



Developmental Disabilities Advisory Board

Monday, July 22, 2024 4:30-6:00 pm
Hybrid Meeting – via Zoom and In Person

Meeting Minutes

Board Members Present:

Raegen Miller
Zosia Sherwood
Jennifer Thistle
Myla Musselwhite

Valerie Billmire
Bruce Tabb
Lyndsey Forman-Murray
Gina Bring

Board Members Absent:

Todd Donovan

Board Members Excused:

Guests Present:

Beverly Porter, The Arc
Carrie Carron, Cascade Connections
Paul Simon, DDA
Gina Barrieau, DVR
Nicole, Kulshan Supported Employment

Shannon Neely, DDA
Janel Hammar-Erickson, DDA
Kait Whiteside, Max Higbee Center
Eric, Kulshan Supported Employment
Matt, Kulshan Supported Employment

Staff:

Jessica Lee, Program Specialist
Naomi Seigel, Program Specialist

Beth Decker, Coordinator

1. Call to Order & Introductions

The meeting was called to order and introductions were conducted. Quorum was present.

2. Minutes Approval

There were no objections to the May minutes as presented. Bruce moved to approve. Valerie seconded the motion.

ACTION May 22, 2024 minutes approved.

3. Kulshan Supported Employment: Services Overview

Eric from Kulshan Supported Employment gave a brief introduction on the scope of services that Kulshan provides.

- Kushan's goal is to assist people with developmental disabilities find and maintain appropriate, meaningful employment.





Eric introduced Matt who is a client at Kulshan Supported Employment.

- Matt shared his experiences of working with the Whatcom Transportation Authority (WTA) for over 18 years. Matt talked about his work and what it is like to work as part of a team, and the favorite parts of his job.
- Eric added that Kulshan has been working with WTA, cleaning the bus fleet, for 20 years.

4. County Plan Approval

Jessica and Naomi presented on the changes that they incorporated from the discussion at the last meeting on the five-year county plan.

- Naomi noted that some definitions and residential settings have changed since the last plan.
- Jessica added a link for informing families and the Developmental Disabilities Council under the community information section.
- Jessica discussed the difficulty of measuring outcomes for community inclusion services.
- Jessica sought a vote to approve the plan.
- Bruce asked if a motion was needed for the County Council to adopt. Jessica explained that the council does not vote to approve the plan, only the board. She shared that it has been a helpful tool to explain the DD system and programs to elected officials as well as community members.
- Raegen called for a motion to vote on the approval of the plan.
- Valerie motioned to approve the five-year Whatcom County DD Plan. Motion was seconded by Jennifer.

Action: Five-year Whatcom County DD plan was approved by the board.

Valerie complimented the document and thanked Jessica for putting it together.

5. Legal Decisions Impacted Services in Washington State

Jessica shared on the impact of several lawsuits impacting services in Washington state.

- The [Olmstead Act](#) is a federal statute which determined that unjustified segregation of persons with disabilities constitutes discrimination and is a violation of the Americans with Disabilities Act. It requires that publicly funded programs provide services in “least restrictive settings”. The Centers for Medicare and Medicaid Services (CMS) is responsible for ensuring compliance with this rule.
- A recent [lawsuit in Utah](#) found that the state violated Olmstead by making it easier for people with disabilities to access segregated services and harder to access individualized, community-based services. It also argued that the pay structure made it harder for community-based service providers to be successful.



- The Utah lawsuit comes at the same time that the Washington State Legislature has tasked DDA with developing services similar to those found problematic in Utah, referred to as “day habilitation” services. Historically, adult day health and adult day care services have been available in fairly small numbers in Washington, primarily accessed by the elderly.
- The legislature has requested that DSHS/DDA put together a work group and write a report proposing what “Day Habilitation” might look like, due in December 2024.
- The thing that Adult Day Care, Adult Day Health and Adult Day Habilitation have in common is providing different types and levels of services to groups of people who are elderly or have disabilities within a facility setting.
- Alongside the workgroup looking at day habilitation services, another workgroup is working on rewriting the Developmental Disabilities Administration (DDA) [waivers](#), which are packages of services that waive a person’s right to be served in an institution and instead be served in their local community.
- The intent of the waiver workgroup is to simplify Washington’s programs for people with DD, particularly with regard to “day” services. (Day habilitation, Community Inclusion, Community Engagement, Respite, etc.)
- Paul shared a link regarding the CMS Access Rule: [Medicaid; Ensuring Access to Medicaid Services](#)

Jessica brought up the need for people with disabilities, their families and caregivers to have a clear vision of what they would like their “day” to look like. Beverly expressed concerns about segregation and the need for customized supports and services for individual families.

Bruce asked if there is a path for the Board to support the kinds of statements that Beverly was making. Jessica shared that the county plan and its guiding principles, recently updated and approved, were an ideal place to acknowledge and document that board’s stance on inclusion. The plan also explicitly accepts the Developmental Disabilities Administration (DDA) [guiding values](#).

The second lawsuit Jessica discussed was a decision in Washington state that requires school districts to provide special education services until the student’s 22nd birthday. Districts may choose to extend services through the student’s 22nd school year, but no additional funding has been provided by the legislature. Paul shared that discussions are ongoing between DDA and DVR and counties about how this decision will impact programs and services for transition aged youth. The impacts of this lawsuit are still emerging.

Jessica mentioned that Q& A document about the change has been published by the Office of the Superintendent of Public instruction found here. [Providing Special Education Services Until Age 22.](#)





6. Developmental Disabilities (DDA) Updates

Paul shared that several positions have been funded within Region 2 to reduce caseloads from 1 to 75 down to 1 to 66. This will require hiring additional staff and may take some time.

The No Paid Services/Service Request and Referral teams are conducting significant outreach in the region. They are contacting those who are eligible but may not have been receiving a paid service at least annually.

Planning is underway around House Bills 1188 and 2008. Bill 1188 includes Department of Children Youth and Families (DCYF) dependent youth (for instance those in foster care) in the DDA waivers starting in September. Bill 2008 removes the IQ testing requirement from the DDA eligibility criteria, and the impact of this change is being monitored.

A task force has been established to ensure compliance with the CMS access rules. This is expected to lead to systemic changes in the approach to services that are federally matched with Medicaid.

7. Public Comment

Gina Barrieau with the Division of Vocational Rehabilitation (DVR) mentioned that they are hiring people with disabilities within their offices through the Office Assistant Program. The program has been performing well and they are pleased with it. The individual they chose for their office has blossomed and everyone has benefited.

Next Meeting: Monday September 23, 2024 - 4:30-6:00pm.

Respectfully submitted by Jessica Lee, Program Specialist.

HD Staff

Jessica Lee

Direct Phone Line

360-778-6047

Email

jlee@co.whatcom.wa.us