

MINUTES OF MEETING
BOARD OF DEVELOPMENTAL DISABILITIES SERVICES
May 6, 2015
Conway Human Development Center
Conway, Arkansas

A regular meeting of the Board of Developmental Disabilities Services (DDS) was held May 6, 2015 at the Conway Human Development Center in Conway, Arkansas. The meeting convened at 10:30 a.m. pursuant to the call of the Board Chair.

MEMBERS PRESENT: Mr. David Rosegrant, Ms. Sally Hardin, Ms. Suzann McCommon, Mr. Darrell Pickney, Mr. Randy Laverty and Dr. Linda Selman. Ms. Artie Jones was absent.

STAFF PRESENT: Mr. Jim Brader, Mr. Jeff Gonyea, Ms. Linda Scales, Mr. Calvin Price, Mr. Forrest Steele, Mr. Steve Farmer, Ms. Tammy Benbrook, Mr. Dale Woodall, Ms. Melissa Stone, Ms. Sarah Murphy, Ms. Mona Irwin, Ms. Lindsey Bullard, Mr. George Bryant and Ms. Diann Jones.

OTHERS PRESENT: Ms. Jan Fortney, Ms. Rita Hoover, Ms. Carole Sherman, Ms. Annette Matthews, parents of HDC residents, Mr. John Selig and Mr. Mark White from the DHS Director's Office, and Ms. Nina Carter, Attorney General's Office.

Mr. David Rosegrant, Board Chair presiding, called the meeting to order and welcomed everyone in attendance.

Mr. Rosegrant called for a motion to approve the minutes from the February 4, 2015 regular meeting of the DDS Board.

Ms. Suzann McCommon made a motion that the minutes from the February 4, 2015 regular meeting of the Board of DDS be approved. Mr. Randy Laverty seconded the motion which passed unanimously.

After approving the minutes, Mr. David Rosegrant requested that the Board go into Executive Session to discuss personnel issues. The board entered into the executive session at 10:40 a.m. and returned at 10:55 a.m.

David Rosegrant called for a motion to accept Dr. Charlie Green's resignation as the DDS Commissioner. Ms. Suzann McCommon made a motion to accept Dr. Green's resignation, but asked that the record reflect that the acceptance was with regret. Ms. Sally Hardin seconded the motion which passed unanimously.

After motion was made and accepted, Mr. David Rosegrant asked Dr. Charlie Green to come forward to accept a plaque of appreciation from the Board. Dr. Green graciously accepted the gift and stated he had worked with some of the best colleagues in Arkansas and treasures his fifteen years with DDS as the Commissioner/Director and Superintendent at Alexander Human Development Center.

Mr. David Rosegrant stated the next item of business from the Executive Session was the recommended appointment of Jim Brader to be the DDS Commissioner/Director. Mr. Darrell Pickney made a motion to appoint Mr. Brader as the new DDS Commissioner/Director and Ms. Sally Hardin seconded the motion which passed unanimously. The Board and audience congratulated Mr. Brader.

Mr. Brader thanked everyone for the opportunity and stated he looks forward to serving as the Director of DDS. At this time, Mr. Brader welcomed Mr. John Selig, DHS Director, Mr. Mark White, DHS Deputy Director, Ms. Nina Carter, new representative from the Attorney General's office and Mr. George Bryant, DFA Human Resources Manager.

Mr. John Selig stated that he, along with approval from Governor Asa Hutchinson, was happy to have Mr. Brader as the new DDS Director and thanked him for filling in as Interim while Dr. Green was Interim at the Division of Behavioral Health. Mr. Selig congratulated Dr. Green on his new position as Director at the Division of Behavior Health Services. Mr. Selig also thanked the DDS Board for their continued support, hard work and commitment. Mr. Darrell Pickney welcomed Mr. Selig and Mr. White and reminded them they are always welcome to attend the meetings.

Mr. David Rosegrant, Board Chair, invited consumers, advocates and guests to address the Board.

Ms. Jan Fortney, parent of a Conway HDC Resident, addressed the Board with the following concerns: nursing shortage; nursing and resident care salaries, nursing grid and meeting with Office of Personnel Management. (See Attachment 1:1)

Ms. Carole Sherman, parent of an Arkadelphia HDC resident, thanked the DDS Board, HDC Superintendents, staff and other organizations that advocate for her son's care in a human development center. Ms. Sherman also addressed her concerns regarding funding, policies, challenges and prioritizing needs at our facilities. (See attachment 1:2)

There were no subcommittee reports to present.

