systems-wide bias.
- Patricia L. Fratangelo said we need to know if policies have an impact on people's lives and that often policies and actions are not effectively communicated down to the community.
- Jane Lynch said that MISCC stakeholders are important to communicate information out to the wider community.
- Commissioner Ritter said that stakeholders should cascade MISCC information outward and that the MISCC website will be an informational resource.

Data

- Commissioner Ritter said that an employment and housing data request was sent to the MISCC agencies. Commissioner Ritter indicated that after looking at the data that the challenge of creating a framework that can be applied to all MISCC agencies became clear. So, additional adjustments may have to be made to the matrix. Commissioner Ritter then asked for feedback from the membership.
- Rebecca Cort, VESID, said that MISCC should focus on targeting the most segregated areas. Harvey Rosenthal commented that in some areas information was missing from the matrix. Commissioner Ritter said part of that was due to the data matrix's framework and the challenge that agencies had appropriately identifying and placing the data. Harvey Rosenthal said we also need disability specific information, so we know "who" is receiving services in the agencies providing services across the disability spectrum.
- Constance Laymon said that she would like to see more detailed data on funding (e.g. funding per unit). She also noted that we need to be able to acknowledge which programs are being accessed simply because of funding, while other "better" programs may be out there. Commissioner Ritter said that efforts in fine-tuning the data for different populations should start within the stakeholder groups and should bubble-up the full MISCC. Ms. Laymon said that made sense.
- John Allen (OMH) said he agreed with Rebecca Cort on going after the low hanging fruit. Mr. Allen provided an update on the Medicaid Infrastructure Grant (MIG). OMH is putting in place a new data system to better track employment.
- Harvey Rosenthal said there are many people who are languishing in segregated employment programs. Harvey indicated that he would like the data to reflect those numbers as well.
- Patricia L. Fratangelo commented that the data was interesting because it dissected the level of integration. Ms. Fratangelo said that data, however, needs to be more complete.
- Commissioner Ritter said that moving forward MISCC will continue to build on the data components.

Committee Reports

Information provided in the committee reports will be posted on the MISCC website.

Housing Report—Commissioner VanAmerongen, Division of Housing and Community Renewal

- The National Council of State Housing agencies has awarded DHCR for its NHTDW and Access to Home Program.
- A joint meeting of Money Follows the Person and MISCC Housing Taskforce was held to discuss the new direction of MISCC.
- Identified obstacles to housing include:
 - Budget—Current fiscal environment creates challenges, but it is important to protect existing programs and agreement could be made on budget priorities
 - Data—Without data it is difficult to understand the operating universe
- Director Michael Burgess, State Office for the Aging
 - SOFA was awarded grants from the Community Living Program and Aging Disability Resource Centers.

Employment Report—Frank Coco, VESID

- The Employment Committee created a statement of principals.

- The Employment Committee is working on restructuring the workgroups to possibility use existing entities within the state to carry out and advance identified priorities.
- The Employment Committee is interested in creating targets as an implementation goal.
- Explore codifying committee's employment efforts to insulate them from fluctuations in the fiscal and political environment. One potential avenue is Chapter 515 Laws of 1992.
- The next Employment Committee meeting is October 29, 2009.
 - John Allen announced that October 6th and 7th MIG/OMH will host an invitational employment summit.
 - The MIG has brought \$12 million in new resources to New York for people with disabilities and employment
 - Commissioner Daines said that the health care industry should examine ways to employ people with disabilities.

Transportation Report—Tom Vaughan, Department of Transportation

- The Transportation Committee needs to better understand the existing network of programs. Transportation "Czars," therefore, need to be appointed at the agencies to identify programs.
 - Commissioner Ritter encouraged each agency to appoint appropriate staff to join the Transportation Committee.
- The idea of legislation for accessible taxicabs was proposed.
- Mobility management needs to be advanced. Two funding sources include:
 - New Freedom and Job Access
 - DOT has 16 mobility management demonstration projects in operation
- Transportation is not a single agency issue, therefore MISCC needs a mechanism to bring transportation issues to the full MISCC.

Constance Laymon said that paratransit rules and regulations may require enhanced enforcement, rather than potentially creating new rules and regulations.

Public Comments

- Constance said Albany County supports community based services and plans on closing the Albany County Nursing Home. However, not everybody supports community based care which is an obstacle.
- Ceylane Meyers provided updates to two individual cases. The lessons learned from these experiences are that systems need to be flexible.
- Bruce from ADAPT said the Governor's veto Polling Place Access bill is a violation of civil rights. Additionally, Mr. Darling also expressed concerns over the Governor's veto of a bill that would have incorporated Title II of the ADA into state law as well as comments that Medicaid will cut home health-care in 2012. Mr. Darling urged the MISCC to carry its agenda to outside these "four walls."
- An individual shared his personal story regarding his sister in foster care. Commissioner Ritter asked for follow up to be done by the appropriate agencies.
- Marcie of Independent Living Center of Buffalo urged the MISCC to encourage the State not to appeal the recent adult home court decision.
- Karla of Community Access said that she hopes the MISCC plan will have stakeholder input in moving individuals with psychiatric disabilities to the community. Karla also encouraged Governor not to appeal the court's *DAI* decision.
- Dean said that he would like to participate in the Employment Committee via conference call. Commissioner Ritter said that MISCC will connect him to the committee.

- Annette (ADAPT) told the story of a 93 yrs. old individual who wants to move out of a nursing home; however the NHTDW is a cumbersome process and the individual is waiting for transition. She asked that the process be streamlined. Director Burgess asked to see the information.
- Leah (Center of Disability Rights) asked the MISCC to pass a resolution support the Community Choice Act (CCA).
- Jennifer (ADAPT) asked for help in getting her brother out of an adult home in Rochester
- John talked about the stigma that individuals living in adult homes encounter when seeking employment. He is looking to move out of an adult home.
- Norman urged the Governor not to appeal the recent adult home decision. He presented postcards from residents of adult home who want to live in the community. Commissioner Ritter accepted the post cards on behalf of the Governor.
- Jeff (Coalition of Institutionalized Aged and Disabled) advocated MISCC to encourage Governor Paterson not to appeal the *Disability Advocates, Inc. v. Paterson* decision.
- Susan of the Independent Living Center gave an update on the progress of an individual seeking community based services. She raised concerns on behalf of this individual at the July meeting. The young woman in need of assistance, left the July meeting feeling supported by MISCC and though she hasn't moved yet, plans are in motion to meet her goals. Susan also encouraged the State not to appeal of the *Disability Advocates, Inc. v. Paterson* decision. Susan commented on the overall progress of the MISCC and its direction. Susan encouraged MISCC to sign onto the CCA resolution.