

Interagency Coordinating Council

December 14, 2009
9 AM – 1:00 p.m.

CAFAP
2189 Silas Deane Highway
Rocky Hill, CT

Minutes

Mark A. Greenstein, M.D. Chair
ICC Chair/Pediatrician

Patrick Ruddy, ICC Vice Chair
Parent

Ginny Mahoney
Dept. of Social Services

Deborah Pagano
Parent

Position open
Office of Protection and Advocacy

Dona Ditrio

New Opportunities Early Head Start

Rita Esposito
REACHOUT, Inc.

Linda Goodman
Dept. of Developmental Services

Laurel Ross

Abilis

Clara Gutierrez

Parent

Jeanette Haines

BESB

Richard Fisher

Dept. of Insurance

Cynthia Jackson

Children's Therapy Services

Robert LaCamera, M.D.

American Academy of Pediatrics

Joe McLaughlin

McLaughlin and Associates

Elise Minor

Parent

Kathleen Bradley, PhD

Dept. of Children and Families

Maria Synodi, Alternate

State Dept. of Education

Louis Tallarita

SDE- Educ. for Homeless Children

Rep. Jack W. Thompson

CT legislator

Robin Tousey-Ayers

Dept. of Public Health

Melissa Van Buren, Alternate

A.J. Pappanikou Center for Excellence

Myra Watnick

Rehabilitation Associates, Inc.

Commission on the Deaf and
Hearing Impaired

Sen. Anthony Musto

State Senator

ICC Members Present: Kathleen Bradley , Dona Ditrio, Rita Esposito, Richard Fisher, Dr. Mark Greenstein, Dr. Robert LaCamera, Cindy Jackson, Joe McLaughlin, Elise Minor, Deborah Pagano, Patrick Ruddy, Maria Synodi, Louis Tallarita, Representative Jack Thompson, Elayne Thomas, Myra Watnick

ICC Members Absent: Kathy Bradley, Linda Goodman, Clara Gutierrez, Jeanette Haines, Ginny Mahoney, Senator Anthony Musto, Lolli Ross, Robin Tousey-Ayers, Melissa Van Buren,

The meeting began at 9:25 AM.

Introductions:

Dr. Mark Greenstein, ICC Chair, welcomed everyone to the State ICC meeting. Council members and thirteen members of the public introduced themselves. A warm good-bye was given to Elayne Thomas who is stepping down as vice-chair and welcome to Patrick Ruddy as the new vice chair.

Approval of October Minutes

Myra Watnick made a motion to approve the October minutes as written. Cindy Jackson seconded the motion. The Motion passed unanimously.

Public Comment:

Joyce Lewis, Vice President of Key Human Services, made public comment regarding the changes to the Birth to Three family fees. She spoke mainly as a parent and an advocate, though her position in Key Services allows her to see the direct impact these changes in policy are already producing. Her comments are similar she made to the legislature when hearings were held. Her first point is that she feels strongly that the 60% increase to family fees and the elimination of the two month trial is a violation of the Birth to Three mission because families can not access services equally.

Public Comment continued:

Second, since families will leave the Birth to Three system because they cannot afford to participate, she noted the clear and long-standing evidence that the true and eventual costs to the state are increased because of the higher costs associated with the increased need for more and longer use of special education services for such children. The costs will be higher and shifted to the LEAs. Third, she noted that the current Birth to Three insurance reimbursement rates are comparatively low and if there had been or was a \$5.00 increase to the insurance rates then the 60% increase in family fees and elimination of two month would have been/could be offset.

New Business

Discussion ensued around the increase in family fees and elimination of the two month trial period. The discussion was a continuation of the Executive Committee meeting dealing with the clear changes to the system and changes in fees will produce. There were questions for Jack about the Legislature's group about Fiscal Accountability and setting up a meeting with them and representatives of the ICC. Dr Mark Greenstein made a motion to advise the lead agency to collect data monthly on enrollment numbers of children in the Birth to Three system, withdrawal rates and reasons for withdrawal and to reiterate to programs to clarify/explore families' reasons. Patrick Ruddy seconded the motion. The Motion passed unanimously.

