

Virginia Disability Commission

September 21, 2005 Meeting Summary

I. Call to Order/Opening Remarks

The meeting was chaired by Delegate McQuigg, vice-chair.

Delegate McQuigg called the meeting to order at 1:00 p.m. and welcomed those in attendance.

II. Medicaid Buy-In Update

Jack Quigley of the Department of Medical Assistance Services (DMAS) and Dr. Joe Ashley, Assistant Commissioner of the Department of Rehabilitative Services (DRS), presented an update on the status of the Medicaid Buy-In waiver program that has been supported by the Commission.

The § 1115 research proposal previously submitted to CMS has not been approved.

After consulting with the SHHR, the Medicaid Infrastructure Grant Advisory Committee and a possible vendor, DMAS has taken another tack and put together a concept paper for CMS, proposing to include a Health Reimbursement Account (HRA) model into the existing waiver proposal. Similar to a health savings account, these accounts are consumer-driven and promote personal responsibility; therefore, they are strongly supported by the current federal administration. Consumer-directed plans typically refer to "account-based" plans coupled with traditional insurance and 100% coverage for preventive services. A health plan participant gets an annual HRA allocation that the individual uses to pay for 100% of all health care costs for covered services at any provider that the individual chooses. If the HRA is exhausted during the plan year, then the individual is responsible for a fixed amount of out-of-pocket costs (a deductible) before a traditional medical plan (with co-payments and deductibles) picks up coverage for the remainder of the year. DMAS is drafting the formal proposal, which will go to CMS this fall, and most likely will be ruled on within ninety days.

With its current four-year grant expiring at the end of this year, DMAS filed an application with CMS for a new two-year (CY2006 -2007) Medicaid Infrastructure Grant.

DMAS has included language in its budget for the waiver or for a limited State Plan amendment should the waiver fail to receive CMS approval.

III. "New Voices" Video

Commission member Dr. Fred Orelove introduced both the video and Dana Yarbrough of the Partnership for People with Disabilities, who coordinated the New Voices project.

The twenty-minute video depicts nine Virginians with disabilities and some of their family members, who spoke about topics of concern to them, including housing, employment, social life, and accessibility. The participants were all individuals who had not previously been involved in advocacy efforts.

The video will be featured at the 2005 "Our Lives, Our Voices!" conference to be held in Richmond on October 6 and 7.

Upon questioning from Senator Miller, Ms. Yarbrough stated that plans have been made for video distribution at universities, and that the planning committee will continue to explore ways to distribute the film, so as to increase awareness of the concerns expressed therein.

IV. Department of Rehabilitative Services Presentation

Jim Rothrock, Commissioner of the Department of Rehabilitative Services, presented information on a variety of topics. (See [*DRS presentation for the entire Power Point presentation.*](#))

- **Efforts relating to Hurricane Katrina**

Mr. Rothrock stated that, in preparing Virginia's response to housing displaced Gulf coast residents at Fort Pickett, Secretary Woods ensured that people with disabilities would find appropriate accommodations. DRS worked together with the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard of Hearing, and the National Guard to provide items such as ramps, wheelchairs, and assistive technology. Virginia was one of few states to address the special needs community in its approach to caring for Hurricane Katrina victims.

- **Order of Selection**

Because of an anticipated budget shortfall in 2004, DRS implemented an order of selection process for vocational/rehabilitation services, whereby individuals who were applying for services would be classified depending on the number of serious limitations in functional abilities. This classification did not impact individuals who were already receiving services.

Four levels of classification were created. Individuals falling in the top two categories (with serious functional limitations in at least two functional capacities) were afforded service. Individuals in the third category (significant disabilities resulting in a serious functional limitation in one functional capacity) and the fourth category (all other individuals eligible for vocational rehabilitation programs) were put on a waiting list totaling 780 people.

In July 2005, those in the third category were notified that DRS could provide services to them. Those in the fourth category (total-360) continue on the waiting list for the time being, until federal funding is determined.

A problem caused by the waiting list is that some referral sources have stopped referring clients to DRS. However, DRS is in touch with these sources in an effort to serve potential clients.

- **Personal Assistance Services**

Mr. Rothrock gave background information on this program, which provides a safety net to allow individuals who would otherwise qualify for nursing home care to stay in their own homes. It is a consumer-directed plan that provides direct pay to caregivers. The caregivers are hired individually by the consumer, and provide basic personal care needs, such as dressing and bathing.

The program receives \$2.675 million in state general funds. The cost per consumer is \$14,541. However, nursing home care costs approximately \$48,000 per year per consumer. Thus, the PAS program is successful not only in keeping persons with disabilities in their communities; it saves the state millions of dollars. Mr. Rothrock described the program as "the most useful, utilitarian program to come out of the Department of Rehabilitative Services."

Although the program is very successful, the drawback is that the caregivers are paid low hourly wages (\$8.19 for most of the state/\$10.61 in Northern Virginia) and they have no benefits. Thus, the turnover of caregivers is high.

