

ANNUAL STATUS REPORT



The Kentucky Commission on Services and Supports for
Individuals with Intellectual and Other Developmental
Disabilities

Submitted in Accordance with KRS 210.577 to:

Governor Andy Beshear
and the General Assembly
December 2022

KENTUCKY COMMISSION ON SERVICES AND SUPPORTS FOR INDIVIDUALS WITH INTELLECTUAL AND OTHER DEVELOPMENTAL DISABILITIES

Fiscal Year 2022

INTRODUCTION

In accordance with KRS 210.577(3), the Kentucky Commission on Services and Supports for Individuals with Intellectual and Other Developmental Disabilities respectfully submits the following report for the period of July 1, 2021, through June 30, 2022. The Kentucky Commission on Services and Supports for Individuals with Intellectual and Other Developmental Disabilities was created and established by KRS 210.575 through the enactment of House Bill 144 by the 2000 General Assembly. This commission, hereafter referred to as the HB 144 Commission, serves in an advisory capacity to the Governor and the General Assembly concerning the service system that affects the lives of people with intellectual and other developmental disabilities (I/DD).

MEMBERSHIP

The commission's membership in 2022 included 24 individuals representing an array of stakeholders. Nine of these positions are appointed by the Governor to serve four-year terms and include representation of family members, provider organizations, advocacy groups, and self-advocates. Four members of the General Assembly are appointed, and the remaining 11 members are stipulated in KRS 210.575 and include representation from the Secretary of the Cabinet for Health and Family Services (CHFS), departments within CHFS, the University Center for Excellence in Disabilities at the University of Kentucky, the Office of Vocational Rehabilitation, the Kentucky Department of Education, and the Commonwealth Council on Developmental Disabilities.

The list of commission members and their term expirations as of June 30, 2022, are included in Appendix A of this report.

COMMITTEE ORGANIZATION

The commission organized committees in September 2019 based on identified areas of need. During fiscal year 2019, each committee determined 5-year goals respective to the identified area of need. Committee membership is inclusive of stakeholders with special interest and/or expertise in the respective committee's goals and objectives.

The committee structure is organized as follows:

- Employment Committee collaborates with the Employment First Council, and other similar initiatives to advance Kentucky as an Employment First state, including a review of transportation needs;
- Community Education/Outreach Committee is responsible for the topical areas of resources and self-advocacy; and
- Health/Wellness Committee is responsible for the topical areas of psychotropic medication usage, inclusion of individuals with complex medical needs, increased capacity of specialty clinics, and crisis intervention.

FY 2022 COMMITTEE REPORTS

During FY 2022, the committees met and continued work on the 5-year goals and short-term objectives adopted in FY 2019. Each committee has focused efforts on one or more of the identified goals and objectives. Following is each goal, short-term objectives (as applicable), and a summary of each committee's efforts related to the identified goal(s) in FY 2022. Committee recommendations and the cabinet's responses to those recommendations are outlined in the section "FY 2022 Recommendations and Responses" of this report, beginning on page 7.

EMPLOYMENT COMMITTEE

The Employment Committee is tasked to collaborate with the Employment First Council and other similar initiatives to advance Kentucky as an Employment First state. The committee established the following goal and short-term objectives:

GOAL: Shape and influence policies on employment to increase social, civic, and economic contributions of people with intellectual and other developmental disabilities.

Objective 1: To facilitate the development of a comprehensive memorandum of understanding to promote the integration of Employment First policies across state government.

Objective 2: To directly influence Medicaid's restructuring of employment services and payment methodology in the redesign of 1915c waivers.

Objective 3: To engage with the transportation planning process to ensure needs of people with I/DD receive proper consideration.

Committee Chair/Co-Chair Report

The purpose of the Employment Committee is to continue to improve collaboration with an array of employment initiatives to advance Kentucky as an Employment First state. The Employment Committee held four (4) meetings during the fiscal year and worked together by email to address time sensitive issues.