Cindy Jackson and Rita Esposito are also members of the CSPD Council and reported that the council has devised two committees- one committee to revise the assistive technology guidelines and another committee to address personnel development issues in the children's behavioral health guidelines.

Office Special Education Programs (OSEP) Conference Update

Patrick Ruddy, parent ICC member and new Vice Chair, Lynn Johnson, Assistant Director to Birth to Three System and Maria Synodi, State Department of Education attended the OSEP conference and reported on the ICC meeting as well as conference plenaries and activities. More information is available at ed.gov under early learning challenge fund. This was the last isolated OSEP meeting. Future ones will be attached to meetings that serve other constituencies who are also concerned about infants and young children.

Lead Agency Update/Fiscal Update

The update was provided by Lynn Skene-Johnson; Please refer to the "Lead Agency Update" posted on the Birth to Three website (www.birth23.org) - under State Interagency Coordinating Council

Budget

Our projected deficit for FY10 so far is \$9m (after we use the \$4.6m in ARRA funding). Without the ARRA funding, it would be \$13.6m. The Governor's proposed deficit mitigation bill for 12/1/09 did not include any cuts to the Birth to Three budget, but the Republican's proposed plan includes a \$1.9m reduction. A public hearing was held on the Governor's plan on 12/9/09.

Autism Services

As of 12/7/09 there were 242 children enrolled in the ten autism-specific programs and 46 in the general programs.

The most recent newsletter for programs contained a reference to a recent article in the *Journal of Pediatrics* (11/30) showed that a 20 hr/week program that used an ABA framework for teaching but included work on social interactions and relationships (The Denver Early Start Program for Young Children with Autism) showed better outcomes for children than receiving other early intervention and preschool special education services.

Insurance

DDS staff and autism-specific program staff met with the insurance plans on 10/7 to discuss autism insurance billing with the change in laws set to take effect January 1, 2010. Since then, each of the autism programs have been contacting each of the major plans to join their networks and to agree upon rates and codes for billing. General Birth to Three programs can also attempt to bill if the child has a diagnosis and if the services meet the requirements of the statute.

Each of the 10 autism-specific programs has the personnel to give a DSM-IV diagnosis and each is implementing plans to ensure that the required level of supervision is maintained.

DDS has met with OPM and the Department of Insurance twice to discuss raising the insurance billing rate for Birth to Three services. Secretary Genuario agreed to meet with the health care plans to propose an increase.

Cindy Jackson made a motion for the lead agency to contact the Department of Social Services regarding increasing the Medicaid reimbursement rates. Myra Watnick seconded the motion. The Motion passed unanimously.

Parent fees

The hearing on November 12th resulted in four providers testifying and one parent testifying. There were approximately 20 additional written comments submitted by the November 20th deadline. The revised federal application was submitted 12/7/09 and the process of revising the regulations will continue. In the meantime, based on the statutory requirements and the federal application, the increase in parent fees will be implemented on 1/1/2010. We have been tracking withdrawals each month and will continue to track that data.

Programs already report families choosing to leave the system or choosing solely service coordination and dropping services. Almost all have grave concerns about the impact this will have on children and families.

The fiscal update will be distributed to ICC members via email.

IDEA Dispute Resolution FY10

One written complaint was received July 6, 2009. The program involved was Child and Family Network. The issue involved comments made by a staff member about a child's physician that the parent deemed to be "unprofessional" in nature. There was no finding related to IDEA compliance. The complaint was investigated and a response sent August 17, 2009. The child was transferred to another program the same day as the complaint was filed.

A second written complaint was received September 22, 2009. The family's complaint involves the parent fees. The child is enrolled in the Wheeler Clinic program. Although there were no findings of IDEA non-compliance, the issue for the family is that they were billed for services during a month where the only thing that happened was an IFSP review meeting. Since that meeting had been coded as a "visit" in the data system, the family was charged. The coding was corrected and the family's bill was adjusted.

