

THE NEW HAMPSHIRE DEVELOPMENTAL SERVICES QUALITY COUNCIL

ANNUAL REPORT TO THE NEW HAMPSHIRE LEGISLATURE

OCTOBER 2016 – SEPTEMBER 2017

HISTORY OF QUALITY COUNCIL

In 2009 the New Hampshire legislature passed, and Governor Lynch signed into law, HB 483 establishing the New Hampshire Developmental Services Quality Council (hereafter referred to as the Quality Council). The creation of the Quality Council came about as a result of the State Legislature's repeated consideration of issues affecting New Hampshire's developmental services system. In 2007 the New Hampshire Legislature passed SB 138 providing funding for the developmental services wait list, proposed increasing salaries for certain direct care workers, and establishing a broadly representative committee (known as the SB 138 Committee) to improve the capacity of New Hampshire's developmental services system to address workforce and quality assurance issues. In its final report, *SB 138 Quality Improvement Committee Report*, issued in November 2008 the committee recommended establishing, in statute, an ongoing council to review quality assurance efforts and make recommendations to improve the ability of the developmental services system to meet the needs and goals of the individuals it serves. The purpose of the Quality Council would be "to provide leadership for consistent, systemic review and improvement of the developmental disability and acquired brain disorder services provided within New Hampshire's developmental services system." (See Addendum #1 – *RSA 171-A:33*). By statute the Quality Council is required to report to the New Hampshire Legislature. This is the Council's seventh report covering the Quality Council's work from October 2016 through September 2017.

ORGANIZATIONAL STRUCTURE AND SUPPORT

In its first year, the Quality Council created an organizational structure and adopted by-laws. The by-laws call for the Quality Council to meet at least six times a year with an annual meeting in September. The meetings are open to the public and allow for public comment. The Council's meeting schedule, agenda, and meeting minutes are posted on the Department of Health and Human Services (DHHS) website at <http://www.dhhs.nh.gov/dcbcs/bds/qualitycouncil/>

In accordance with its bylaws, the Quality Council has two elected offices, Chair and Vice-Chair. These seats were voted on at the September 2016 Meeting. Cathy Spinney was elected as the Council Chair. Sarah Aiken was elected as Vice-Chair.

During this reporting period, the Quality Council held regular bimonthly meetings. The January 2017 meeting was cancelled due to inclement weather. The Quality Council subcommittees during this reporting period included: Managed Care, Workforce, Domains, Transparency, and Rules Review & Recommendations.

NH Family Voices continued to provide administrative support to the Quality Council for this reporting period. The Bureau of Developmental Services provides administrative support to the Quality Council, including: 1) researching issues that come before the Council 2) access to eStudio (a secure on-line workspace used by Council members to post information and share materials) and 3) maintaining a Quality Council link on the DHHS website. The Quality Council meetings are held at a Concord, NH location. Council members who are unable to travel to Concord have the option of participating in the meetings via teleconference.

QUALITY COUNCIL MEMBERSHIP

The membership of the Quality Council as defined in the statute includes representation from the Bureau of Developmental Services; Area Agency Board of Directors; Family Support Councils; Institute on Disability; Brain Injury Association of New Hampshire; New Hampshire Council on Developmental Disabilities; Disability Rights Center; NH Council on Autism Spectrum Disorders; People First of New Hampshire; ABLE NH and Private Provider Network. The statute also calls for one direct support professional and one enhanced family care provider, appointed by the New Hampshire Council on Developmental Disabilities. At least 51% of the Council members shall be individuals served by the State's developmental system or parents of individuals who are served by the system.

The Quality Council has a committed and active membership. During this reporting period there has been a quorum at every Quality Council meeting. The amount of time volunteered, and the quality of professional experience and expertise provided by Council members has been exceptional. During this reporting period (not including subcommittee hours), members have donated over 189 hours of service to the Council. In addition to the bimonthly meetings, nearly all members serve on at least one Quality Council subcommittee. The membership list is regularly updated as representation changes. (See Addendum #2 – *New Hampshire Developmental Services Quality Council Members*)

While more than half of the Quality Council's active members are individuals with developmental disabilities or parents of individuals with disabilities, the Council has had difficulty maintaining consistent representation from these representatives. During this reporting period there was no identified representation from People First and Enhanced Family Care Providers. The Quality Council has also continued to struggle to fill all the seats from the Family Support Councils and Board of Directors. The Council's enabling legislation calls for three (3) representatives from local Family Support Councils appointed by the State Family Support Council and three (3) representatives from the Area Agency Board of Directors appointed by CSNI. During this reporting period there were only 2 representatives from Family Support Councils and 2 representatives from Board of Directors attending Council meetings. The Quality Council maintains this issue as a standing agenda item and continues to work on filling these seats.