The committee was active throughout a year in which employment continued to be an even more critical issue for Kentuckians with disabilities and their networks of support, as the COVID-19

pandemic continued to make changes in how work is both conceptualized and accomplished. Kathy Sheppard-Jones continued in the role of Committee Chair this year. The committee welcomed new members throughout the year and worked across committees in planning and discussions. Committee members include people with disabilities, families, community partners and providers, and state partners.

Committee members engaged in other employment groups dedicated to the objectives. Cross-over engagement includes the Kentucky Employment First Council and subcommittees, Kentucky National Core Indicators Quality Improvement Committee, KentuckyWorks Partnerships in Employment statewide systems change grant (grant ended in Fall, 2021) and work teams, KentuckyWorks Collaborative, Transportation Initiative, Kentucky Workforce Innovation Board, and ongoing collaboration with the Kentucky Chamber of Commerce.

The committee also updated the Kentucky Alignment of Employment Initiatives resource that provides a list and description of formal employment partnerships that include 18 initiatives, grants, or programs with a disability focus (available at: <https://hdi.uky.edu/matrix>). Audio descriptions were added to enhance accessibility.

The committee continued partnership with the Community Education and Outreach Committee on amplifying efforts to remove barriers to employment. Presentations and discussions of the committee were wide ranging and lifespan oriented. There was a great deal of conversation around marketing employment resources for transition. As committee members recognize a variety of informational resources are available but not widely known or used, multiple meetings addressed possible remedies, including providing presentations at state conferences, going to schools to share resources, creating a train-the-trainer model to share a standard resources presentation, and gaining a better understanding of existing organizations that support families.

Meeting presentations and activities included:

- Updates on the legislative sessions
- Employment matrix revisions
- Transportation initiative overview
- Overview of employment and benefits
- Assistive technology resources and applications in employment
- KentuckyWorks resources
- Innovative supports for autistic worker's overview
- Employment first legislation and council updates
- Employment marketing and collaborations and how to share resources with families and students
 - Partnering with organizations reaching this audience
 - Developing a presentation on resources that can be shared through train-the-trainer
- Role of inclusive higher education on employment
- Education, Employment and Health Collaborative
- Return to Work / Stay at Work program – RETAIN Kentucky

Each meeting also included opportunity for sharing of information by committee members.

The committee did not submit recommendations for consideration by the commission.

COMMUNITY EDUCATION / OUTREACH COMMITTEE (CEOC)

The CEOC is tasked with the responsibility for topical areas of resources and self-advocacy. The committee established the following goals and short-term objectives:

GOAL: Identify currently available resources, barriers to accessing resources, and gaps in resources.

GOAL: Develop one (1) self-advocacy group across each of the fifteen (15) area development districts.

GOAL: Explore community inclusion efforts across the lifespan to identify promising practices.

Objective 1: Define community inclusion.

Objective 2: Identify community inclusion best practices.

Committee Chair/Co-Chair Report

The CEOC had seven (7) meetings during FY 2022. Meetings included presentations from Department of Transportation, Department of Aging and Independent Living (DAIL), HDI Community-Based Work Transition Project, Office of Autism and DDID Clinical Services.

The committee continued to understand the Non-Emergency Medical Transportation (NEMT) Rider Survey and its data. The committee investigated how other departments such as DAIL handle transportation as well. The committee learned about other surveys conducted such as DDID annual survey to certified providers of the Supports for Community (SCL) and Michelle P. Waiver (MPW) Medicaid waiver programs. The committee is working on a possible recommendation of adding transportation questions to the survey mentioned above.

The committee has continued to work on the gap identified in the funding of First Steps services for children with summer birthdays. Children within the First Steps program who have birthdays from April through August could lose services because schools are not open, and it is difficult to transition from First Steps to the school system. During this year, the Committee has been able to contact the following legislators, Sen. Wil Schroder, Rep. Josie Raymond, and Rep. Samara Heavrin to alert them to this gap. All three are members of the Early Childhood Education Task Force.

The committee continues to look for gaps in the transition process for students from high school and into employment.

Due to the pandemic the committee has not been able to make progress with expanding the Self-Empowerment Network across the 15 area development districts.

