

VIRGINIA INTERAGENCY COORDINATING COUNCIL
MEETING MINUTES
Monroe Building (DOE), 101 N. 14th St.
Richmond, Virginia
December 17, 2008

The Chair of the Virginia Interagency Coordinating Council (VICC), Rick Beaman, called the December 17, 2008 meeting to order. He introduced the newest VICC member, Dr. Patricia Popp, who will be serving as the Department of Education's representative for the Education of Homeless Children and Youth. Karen Durst called the roll. The meeting was conducted with five (5) current members participating and two (2) members who are awaiting reappointment. Please see the attendance list at the end of the minutes.

Mary Ann Discenza then provided the Part C Update. Tammy Whitlock assisted with the update on the Medicaid Initiative.

- Work continues on the Medicaid Initiative.
 - Regulations are being developed.
 - Personnel qualifications for certification will be included.
 - A draft of the regulations has been sent to the Office of the Attorney General.
 - Feedback focused on formatting.
 - It has been recommended that the wording be more general so that changes can be made as needed.
 - Assistance is being requested from the Department's Policy Analyst.
 - The finalized regulations must be made available through the Town Hall and follow the requirements for the Notice of Regulations including a public comment period.
 - The Part C Office will be responsible for utilization/quality reviews.
 - Staff will work closely with the Department of Medical Assistance Services (DMAS).
 - DMAS is currently working on changes to their payment system. This includes codes and rates for providers.
 - The Interagency Agreement between DMAS and the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) is being revised.
 - The Part C Office and DMAS have been working to identify and coordinate documentation requirements in order to minimize duplication.
 - DMAS has recommended that the Individualized Family Service Plan (IFSP) be used as the plan of care for Medicaid.
 - Only minor revisions to the IFSP form and instructions should be needed.
 - The IFSP Stakeholder Group will be reconvened.
 - The projected start date for implementing the Medicaid Initiative remains July 01, 2009.

- David Mills reported on the proposed data system for Part C based on Alaska's model.
 - Language is being drafted by Alaska for an interagency agreement allowing Virginia to use their data system.
 - Changes will be made to the software to make it Virginia specific.

- Paperwork has been sent to Virginia's Information Technologies Agency (VITA) for project approval.
- A practitioner database is also being developed.
 - Two temporary provider certification specialists will be needed to initially enter the data.
- Fairfax is in the process of developing a data system that will include contact notes and information necessary for billing. The Part C Office has met with Fairfax to discuss potential opportunities for collaboration.

Mary Ann then reported on funding issues. She shared the following:

- Mary Ann has met with the Council Coordinators' Association (CoCoA) Steering Committee to discuss financial issues.
- Contact has been made with representatives with DMAS regarding providing technical assistance to local system managers related to implementing Mental Health Targeted Case Management (MH TCM).
 - Local systems can contact William O'Bier and Candice Chavis at DMAS to arrange for technical assistance.
 - CoCoA has agreed to send IFSPs and documentation to DMAS for review and feedback.
 - Materials from the May 2007 conference call on MH TCM are being posted on the Infant & Toddler Connection website at www.infantva.org.
 - A new audit tool will also be posted on the website.
- Governor Kaine requested scenarios from state agencies representing budget cuts of 5%, 10% and 15% for 2009 and 2010.
 - A memo was sent to Community Services Boards (CSBs) from Commissioner Reinhard requiring a 5% budget cut.
 - The Commissioner asked that localities minimize the impact to Part C, if possible.
 - Approximately \$92,000 was cut from the budgets for Part C by the CSBs with the majority of the reduction in MR General Funds.
 - Approximately \$193,000 total reductions in Part C funds occurred between the CSBs and the Non-CSB Lead Agencies.
 - Thirty-two (32) positions were eliminated from DMHMRSAS Central Office.
 - In an effort to mitigate the reductions and the need for additional funds, \$1,100,000 in Federal Funds was allocated to local Part C systems.
 - The funds were from reserve dollars that ensured adequate Part C funding was available to begin the fiscal year in case the federal allocation was not received by July 01.
 - The amount was equal to the need identified by the local systems.
 - This amount was also identified in the 312K Legislative Report as the amount of expenses exceeding revenue.
 - The dollars were allocated based on child count.
- Negotiations have continued with James Madison University (JMU) regarding serving as the Local Lead Agency for the Infant & Toddler Connection of the Shenandoah Valley.
 - The Office of the Attorney General has provided guidance.

