

Minutes
Virginia Office for Protection and Advocacy Board Meeting
July 19, 2004
Richmond, Virginia

Members Present: Barbara Barrett, Brent Brown, Martha Bryant, Ray Burmester, Michael Cooper, Waja Grimm, Susan Kalanges, Mark Lester, Elizabeth Priaulx, Daaiyah Rashid

Members Absent: Maureen Hollowell, Okpil Kim, Dink Shackelford

Staff Present: Colleen Miller, Sherry Confer, Lisa Shehi

Guests: Mary Ann Harvey – by telephone

Call to Order: The meeting of the Virginia Office for Protection and Advocacy Governing Board was called to order at 9:15 by Barbara Barrett, Chairperson.

Welcome and Introductions: Ms. Barrett welcomed and thanked members of the Board for attending the meeting.

Employment and Social Security Training: Hilary Malawer, staff attorney with the Virginia Office for Protection and Advocacy, presented a training session on Protection and Advocacy for Beneficiaries of Social Security (PABSS) and the Social Security Ticket to Work Program, taking questions throughout the training session. Under the Ticket to Work Program, recipients of SSDI or SSI are no longer required to receive vocational assistance through the Department of Rehabilitative Services (DRS) or the Department for the Blind and Vision Impaired (DBVI). Instead, individuals may select from employment networks who meet the SSA qualifications and who serve their geographic area.

VOPA has identified a “three-prong” approach to handling PABSS cases: 1) information and referral; 2) individual advocacy; and, 3) systemic work. VOPA has developed two brochures regarding the PABSS program. One brochure is aimed at the client focusing on “how VOPA can assist individuals with disabilities under PABSS” and the second is going to be “the Ticket to Work and the Work Incentives Act”. Additionally, Ms. Malawer described case and systemic work done by the agency to assist Social Security recipients return to work.

- Review of Mission Statement:** Susan Kalanges read the VOPA mission statement. Ms. Barrett noted that revision of the mission statement may be a topic at the retreat and asked members to begin thinking about possible changes.
- Review of Agenda:** Changes to the Agenda were noted by Barbara Barrett and Colleen Miller and included the addition of reports from the Disabilities Advisory and Protection and Advocacy for Individuals with Mental Illness Program (PAIMI) Council. The MOTION was made to accept the changes by Susan Kalanges and SECONDED by Elizabeth Prialux and it carried unanimously.
- Approval of April 27, 2004 Minutes:** Barbara Barrett recommended changing the word "Committing" to "Committee" in the Priority Plan Update section. Michael Cooper made the MOTION to approve the amended minutes. Martha Bryant SECONDED the motion and it carried unanimously.
- Public Comment:** There was no public comment.
- Budget and Financial Report:** Michael Cooper led the discussion on VOPA's financial report. The report included financial information on VOPA's operation through June 30, 2004. The reports covered the agency's Operating Budget and Expenses for the state fiscal year; cash balances for each grant, carryover amounts and deadlines; and the status of the agency's state appropriations. Mr. Cooper noted that the Virginians with Disabilities Act grant, which required that all funds be expended by June 30, 2004, has been fully spent. Barbara Barrett noted that there are inconsistencies from page to page. Mr. Cooper acknowledged, and requested that Colleen Miller investigate why these inconsistencies exist. Mr. Cooper made the MOTION that the financial reports be accepted as presented with the understanding that Ms. Miller will look into the discrepancies as noted. The report was accepted by unanimous vote.
- Additionally, Colleen Miller presented the proposed Budget for Fiscal Year 2005. Ms. Miller noted that these are broad categories of the proposed budget. Full detail of the budget will be available for the September Board meeting. Susan Kalanges made a MOTION that the proposed Fiscal Year 2005 budget be approved. Michael Cooper SECONDED the motion and it passed unanimously.

**Board Planning
Retreat Update:**

Mary Ann Harvey joined the Board meeting by telephone. Ms. Harvey is the Executive Director of the Colorado P&A system and is a skilled retreat planner. Ms. Harvey uses a technique called appreciative inquiry and joined the Board meeting today to answer questions and to advise Board members what delete>we can be expected from a retreat. The retreat dates were set for November 11-12. The Planning Committee will proceed with the planning for the retreat. Colleen Miller noted that Lisa Shehi has done some preliminary research on appropriate locations for the retreat and will continue this research. Ms. Harvey asked to follow up with Ms. Miller and the Planning Committee.

