Mill Levy Advisory Council Meeting Minutes  
08.22.2019 3–5PM

Present:  J.J. Tomash (Co-chairperson)  
          Ann Pierce (Co-chairperson)  
          Jennifer Beck (RMHS delegate)  
          Betty Lehman  
          Lauren Weinstock

Guests:  Maurice Stenberg, DHS (DHS guest)  
          Shari Repinski, RMHS (DHS guest)  
          Christi Romero-Roseth, CFPD  
          Julia Crawford, DHS  
          Michael Kilgore, Financial Health Institute  
          Becca Frank, DHS  
          Justin Sykes, DHS

Absent:  Tim Lomas  
          Kendall Rames  
          Kate Williams

Phone:  Amy Packer (staff)

The Council meeting was called to order at 3:06pm by Co-chairperson J.J. Tomash at Savio House, 320 Lowell Street, Denver, Colorado.

Introductions & Minutes Review

The meeting opened with a brief welcome, followed by introductions from the Council members and Denver Human Services (DHS) staff. Guest speakers in attendance included Maurice Stenberg with Denver Human Services and Shari Repinski with Rocky Mountain Human Services.

The Council reviewed adjustments to the 07-11-19 minutes requested at the previous meeting and J.J. Tomash moved to approve the minutes. Lauren Weinstock seconded and the motion passed with majority vote. The Council then moved on to review the 08-01-19 minutes. Betty Lehman noted she had not been listed as absent in the minutes. J.J. Tomash moved to approve the minutes with changes adding Betty Lehman to the attendance section. Lauren Weinstock seconded and the motion passed with majority vote.

Subcommittee Report Out

Housing: Tim Lomas, Lauren Weinstock, Kendall Rames

Lauren Weinstock shared a handout with the Council on statistics the Council has gathered through their investigation, including through Desiree Kameka with Madison House Autism Foundation. The document summarized housing models and possibilities for housing, including person-centered planning. On August 21, she attended a State Housing Outreach meeting where she said the meeting was largely a legislation update. The presentation from this meeting will likely be posted on the
Housing Colorado website. During the session, there were breakout tables for discussion. Lauren Weinstock reported there was not a breakout table for people with intellectual and developmental disabilities (I/DD). There were other professionals that mentioned they get phone calls for this population, and many shared they were not currently able to help or answer questions. The subcommittee has not met and has focused on information gathering.

Ann Pierce said that the number of people living with caregivers, particularly over the age of 60, was astonishing, and asked whether the statistics were broken out by family members or caregivers in general. Lauren Weinstock was unsure about the breakout. Ann Pierce asked a follow up question about whether the figure was due to a lack of resources and lack of funding. Ms. Weinstock agreed these were contributing factors. DHS added that there may also be different timelines throughout one’s life for various transitions. Crystal Porter spoke about her experience working with a lot of people who had lived at home with their family their entire lives and what it was like to help them transition. As a family caregiver ages, something that may have worked for decades no longer works for them. It becomes a transitional period for the family and there are a lot of factors.

Lauren Weinstock confirmed the statistics presented on her sheet were statewide figures for Colorado from 2015/2016. She also pointed out that many family caregivers at age 60 are still healthy, but they are not driven internally or externally, or know who to talk to, to begin planning. Betty Lehman mentioned that persuading people to plan is what she does for a living. Whether someone is in good health or not, that transition could become necessary at any time.

Betty Lehman discussed planning for an emergency change and/or a natural progression of change and talked about how people can be very resistant. Thinking about mortality is hard, and people think they have more time to plan. She talked about how families sometimes turn the DD waiver down when it is offered because they are not prepared. There can be concerns about health and safety, that their loved one will be lonely and will not get support. Betty Lehman stated there is a need for a change in cultural thinking about what is normal or expected for people with intellectual and developmental disabilities in their families, to support the planning concept. She concluded that when people do not plan, situations that could be less fraught become emergencies and the person and their family are in crisis. Plans to transition over time are critical.

