Joe Lombardo

*Governor*

Richard Whitley, MS

*Director*



**Department of**

**Health and Human Services**

Aging and Disability Services Division

*Helping people. It’s who we are and what we do.*

**

Dena Schmidt

*Administrator*

**Nevada Commission on Services for**

**Persons with Disabilities (CSPD)**

**RESCHEDULED**

**MEETING MINUTES**

**Date and Time of Meeting: Thursday February 15th, 2024**

**Location of Meeting: Zoom (**[**Zoom.us**](https://nv.sharepoint.com/sites/ADSD-BOARDS-AND-COMMISSIONS-FACILITATION/Shared%20Documents/General/Agenda/Zoom.us)**)**

[**http://tinyurl.com/5n7kxtcf**](http://tinyurl.com/5n7kxtcf)

**MINUTES**

1. **Roll Call:**
   * **Members:** Charlene Frost, Cindi Swanson, Diane Thorkildson, Ilia Sandez, Max Lowe, Mechelle Merrill, Regina Daniel
   * **Guests and Staff:** Deanna Smith, Shannon Litz, Loren Gonzalez, Marie Coe, Ophelia Simmons-Urquhart, Melany, John Rosenlund, Scott Youngs, Jack Mayes, Cheyenne Pasquale, Lisa Martin, Molly Lewis, Samantha Jayme, Luke Dumaran, Johnathan Corona-Rubio, Bradley Boe, Ashlee Cooper, Autumn Blattman, Nancy Herrera, M Nelson, Heather Goodlett
   * **Captioner:** Becky
2. **Public Comment:**
   * Molly Rose Lewis introduction as a regional representative from Senator Jacky Rosen’s office and works in the North.
     1. Contact information- [mollyrose\_lewis@rosen.senate.gov](mailto:mollyrose_lewis@rosen.senate.gov) 775-560-1824
     2. Covers the disability issues space for Senator Rosen.
     3. Take any federal issues that are policy related or a personal issue with a federal agency.
     4. Does work for people with Social Security, Medicaid, Centers for Medicare and Medicaid Services (CMS), immigration, passports, Internal Revenue Services (IRS) and most other federal agencies.

* Char Frost discussed her position as the Director of the engagement for Magellan Health.
  1. [www.magellanofnevada.com/frostc@magellanhealth.com/775-450-0736](http://www.magellanofnevada.com/frostc@magellanhealth.com/775-450-0736)
  2. Awarded the contract for the Division of Child and Family Services to operate the care management entity. Lovingly calling the program “Connect Nevada, strengthening youth empowering families”.
  3. One of the priority populations are our youth and young adults who have co-occurring intellectual and developmental disabilities (IDD) and mental health.
  4. Able to provide some services that are not covered under Medicaid currently but will hopefully be covered by Medicaid in the future.
  5. Currently taking referrals from all the organizations you would anticipate but also from families directly.
  6. Serving ages three through twenty.
  7. Another priority population are our kids who are in out of state treatment, we are here to provide additional support to families who may need help with their kids transitioning back into their home and community.
* Cindi Swanson, Mother and caretaker of a son with Down’s Syndrome, discussed upcoming topics.
  1. The Department of Education has received a very generous $10 million grant over a five-year period. Funds to help the state put people to work earlier on as well as educate families.
  2. Recommending that Jennifer Kane, with The Nevada Statewide Independent Living Council (SILC), come and give CSPD regular ongoing updates.
  3. Suggesting that someone with Nevada Leadership Education in Neurodevelopmental and Related Disabilities (LEND) come and give an update as well.
* Max Lowe would like to discuss special needs trust and ABLE accounts in a future meeting.
  1. In Nevada a lot of lawyers that speak about disability law know a lot about SSI and SSDI but not a lot of information for special needs trusts and ABLE accounts.

1. **For Information and Discussion:** Discussion and review of Aging

And Disability Service Division (ADSD) Olmstead Plan.

* CSPD made a request to Aging and Disability Services to renew their work around Olmstead, as the previous Olmstead Plan had expired.
* ADSD contracted with social entrepreneurs, a well-known consulting group in Northern Nevada, to convene many different focus groups, public comment times, along with a Steering Committee that met monthly for about a year.
* You may find the full Olmstead Plan at [Olmstead Planning (nv.gov)](https://adsd.nv.gov/uploadedFiles/adsdnvgov/content/Boards/CSPD/2024/Olmstead%20Plan.pdf)

1. **Presentation and Discussion:** Desert Regional Center (DRC) to provide an overview of DRC services, including information related to person-centered planning and DRC’s relationship with various community-based services and agencies.

* Tabled for next meeting.

