

## Family Support Council Meeting

June 7<sup>th</sup> and 8<sup>th</sup>, 2024

Zoom Meeting – Yankton SD, Best Western Kelly Inn

### Meeting Minutes

Members present: In-Person: Brittany Norin, Peggy Waltner, Krista Johnson, Bridget Leiseth and Julie Flowers  
Virtual: Ruth Conway, Julie Flowers, Joshua Jones, Christine (Tina) Kenser, Toni Feist

Members absent: Jennifer Carda (resigned effective 6/6/24), Jennifer Walker, Tina Two-Crow-Slow Bear, Janet Whiting, Melissa Rickett, Haley Coss

DHS Staff: Kade Anderson, Joey Younie

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

Bridget called the meeting to order at 6:00 pm CST.

2. **Approval of Agenda**

Tina made a motion to change vote to discuss under Council Elections, Julie seconded. Peggy made a motion to approve edited agenda, and Ruth seconded.

3. **Approval of Minutes**

Krista made a motion to approve the March minutes and Julie seconded the motion. Motion passed with a voice vote.

4. **Opening Round**

Introductions were made from State staff and the Council Members as we had a new member join.

5. **Council Elections**

Discussion was had on elections and when they will occur. The chair position will be open at the next meeting in September. It was noted that in the by-laws it states that elections must occur in the first quarter of the State's fiscal year which would be July, August and September.

6. **Agency with Choice**

The Division of Developmental Disabilities (DDD) gave an overview that Agency with Choice (AWC) will be changing and who that change will be affecting. DDD discussed on why the change is taking so long and where they are at in the process. They will be making changes to the Family Support 360 waiver and are in the public comment period of that. The public comment period is open until June 26<sup>th</sup>.

DDD asked for advice and discussion around their recent communications. The advice from the council; continue with the townhalls, email doesn't always work, paper letter and electronic version is preferred, calling them townhalls instead of meetings. Possibly strategy of getting onto Instagram.

DDD touched on the upcoming waiver amendments. In 2024 they are wanting to make a waiver amendment around a stable and sustainable solution for AWC. In 2025 DDD will be working with families to modernize and transform AWC.

DDD launched a family workgroup to partner on self-direction. The first meeting was held on May 22<sup>nd</sup> and the second meeting was held earlier this week on June 5<sup>th</sup>. The workgroup consists of a variety of family members and self-advocates and there are 25 individuals on the workgroup. Tina is on the workgroup and shared some of things that they had been working on recently. They have been working on a resource guide from another state. DDD will share ideas coming from the workgroup at townhall meetings.

DDD is in the process of contracting with a new AWC provider. This provider is Consumer Direct Care Network (CDCN). CDCN provides AWC across multiple states and is a national provider. They do have the ability to re-enroll people currently using AWC in South Dakota. CDCN has started posting positions in South Dakota. They do want to come to South Dakota to start meeting South Dakota families. There are townhalls specifically for CDCN in two weeks.

Options that families can do on their part is to stay informed. Discuss changes with their Family Support Coordinator (FSC). There is no action needed on the family's part at this time. More details will be coming soon.

N.K. from the public who is a FSC advised there is no cap on number of employees a participant can have and the cap on hours is going away.

Current information on Agency with Choice can be found here <https://dhs.sd.gov/en/division-developmental-disabilities/Agency-With-Choice>.

7. **Public Comment**

B.S. was wanting to have the language changed on DDD's 717 form. She would also like to receive follow up from DDD on this concern that she has brought forward and follow up on public comment in general. B.S. believed that the 717 form should have more transparency and include language around the Cabinet Secretary being able to overturn an Administrative Law Judge's ruling. The 717 form is an annual form that families sign at their annual meeting.

Discussion was had around this comment by the council. No definitive action was decided upon.

A.F. advised that in the past she has communicated directly with State staff on concerns that they have had and that has worked for her.

The budget appeals process was requested to be added to the agenda for the next meeting.

8. **Recess**

Went into recess at 7:55 PM.

9. **Recall to Order**

Bridget called the meeting back to order at 8:31 AM.