Betty Lehman suggested most of the need around housing and natural supports has to do with planning and expectations and said it’s important to understand the DD waiver does not solve all everything. Authentic planning can be a solution to housing problems, to many of the transition problems. Lauren Weinstock agreed with her and suggested the upcoming housing meeting in September discuss pathways to plan for housing along with housing models. DHS shared their desire to see the mill levy partner with existing avenues and resources to address housing. DHS also mentioned that subject matter experts could reach out to request to present at the upcoming housing forum.

Betty Lehman asked RMHS about the State’s stance on intentional communities and mentioned that, historically, the State has communicated that they did not see these communities as in alignment with
person-centeredness. Shari Repinski with RMHS said she was unaware of any shifts in the State’s philosophy and that Colorado has historically taken a very community centric view of services. She provided examples of rules that make the issue more complex, including: the Department of Health’s prohibition of group settings from being within 750 feet of other facilities and the Social Security income rule for how many people receiving social security income can live in proximity of each other. These and other rules challenge the idea of congregate communities. In 2014, the federal rule that regulates the Medicaid waivers around settings requires all residential settings to meet very specific requirements that would be difficult with intentional communities. Shari Repinski said that organizations coming in may have different funding streams or be available through private pay. Betty Lehman said she knows assisted living allows for this model, and without parent planning, the additional funds are not there. She stated the myth that the government automatically covers costs needs to be addressed.

Transition Services: Ann Pierce, Betty Lehman, Kate Williams
Ann Pierce said the last time the transition services subcommittee met was July. Betty Lehman followed up with Jennifer Beck on questions posed at the Council meeting in July about updating the RMHS website to more clearly show transition programs with the mill levy such as the Unmet Needs program. Jennifer Beck reminded the Council that RMHS is working on and planning a website redesign and agreed to look at what could be done in the interim. Betty Lehman discussed the caps on services which limit access to needed services such as respite. Other examples were caps on day program or supported employment services. She said RMHS has the capacity with the mill levy to provide additional supports for caps and transition periods.

Jennifer Beck clarified Unmet Needs is used to cover gaps in services but may not currently be used for transition support. Shari Repinski agreed it was an interesting idea. She shared that RMHS provides respite through the mill levy for families between Early Intervention (EI) and other waiver services. Betty Lehman also asked about transition planning for families with children ages 0-3 in Early Intervention to help them prepare for for service cliffs or transitions. She also said families often do not understand transition in the school system, and some schools do not offer support for planning for the next phase. She reports there are explanations on the Colorado Department of Education website, but they are more ideal than real. Betty advocated that families need to have support around how the whole family can get ready for transition and their role in transition. Lauren Weinstock additionally asked what is pushing families to think about this and how they can work through it.

Ann Pierce proposed the subcommittee go back to the drawing board with new information from the discussion at the meeting to consider a recommendation for DHS on transition services.

Jennifer Beck wanted the Council to be aware RMHS is working on two booklets, one for transitions from Early Intervention (EI) to Family Supports and one from Family Supports to Waivers. She also mentioned another program featured in the annual report that meets the need for children in EI whose birthdays are April-June, resulting in a gap before they join the school system. Staff put together a summer program to help with that transition. Betty Lehman mentioned schools are so dramatically
underfunded that a resolution in the near future is unlikely and there is only so much the DD system can do to supplement school services. She asked RMHS about the Family Support’s Most In Need scale and whether families were being turned away from mill levy funds because of their score. Jennifer Beck clarified that families are not being turned away, in large part due to the mill levy. She said there are certain parts of RMHS programs where a MIN score may be taken into consideration for the amount of funding that person could get. She mentioned cases where a family may not be approved in back to back months, but then could be approved again the next month. Shari Repinski added that the RMHS Family Supports program no longer has a waiting list because of mill levy funds.

DHS added that AdvocacyDenver announced they had received a grant from Daniels Fund for $60,000 over two years which they plan to use to offer webinars and trainings. Council members may wish to connect with AdvocacyDenver to discuss training needs for the community.

