

Summary
Planning Session #2

Task Force to Evaluate Virginia's Early Intervention System

September 3, 2003
St. Mary's Hospital, Richmond, Virginia

Present: Pat Abrams, Karen Adams, Martha Adams, Deana Buck, Debbie Burcham, Nancy Butts, Mary Ann Discenza Karen Durst, Paul Gilding, Jim Gillespie, Carol Granger, Jean Hearst, Marilyn Hoexter, Julia Hood, Terry Jenkins, Jan Jessee, Brenda Kissinger, Kathy Phillips, Ray Ratke, Shannon Rice, Shirley Ricks, Glen Slonneger, Beth Tolley, Sandra Whitaker, Tera Yoder, and Judy Burtner and Kathryn Burruss (facilitators).

Session Objectives:

1. Provide an overview of the context in which the Task Force's work will occur
2. Share information requested at the previous meeting
3. Make a decision on guiding principles to guide the Task Force's work
4. Form workgroups with workgroups meeting to develop plans to address their issues and meet the Task Force's deadlines

Martha Adams welcomed the Task Force members and thanked members for their willingness to give time/effort to the important work of resolving the issues for which the Task Force was formed.

Guiding Principles

Members reviewed the "rewrite" that had been done to the list of guiding principles that were created at the August 5 meeting. It was agreed that the following addition needed to be added: the Task Force's work will be in compliance with federal regulations. It was also agreed that the principles would be rewritten into statements with the draft sent to members by e-mail. If no one objects to what is sent to members by e-mail then the principles will be adopted as written. Once adopted, they will be posted at meetings with the intent that members will honor them as they deliberate and make decisions relative to Virginia's Early Intervention System.

A question was raised regarding the first principle that states (currently) that customers will remain the focus of the Task Force's work. It was felt that using the term, customers, was too broad and vague. Members reviewed the summary from the August 5 meeting where members had defined consumers as, "parents, children, families, caregivers, providers, schools and other public entities, taxpayers, the medical community, local government, partners in the community, the General Assembly, insurance providers, and the multi-lingual community." After discussion, the members agreed that the primary

customers for the Task Force's work would be children and their families with the remaining entities on the above list identified as key "stakeholders".

Overview of Part C Regulations

Shirley Ricks and Mary Ann Discenza gave a presentation, "Part C: An Overview" as a means of helping members understand the context in which the Task Force's work needed to be completed. It was indicated that at the next meeting members would receive a cross walk of Part C law, regulations and state policies and procedures so that they could see how each one interrelates. Each member received a handout containing their main points therefore their remarks are not summarized here.

Members requested additional information based on their remarks:

1. What data is presently being collected by the system (reference slide 9)
2. Clarification on how local money is presently being spent and what the regulations say about what it can be spent on (confusion exists as a result of either unclear guidelines or conflicting regulations, i.e. supplanting money) (reference slide 15)

In other discussion relative to the presentation, Ray Ratke stated that there needs to be considerable discussion by the members on the issue of natural environments and the concern that exists that with budget cuts, some providers feel that they are somewhat limited in their ability to deliver services in an appropriate manner. He stated that in the Task Force's planning efforts, consideration needs to be given to the cost of providing services in natural environments or waiting lists will evolve. There appears to be conflict in what is required relative to the implementation, what is practical and the cost of implementing, as currently interpreted. Mary Ann Discenza stated the federal partners are very much aware of the cost of natural environments and the effect on implementation. It was reported that training is being done statewide on implementation strategies. One of the challenges is transportation and currently transportation costs are not built into the budget. It was agreed the issue is not the concept of natural environments but its implementation and how to pay for it.

Another issue that was raised during discussion was the issue of regulations versus policies and procedures. Virginia presently operates under policies and procedures. Policies and procedures are easier to promulgate and put into place but do not carry the impact of being a part of state code. The question also was raised, "Does Virginia need to have regulations instead of policy and procedures?" This issue was referred to the Infrastructure Workgroup for review and action as part of their work. They were asked to look at the issue from the viewpoint of interpretation and which would bring greater clarity to consumers and stakeholder groups.