QUALITY COUNCIL FOCUS AND PRIORITIES

By statute, the Quality Council is charged with reviewing rules to ensure that the state's developmental services system works as intended in RSA 171-A:1. To meet this obligation, the Council reviews all proposed changes in developmental services regulations. The Quality Council also tracks proposed legislation that could impact individuals with developmental disabilities and acquired brain disorders and their families.

Additionally the Quality Council reviews data from regularly issued and special governmental reports and makes recommendations as needed. The Quality Council also began the process of creating a Strategic Work Plan to enable the QC to be more proactive in its work and recommendations. The QC created an RFP to solicit proposals for a strategic planning process for the council. The QC created an ad-hoc committee to continue to work on the Strategic Planning Process

BUREAU OF DEVELOPMENTAL SERVICES REPORTS

The Council reviews the Bureau of Developmental Services Quarterly Employment Report and the Bureau of Developmental Services Complaint Investigation Reports. The Quality Council is represented

on the Bureau of Developmental Services National Core Indicators (NCI) subcommittee and the full Council reviews the annual Nation Core Indicators Report.

COMPLAINT INVESTIGATIONS

The Quality Council receives updates on complaint investigations from the Bureau of Developmental Services yearly. Melissa Nemeth, the attorney with the Bureau's Office of Client and Legal Services, reported to the Council at the May 2017 meeting.

EMPLOYMENT

The Quality Council also received updates on the NH Employment Data Reports from the Employment Leadership Committee. This report was transitioned from being produced quarterly to bi-annually in 2017. Jen Cook and Tobey Partch-Davies from the Employment Leadership Committee presenting the draft report at the November 2016 and January 2017 meetings. The final report was presented to the QC at the July 2017 meeting by Sandy Hunt and Tobey Partch-Davies.

CORRECTIVE ACTION PLAN

The state of NH entered a corrective action plan (CAP) with CMS. The Bureau representative began updating the Quality Council on this issue at each meeting. There was a Stakeholder Advisory Group formed around this issue and the QC holds a seat on this group.

SUB-COMMITTEES OF THE QUALITY COUNCIL

During this reporting period the Quality Council had 5 committees. When possible, the committees meet between the Quality Council meetings. The committees were created to address issues the Quality Council was looking to further focus on. These committees are Medicaid Managed Care/SB553, Domains, Workforce, Transparency, and Rules Review and Recommendations.

MEDICAID MANAGED CARE/SB 553

Medicaid managed care has been a top priority of the Council since June 2011, when the Governor Lynch signed into law Senate Bill 147 requiring the Department of Health and Human Services (DHHS) to implement a managed care model for financing and delivering all of its Medicaid-funded services. New Hampshire's developmental services system is funded almost entirely by Medicaid. From the outset, the Quality Council has been deeply concerned about the potential impact that managed care will have on the availability and quality of long-term supports and services for New Hampshire residents with developmental disabilities and acquired brain injuries. The Council has formally opposed DHHS's plan to contract with commercial managed care organizations (MCOs) to deliver long-term services and supports for individuals served by the State's developmental services system. The Quality Council created a Managed Care subcommittee to focus on this topic

The Quality Council's priority has been closely following New Hampshire's implementation of Medicaid Managed Care. Although it was made clear that the Council would remain firmly opposed Medicaid Managed Care, it was also recognized the importance of having a voice in the process and Council agreed to work with the Bureau. SB553 established a committee to look procedures for the implementation of phase 2 of the Medicaid managed care plan. In May 2016 the Quality requested and was granted a seat on this committee.

DOMAINS

The mission for the Quality Council's Domains subcommittee was to ensure that quality indicators reflect New Hampshire State laws and inform MCO contracts to ensure services meet each person's quality of life needs. The Domains subcommittee did not meet during this reporting period and does not have a Chair.

WORKFORCE

The purpose of the workforce committee is to address issues related to Direct Support Professionals (DSPs), including the shortage of DSP's, increased pay, and increased access to trained DSP's. This workgroup reviewed and presented data collected by CSNI regarding workforce.