- The contract terminated as of December 15, 2008.
 - A draft contract has been developed with Rehabilitation Associates for the continuation of Part C services.
 - Contact has been on-going with two (2) CSBs regarding serving as a fiscal agent.
 - Northwestern CSB will continue to serve as the Central Point of Entry and will provide MR Targeted Case Management.
 - Efforts are being made to ensure on-going services with minimal disruption.
- David Mills provided information on the Family Survey.
 - The Family Survey was completed through a contract with Old Dominion University's Social Science Research Center.
 - Local systems provided names and contact information for 5,886 children who received early intervention services in May of 2008.
 - Mailings were sent in two waves with 1,315 surveys returned in the first wave and 486 returned in the second wave.
 - Phone calls were made to families from local systems that had fewer than 15 responses.
 - Surveys were made available in Spanish with 129 Spanish-Speaking families responding.
 - The overall return rate was 31.99%.
 - Final information will be posted on the Infant & Toddler website at www.infantva.org as it is available. VICC members will be notified.

Mary Ann Discenza shared that the Early Intervention Conference for 2009 has been cancelled. Feedback was received from many local systems stating that due to budget constraints, it was unlikely that staff would be able to attend. The Department of Education will be holding their Shining Starts Conference July 14-16, 2009 and have proposed including a strand for early intervention.

Mary Ann Discenza introduced the Annual Performance Report (APR) with the following information.

- The Office of Special Education Programs (OSEP) requires that states submit information on their child count on December 01 of each year as a point in time count.
- Virginia's Part C system has a limited picture of the total system revenues and expenses.
 - Data is not available from all locations regarding the local dollars in the system.
 - More information was reported this year than previously from local systems regarding local dollars.
 - Based on data provided from localities, as well as calculations from Solutions, it is estimated that there is approximately \$33,000,000 in the Part C system in Virginia.
 - This figure represents federal funding, state funding, local dollars, insurance, Medicaid, family fees, etc.
 - This figure was reported to the General Assemble in the 312K Report.
 - Some states depend entirely on state funds for services and use their federal funding for infrastructure.

- OSEP will be preparing two (2) packets for the Federal Application this year with one packet to be used if the Federal Regulations are finalized prior to the application being distributed and one if not.
 - Packets will be sent the end of January and will be due in May
 - “Contingent approval” will likely be granted to states due to the delay in finalizing the regulations.
 - It is expected that Virginia will receive the same federal allocation amount as last year.
 - President-Elect Obama has expressed a strong commitment to early childhood.

Bonita Grifa, Kyla Patterson and Mary Anne White shared information on the APR.

- The APR covers the time period of July 01, 2007-June 30, 2008 and is due February 02, 2009.
- Indicator 1 addresses the “Timely Initiation of Services”.
 - As of July 01, 2008, Virginia’s definition for “timely” was changed to 30-calendar days from the date the IFSP is signed by the parent. The definition was previously 21-calendar days.
 - Data for this APR must be based on the 21-calendar day definition.
 - Information will also be provided to OSEP on the change to 30-calendar days including the compliance data.
 - Compliance for the 21-calendar day definition was 89%.
 - Compliance for the 30-calendar day definition was 92%.
 - Each service received by a child is looked at to determine if it is initiated in a timely manner.
 - Family reasons for a delay in initiating serves are not counted in the data.
- Indicator 2 addresses the “Primary Service Setting”.
 - Data for this indicator is “point in time data” collected annually on December 1 and reported annually to OSEP by February 1.
 - VICC set the target for this indicator at 98.425% and the target has been exceeded each year.
 - Discussion will occur regarding potentially changing the target.
- Indicator 3 addresses Child Outcomes.
 - Targets must be set in 2010.
 - OSEP, however, requires that data be reported on how each state is currently doing.
- Indicator 4 addresses the “Family Survey” data.
 - In 2007’s results of the family survey, there were 9 local early intervention systems where less than 15 surveys were returned, therefore, data could not be reported due to confidentiality concerns.
 - This year, there were only 2 local systems that did not have a minimum of 15 surveys returned.
- Indicator 5 addresses the percentage of infants & toddlers birth to one with IFSPs compared to other states with similar eligibility requirements.
 - The data used for this indicator is the annual December 1 Child Count.
 - Virginia has steadily been increasing the number of children identified over the past several years.
 - Virginia reached the state target this year.