Issues identified to be given to one of the three following workgroups for consideration included the following (this is in addition to the issues identified at 8/5/03 meeting):

- Infrastructure
 - Issue of local funds – to be used for what
 - Supplantation of funds
 - Maintenance of effort
 - Cost of providing services
 - Policies/procedures or regulations – which for Virginia?

- Service Delivery
 - Natural environments defined
 - Implementation of natural environments

- Local Contracts
 - Timelines and data issues

The following pieces of information were distributed:

- Part C Committees, Work Groups and Task Forces
- The Infant & Toddler Connection of Virginia – Part C Early Intervention System Infrastructure
- Letter, dated March 13, 2003 addressed to David K. Steele, Part C Coordinator in South Carolina from Stephanie S. Lee, Director, Office of Special Education Programs, US Department of Education regarding intervention services and the 16 “types” of services
- 34CFR303 – Regulations for the Early Intervention Program for Infants and Toddlers with Disabilities, subparts A, B, and C (Part C of IDEA)
- Infant & Toddler Connection of Virginia Individualized Family Service Plan (IFSP)
- Revised Task Force Membership List
- Highlights from the Minutes of the August 21, 2003 meeting of the Service Guidelines Subcommittee of the Finance Task Force

The following committees were formed for the three areas of Service Delivery, Infrastructure, and Local Contract:

Service Delivery

Deana Buck (chair), Nancy Butts, Donna DeChant, Jim Gillespie, Louis Hochheiser, Marilyn Hoexter, Julia Hood, Brenda Kissinger, Brenda Laws, Shannon Rice, Deborah Sprang, Beth Tolley, and Sandra Whitaker.

Infrastructure

Terry Jenkins and Tom Geib (co-chairs), Pat Abrams, Martha Adams, Debbie Burcham, Pat Dewey, Mary Ann Discenza, Paul Gilding, Carol Granger, Jan Jessee, Wanda Pruett, Shirley Ricks, Glen Slonneger, and Tera Yoder.

Local Contract

Pam Johnson (chair), Karen Adams, Karen Durst, Jean Hearst, Kathy Phillips, Jennifer Pears, Rosanna Roberts, and Bob Schmid.

The workgroups met in session. A summary of their work as reported out to the Task Force follows.

***** Service Delivery*****

Workgroup report

Issue of Concern:

- A number of the issues identified by the Service Delivery Workgroup during August 5 meeting will be addressed through the Cost Study. However, the report for the cost study will not be available until February. **A decision was made by the Task Force to have the Department revisit the February 28, 2004 Task Force deadline. Mary Ann Discenza agreed to work with departmental staff to reconsider the deadline and report out the decision at the next meeting (9/30/03)**

Issue that will be shared with the Task Force at the September 30 Meeting:

- A report out of what other groups working on related projects such as the Early Intervention Autism Initiative and groups involved with Hearing Screening are doing in order to maximize the effectiveness of all of the groups' efforts.

Plans and Timelines:

After setting aside those issues that will be dealt with after the information from the cost study is available, the group identified the following issues that will be addressed in the meantime:

1. Develop a table showing the process of services from referral to the system through transition from the system, including federal requirements, as well as state and local requirements and organizational structures and "facilitating factors" and barriers. (It was noted during the group discussion that the iTOTS Data Task Force (which is now merged with the Finance Task Force) created a table that has some of this information and could be used as a starting point). The newly completed service guidelines, "Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places" will serve as a resource as the process of entering into the system and receiving services is "mapped" out in the table. It is expected that the table may facilitate identification of places where there are options for changes in the process or in structure to facilitate service delivery or remove barriers to services. A draft table will be e-mailed to Service Delivery Workgroup members prior to September 30 and the group will work on this task during the September 30 meeting.
2. Identify what it will take for the state to consistently provide supports and services as

described in "Individualized Part C Early Intervention Supports and Services in Everyday Routines, Activities and Places" given the variety of existing local structures, in terms of regulations, needs, infrastructure, funding.