At the January 2016 meeting this committee presented results from a survey conducted by the NH Chapter of NADSP (National Association of Direct Support Professionals) and the NH Council on Developmental Disabilities. The intent of the survey was to learn who makes up NHs DSP workforce, the financial situation for DSPs, the challenges and rewards of providing direct support and what is needed to keep DSPs inspired and motivated.

TRANSPARENCY

The Quality Council believes that for families and individuals to be able to make informed decisions about their supports and services, they need to have better access to information. The Council formed a Transparency Subcommittee to improve accessibility to information and general transparency in New Hampshire's Developmental Services System.

Review of Rules, Regulations and Special Reports

The Quality Council reviews state developmental services regulations as they come up for renewal and recommends changes to ensure that the regulations retain their relevancy for the current service system.

The Quality Council receives regular updates, typically from council membership, during the legislative session regarding the budget status and process, elections, and any relevant legislation.

SUMMARY

New Hampshire Developmental Services Quality Council continues to provide leadership for the review and improvement of New Hampshire's services for individuals with developmental disabilities and acquired brain injuries. The Quality Council has a diverse and active membership; those serving on the Council have given generously of their time and talents and are committed to helping New Hampshire provide the best possible services for individuals and their families.

ADDENDA

Addendum #1 – *RSA 171-A:33*

Addendum #2 – *New Hampshire Developmental Services Quality Council Member list*

Developmental Services Quality Council

Section 171-A:33

171-A:33 Developmental Services Quality Council Established; Membership; Duties. –

I. There is established the developmental services quality council to provide leadership for consistent, systemic review and improvement of the quality of the developmental disability and acquired brain disorder services provided within New Hampshire's developmental services system. At least 51 percent of the members of the council shall be individuals with disabilities served by the system or parents of individuals served by the system. The members of the council shall be as follows:

- (a) The commissioner of the department of health and human services, or designee.
- (b) A representative of People First of New Hampshire, appointed by such organization.
- (c) A representative of Advocates Building Lasting Equality in New Hampshire (ABLE NH), appointed by such organization.
- (d) A representative of the New Hampshire council on autism spectrum disorders who shall be either the individual who has an autism spectrum disorder or the family member of a person who has an autism spectrum disorder, appointed by the council.
- (e) A representative of the Brain Injury Association of New Hampshire, appointed by the association.
- (f) Two representatives of the New Hampshire Developmental Disabilities Council, at least one of whom shall be a person with a developmental disability, appointed by the council.
- (g) Three representatives of local Family Support Councils, appointed by the state Family Support Council.
- (h) One direct support professional and one enhanced family care provider, appointed by the New Hampshire Developmental Disabilities Council.
- (i) Three representatives of area agency boards of directors including at least 2 persons with a developmental disability or family members of such persons, appointed by the Community Support Network Incorporated.
- (j) A representative of the Community Support Network Incorporated, appointed by such organization.
- (k) A representative of the Private Provider Network, appointed by such organization.
- (l) The director of the Institute on Disability, University of New Hampshire, or designee.
- (m) A representative of the Disabilities Rights Center, appointed by the center.

II. The groups represented under paragraph I are encouraged to provide, according to their ability, the in-kind and other resources necessary for the council to succeed. The council may request information and analysis on quality from the department of health and human services, area agencies, and providers. The council shall have access to all non-confidential information on quality for services funded all or in part by public funds.

III. The council shall regularly review information on the quality of developmental services in New Hampshire and make recommendations for improving service quality and the quality assurance and continuous improvement systems, including but not limited to:

- (a) Standards of quality and performance expected of area agencies and provider agencies.

(b) Types of data to be collected, analyzed, and disseminated to determine whether standards are being met.

(c) Quality assurance and oversight mechanisms to be used to gather data and information.

(d) Content, frequency, and recipients of quality evaluation and improvement reports.

(e) Expectations and procedures for following up on identified areas where improvements are needed.

(f) Structures, policies, rules, and practices, including staffing or organizational changes, to ensure that the developmental services system works as intended in RSA 171-A:1, including:

(1) Ways of supporting values-based and person-centered service planning and provision, as well as problem solving, innovation, and learning;

(2) Recognizing and disseminating what is working well (best/model practices); and

(3) Reviewing, interpreting, and disseminating data and information on a regular basis to bring about transparency for all stakeholders and the public.