The committee submitted two (2) recommendations for commission review and acceptance. The committee recommendation and the cabinet's responses to the recommendations are outlined in the section "FY 2022 Status Updates and Recommendations" of this report, beginning on page 7.

HEALTH/WELLNESS COMMITTEE

The Health/Wellness Committee was assigned the following topics identified during the commission's planning session: psychotropic medication usage, inclusion of individuals with complex medical needs, increased capacity of specialty clinics, and crisis intervention. In FY 2019 the committee developed the following goal and objectives:

GOAL: Maximize good health and reduce health disparities for people with intellectual and other developmental disabilities (I/DD).

Objective 1: Continue collaboration with the Division of Developmental and Intellectual Disabilities to access and evaluate all available data sources that lead to recommendations for the reduction of polypharmacy, and the development and implementation of appropriate training for provider agencies and health care providers.

Objective 2: Assess available data to identify the current parameters and barriers of crisis intervention services and propose policy level changes to increase availability of outcome driven services and decrease barriers and disparities.

Objective 3: Research and recommend a definition of "medically complex" that is inclusive of people dually diagnosed with I/DD and mental/behavioral health conditions and propose outcome-driven policy amendments that decrease barriers to all available services.

Objective 4: Reduce existing health disparities for people with I/DD utilizing data from a variety of sources to promote an increase in the number of people following physical activity guidelines, increase the collaboration among community organizations and service providers that leverage existing local health and wellness programs, and improve the overall health and well-being of people with I/DD and their direct support staff.

Committee Chair/Co-Chair Report

The Health/Wellness Committee held one (1) meeting during FY 2022. The committee's overarching goal was to examine psychotropic medication and usage, inclusion of individuals with medically complex needs, increased capacity of specialty clinics, and an assessment of crisis intervention services. The objectives formulated by the committee were addressed through an evaluation of available data sources and research into medical terminology along with collaboration with community stakeholders and members of the committee. Much of the committee's focus centered on Objective 4, "reducing existing health care disparities in people

with I/DD.” This was accomplished through the provision of information by service providers in the community who presented on a variety of topics while addressing service gaps.

The committee did not submit recommendations to the commission for consideration in FY22.

FY 2022 RECOMMENDATIONS AND RESPONSES

The commission received the following recommendations from the Community Education/Outreach Committee during FY22. These recommendations are being submitted by the commission to CHFS for consideration and response.

Community Education / Outreach Committee

Recommendation 1: The Community Education/Outreach Committee recommends the Division of Developmental and Intellectual Disabilities (DDID) allocate a position to serve as a transportation help desk position to help individuals with Intellectual and other Developmental Disabilities find appropriate funding and service within the Non-Emergency Medical Transportation (NEMT) program.

Response: The Division of Developmental and Intellectual Disabilities (DDID) does not have authority related to the funding or service capacity of the Medicaid Non-Emergency Medical Transportation (NEMT) Program. The request to allocate a position not only exceeds DDID’s programmatic expertise but also exceeds the agency’s fiscal resources for such a staffed position. Therefore, the recommendation was forwarded to the Department for Medicaid Services, Division of Policies and Operations (DPO) for review and consideration.

Leadership from DDID and DPO discussed the concerns and issues regarding the Committee’s recommendation. They agreed that the above recommendation is not a viable option at this time. DPO contracts with the Department of Transportation to maintain oversight of the NEMT program and enforce the federal and state program standards and service delivery. As such, an avenue exists for all eligible Medicaid recipients to receive assistance with access to transportation. Therefore, it is the suggestion of DDID and DPO that the Community Education and Outreach Committee collaborate with other members of the Commission, such as the Commonwealth Council on Developmental Disabilities and the Human Development Institute, to explore alternative means of sustainable transportation services at the community level not reliant upon the current NEMT program for funding or sustainability and thereby decrease barriers to community access for individuals with disabilities.

Recommendation 2: In an effort to increase the response rate of the Non-Emergency Medical Transportation (NEMT) Rider Survey, the Community Education/Outreach Committee respectfully recommend the Department of Medicaid Services collaborate with the Department of Transportation to make the survey more accessible by creating it in an online format as well as promote the survey through social media with the appropriate link included.