Mr. Forrest Steele, Superintendent at Jonesboro HDC, presented the report for the human development centers (HDCs) and reminded the Board that monthly reports for the HDCs were included in the Board packets. (There was a data entry correction on the restraint usage for ARHDC that was presented at the meeting). Mr. Steele presented items of interest about each HDC along with recent survey results provided to him by each Superintendent.

Mr. Darrell Pickney stated he would like a better explanation of services on the admission/readmission part and the allowed/funded/filled positions of staff.

Mr. Jim Brader, DDS Director, began his report by recognizing and extending appreciation to the Board for their continued service and thanked Calvin Price and Conway HDC for hosting the DDS Board Meeting.

Mr. Brader continued his report by discussing recent concerns and possible solutions of the nursing salaries/shortage, upcoming interviews for the Superintendent position at SEAHDC, funding and other DDS challenges.

Following Mr. Brader's report, Mr. George Bryant, Human Resource Manager of the DHS Office of Finance and Administration, addressed the Board with information related to the nursing positions, grid, salaries and similarities at other state facilities. Mr. Bryant also explained the geographical pay and entry level positions. Many of the Board members expressed their concerns regarding the shortage of staff and the severity of health care needed for our clients. Mr. Bryant stated they are working on these concerns and salaries will be raised in these different categories to obtain nurses at Conway HDC then they will continue to work on problems state wide. Mr. Brader thanked Mr. Bryant for the information and continued work into solving this staffing problem.

Following Mr. Bryant's report, Mr. Forrest Steele gave an update of meeting with OPM about the nursing shortage and efforts to recruit nurses and other direct care staff. The DHS HR Department held a recruitment fair in Jonesboro in an effort to streamline the hiring process of direct care staff. Mr. Steele reported that the turnout was fair for the first of what will be several of these events and that he will report back on the overall impact once a few more have been conducted.

Mr. Darrell Pickney addressed the Board with concerns he had regarding the population figures in the human development centers. He is concerned with the on-going decline in beds and the declining waiting list. Mr. Pickney stated he does not want to see the licensed bed numbers lowered again. (Attachment 1:3)

Mr. Jim Brader, Director, handed out an information sheet on the functional capacity numbers and explained that they were lowered to bring the licensed bed numbers closer to the functional capacity numbers. (Attachment 1:4) Mr. Brader went on to say that if the numbers began trending in the other direction and the need for additional beds arose, a request to Office of Long Term Care (OLTC) could be made to meet that need.

Mr. Darrell Pickney then shared an article about a client in a community provider setting that was killed while being cared for in the community. He stated his was one example of clients not being cared for in the community and there needs to be more facility beds available.

Mr. Darrell Pickney also had concerns regarding the Director of Disability Rights Arkansas (DRA) and would like someone from the DDS Board to meet with the DRA Board to let them know that the DDS Board is not pleased with the false statements that their Director has been presenting to the media.

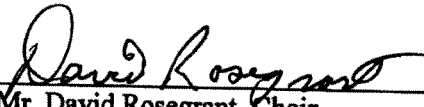
After much discussion from several board members, Mr. Rosegrant asked for a motion to have a representative from the DDS Board meet with the DRA Board or committee regarding the false statements and bad publicity by their Director Tom Masseur. Mr. Darrell Pickney made a motion to proceed with a member of the DDS Board meeting with DRA Board. Ms. Sally Harding seconded the motion.

Other discussion by the Board Members was for DDS Board Members meet with the Office of Personnel Management regarding shortage of nurses and salaries. Mr. Randy Lavery made a motion for Mr. David Rosegrant and Ms. Suzann McCommon to meet with the Office of Personnel Management. Mr. Darrell Pickney seconded the motion which passed unanimously.


Mr. David Rosegrant called for a motion the meeting be adjourned. Ms. Sally Hardin made a motion the meeting be adjourned. Ms. Suzann McCommon seconded the motion. Motion passed unanimously.

Meeting adjourned at 12:35 p.m.