1. **For Information and Discussion**: Review of the 2023 Legislative Session,

highlighting the various legislative activities which impacted ADSD, disability-related services, and the disability community.

* Facility Outreach and Community Integration Services (FOCIS)/Money Follows the Person (MFP) Transition from Division of Health Care Financing and Policy (DHCFP) to ADSD
  1. FOCIS team originally transferred with 10 Psychiatric Clinical Nurse Specialist (PCNS), 8 of which were vacant. Shortly after the transition, the 2 filled positions became vacant.
  2. Have interviewed for the Supervisor position and once filled will begin the work to identify opportunities for changes in program design.
  3. This work is being led by our Intake and Eligibility team under the Office of Community Living, in coordination with the Planning team.
  4. Will be developing a project plan to include stakeholder engagement.
  5. MFP as a new ‘subrecipient’ ADSD had to work closely with CMS to get the grant transferred to us. That has been completed and we are now in the beginning phases of program design.
* AB422 – Fetal Alcohol Spectrum Disorder program.

1. Luke Dumaran – Psychological developmental counselor with Nevada’s Autism Treatment Assistance Program (ATAP). ([ldumaran@adsd.nv.gov](mailto:ldumaran@adsd.nv.gov))
2. New position for the program.
3. AB422 is the pilot project awarded to ATAP, currently in the learning phase and next will be a planning phase.
4. Training through the Florida Center; FASCETS neurobehavioral neurodiversity approach that is trying to separate themselves from being tied to a specific disability; training on the differences between autism and fetal alcohol spectrum disorder and look at the current landscape of diagnostic assessments.
5. Participating in ‘Extension for Community Healthcare Outcomes (echos), bringing together experts in the fields and cohorts of people who want to learn.
6. Main program that is being assessed now is called “The Families Moving Forward” and see how this can be applied to Nevada systems.

* AB78 – Related to jobs and day training providers.
  1. Proposed changes to NAC 435 have been completed.
  2. Public workshop is scheduled on 2/22/24 at 10am to review proposed amendments – this includes other changes made to NAC 435 as well.
  3. Policy will be updated accordingly for JDT providers – this exemption already exists for our Supported Living Arrangement (SLA) providers.
  4. JDT providers that want to administer medications will have to be trained and certified in an approved medication administration program just as our SLA providers currently are.
* AB259 – Ends the subminimum wage program for persons with disabilities.
  1. Currently five (5) JDT providers pay subminimum wage; they will have until Jan. 1, 2028, to transition from paying subminimum wage to state minimum wage.
  2. Contracts will be updated for any new JDT providers effective Jan. 1, 2025, to indicate they cannot pay less than the state minimum wage.
  3. We will submit a wavier amendment for our Home and Community Based Services Waiver for Individuals with Intellectual and Developmental Disabilities to add benefits counseling as a new service to go into effect on Jan. 1, 2025
* SB298 – Related to the rights of residents in residential facilities for groups, taking effect January 2024.
  1. Affecting residents in group homes and assisted living level of care.
  2. Provides discharge protection for residents so that they are not released to homeless shelters or back to their homes when they have significant care needs.
  3. Statewide there are 655 facilities, 70 skilled nursing facilities and 7,551 beds in these levels of care that are being affected.
  4. Parts of the laws to make note of are:
     + That contracts between the residents or the representatives and the facilities must be consistent.
     + 30 Day notices and allowing ten days within the notice to meet with the administrator to possibly come up with a resolution.
     + The location of the discharge for the person needs to meet the care needs. Patients cannot be discharged to homeless shelters or to a location that cannot meet their care needs.
  5. Residents are only discharged for specific reasons:
     + No longer meets level of care and needs to be transferred to another level of care.
     + The health and safety of the resident or other residents would be in danger.
     + Failure to pay contracted charges.
     + Failure to pay the contracted charges, still must meet the location requirements and cannot be discharged solely because of failure to pay.
     + Facility ceases to operate.
     + Contact information for the Ombudsman Office must be in all notices.
     + Allows residents on the Medicaid waiver program to request an administrative heaving for the review of the discharge.
* SB315 – Bill of Rights for persons who are aged or disabled.
  1. This bill went into effect on 7/1/23 and codified into Nevada law rights for people receiving services through a home and community-based waiver.
  2. For DS, these rights were already within their service system, regardless of waiver status.
  3. DS is working closely with the ADSD Policy Unit to update the rights booklet to ensure everything in the bill of rights is also clearly outlined in the booklet. This booklet is given to every person in DS upon intake and at their annual meeting.
  4. For the FE and PD Waivers: For those on the FE and PD Waivers, these rights were already available to them and provided in the Recipients Rights NMO-7070 form (Nevada Medicaid Office form).  In addition, ADSD Operations included the validation of many of these rights into the Social Health Assessment and Plan of Care that is reviewed, signed and copied presented to the recipient.
  5. Goal 3, Objective 3.2 of the Olmstead Plan includes strategies to ensure individuals have access to grievance practices and retaliation mitigation.
* AJR1 – Resolution to amend the Nevada Constitution 6.
  1. Passed in the 2023 Legislature, will be on the ballot in the 2024 General Election to be approved by voters and will go into effect at that time.