Response: The Department for Medicaid Services in collaboration with the Department of Transportation will explore various methods of promoting future satisfaction surveys related to the Non-Emergency Medical Transportation program.

STATISTICAL INFORMATION

Following is the status of programs providing supports to individuals with I/DD through FY 2022.

Community Mental Health Center (CMHC) Service Provision 2022

- Based upon data reported by the CMHCs, 8660 people with I/DD were supported by the 14 CMHCs in FY 2022.
- CMHC adult I/DD crisis services were utilized by 1,354 individuals during the calendar year 2022.

ICF Average Census FY 2012 through FY 2022

The number of people who reside in state intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) has decreased significantly following a 2006 settlement agreement between the Department of Justice and the Commonwealth of Kentucky regarding the operation of the Oakwood ICF/IID. Pursuant to this settlement, a statewide transition process was implemented at all ICFs/IID to successfully transition individuals into the community.

Facility	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Oakwood	120	121	119	114	111	106	105	112	108	105	110
Hazelwood*	146	135	123	116	105	104	96	65	86	76	74
Bingham Gardens	24	23	21	21	24	24	21	24	23	20	20
Outwood	46	42	40	38	36	35	34	31	31	32	36
Total	336	321	303	289	276	269	256	232	248	233	240

*Hazelwood Center census includes the three 8-bed ICF community homes.

As part of the settlement agreement with the US Department of Justice, each of the state-owned ICFs/IID continues transformation into a Center of Excellence. There are three medical specialty clinics in Kentucky. One is located on the campus of Oakwood, one on the campus of Hazelwood, and one on the campus of Bingham Gardens. These centers support the individuals residing at the facility where they are based, and serve as a resource to individuals, families, and community providers by offering specialized supports and services that otherwise are not accessible in the community.

Waiver Slots Funded FY 2016 through FY 2022

New Slots Funded

Waiver	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Supports for Community Living (SCL)	240	0	0	0	0	0	0
Michelle P (MP)	250	0	0	0	0	0	0
Acquired Brain Injury (ABI)	93	0	0	0	0	0	0
Acquired Brain Injury Long Term Care (ABI-LTC)	60	60	0	0	118	0	0
Home and Community Based (HCB)	0	0	0	0	0	0	0

Total Waiver Slots

Waiver	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Supports for Community Living (SCL)	4,701*	4,941	4,941	4,941	4,941	4,941	4,941
Michelle P (MP)	10,500	10,500	10,500	10,500	10,500	10,500	10,500
Acquired Brain Injury (ABI)	383	383	383	383	383	383	383
Acquired Brain Injury Long Term Care (ABI-LTC)	320	320	320	320	438	438	438
Home and Community Based (HCB)	17,050	17,050	17,050	17,050	17,050	17,050	17,050

*240 slots were appropriated by the legislature for FY16; however, CMS approval of the SCL waiver renewal did not occur until March 2018, therefore they were not available until then.

CLOSING THOUGHTS

It has been a privilege for the Kentucky Commission on Services and Supports for Individuals with Intellectual and Other Developmental Disabilities (I/DD) to serve in an advisory capacity to the Governor and the General Assembly regarding the needs of persons with I/DD. Commission members extend their gratitude to Governor Beshear for his continued support of the Employment First Initiative. We also extend our appreciation to the members of the General Assembly for their continued support of quality services across the lifespan for individuals with I/DD. Along with the Department for Behavioral Health, Developmental and Intellectual Disabilities, the commission looks forward to meeting its goals to improve the quality of supports for the citizens of Kentucky.

The Cabinet for Health and Family Services and the Department for Behavioral Health, Developmental and Intellectual Disabilities extends its appreciation to the members of the commission for their advocacy on behalf of Kentucky's citizens with I/DD. Their continued advocacy has positively produced change in such efforts as competitive and integrated employment, community inclusion, and improving the health and wellness of people with disabilities across the lifespan.