ATTEST:



Mr. David Rosegrant, Chair
Board of Developmental Disabilities Services



Executive Secretary

Comments for DDS Board Meeting - 5-6-15

Good Morning, I am Jan Fortney. I am the parent & guardian of Kim who lives here at CHDC. I am the President of the Conway HDC Parent Association and I serve as Secretary for the statewide parent group FF/CFR.

Back in February our parents and guardians made our concerns known about the Nursing situation at CHDC. We met with Mr. Brader and emailed each of you about it as well. It is May and we now have a critical situation. Many of our long term employees (our nurses) are leaving CHDC for other jobs and better pay. The lack of enough nurses has made it stressful for the nurses who do pull extra duties and extra hours, which possibly makes them consider leaving as well. Parents have contacted me recently and are very concerned.

Mr. Brader has been very open to our pleads for help, and has done all that he can to give some relief for the time being. However, it is not a permanent fix. While filling the gap with the use of Agency nurses has been an emergency plan for now, these Agency nurses don't know our loved ones like the full time nurses do. For example, if a nurse takes a blood sugar reading of one of our residents with diabetes in order for this person to be able to have their afternoon snack/shake and then it takes someone else bringing it to the nurse's attention that she didn't follow-up with the snack/shake within the proper time frame, then this is a real health issue for that resident. I know there are many other examples I could give you, but for time's sake I won't.

I know Mr. Brader has been working on this and I believe is making efforts asking for a Market Differential and Changing the Nursing Grid. We are thankful for his efforts and ask for any kind of support that the Board could give to him in his efforts. In the DHS Budget Act 928 for FY 15-16 there is a section that reads "Nursing/Direct Care Recruitment/Retention Bonuses". Our HDCs need to be able to take advantage of this mechanism for recruiting and retaining employees, also.

Previously, the DDS Board offered to contact the Office of Personnel Management if the need arose. We are asking that the DDS Board do so in order to find a permanent remedy for the nursing situation. We request the same attention be given to reclassify Direct Care Staff positions such as; Residential Care Technicians, Residential Care Assistants, Supervisors, and Residential A2 Caregivers. These positions carry the responsibility of having the lives of our loved ones in their hands each minute of every day. It's a huge responsibility. I know it is a challenge to hire and retain these positions as well, and many days it is hard to just make the minimum coverage for every shift. Reclassifying these positions would put these positions at a higher level on the pay scale and I believe this would help with the recruitment and retention.

I have invited the Executive Director of the Office of Personnel Management to tour CHDC and she has accepted. I hope that this will be a positive step forward in her understanding of the importance of the nurses and direct care staff in particular and how important their role is in providing the continued quality care for our loved ones. The tour may provide a substantial benefit in the department working with the Executive Director of OPM.

Finally, I want to say how much support our parents have expressed for Mr. Brader serving as the Interim Director of DDS. I definitely give my endorsement of him in keeping the leadership position, and hope that when the time comes you will choose Mr. Brader to fill the position as the Director or Commissioner of DDS.

Thank you for giving me the opportunity to speak today and I want to thank each of you for your service on this Board as well.

Attachment 1:2

May 6, 2015

Info – Carole Sherman

I am Carole Sherman, Mother and Co-guardian of John, a longtime resident of Arkadelphia HDC. Thank you for the opportunity to make comments this morning.

I often speak at DDS Board meetings and almost always my remarks have been filled with concerns about our centers and also about policies emanating from external places-federal DHHS, SMS, ACL, NCD, P&As, UCEDDs, NDRN, DOJ, DRA, MFP, BIP, FMAP – a regular alphabet soup of acronyms of federal program funded with public dollars all of which can be difficult to follow; but follow we must because the federal programs have a direct bearing on the human development center programs and our family members.

For some years, policy makers at the federal level have handed down policies and also generous funding to change long term care services but the federal policy makers have not included all key stakeholders at the policy-making table.

To a great extent, the Arkansas parents and guardians have not been at the state level policymaking table either. We were not present when Arkansas DHS and Arkansas Dept. on Aging made the policy decision to apply for federal incentive grants to quote “re-balance” our state’s long term care system and we learned after the fact the re-balancing activities would sweep our HDCs and its vulnerable residents in the effort although there is no need to “rebalance” the DD service system because it is already heavily over balanced toward community based programs.