IV. The council shall make an annual report beginning on November 1, 2010 that includes its recommendations and an assessment of the actions taken in response to previous recommendations to the governor, the speaker of the house of representatives, the president of the senate, the members of the house committee on health, human services and elderly affairs and the members of the senate committee on health and human services.

V. The meetings shall be convened by the commissioner of the department of health and human services, or designee, and shall meet regularly as determined by the council. The meetings shall be open to the public and subject to the provisions of RSA 91-A, the right-to-know law. The council may establish bylaws for governing its meetings, decisions, and other operations.

Source. 2009, 104:1, eff. Aug. 14, 2009. 2014, 102:1, eff. Aug. 10, 2014.

ADDENDUM #2 – NEW HAMPSHIRE DEVELOPMENTAL SERVICES QUALITY COUNCIL MEMBER LIST SEPTEMBER 2017

<p>NH Department of Health & Human Services Term Expires: 9/2016 <i>Nominating entity = Lorene Reagan, Bureau of Developmental Services</i></p>	<p>Kaarla Weston Bureau of Developmental Services, 105 Pleasant Street, Concord NH 03301 Sandy Hunt (Alternate and Reporting on Employment) Jan Skoby (Reporting on Complaints)</p>
<p>People First of NH Term Expires: 09/2016 <i>Nominating entity = People First of NH</i></p>	<p>Alan Emerson (Member) Alternate: Roberta Gallant</p>
<p>Advocates Building Lasting Equality in NH (ABLE NH) Term Expires: 9/2016 <i>Nominating entity = ABLE NH</i></p>	<p>Lisa Beaudoin 2 ½ Beacon Street, Concord NH 03301</p>
<p>New Hampshire Council on Autism Spectrum Disorders Term Expires: 9/2016 <i>Nominating entity = NH Council on ASD</i></p>	<p>Adrienne Evans</p>
<p>Brain Injury Association of NH Term Expires 9/2016 <i>Nominating Entity = BIA of NH</i></p>	<p>John Richards Alternate: Lisa DiMartino</p>
<p>Direct Support Provider Term Expires: 9/2016 <i>Nominating entity = NH Council on DD</i></p>	<p>Robert Arnold</p>
<p>Enhanced Family Care Provider Term Expires: 9/2016 <i>Nominating entity = NH Council on DD</i></p>	<p>VACANT</p>
<p>NH Council on Developmental Disabilities Term Expires 9/2016 <i>Nominating Entity: NH Council on DD</i></p>	<p>Isadora-Rodriguez-Legendre Executive Director, NH Council on DD 2 ½ Beacon Street, Suite 10 Concord NH 03301 Alternate: David Ouellette James C. Piet, MS Public Relations Specialist New Hampshire Department of Education, Vocational Rehabilitation Walker Building 21 South Fruit Street, Suite # 20 Concord, New Hampshire 03301</p>
<p>NH Family Support Councils Term Expires 9/2017 <i>Nominating Entity = State FS Council</i></p>	<p>Debra Opramolla Region 5 FS Council Karen Blake Mosman Region 1 FS Council Denise Lapierre Region 3 FS Council Alternate: Laurie Giguere-Thomas Region 10 FS Council</p>

<p>Area Agency Board Of Director Members Term Expires 9/2017 <i>Nominating Entity = CSNI</i></p>	<p>Cathy Spinney (CHAIR) Region 10 Board of Directors Sarah Aiken (CO_CHAIR) Region 4 Board of Directors Ken Ferreira Region 10 Board of Directors</p>
<p>Community Support Network Incorporated (CSNI) Term Expires: 09/2016 <i>Nominating entity = CSNI</i></p>	<p>Jonathan Routhier 10 Ferry Street, Suite 401 Concord NH 03301 Ann Potoczak (Alternate) Community Bridges \ 70 Pembroke Rd, Concord NH 03301</p>
<p>Private Provider Network (PPN) Term Expires: 9/2017 <i>Nominating entity =PPN Head of the Board</i></p>	<p>Emily Manire Nashua Center 18 Simon Street Nashua, NH 03060</p>
<p>Institute on Disability Term Expires: 9/2017 <i>Nominating entity = IOD Associate Director</i></p>	<p>Mary St. Jacques 56 Old Suncook Rd Concord, NH 03301 Linda Bimbo (Alternate)</p>
<p>Disabilities Right Center Term Expires: 9/2017 <i>Nominating entity = DRC Director</i></p>	<p>Stephanie Patrick 18 Low Avenue Concord, NH 03301</p>