**Mental Health: Kendall Rames, J.J. Tomash, Lauren Weinstock**

Lauren Weinstock and J.J. Tomash mentioned the mental health subcommittee did not have any updates and that they plan to meet again soon. Betty Lehman said she believes the START model is the model for mental health. Lauren Weinstock mentioned Kendall Rames had done a lot of research on START, and participants in the model could graduate to lesser support in approximately 11 months.

**Waitlists: Crystal Porter**

Ms. Porter did not have updates on the waitlist and plans to work on questions received from the Council leading up to the next meeting in October.

Crystal Porter presented a draft of a document with guidance for subgroups and engaging subject matter experts, summerizing information previously shared with the Council. DHS asked members to review the draft document and provide feedback. DHS plans to post the guide once finalized.

**RFP update**

DHS announced the RFP for Inclusive Opportunities for People with Intellectual and Developmental Disabilities closed on August 12 and underwent technical review the following week. DHS received eight (8) proposals, one of which was disqualified during the technical review process for not including required documents in the proposal. A selection committee of five (5) DHS employees with various backgrounds are scheduled to meet the week of August 26.

**Presentation/Q&A [DHS Mill Levy Program audit]**

Ahead of the presentation, Joe Homlar took a moment to share DHS’s sincere appreciation for the work the Advisory Council had done thus far. He wanted to express that the mill levy program is in good hands and he appreciated the Council’s laser focus on the work we must do to invest the uncommitted funds still available through recommendations to Executive Director Don Mares.

Crystal Porter presented on findings from the 2019 audit of the Mill Levy Program and its contract with RMHS completed by the Denver Auditor’s Office. The city auditors presented this audit at Audit
Committee in August. DHS’s presentation to the Advisory Council is available along with these minutes on the DHS website. A high-level summary of the audit report given at the meeting included review of the following:

- 3 total findings, 1 for DHS and 2 for RMHS
  - Finding 1 included 6 recommendations for DHS; DHS agreed with 3
  - Finding 2 included 7 recommendations for RMHS; RMHS agreed with all 7
  - Finding 3 included 1 recommendation for RMHS; RMHS agreed

The full audit report is available to the public through the City Auditor’s website. Questions from the Council included:

- [1.1 Enforce the Contract] Is there any follow up to do on 1.1 with the disagreement? What is the auditor’s office requiring? (DHS: There is no formal follow up. DHS followed its contracts in 2017 and 2018, and the current 2019 contract does not include gap funding as a funding basis for any programs.)
- [1.1 Enforce the Contract] Couldn’t you just say we agree with it and luckily we already did it? (DHS: In writing, we did not agree with the assertion that we were not following the contract and the fiscal rules. We did agree to continue to enforce the contract.)
- [1.3 Special Projects] Can you give an example of a special project? (DHS: Also known as External Agency Initiatives. Pizzability, Guided By Humanity, Activity Options. A full list of partners is on the RMHS website.)
- [2.3 Residency] In the future, this is going to be more complex, partially because I heard Foothills Gateway in Larimer, they’re not going to be targeted case management and are going to become a direct service provider. When that happens, or people are unhappy with their own CCB, they can request to change their CCB as long as RMHS agrees to receive them. There may be an impetus to change because of the mill levy...I do not recall in our state we are not required to have 20 CCBs. We could have one. I see this is going to be an ongoing challenge in the Metro area, if people prefer RMHS case management, or if people are losing choices, or if RMHS opened in Larimer County...things like that. (DHS: We agree, Conflict Free Case Management may muddy the waters so what’s important is that as RMHS is structuring services we’re looking at it from the CCB role standpoint. Even know, if you are a Denver resident you qualify for mill levy funded services. If you are getting case management from DDRC and live in Denver, you can access the mill levy. And vice versa. That’s why we had to move away from gap funding and had to look at what made sense to capture residency because RMHS already had some people that elected to receive their case management. RMHS: Keep in mind with Conflict Free Case Management, Health Care Policy and Financing (HCPF) have severed the tie between Community Centered Boards and case management on the Medicaid side, not on the state-funded side. RMHS has been preparing for that for a long time. The way we moved forward with our reimbursement...it’s been incredible complex to figure out how to do this, is to cerate a reimbursement structure so we’re only drawing down funding for individuals in Denver that we
provide case management for and theoretically, another CCB could also use the same rate structure to support their case management activities as long as they were supporting the mill levy services that go along with it. There’s no longer generic case management services in the contract, it’s now tied to specific case management services that we do for the mill levy. We’ve been working toward this and to be able to address this level of complexity for quite some time.