- Indicator 6 addresses the percentage of infants & toddlers birth to three with IFSPs compared to other states with similar eligibility requirements.
 - The data used for this indicator is the annual December 1 Child Count.
 - While Virginia has steadily been increasing the number of children identified over the past several years, the targets for 0-3 have increased significantly and will continue to increase to 2010 where the State target is 3%.
 - The Part C office is concerned that the state will not be able to achieve the target since the rate of children identified is not keeping up with the rate of increase for the State Target.
 - Discussion will occur regarding potentially changing the target.
- Indicator 7 addresses the percentage of eligible infants & toddlers with IFSPs for whom an evaluation & assessment & an initial IFSP meeting were conducted within Part C's 45-day timeline from the date of referral.
 - This target is set by the law at 100% compliance.
 - The data collection period is from 4/1/07 – 6/30/07.
 - Delays in meeting the 45-day timeline for family reasons are not included in calculating compliance percentages.
 - The compliance rate is at 98% which is considered by OSEP as meeting substantial compliance.
 - The compliance rate of 98% has remained even over the last three years.
- Indicator 8 addresses the percentage of all children exiting Part C who received timely transition planning to support the child's transition to preschool & other appropriate community services by their 3rd birthday including:
 - (a) IFSPs with transition steps & services;
 - 36/39 (92%) Local Early Intervention Systems at 100%.
 - 1/39 (3%) Local Early Intervention System in Substantial Compliance (95-99%).
 - 2/39 (5%) Local Early Intervention Systems below Substantial Compliance (<95%).
 - (b) Notification to the Local Education Agency (LEA), if the child is potentially eligible for Part B;
 - 39/39 (100%) Local Early Intervention Systems at 100%.
 - (c) Transition conference, if the child is potentially eligible for Part B.
 - 30/39 (77%) Local Early Intervention Systems at 100%.
 - 9/39 (23%) Local Early Intervention Systems below Substantial Compliance (<95%).
 - Substantial compliance was met on all three components of Indicator 8.
 - Localities worked hard to address this indicator through the development of Corrective Action Plans (CAP)/Service Enhancement Plans (SEPs).
 - Joint Part B/Part C trainings were also provided.
- Indicator 14 addresses "Timely and Accurate Data".
 - OSEP looks at the information that states are required to submit to determine if it is timely.
 - OSEP completes their own data verification to determine the accuracy of data.
 - For local systems, The Part C office looks primarily at the contract deliverables to determine timely submission of data.

- For accuracy of data, the Part C office performs data verification activities which may vary year to year.
- Virginia is at 100% compliance for this indicator.

Virginia has met compliance for all of the indicators with the exception of Indicator 1. The following information was provided:

- Indicator 1: Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.
 - The required target is 100% for each service.
 - Results have been 72%, 72%, 81%, and 89% (FFY 2004 to FFY 2007, respectively).
- The following ‘improvement activities’ are newly added or carryover activities that have been identified as part of the APR and will be in place by July 01, 2009:
 - TA and follow-up to local corrective action plans;
 - Explore, implement new strategies for recruiting and retaining personnel;
 - Implement revised family cost share practices;
 - Add data elements to ITOTS;
 - Collaborate with DMAS to move reimbursement for Part C under EPSDT;
 - Finalize the Part C Practice Manual;
 - Implement Virginia’s Part C Service Pathway statewide;
 - Address evidence-based practice related to service delivery in new training requirements associated with the EI certification process;
 - Implement Part C practitioner database;
 - Finalize and implement the revised allocation methodology for disseminating federal and State Part C funds to local systems;
 - Include Virginia’s definition of “timely” in State Part C regulations; and
 - Revise the State Interagency Agreement for Part C.