3. Define evidence-based practices in early intervention.
4. Determine what is the best way to serve as many children and families as possible with available funds.
5. Develop a system of ongoing high quality, relevant personnel training and development.
6. Address provider shortages that have occurred for a variety of reasons including the DMAS prospective payment.
7. Educate everyone about Part C rules.
8. When results of cost study are available, look for trends, cost-benefits based on models of service delivery and urban versus rural perspective, etc.

The group also discussed the issue that the cost of collecting funds from all payer sources sometimes exceeds the revenue that is collected - but did not come to a conclusion about whether the group should deal with this. **Note: It is assumed the Infrastructure Workgroup is dealing with this issue.**

*****Infrastructure*****

The Infrastructure Workgroup would like to give to the Service Delivery Workgroup the following issues:

1. Administrative fees
2. Mandated services
3. Natural environments is not a yes/no question, not simply a location. **Response in discussion: There is an array, a continuum of best practices.**
4. Define minimum standards
5. The need to provide training for providers, the nuts and bolts
6. Consistency of minimum service delivery

Activities

1. The lead agency at the state level should be the Department of Mental Health, Mental Retardation and Substance Abuse Services. **A decision was made to move the recommendation forward from the Task Force to the Department that the lead agency be the Department of Mental Health, Mental Retardation and Substance Abuse Services.**

2. Review the information from the 5 states for which information has been sought prior to the next meeting, identifying recommended structures and deciding who does what
3. Review interagency agreements for clarity of services for Part C kids (noting what is not in the agreements as well)
4. Look at who/what data collected and why (the big picture)
5. Get clarification of why fees are being charged
6. Determine how the three workgroups will come together to determine organizational structure – the layers and who is accountable for what, funding sources, payments, local differences, impacts on standards of practice, amount of state general funds in Part C, merit of central/regional billing, and whether Virginia will look to other funding streams
7. Review the issue of regulations versus policies and procedures and local problems (later)
8. Review of the issue of supplanting funds
9. Define what “interagency” means
10. Seek response from state leadership
11. Determine what are the most prevalent services – the core services – focus on high frequency services
12. Determine the role of the Secretary in assuring interagency ownership
13. Determine the role of the Commissioner across administrative areas
14. Acknowledge service delivery is okay, the problem is administration of the program – the collision of funding
15. Keep family-centered focus for all decisions
16. Part C System regulations (transitioning 3-year olds) need clarification of roles/cost shift
17. What is our scope of work – to tweak or redo?
18. Does the federal partner require a local contract or not – can there be a Request for Proposals and grants given?
19. The Attorney General tells us the 40 councils’ contracts are illegal because they cannot be enforced but the fiscal agents signed them.

*****Local Contracts*****

Workgroup Report

Tasks:

1. After questions about services and infrastructure are answered, we will:
 - A. Incorporate this information into contract language and
 - B. Identify roles and responsibilities of each party to the contract and terms of contract
2. Timelines will be developed to follow responses to infrastructure and services questions
3. We will need drafting time at end to disseminate what will be proposed and get comments.

Future Meeting Dates and Tentative Agendas

- **Tuesday, September 30, 2003
Henrico Community Services Board**
 - Announcement – Revised Timeline
 - Discussion of the crosswalk between federal regulations, state policies and procedures and available data
 - Review – 5-state report
 - Workgroups meet to continue their work

Information will be e-mailed to all members prior to the meeting. Members are expected to read it and bring their copy to the meeting. Extra copies will not be provided.

- **Monday, October 27, 2003, St. Mary's Hospital**
 - Data Study Results
- **Monday, November 24, 2003, Henrico Community Services Board**
 - Service Delivery Report

Prepared by Judy Burtner & Kathryn Burruss
September 10, 2003