

**Family Support Council Meeting**  
**June 9 and 10th, 2023**  
**Zoom Meeting**  
**Meeting Minutes**

Members present: Amber Finnesand, Krista Bau, Diane Baumiller, Christine (Tina) Kenser, Bridget Leiseth, Brittany Norin, Patricia Norin, Michelle Powers, Jennifer Walker, Peggy Waltner

Members absent: Joanne Hairy Shirt, Krista Johnson, Janet Whiting

Members of the Public: Monica Konechne, Arlene Poncelet, Brenda Smith, Tami Leddy

DHS Staff: Jaze Sollars, Kade Anderson, Shawnie Rechtenbaugh, Jenna Howell

**1. Call to Order and Roll Call**

Amber called the meeting to order at 6:00 pm CST

**2. Approval of Agenda**

Michelle made a motion to amend agenda, move up Council Vacancies and add election of board for upcoming year. Michelle would like to have Council Vacancies moved up to right after minutes to item number 4. Tina seconded the motion to move up Council Vacancies to item number 4. Diane made a motion to amend Michelle's motion to add vote on second reading of by-laws amendment and move Family Support Workgroup presentation after 13. Motion passes with a voice vote.

**3. Approval of Minutes**

Pat made the motion to approve minutes and Michelle seconds the motion. Motion passes with a voice vote.

**4. Council Vacancies and Voting on Executive Committee**

The proposed by-laws have not been approved yet. The Council wanted to make sure they were in compliance with current by-laws. If someone's term is ending you run the risk that someone may not be on the council after June 30<sup>th</sup>.

It used to be an automatic thing to be reappointed to the council for a second term but if there are more people, what is the selection process? People would submit the application to the Division of Developmental Disabilities (DDD) and then those applications are sent on to the Governor's Office. 10-15 applications were sent to the Governor's Office.

Pat makes a motion we retain executive committee until June 30<sup>th</sup> and conduct special meeting to elect new officers. Bridget seconds Pats motion. Pat withdrew her motion. Bridget withdrew her second.

Discussion was had on the different roles and individuals thoughts on those roles and people for those roles.

Pat makes a motion we retain executive committee until September meeting. Tina seconded the motion. Motion passes with a voice vote.

This would keep the executive committee as is and in September would need to elect a new executive committee.

**5. Opening Round**

Council members and DD staff discussed an opening round of something people were looking forward to this summer.

**6. DD Council Update**

The council has approved and has been screening "Unseen". Had 5 viewings of "Unseen" in April, 3 were virtual and 2 were in person. Arlene has been discussing more screenings of "Unseen", the next screening would be in Sioux Falls July 26<sup>th</sup>.

"Unseen" was created by the Tennessee Council and follows a family with a child with significant challenges. The film shares the families struggles. The film is meant to make people think about how they are supporting family care givers. There is a trailer which is about 10 minutes and screening is about 45 minutes.

There is a small workgroup who is facilitating the screenings.

The 2023 SD Conference on Developmental Disabilities will be September 6-7 in Sioux Falls. Steve Gilliland is a motivational speaker who will be speaking on moving forward with focus. Dan Baker will be speaking on mental wellness with people with ID/DD. Chris Nikic was the first person with Down Syndrome to complete an Iron Man and will be speaking as well. It will be in Sioux Falls at the Convention Center.

**7. DDD Updates**

**A. Grievances and Appeals** – Only one appeal in the SMAES category and it was not overturned by administrative law judge.

**B. SMART Data** – Overview of SMART was given to the council. Data gathered on performance measures. Performance threshold is 86% and every 3 years we report on every measure. DDD staff conduct monthly compliance reviews. SP quarterly data December through February one area for improvement was adaptive behavior incident living skill assessment was at 80.9% in that category we had 9 files that were incorrect. Initial assessment was at 67.7% There is an initial assessment that is completed in the first year of services. 3 files reviewed and one was marked as incorrect. Health and wellness categories. Lowest category for the full year ANE reporting.

**C. Financial Assistance Guidelines** – Some of the caps on services are hard caps Specialized Therapies does have a hard cap. To change it, it would need a waiver amendment. The hard cap is \$1500 annually for Specialized Therapies.