Information was presented to the VICC by Kyla Patterson requesting consideration of changes to the targets for Indicators 2 and 6 as proposed by the Part C Office.

Indicator 2: Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children.

Background: This is not a compliance indicator so we are not required to set the target at 100%. Since the decision about service setting should be individualized and for some children it may not be possible to meet the IFSP outcomes within a natural setting for some period of time, we would not want to set this target at 100%. The state target for this indicator for FFY 2005 - FFY 2007 has been 98.425%. When we originally set the targets in FFY 2004, it was our understanding that the targets had to increase over time, and we planned that the targets would increase to 98.45% for FFY 2008 - FFY 2010. OSEP has since clarified that it is not necessary to increase the target when it is already set at such a high level.

Proposal: Virginia is proposing to revise its targets for this indicator for FFY 2008 – FFY 2010 from 98.45% to 98%. Given OSEP's clarification and for ease in tracking and reporting

in ITOTS (the Part C data system), we are proposing that the target percentage be rounded to 98%.

Indicator 6: Percent of the state's birth-three population served in Part C

Background: When we wrote our State Performance Plan and set our targets, we were at a baseline of 1.79%. In the following years we slipped to 1.72%, and then recovered to 1.78% and in FFY 2007 (the year we're reporting on in this APR) we were up to 1.92%. The change over the past year, from 1.78% to 1.92% was actually in proportion to what was projected for FFY 2007 when the original targets were set. We didn't reach our target, though, since we got so far behind in those first couple of years after the SPP was written.

Proposal: What we're proposing is to revise the targets for the final years of the SPP cycle using the FFY 2007 data (1.92%) as the starting point and using an amount of progress that is proportionate to what was projected when the state targets were originally set. That method results in the targets for the percent of the birth – three population served in Virginia's Part C system being set as follows:

Fiscal Year	Targets Identified in SPP	Proposed New Targets
FFY 2008	2.45%	2.1%
FFY 2009	2.7%	2.3%
FFY 2010	3.0%	2.6%

Staff feels that these new targets honor the type of change we projected when we set the targets while giving Virginia a realistic chance to actually reach the targets in the next 3 years (recognizing that we didn't achieve the level of progress we wanted in the early years).

A quorum of active members was not present in order to support the recommended changes. The proposed changes will be sent via email to all members with a request for an electronic vote. The information, including charts, will be sent from Kyla to Karen Durst who will distribute it to all VICC members.

A draft of the APR will be sent tomorrow, December 18, 2008, to all VICC members and Local System Managers. Feedback must be submitted by January 05, 2009. The APR must be submitted to OSEP by February 02, 2009.

A special thank you was extended to all of the local system managers, early intervention staff and providers for all of the hard work that has occurred to address the compliance issues and to insure quality services for children and their families. Part C staff was also commended on the "excellent job" in developing the APR.

Debra Holloway then provided the Family Report from the Family Involvement Project. The following italicized information is verbatim from the written report submitted.

The Family Involvement Project staff continues to be active participants in statewide committees, workgroups, regional and local activities and council meetings. Some of the activities we have attended since our last meeting include attending and displaying information at the Circle of Support Conference, hosting waiver workshops, participating in the Part C training workgroup, attending A Special Quest/NPDCI workgroup meeting, we met with our local representatives and participating in Early Intervention technical assistance conference calls. The Family Involvement Project also hosted Parent Advocacy meetings across the state in Front Royal, Loudoun, Newport News, Charlottesville, Lynchburg, and Fredericksburg. The goal of the meetings was to bring families together to talk about how we can advocate for early intervention funding. We continue to participate on the Young Families Committee of The Arc of Virginia Board and participated in the Virginia Alliance for Community Rally for reform. The alliance provides a unified and collective voice in advocating for the civil rights for Virginians with intellectual and developmental disabilities, especially concerning the need to move away from its historical bias and antiquated practice of institutionalizing people with intellectual and developmental disabilities. On behalf of The Arc of Virginia, Family Involvement Project we sent letters to local government officials in the 5 counties and the City of Winchester informing them about the current situation in their region and urging them to support early intervention services in the Shenandoah Valley Region by providing local funds to infant and toddler services.