A third written complaint was received November 11, 2009. The program involved was Academy for Young Minds. The complaint involved hours of service that were missed and the qualifications of the speech pathologist who was substituting for someone that was out on maternity leave. There was one finding of IDEA non-compliance that was specific to the provider that is providing the services listed on the IFSP. The program owed the family 10 hours. The issue that the original speech pathologist had training in PROMPT and feeding is being resolved by the program. They added an OT experienced in feeding and are attempting to make temporary arrangements for a PROMPT-trained SLP until the original SLP returns from leave in January.

Monitoring and Accountability

We have almost completed our Annual Performance Report for State Fiscal Year 2009 which is due to the U.S. Dept. of Education by February 1, 2010. Overall, the state maintained 100% or made progress in all but one indicator (Indicator 9: Timely Correction of Non-Compliance). This is the first year that targets will be required for that indicator.

One verification visit was completed to a program with a high percentage of complaints and with eligibility data that was very different than statewide averages. A Corrective Action Plan was developed. The program will be working with Anna Gorski to track the correction of non-compliance and with Deb Resnick and Aileen McKenna to learn more about focusing their interventions on supporting parents using coaching and other models including routines-based strategies.

Another verification visit was made to TheraCare on 11/24. An improvement plan will be developed, focusing on documenting family-centered intervention.

Visits with 10 of our relatively new programs are being scheduled for the rest of this fiscal year.

Early Childhood Cabinet

No meetings have been scheduled, nor has the Governor appointed a chairperson, but Linda Goodman was recommended by Commissioner O'Meara to be the Department's designee to the new Cabinet. If Connecticut is going to be able to apply for any of the upcoming early childhood federal grants (such as the Early Learning Challenge Grants), the state must at least have a designated State Advisory Council that meets the requirements of the Head Start Act. There would even be some federal funding available for staffing such a council.

Annual Performance Report (APR) Summary

Alice Ridgway, of the Birth to Three System thanked Mark, Kathleen, Lolli and Myra for volunteering to revise a draft of the Connecticut Part C annual performance report summary. Alice also discussed the ten verification visits scheduled to new programs.

Posting On-Line Hearing

How long should Birth to Three hearings be posted on the website? OSEP has not offered or given any specific recommendations. Birth to Three maintains children's records for six years. Mark made a motion for a rolling calendar six year removal of hearings posted with additionally the specific notation online if a program was no longer active and an option for programs to petition the Lead Agency to remove hearing findings if the specific guidelines or regulations had changed and/or the circumstances no longer applied.. Dona Ditrio seconded the motion. The Motion passed unanimously.

Update from Family Support Network

Mona Trembley, northeast Coordinator of the Connecticut Family Support Network discussed updates from the network as well as the Family Support Council. (Please see hand-out #1)

Committee Reports

Due to the level of concern about the rapid and concerning changes, all committees met in unison to discuss issues and strategies.

Legislative Committee/Quality Services Committee: Cindy reported that these committees will meet individually and jointly again to discuss advocacy of parents (Communications), data impact reports (Quality) and to consider changes and /or implications to the Birth to Three system (Legislative).

Communications Committee: This committee will provide their recommendations for updated bylaws electronically and comment needs to be sent in advance to facilitate discussion and possible adoption at the FEBRUARY meeting.

Mark made a motion to hold a ICC meeting on January 25, 2010 to specifically allow each subcommittee to meet in terms of issues related to changes to the system.

Items for February ICC Meeting Agenda

Standing Crisis Update
Eileen-screening for language update
By-Laws voting
Alice-monthly numbers
Begin discussion of possible retreat

Reports and Announcements

No reports or announcements were made.

The meeting ended at 12: 30PM.

Respectfully Submitted,

Anna Gorski

NEXT State ICC MEETING

Monday, January 25, 2010 at CAFAP, 2189 Silas Deane Highway, Rocky Hill, CT
Please RSVP to Anna Gorski at 860-418-8716 or via e-mail at: anna.gorski@ct.gov

FUTURE MEETING DATES:

February 22, 2010

April 12, 2010

June 28, 2010

August 16, 2010

October 18, 2010

December 13, 2010

Please plan to attend.