Fences and sensory items are still an area of concern. DDD is still trying to have these conversations with DSS about fences and sensory items. DSS is currently going through Medicaid expansion which is taking a lot of their time.

Kudos to Music Therapy. Some council members have found great benefit from music therapy. Centralized list of certified music therapists, hippo therapists, art therapists. DDD staff will do some research on creating centralized list.

What is the process of DDD's conversations with DSS? How can we get stories from families to help DSS with justification for items. DDD can get data on how many people are utilizing the Specialized Therapy services.

**8. Public Comment**

No Public Comment.

**D. RFP** – An rfp is a request for proposal. DDD currently operate two IT systems. DDD is always trying to find efficiencies. It is not uncommon for individuals to switch waivers. We are seeking a unified case management system. Each waiver has independent processes. We want it all hosted on one single IT platform. RFPs can be a very lengthy process. Once a provider has been identified it has to go through a contract process.

A question was asked on whether Respite care requires EVV? Respite care does not require EVV. Discussion was had on pros and cons of using EVV.

Went on recess at 810pm CST.  
Resumed at 830am CST.

**9. Day Two – Recall to Order**

Diane, Jen walker, Pat, Brittany, Amber, Bridget, Tina, Krista Bau, Peggy; present

**10. DDD Updates cont.**

**E. Common Law Option** – DDD has been working with Acumen on a weekly basis to start getting this process started. Carrie Geppert with DDD has been working with Acumen to start getting Self Direction 101 sessions going for families. We have received some names from Family Support Coordinators who may be interested in using the common law option. Would have to choose either common law or co-employer option, families cannot use both at the same time. Common law would need an agent of record. Who would you need to notify. Part of the process when you are working with coordinator there will be some paperwork your representative will need to fill out. It would be up to the family on what services they use. Could use 20 hours of personal care and 20 hours of companion care. Still some concerns about liability coverage for families with this employment option. DDD has done some research on this. The care provider does come into your home, homeowner's insurance should cover this, but it would be something families should think about. Something to consider for families would be their homeowner's insurance policy. DDD will report on how the Acumen pilot program goes. Acumen uses a different EVV system. The question was asked if FOCOS will go away. This will depend on who is selected as part of the RFP for a unified case management system.

**F. Front Door to Supports** – CHOICES Waiver renewal was approved on June 1<sup>st</sup>. We have been working on getting applications from the providers who held those records. The Intake system has gone live. DDD currently has 4 intake specialists who are live now. DDD is working with people who have already applied and individuals who are just entering DDD services. DDD is still working on a portal on our website for families to use. Hopefully, this will be good to go in a couple of months. Benchmark did open another Sioux Falls program in April. Benchmark is currently working to fill that program. The administrative burden was a barrier to family support coordinators. In FY24 DDD has predicted there would add funding for additional family support programs. Targeted outreach would be schools, hospitals, social workers, B-3. Dakota at Home is the go-to center. They have been functioning in an intake capacity for a long time.

On the ROI it requires a witness signature, this feels like a barrier to families. DDD can follow up with our attorney to provide an answer on this concern.

**H. Council Vacancies** – Moved up ahead in agenda.

**I. New Website** – A new DHS website is in the process of being created. The old website was built more for internal state staff. DDD is working towards having a more family and provider

friendly website. Early fall DDD is hoping to launch the new website. The new website will be a highly accessible website. The DDD staff is currently working on content for the website. It will be quite a change once it is up and running.

How are family members involved in the development of the website? Families are not a part of the development of this website.

**J. Family Support Workgroup** – Moved to after 13.

**K. Upcoming DDD Meetings** – You can find all of the meetings scheduled on DDD's website. August 10<sup>th</sup> at 1230pm CST Family and Self advocate conversations meeting. These are hosted by Carrie Geppert with DDD. August 2<sup>nd</sup> at noon CST, Supporting Families Community of Practice. Next DD council meeting will be 8<sup>th</sup> and 9<sup>th</sup> in Sioux Falls. July 26, DDD stakeholder collective will meet, FS360 provider meeting will be later this month.

There is some confusion on who can attend these different meetings.