**10. Family Support 360/Shared Living Study Next Steps**

<https://mylrc.sdlegislature.gov/api/Documents/254894.pdf>

Comprehensive review was completed in the fall of 2023. The State contracted with Alvarez and Marsal. Alvarez and Marsal met with stakeholders, providers, and families. Collected data and made comparisons with other states. They were looking for improvements in Family Support 360 and Shared Living.

DDD will be working on updated plain language financial assistance guidelines that will be good for families to use. They will be working on two versions of the financial assistance guidelines, one for caretakers and one for participants. DDD would like to have families review the document. A recommendation for Advocates for Change was advised for by the council.

A recommendation was made by the study to amend the Executive Order to change the number of slots for self-advocates. We would like to see more self-advocates on the council. The council currently has two self-advocates on the council.

**11. Family Support Waiver Amendment**

DDD is in the process of a waiver amendment for the Family Support 360 waiver. The purpose of the amendment is to onboard a new AWC vendor, this changes the eligibility requirements and payment structure for AWC and Common-Law vendors. They also are requesting minor changes to group services, paying employees, and additional support to self-direct.

There are also plans to do another waiver amendment in 2025 which will modernize and transform AWC. This would be where DDD may use the Family Support workgroup to assist in developing that amendment.

The State must first publish notice of the amendment, this was posted on May 28<sup>th</sup>. Then there is a 30-day comment period. The public comment period is open from May 28<sup>th</sup> to June 26<sup>th</sup>. The State must summarize and respond to comments in the waiver and once this is done the State submits the amendment to CMS for review. There are two townhalls on June 11<sup>th</sup> at 6:30pm CT and June 13<sup>th</sup> at 12:30pm CT.

**12. DDD Updates**

- A. Grievances and Appeals/ALJ – No formal appeals during this past time period.
- B. SMART Data – SMART data was discussed, and handouts were gone over. Overall SMART data looked on track. All areas were above 86% for the year total which is the goal of the State.
- C. Financial Assistance Guidelines – Fences were talked about in previous section. DDD has met with DSS multiple times and is working on updating the guidelines. On the final stage of getting fences approved.
- D. Regional Map of Participants – Handout was gone over with update of current participants and participant number changes to areas of the State. Discussion was had to move this to a yearly topic.
- E. Unified Case Management System – Working on participant portal currently with RSM. DDD will be using a group to test the portal system. DDD will be moving away from FOCOS to RSM but that will likely not occur for some time. Likely, end of 2024.
- F. Front Door to Supports – DDD went over the number of phone calls intake staff have received over the last year. The Front Door has been open for one year now. A lot of things



have been worked out with Front Door. A new Intake supervisor has been hired Stephanie Busjahn, who was a Lifescape admissions contact.

**13. DD Council Update**

The DD Council has put out an RFP for development of a website. It is supposed to be a hub for DD information. Arlene advised they will be creating a focus group to learn what people want from a disability hub. They are looking for 2-3 Family Support Council members to join the small workgroup. Julie Flowers and Toni Feist advised that they would be willing to join the small group. They are starting to plan for retirement later this fall. Open positions on the DD Council will be posted on the website. There was a recommendation for a survey by email for larger feedback.

**14. Advisement from the Council to DDD**

Tina would like more information on the appeals process. DHS legal would need to attend this conversation just for this topic.

Ruthie advised that families have had some struggles with Autism evaluations and how that works for them. Families want to know where to start. Just needing standard advice on where they need to start. The DDD response is to direct the families to Front Door.

Josh wanted to know how the State staff were doing.

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

Council Members and State Staff shared something they enjoyed from the meeting.

**16. Public Comment**

T.L. former FSC explained that there are some eligibility concerns around cognitive disabilities and intellectual disability. Served the Aberdeen area. T.L. brought up concerns around DDD not approving blenders. DDD has in the financial assistance guidelines that small appliances are not covered. T.L. would like to see blenders approved for families

M.F. Toni's mother was very proud of Toni. She was one of the first Family Support Council members and likes that Toni is now a part of the group.

K.R. had concerns around Acumen. They wanted to know where they were at in the Acumen process. The paperwork was difficult and there was a lot of back and forth with Acumen. Acumen's responsiveness was not always great.

**17. Adjourn**

Toni made a motion to adjourn the meeting at 11:50AM CST, Brittany seconded the motion. The motion passed with a voice vote.

X Ruth Conway 8/27/24  
Ruth Conway  
Secretary