1. **For information and Discussion:** Presentation and update on No Wrong Door activities, including review of Nevada’s No Wrong Door Map created by the Nevada Center for Excellence in Disabilities.
   * Have a contract with ADSD to provide a variety of consultative and administrative roles related to the implementation of the ADSD’s No Wrong Door process for Nevada.
   * Ran a series of targeted interviews and then a survey of both individuals with disabilities and some caregivers, as well as a few providers in the targeted interviews.
   * A survey went out statewide to mostly providers on what has been their experience with accessing services through ADSD.
   * Data collected will be used to draw a map of Nevada’s current landscape related to the No Wrong Door system.
   * Working on developing a No Wrong Door governance committee, updates will be given in upcoming meetings.
   * A total of 32 targets interviews, 10 consumers and 18 parents of person with a disability, caregivers that were not parents – there was one, there were three providers in the targets interview pool.
   * Presentation can be found at [Nevada’s No Wrong Door System (nv.gov)](https://adsd.nv.gov/uploadedFiles/adsdnvgov/content/Boards/CSPD/2024/NWD%20Final%20Report%201%204%2024.pdf)
2. **For information and Discussion:** Presentation about Nevada’s Home and Community Based Services (HCBS) waivers, including review of ADSD Combined Caseload Statistics Report (CLEO) data related to the waiver programs.
   * You may view the full CLEO report at [AGING AND DISABILITY SERVICES DIVISION (nv.gov)](https://adsd.nv.gov/uploadedFiles/adsdnvgov/content/Boards/CSPD/2024/CLEO_Presentation_February_2024.pdf)
3. **For Information and Discussion:** Discussion and Update regarding Aging and

Disability Service Division (ADSD) Combined Master Caseload Statistics Report.

* Discussion on having someone from the Office of Data Analytics under the Department of Health and Human Services (DHHS) present and walk through the dashboards developed online with caseload information that is updated each month.

1. **Public Comment:**
   * Mechelle Merrill addressed Cindi Swanson’s earlier question regarding how people transition now that subminimum wage is being phased out.
   * The workforce innovation opportunity act, section 504 in the Rehab Act itself requires that Vocational (Voc) Rehabilitation do career counseling information and referral services.
   * These services are available to every subminimum wage setting through Voc Rehab.
   * Nevada did receive the Disability Innovation Fund (DIF) grant and is with the department of education and waiting to be sub granted out.
   * Voc Rehab is the primary subgrantee and will use funding to develop the website that will be the backbone to the effort providing a single resource for the state for the transition of people from secondary to postsecondary, employment, voluntary work etc.
2. **Adjournment (For Possible Action):** 11:40 am

**NOTE**:

* Supporting documents referenced above in the “for possible action” items may be requested from Lorraine Belt-Dolan, Commission Administrative Support, ADSD at [Deanna@adsd.nv.gov](mailto:Deanna@adsd.nv.gov) and is/will be available at the meeting locations and ADSD website at [CSPD (nv.gov)](https://adsd.nv.gov/Boards/CSPD/CSPD/) .

**AGENDA POSTED AT THE FOLLOWING LOCATIONS:**

Notice of this meeting was posted at the following Aging and Disability Services Office at 3208 Goni Road, Building I, Suite 181, Carson City, NV. 89706. Notice of this meeting was posted on the Internet through the Nevada Aging and Disability Services Division website at [www.adsd.nv.gov](https://adsd.nv.gov/) and Nevada Public Notices website at [https://notice.nv.gov](https://www.bing.com/ck/a?!&&p=e92e5499cb272963JmltdHM9MTY4NjYxNDQwMCZpZ3VpZD0xNGI5ODlmZS05NDliLTZhNGQtMDE3Yi05YjkyOTUxZjZiNTgmaW5zaWQ9NTE4Ng&ptn=3&hsh=3&fclid=14b989fe-949b-6a4d-017b-9b92951f6b58&psq=nevada+public+posting&u=a1aHR0cHM6Ly9ub3RpY2UubnYuZ292Lw&ntb=1)