Debra shared that the ARC of Virginia will be meeting Saturday, December 20, 2008 and will be discussing advocacy efforts. The budget meeting being held today, December 17, 2008, will direct further action.

The VICC Data Research Committee Chair asked that this topic be forwarded to the next VICC meeting. There were no other VICC Committee reports.

Karen Durst then provided an update on the VICC vacancies. The Appointments Office is on the Governor's calendar for Friday, December 19, 2008 to discuss the appointments and reappointments. Requests for reappointments were sent to the Appointments Secretary's Office for Rick Beaman, Dr. Eva Thorp, Jeannie Odachowski, Virginia Heuple, and Sheila Nelson.

Multiple applications for the following positions were also submitted:

- (1 Position) Individual involved in personnel preparation.
- (3 Positions) Public or private providers of early intervention services who represent the broad geographic cultural diversity of the Commonwealth.
- (1 Position) Parent Representation from Tidewater-Including minority parents of infants or toddlers with disabilities or children with disabilities aged 12 or younger, who represent the broad geographic cultural diversity of the Commonwealth, with knowledge of, or experience with programs for infants and toddlers with disabilities. At least one member must be a parent of an infant or toddler with a disability or a child with a disability aged six or younger.

No applications were received for the following positions and they remain vacant:

- (1 Position) Individual from a Head Start Agency or program in the Commonwealth.
- Parents:
 - (1) Southwest Region-Counties of Buchanan, Bland, Carroll, Dickenson, Floyd, Franklin, Giles, Grayson, Lee, Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe and Cities of Norton, Galax, Bristol, Abingdon and surrounding areas.
 - (1) Roanoke Valley Region-Counties of Alleghany, Augusta, Bath, Botetourt, Craig, Highland, Roanoke, Rockbridge, Rockingham and Cities of Buena Vista, Clifton Forge, Covington, Harrisonburg, Lexington, Roanoke, Salem, Staunton, Waynesboro and surrounding areas.

Members were encouraged to share the vacancy information with individuals who may be interested.

Members discussed the meeting schedule for the upcoming year. It was decided that the 2009 meetings would be held quarterly and would be face-to-face. Meetings will be scheduled for March, June, September and December. Meetings for June, September and December will be held the second Wednesday of the month. Members will be notified of the date for the March meeting which will not follow the regular schedule due to a scheduling conflict.

A VICC Retreat will be scheduled after new members have been appointed and others reappointed. The Retreat will include an orientation for new members as well as addressing recommendations from the previous Retreat..

The following items were identified as requiring follow-up:

- David Mills will notify VICC members when information from the Family Survey is posted on the Infant & Toddler Connection website.
- Kyla Patterson will send information to Karen Durst regarding the proposed changes to the targets for Indicators 2 and 6. Karen will then email this information to all VICC members with a request for members to respond electronically as to whether they support the change.
- Kyla Patterson will send the draft APR to David Mills for a December 18, 2008 electronic distribution to all VICC members and Local System Managers with a request for input by January 05, 2009.
- Karen Durst will notify members of the date for the March 2009 VICC meeting.

The following agenda items were identified for the March VICC meeting:

- Medicaid Initiative Update;
- Part C Update;
- Data Committee Report;
- Comprehensive System of Personnel Development/Medicaid Initiative (CSPD/MI) Committee Update;
- Advocacy Committee Update;
- VICC Appointments and Reappointments; and
- Plans for a VICC Retreat.

The meeting was adjourned.

VICC Member Attendance

VICC Members in Attendance

Joanne Boise
Mary Lou Hutton
Phyllis Mondak
Dr. Patricia Popp
Tammy Whitlock

Members Awaiting Reappointment in Attendance

Frederick Beaman
Virginia Heuple

VICC Members Absent

Martha Kurgans
Lyndell Lewis
Laura Miller
Leslie Hutcheson Prince
Glen Slonneger
Yolanda Tennyson
Delegate Shannon Valentine

Members Awaiting Reappointment Not in Attendance

Delly Greenberg
Sheila Nelson
Jeannie Odachowski