

Human Rights Committee (HRC) Meeting Minutes District Central

Department of Economic Security
Division of Developmental Disabilities
4000 N. Central Avenue
Phoenix, AZ 85012
9th Floor Conference Room
May 22nd, 2017
10:00 am to 3:00 pm

Call to Order	Karen Van Epps
Start Time	10:00 am
Facilitator	Karen Van Epps
Note Taker	Andrea Elliott
Attendees	<p>HRC Members Present: Karen Van Epps, Carol McNulty, Maryann Germain, Linda Mecham, Eva Hammond, Debbie Stapley, Lisa Witt, Andrea Potosky</p> <p>HRC Members Absent: Eduarda Yates</p> <p>Division of Developmental Disabilities (DDD) Staff: Daniel Stutzman, Andrea Elliott, James Maio, Danielle Uzzardo</p> <p>Other Participants: Karen McCann</p> <p>Number of Public in Attendance: 0</p>
Agenda Topics	Call to Order, Welcome, Removal of HRC Member, Approval of April Minutes, HRC Law regarding information to HRC, DDD Policy on Nursing Homes, Client Funds, Add DDD staff as non-voting members, Review District Central annual report draft

Welcome and Introduction

Committee

Discussion	<p>The Human Rights Committee (HRC) members introduced themselves in person and on the phone.</p> <p>Daniel Stutzman introduced himself as Division of Developmental Disabilities staff member covering for Andrea Elliott. Andrea Elliott joined the meeting at 11:15 am.</p>
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	Karen McCann from the Auditor General's office introduced herself.
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Removal of HRC Member

Karen Van Epps

Discussion	<p>Linda Mecham motioned to go into executive session, Debbie Stapley seconded. Motion carried.</p> <p>Carol McNulty made a motion to remove of Maryann Germain as a member of the HRC District Central, Linda Mecham seconded. Final vote was 6 in favor of removal, 1 opposed. Motion carried.</p> <p>As of May 22nd, 2017, Maryann Germain is no longer a member of the HRC District Central.</p>
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Approval of April Minutes

Karen Van Epps

Discussion	<p>Executive Session Minutes: Pg 1 under Behavior Treatment Plans – change “conflict of interest” to “alleged mismanagement of drugs prescribed”. Add that father’s girlfriend is a nurse practitioner.</p> <p>Carol McNulty motioned to accept minutes with above changes, Linda Mecham seconded. Motion carried.</p>
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HRC Law Regarding information to HRC

Karen Van Epps

Discussion	<p>SB 1004 has passed and been approved. Human Rights Committees will now receive Incident Reports as outlined in the ARS 41-3801, Section F to include:</p> <ol style="list-style-type: none">1. POSSIBLE ABUSE OR NEGLECT OR VIOLATIONS OF RIGHTS.2. PHYSICAL ABUSE, SEXUAL ABUSE AND OTHER ABUSE.3. ACCIDENTAL INJURY.4. MISSING CLIENTS.5. BEHAVIORAL EMERGENCY MEASURES.6. MEDICATION ERRORS, INCLUDING THEFT OF MEDICATION OR MISSING MEDICATION.7. DEATH.8. SUICIDE ATTEMPTS.9. HOSPITALIZATIONS.10. INCARCERATIONS.11. THEFT OF CLIENT PROPERTY OR MONEY.12. PROPERTY DESTRUCTION. <p>ARS 41-3804 also had changes.</p>
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DDD Policy on nursing homes

Karen Van Epps

Discussion	<p>Karen Van Epps is concerned that DDD members are placed in nursing homes and not be given alternative options, such as intermediate care facilities (ICF) or medical group homes. Nursing homes are not equipped to meet the unique needs of DDD members. In addition, members do not receive DDD services while in a nursing home.</p> <p>A member, who was in a nursing home for three years, recently passed away. The member and the member’s family repeatedly asked for her to be placed in another setting. The member’s mother had seen an ICF and reportedly asked for her daughter to be placed in an ICF. Karen stated when she asked a case manager if there were any other options, the case manager responded, “We aren’t allowed to tell that.” According to Karen, the member’s family called Adult Protective Services (APS) on numerous occasions but nothing was done, despite the member having ulcers that were so severe, the doctors were not able to stage it.</p> <p>Eva Hamant recommends the Division have more medical group homes, so that our members have a choice, rather than a nursing home, which may not be an appropriate choice for our members. Eva would like clarification if an ICF is a choice.</p> <p>In most cases, nursing homes are not appropriate for our members. Our members do not receive services in nursing homes. Members should be offered appropriate, alternative residential placements in order to make an informed choice.</p>
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Client Funds

Karen Van Epps

Discussion	<p>Karen Van Epps is concerned that DDD support coordinators were referring clients to one specific insurance agent for burial plans. This agent has sold 39 plans in District Central, 47 in District West, and 10 in District East. Linda Mecham reported that Developmental Disabilities Advisory Council was told a memo has went out to DDD support coordinators saying they cannot recommend a specific person or agency.</p> <p>Linda shared that she was asked to do a Preneed plan and wanted the HRC to be aware that a HIPAA form should be filled out and signed by the member or guardian, as appropriate.</p> <p>Karen reported that in instances where DDD is the rep payee, the Division Program Manager must approve the payment if is greater than \$500. If the payment is greater than \$1,500 Arizona Health Care Cost Containment System (AHCCCS), Arizona Long-term Care (ALTCS), and DDD must approved the payment. Lisa Witt asked how the burial plan payment for \$4,000 went through. Linda responded that made the decision and did not follow policy.</p> <p>The HRC is concerned that members, for whom DDD is the payee, are going over \$2,000. The HRC is concerned that spend-down plans may</p>
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	need to be easier. In addition, there is concern as to support coordinators deeming a member's request for spending frivolous.
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Add DDD staff as non-voting members

Andrea Elliott

Discussion	The HRC committee would like clarification on staff to be a member of the HRC. Andrea Elliott will provide the HRC with additional information at the next meeting. Linda Mecham made a motion to move this to the next, regular meeting. Carol McNulty seconded. Motion carried.
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Review District Central annual report

Andrea Elliott

Discussion	<p>Add ATPC and ARC monitoring from DDAC annual report. Linda Mecham to email the additions to Andrea Elliott.</p> <p>Page 2, Paragraph 2, remove hospice.</p> <p>Add volunteer hours.</p> <p>Linda Mecham made a motion to approve the District Central Annual report with the above changes. Debbie Stapley seconded. Motion carried.</p>
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Action Items

Karen Van Epps

Discussion	Follow-up to ensure client fund payees are monitoring the member's client funds so that doesn't lose services and doesn't go over \$2,000. Understand that support coordinators do not determine what is frivolous.
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Adjournment

Karen Van Epps

Conclusion	Next meeting will be held on June 26 th , 2017 at 10:00 am at the Phoenix location. Meeting adjourned by Linda Mecham at 12:25 pm.
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