Senator Miller questioned whether health benefits could be provided for the caregivers. After discussion, Mr. Rothrock offered to provide the Commission with information about benefits to caregivers through similar programs in other states.

Mr. Howell suggested that the General Assembly be reminded of the success of this program, both in fulfilling the needs of persons with disabilities and in cost savings for the Commonwealth.

- **Serving Virginians with Disabilities through One Stops**

Mr. Rothrock reported that Virginia has been attempting to improve service for people with disabilities at the One Stops for Workforce Development Services. Presently, there are five program navigators,

whose primary objective is to increase employment and self-sufficiency for individuals with disabilities served through the Workforce Network. Disability Program Navigators ensure that One-Stop staff possess and demonstrate comprehensive knowledge and skills to assist jobseekers with disabilities to “navigate” through available programs and services. Disability Program Navigators are intended to complement, rather than duplicate, existing services, such as vocational rehabilitation and BPAOs [Benefit Planning Assistance and Outreach]. The Disability Program Navigators’ priorities are to facilitate partner and consumer relationships, to develop one stop and partner staff knowledge and competencies, to provide assistance with employer outreach, and to enhance program and physical accessibility of the Workforce Centers.¹

With anticipated grant funding, the number of Program Navigators will increase to fourteen, providing services to all of Virginia's One Stops.

- **Emerging Issue – Transition of Youth from School to Work**

In addressing the needs of youth as they transition from school to work, Mr. Rothrock described the Postsecondary Education Rehabilitation Transition (PERT) program, a program that began in the mid-1980's. The program assesses students' vocational abilities and allows them to try different activities in a hands-on setting. The program is administered collaboratively by DRS and the Department of Education. It is operated at the Woodrow Wilson Rehabilitation Center (WWRC) and targets a population between 16 and 20 years of age.

Mr. Rothrock provided a summary of the students' profiles from FY 2000 through FY 2005 to date. This profile indicates that the students' rate of multiple disabilities has risen from 46.9% in 2000 to 66.8% in 2005. The rate of emotional disability in the students has risen by 5% in the same period. This change in the

¹ Quoted from DRS written presentation September 21, 2005.

student profile will result in an increased cost per student and a reduced number of students who can be served on the existing budget.

Although there are 525 students served per year on average, DRS estimates that 1,593 additional students could benefit from the program. Research indicates that the students who participated in the program earned approximately \$5,000 more than other similarly disabled students by their fourth year of work. Thus, the program has a direct economic benefit to its participants.

Mr. Rothrock described a new program, modeled on the PERT program, but aimed at a population between 18 and 22 years of age. This Life Skills Transition Program will "assist the targeted population in reaching their employment and independent living goals through the development and refinement of pre-employment behaviors and social, interpersonal, and independent living skills over an 8 week period, with classes and behavioral intervention activities available from 8 AM – 10:30 PM daily."²

Mr. Rothrock stated that 120 individuals can be served without additional funding, but estimated that 1,337 could benefit from the new program.

Commission members praised the programs, and Mr. Fleming suggested that the Commission schedule one of its future meetings at WWRC.

V. Accessible Housing CD – Universal Design

Mr. Rothrock and Denise Goode, chairperson of the Commission's Housing Work Group, presented the interactive CD created by VHDA, DRS, and the Board for People with Disabilities. The project, in which Commission member Howell appears, advises builders of universal design concepts that increase accessibility. It also identifies sources for products mentioned on the CD. It was introduced at the Governor's Housing Conference in September 2005 and will be widely distributed.

Commission members encouraged such distribution, as well as collaboration with other agencies, including the Department of Professional and Occupational Regulation, to ensure dissemination of the information.

Ms. Goode also mentioned the Granting Freedom program, administered by VHDA, which provides grants to returning disabled armed forces personnel. The grants fund alterations to make accessible the serviceperson's home.

VI. Discussion of Commission's Legislative Agenda

The chair reminded the Commission that legislative initiatives need to be formulated as early as possible and noted that budget matters will be taken up at a later meeting.

VII. Public Hearing

Anne McDonnell of the Brain Injury Alliance informed the Commission that the alliance is pursuing state funding for the Brain Injury Waiver, which would enable those affected by such injuries to remain in their communities. The amount sought is approximately \$50,000 for the first fiscal year and \$7.5 million for the second. This amount would fund 200 slots.

² *Id.*

Members:

Lt. Governor Tim M. Kaine, Chairman
The Honorable Yvonne Miller
The Honorable Linda T. Puller
The Honorable Michele McQuigg, Vice-Chairman
The Honorable Robert Orrock
The Honorable Gary Reese
The Honorable Marian Van Landingham

Dr. Fred Orelove
Mr. Bev Fleming
Dr. Thomas Mosca
Mr. Billy Howell
Mr. C. W. Van Valkenburgh
DLS Staff
Patricia G. Davis
Amy Marschean