APPENDIX A - KENTUCKY COMMISSION ON SERVICES AND SUPPORTS FOR INDIVIDUALS WITH INTELLECTUAL AND OTHER DEVELOPMENTAL DISABILITIES

Cabinet for Health and Family Services Secretary or Designee	Carrie Banahan, Deputy Secretary Frankfort, KY 40621 (502) 564-7042 Carrie.Banahan@ky.gov	Direct Service Provider TERM EXPIRES 11/24/2024	Vacant
Department for DBHDID Commissioner	Wendy Morris Frankfort, KY 40621 (502) 564-4527 wendy.morris@ky.gov	Direct Service Provider TERM EXPIRES 7/15/2023	Steve Shannon, Executive Director KARP, Inc. Lexington, KY 40508 (859) 272-6700 sshannon.karp@gmail.com
Department for Medicaid Services Commissioner or Designee	Pam Smith Frankfort, KY 40621 (502) 564-4321 Pam.Smith@ky.gov	Family Member TERM EXPIRES 7/15/2023	Robert A. Napolilli Prospect, KY 40059 (502) 472-8052 napolillir@gmail.com
Office of Vocational Rehabilitation Executive Director	Cora McNabb Frankfort, KY 40621 (502) 782-3437 Cora.McNabb@ky.gov	Family Member TERM EXPIRES 7/15/2023	Julie Sweets Rockfield, KY 42274 (270) 782-2132 juliebakersweets@gmail.com
University Center for Excellence in Developmental Disabilities- Human Development Institute Director	Kathy Sheppard-Jones, PhD, CRC University of KY Lexington, KY 40506-0051 (859) 257-3045 kathleen.sheppard-jones@uky.edu	Family Member TERM EXPIRES 11/24/2024	Catherine L. Buncher Nicholasville, KY 40356 (859) 552-5825 ckbuncher@gmail.com
Commonwealth Council on Developmental Disabilities Director	Dr. Patricia Seybold, Acting Executive Director Frankfort, KY 40601 (502) 782-8601 Patricia.Seybold@ky.gov	Family Member TERM EXPIRES 11/22/2024	Kim Zeigler Frankfort, KY 40602 (502) 418-8189 KZeigler1@msn.com
Kentucky Department of Education Commissioner or Designee	Gretta Hylton, Associate Commissioner Office of Special Education & Early Learning Frankfort, KY 402061 (502) 564-4970 Ext. 4109 Gretta.Hylton@education.ky.gov	Self-Advocate TERM EXPIRES 7/15/2023	Clayton R. Carroll Dunnville, KY 42628 (270) 566-8009 ClaytonCarrollSpeaks@gmail.com
Representative	Tina Bojanowski Frankfort, KY 40601 (502) 564-8100 ext. 626 Tina.Bojanowski@lrc.ky.gov	Self-Advocate TERM EXPIRES 11/24/2024	Graham J. Maupin Louisville, KY 40217 (502) 681-8348 graham.j.maupin@gmail.com
Representative	Kim King Frankfort, KY 40601 (502) 564-8100 ext. 763 Kim.King@lrc.ky.gov	Self-Advocate TERM EXPIRES 7/15/2023	Andrew A. Venetianer Louisville, KY 40241 (502) 713-8949 avenetianer@outlook.com
Senator	Vacant	Business Leader TERM EXPIRES 11/22/2024	Karen F. Herdina Ft. Thomas, KY 41075 (513) 604-6162 kfherdina@hotmail.com
Senator	Julie R. Adams Frankfort, KY 40601 (502) 564-8100 julie.adams@LRC.KY.GOV	Business Leader TERM EXPIRES 11/24/2024	Annette Jett Build Inclusion, Inc. Lexington, KY 40502 (859) 221-6689 annette@buildinclusion.org
Direct Service Provider TERM EXPIRES 7/15/2023	Dennis Brandon Griffith Lexington, KY 40503 (859)553-5883 brandon.griffith@noboundariescm.com	Statewide Advocacy Group Representative TERM EXPIRES 11/22/2024	Kellie Smith KY-SPIN, Inc. Louisville, KY 40272 (270) 566-8007 Kellie@kyspin.com