#### **11. All About the Family Support Council**

DDD and the Council working on planning out an introduction for new council members. How are people notified of reappointment status. When it comes to appointments the department is notified. Communication comes in the mail from the Governor's Office. There wouldn't be a letter that gets sent out if not reappointed. DDD will know who was selected and can let any reappointments who were not selected know that information.

Some type of instruction or mentor pairing for the incoming new members. Possibly some type of general information for the new members. Check in with newest council members to see what may have been helpful to get them started with the council. Some type of legal overview for new members. Refresher on rules. Updated acronym sheet. User friendly explanation of the waiver. Make the council a soft place to land for families. Standard principals and philosophies and some things the council has worked on and accomplished and goals for upcoming year. Just need a standard place to reference these items.

The annual report to anyone's knowledge has never been submitted anywhere. State staff can facilitate the annual report to the legislature. Typically report gets submitted to LRC who then submits to legislature.

Break at 10:21AM

Break ended at 10:38AM

#### **12. Second Reading of By-law Amendments**

The appointment of the executive committee, with open meeting laws when you change a by-law in a significant way a reading needs to be done. Discussion had by the Council on the secret ballot portion of the change in the by-laws. What is the proposed made Page 4 section 4 To take effect the following July, should say "take effect immediately".

How did the secret ballot portion be added? It was discussed and added. Its not wrong to do elections either way. How would a secret ballot take place in person? Majority of individuals would have to be in a person. There is technology out there that could work to do voting virtually. Set aside "by secret ballot" for now until we have better technology or feel more comfortable doing it and adding "take effect immediately".

Bridget made a motion to remove secret ballot in section 4 and 6; and change timeline "take effect immediately" in the by-laws. Motion seconded by Pat. Motion passes with a voice vote.

#### **13. Start Survey**

The Start Survey is related to work that began with the DD council. The university of New Hampshire's start center and ID/DD and mental health needs. This activity is related to a goal with the DD Council for individuals with a dual diagnosis. Several months ago the DD Council

started working with the Smart Center to find gaps in services in South Dakota. Find areas that are working well and areas where we can improve. Survey was sent out last month. DDD had around 100 responses so far. The survey was sent to caregivers, participants, other family members and other members of the provider network. The start center is now starting to schedule focus groups. These focus groups will try and include families, providers and participants. An opportunity to expand on the survey. Focus on dual diagnosis. DDD anticipates this will be ongoing for several months. The result will give the state information on where we can best target resources. We can find the survey at the Center for Disabilities website, a focus group scheduled for June 20<sup>th</sup> at 530pm. Its open to everyone. Carrie Geppert has been distributing the information to different targeted groups.

**14. Family Support Workgroup**

This workgroup unofficially kicked off in January. Started talking about Family Support services. The focus areas are on communication, waitlist, AWC, policy, and provider issues brief. Last met in May, in that meeting we talked about the common law pilot, which is supposed to go live in July. Also gearing up for administrative rule changes. The next meeting has not been scheduled but will occur yet this month. The meetings will likely be every 6 weeks. Time is always carved out for any outstanding issues to be discussed.

The legislative study had an RFP released. They are in the process of talking with company and working towards a contract. The information will be shared on OpenSD.gov. The contract is not being done by the Department of Human Services but is being done by the legislator. It will be under Department of Legislative Audit. Once DDD knows about the contract we can inform others.

**15. Advisement from the council to DDD**

Diane appreciated comments from Tina and Krista and is hoping the family support group can move forward. Appreciated that others were feeling the same way as her. Feels like both sides need to come together.

Jen would like to see both the council and the state come together and work towards helping people served with FS360 services.

Bridget and Amber thanked Pat and Diane for their years of service.

**16. Next Meeting Date**

Sept 8<sup>th</sup> and 9<sup>th</sup> in Sioux Falls. The state does have a hotel figured out.

**17. Share something you enjoyed from this meeting**

Individuals shared something that they took away from the meeting.

**18. Public Comment**

No public comment.

**19. Adjourn**

Pat made a motion to adjourn the meeting at 12:14 PM CST, Diane seconded the motion. The motion passed with a voice vote.

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Krista Bau  
Secretary