In Denver, we’re in pretty good shape to assure dollars are only attributed to Denver residents. Jennifer Beck: I think it’s more complex because there will be more contractors with DHS, and the variety of those contractors could be intense. For example, Pizzability is hiring people throughout the Denver community. DHS: It is especially complex for our county because we are so close to other counties in the Metro area. We are trying to be very mindful that these funds go to the Denver community.)

- The satisfaction surveys went to Early Intervention so what percentage of RMHS mill levy funding goes to Early Intervention? (RMHS: Early Intervention is more than half of the total client population, and we’d have to look at it to see what percentage it is. We can look at how close we’ve come to that number with reporting.)
- Do you intend to survey folks with unmet needs? (RMHS: The auditors surveyed and asked questions outside the mill levy about general case management satisfaction. Our intention is to implement some kind of survey or feedback process across mill levy services. We have some program specific measures, but we were not drawing it all together. There will be ways to measure satisfaction for everyone.)

Discussion about the audit transitioned into requirements for I/DD documentation of an intellectual and/or developmental disability with organizations under mill levy contracts. DHS asked the Council to reflect on the different ways these funds might serve families and how to ensure the ordinance requirements are fulfilled. Betty Lehman suggested DHS ask about other indicators of service, such as “are you currently getting any kind of government benefits? Are you getting services of any kind, implicit in that?” DHS agreed this is the conversation they want to have and wondered whether, as an example, a referral from a service agency could be enough. Shari Repinski said that Community Centered Boards (CCBs) are responsible for eligibility determinations for benefits, not even a doctor can establish I/DD eligibility. She mentioned internal controls built into the State system that help ensure only people with I/DD receive certain benefits. Additionally, she cautioned against anything that would see a replication of some kind of determination process, particularly one that is not supported by statute. Jennifer Beck added that such as in the example of an employer, organizations may not be allowed to ask about SSI.

Betty Lehman asked RMHS to clarify statements made earlier in the meeting on Conflict Free Case Management. Shari Repinski said the case management function will be separated out, and RMHS would have two separate agreements with the State. The plan is to bring additional agencies into the market, if they so choose. She reminded the Council this change is limited to Medicaid waivers.
Information Sharing and DHS Updates

DHS provided updates to the Council on upcoming dates and meetings:

- Denver’s GIVE team regularly hosts community meet ups for people in the community. They have one coming up on Friday, September 13 from 8:30am-11am for Seniors and People with Disabilities. This meeting is open to community members and providers.
- Housing forum scheduled for Tuesday, September 24 from 4:30-7pm at the DHS East office at 3815 Steele St.
- Two Council meetings scheduled for the remainder of the year: Thursday, October 17 from 4:30-6:30 at Ford-Warren Library and Wednesday, November 20 from 1-3pm at the DHS East office at 3815 Steele St.
- Council members and members of the public can continue to engage RMHS at their Community Advisory Council meetings, frequently held on the third Tuesday of the month from 3:30-5:30pm at the RMHS offices. Meetings are announced on the website.

Public Comment

Public comment was offered, and no person gave public comment. The Council spent the final minutes of the meeting on a discussion sparked by Ms. Weinstock about going to see the movie ‘Peanut Butter Falcon’ with her son, and inclusive spaces in theaters and beyond.

J.J. Tomash motioned to adjourn the meeting, Betty Lehman seconded. Meeting adjourned at 4:57pm.

*Mill Levy Advisory Council sessions are recorded; recordings are available upon request.*