There is a lack of transparency regarding the federally funded Arkansas MFP and BIP grants and what the state has agreed to do in exchange for the funds. We have no recent information about the Arkansas DHS Payment Improvement Initiative. We know that the two grants and the Initiative have had and in future will have an effect on the HDCs and their defenseless residents. We know that the overall goal of many federal incentive grants is to downsize ICF centers and to shift from long-term care facilities to a community-only model.

We also know that the one-size fits all policy position does not work for all people with disabilities; we know that it can be dangerous and we object to it.

We are grateful for the Arkansas DDS Board and its policy making role which at times feels counter to both the federal and state DHS policies. At some closed policy table in the past, the decision was made not to proceed with the long range building plan for Booneville HDC. And decisions were made not to inform legislative leaders of the capital improvement needs of our heavily used HDC campuses. To my knowledge, those policy positions have not been expressed at DDS Board meetings.

Our vulnerable HDC residents – present and future-depend on the Board’s leadership and that of the Director in identifying and addressing the challenges at our centers-whether it is hiring and retention of staff or identifying and prioritizing the current capital improvements needed at the five centers-we depend on the Board developing on going action plans and working with the Director to meet the challenges.

Please call on us. We want to be involved in your work and we are ready to support and assist wherever possible.

Thank you for your public service and thank you for this opportunity.

TOTALS

<u>DATE</u>	<u>LIC. CAP.</u>	<u>FUNCT. CAP.</u>	<u>CURRENT POP.</u>	<u>LC-CP</u>	<u>FC-CP</u>
03/12	1,059	1,018	954	-105	-64
09/12	1,059	1,015	953	-106	-62
12/12	1,059	1,015	942	-117	-73
01/13	1,059	1,015	944	-115	-71
02/13	1,059	1,011	947	-112	-64
03/13	1,059	1,003	942	-117	-61
04/13	1,059	994	938	-121	-56
05/13	1,059	994	941	-118	-53
06/13	1,059	994	945	-114	-49
07/13	1,059	988	943	-116	-45
08/13	1,059	988	937	-122	-51
09/13	1,059	988	935	-124	-53
12/13	1,059	988	931	-128	-57
01/14	1,043	988	926	-133	-62
02/14	1,043	988	930	-129	-58
06/14	1,043	965	923	-120	-42
08/14	1,043	965	925	-118	-40
09/14	1,043	965	924	-119	-41
	<u>LIC. BEDS</u>			<u>LB-CP</u>	
10/14	990	-----	927	-63	----
11/14	990	-----	919	-71	----
12/14	990	-----	917	-73	----
01/15	990	-----	918	-72	----
03/15	990	-----	914	-76	----

After September 2014 Licensed Capacity and Functional Capacity ceased to be measured by DDS. October, 2014 Reports began listing "Licensed Beds".

AHDC dropped from 134 Licensed Capacity in September to 125 Licensed Beds in October.
 BHDC dropped from 159 Licensed Capacity in September to 138 Licensed Beds in October.
 CHDC dropped from 534 Licensed Capacity in Dec. 2013 to 518 Licensed Beds in Oct. 2014.
 JHDC dropped from 128 Licensed Capacity in September to 109 Licensed Beds in October.
 SEAHDC dropped from 104 Licensed Capacity in September to 100 Licensed Beds in October..

Licensed Capacity was 1,059 through September 2014 and changed in October to 990 Licensed Beds, a capacity loss of 69 beds.

HDC Quick Facts

	Licensed Capacity	Functional Capacity	Current Census	Funded Positions	Annual Budget	Dalley Rate (Avg)	Buildings Used	Average Age of Buildings	Acres	Year Opened
Arkadelphia	125	119	117	265	\$16,520,592	\$381	24	24	338	1968
Booneville	138	131	126	330	\$16,037,000	\$366	17	72	5607	1910*
Conway	518	480	481	1149	\$64,983,852	\$382	93	46	402	1959
Jonesboro	109	104	105	254	\$12,624,681	\$382	38	28	200	1974
Warren	100	93	89	266	\$12,276,220	\$449	17	26	129	1978
	990	927	918	2264	\$122,442,345	(\$392)	189		6676	

*Began operations as an HDC in 1973