

The second meeting of the Disability Commission for the 2008 interim was held on October 8, at the General Assembly Building in Richmond. Following opening remarks by the Chair, Senator Puller, the work of the Commission got underway.

### **Department of Rehabilitative Services Order of Selection**

The meeting began with a presentation on the Department of Rehabilitative Services' Order of Selection, given by Mr. Jim Rothrock, Commissioner of the Department of Rehabilitative Services. Mr. Rothrock explained that the order of selection is implemented at such times as the Department determines that it is unable to provide services to all eligible individuals who apply for services, and specifies the order in which individuals will be served. The Department's order of selection was implemented in 2004. In keeping with the order, as set forth in regulations, persons with three or more serious disabilities (Category I) would be served first, then persons with two serious disabilities (Category II), then persons with one serious disability (Category III), and then finally persons with no serious disabilities but who qualify for services (Category IV). Currently, the Department is able to serve all persons in Category I, but is not able to serve all persons in other categories. At this time, the waitlist for Department services is 996 persons. Forty-two percent of persons on the waiting list are Category II individuals, 21% are Category III individuals, and 37% are Category IV individuals. To serve all persons on the waiting list, the Department would require \$2.3 million.

### **Overview of the Survey of Centers for Independent Living**

Mr. Rothrock then presented information on the outcome of the survey of Centers for Independent Living (CIL) requested by the Commission during the 2007 interim. Mr. Rothrock reported that Virginia has more CILs than any other state. Annually, the State provides \$5 million in general fund dollars to support the CILs. Approximately \$250,000 is required to establish a new CIL. Additional funding beyond that level is secured by the CIL from the community and through other partnerships.

During the fall of 2007, the Department conducted a study of client satisfaction with services offered by Virginia CILs. Surveys were mailed to 10,496 consumers of CIL services. Eighteen percent of these surveys were returned. Sixty four percent of these surveys, the portion of surveys completed by the service recipient himself, were analyzed for the study. Results of the study indicate that the majority of service recipients were satisfied with the services they received. Eight-four percent of survey respondents said that they were very or somewhat satisfied with their overall experience with the CIL, and 90% indicated that they would refer a friend to the CIL for services. Sixty-nine percent of persons surveyed indicated that the CIL had provided services that they needed to reach their own independent living goals.

### **Overview of the Money Follows the Person Housing and Transportation Workgroup Recommendations**

Ms. Julie Stanley, Director of Community Integration for People with Disabilities, provided information on recommendations developed by the Money Follows the Person Housing and Transportation Work Group. Ms. Stanley provided some background, then explained that the Work Group was formed to study and develop recommendations to fill gaps in state systems supporting persons moving from institutions to the community

under the Money Follows the Person Grant Program. Major issues or gaps identified included a lack of accessible housing and non-medical transportation options, and difficulties in planning for persons with disabilities due to different housing, transportation and human services planning systems. In response to these issues, the Work Group has developed a number of recommendations to (i) increase affordability and availability of housing for persons transitioning from institutions to the community, (ii) increase the availability and accessibility of non-medical transportation for persons transitioning from institutions to the community, (iii) promote cooperative planning between housing and transportation agencies, (iv) educate the housing community and increase awareness and partnerships, and (v) educate disability and aging communities and increase awareness and partnerships. More details about these recommendations can be found in the Work Group report online.

### **Disability Commission Housing Work Group**

Ms. Teri Barker Morgan of the Disability Commission Housing Work Group (DCHWG) presented five recommendations identified by the DCHWG as priorities for the 2009 General Assembly Session. These included: (i) reintroducing House Bill 1085 (2008) to include "source of income" as a protected category; (ii) sending a letter to the members of the Congressional Delegation asking for their support of the Frank Melville Supportive Housing Investment Act of 2008 (H.R. 5772); (iii) increasing the per unit cap for the Livable Home Tax Credit from \$500 to \$1000, while maintaining the overall program cap at \$1 million; (iv) a Joint Resolution encouraging use of the THA Toolkit in the development of local comprehensive plans; and (v) supporting the portability of auxiliary grants. Ms. Barker Morgan also identified several ideas that the DCHWG would like for the Commission to consider for future action in later years, including amending the state Fair Housing Law to address the statute of limitations for filing design and construction complaints, developing an incentive option plan in line with the 529 Plan model to encourage parents to save money for the future support and education of children with disabilities, developing a housing trust fund, and developing a community living supplement pilot program in the State.

Mr. Michael Shank then gave an update on activities related to the portability of auxiliary grants, reporting that a plan has been developed to allow for the portability of auxiliary grants to pay for housing for consumers who receive case management services from a community services board or behavioral health authority, as required by the Appropriation Act of 2008. The plan limits eligibility to residents of assisted living facilities who meet the residential assisted living level of care criteria, receive an auxiliary grant, have been a resident of an assisted living facility for at least six months, are receiving Medicaid-funded case management services from a community services board, and meet the Department of Medical Assistance Services eligibility criteria for Mental Health Support or Intensive Community Care Treatment Services. It is estimated that approximately 300 persons will be eligible in the first year, and 500 in the second year.

As the plan is implemented, the Department of Social Services will incorporate the portable auxiliary grant project into its normal administration of the auxiliary grant program, and develop operating policies and procedures for local departments of social services. The Department of Medical Assistance Services will incorporate the portable

auxiliary grant project into its normal administration of the auxiliary grant related Medicaid coverage. The Department of Mental Health, Mental Retardation and Substance Abuse Services will provide oversight and monitoring of the portable auxiliary grant services component and will evaluate the extent to which the services and housing supports lead to reductions in higher cost institutional care and impact on portable auxiliary grant participants. The community services boards would identify eligible persons, and assist them in locating alternative decent and affordable housing, planning for individual services, and referring them to the local social services board for transfer to the portable auxiliary grant program. The plan will be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care by November 1 of this year.

### **Next Meeting**

The next meeting of the Disability Commission will be held on Thursday, November 6, 2008, at the General Assembly Building in Richmond.