Lunch:

The meeting adjourned at 12:15 for lunch. The meeting reconvened at 12:45.

Priority Plan:

Elizabeth Priaulx, Chairperson of the Priority Committee, noted that the Committee has not met since last Board meeting. Ms. Priaulx noted that she is satisfied that VOPA is in the process of scheduling focus group meetings through August with the goal of reaching the disability community in accessible locations within the state for input into changes to the Priorities. Once the feedback is returned from these meetings, it will be the committee's duty to determine how to use this information. Colleen Miller noted that we are seeking locations in Roanoke and another in Northern Virginia to host these meetings. Ms. Miller presented suggested wording changes to the Goals and Focus Areas for Fiscal Year 2005. Michael Cooper made a MOTION that the changes be accepted. Elizabeth Priaulx SECONDED the motion and it passed unanimously.

MTARS:

Colleen Miller gave an overview of the Monitoring and Technical Assistance Review System (MTARS) by the Administration on Developmental Disabilities and thanked Barbara Barrett for her participation in the review. VOPA, along with the Virginia Board for People with Disabilities and the Partnership for People with Disabilities underwent a MTARS review in June. The MTARS review resulted in no compliance violations or recommendations for improvement for VOPA. Additionally, Ms. Miller noted that the MTARS reviewers commented that there were several "best practices" recognized and will be used as reference in future MTARS reviews of other states. Ms. Miller further noted that VOPA would receive a written copy of the review findings. Brent Brown asked that Board members be provided with a copy of those comments. Mr. Brown encouraged fellow Board members to provide copies of these comments to individual legislators.

Discussion Items: Martha Bryant requested that Board members review a narrative in the Board package and copy of a *Virginian Pilot* article regarding fraud and public disability funds abuse. Ms. Bryant further requested that the Board consider possible actions which could be taken by VOPA in foster care abuse and neglect cases. Ms. Bryant requested that the Board support minimum sentencing for Medicaid fraud. Brent Brown suggested the Board support a “whistleblower” statute which could be submitted during the next legislative session. Susan Kalanges requested that more information on the “whistleblower” statute be presented at the September Board meeting. Barbara Barrett asked Mr. Brown if he would prepare material, to which he agreed.

Election of New Officers: Maureen Hollowell and Brent Brown were nominated as Chair and Vice-Chair of the 2004-2005 Board of Directors. Michael Cooper made the MOTION to accept the nominations. Elizabeth Priaulx SECONDED the motion and it passed unanimously. Colleen Miller presented a plaque to Barbara Barrett, outgoing Chair, in recognition of her two years as the first Chair of the VOPA Board of Directors.

Reports: Ray Burmester reported for the Incident Reporting Committee. Mr. Burmester suggested that a work plan be developed for the Committee to identify issues which need to be addressed.

Michael Cooper noted that the Department of Medical Assistance (DMAS) issued a report with cost estimates of a billion dollars for the implementation of Virginia’s Olmstead Plan. Mr. Cooper stated that Diana Thorpe of DMAS is the lead person for the costing out of the Olmstead Plan.

Barbara Barrett noted that Maureen Hollowell would be communicating with Board members to seek volunteers to chair some committees.

PAIMI Council Report: Mark Lester, Chair of the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Council noted that his year as chair will end in November. Mr. Lester stated that he was pleased to see recommendations made by the PAIMI Council incorporated into the Goals and Focus Areas. The next PAIMI meeting is August 12 and will be held in Charlottesville.

Disabilities Advisory Council: Daaiyah Rashid, Chair of the Disabilities Advisory Council (DAC) noted that her tenure as chair of the DAC will end in October. The next meeting of the DAC will be July 29, 2004. Ms. Rashid noted that the DAC has grown recently and that she sees the DAC as “driven” in its work and efforts.

Chairman's Report: Barbara Barrett reviewed the report provided in the Board package. Ms. Barrett noted that she was pleased with the collaborative effort by VOPA, the Board for People with Disabilities, and the Partnership for People with Disabilities during the MTARS review. Ms. Barrett queried the Board members regarding the Board packages and the preferred method of their production. Ms. Barrett noted that Brent Brown, Ray Burmester, and Elizabeth Prialx were all reappointed to the VOPA Board.

Executive Director's Report: Colleen Miller noted that there was training at the July 12, 2004 staff meeting on the Department of Rehabilitative Services (DRS) Order of Selection process. DRS assigned four categories of priority and are currently serving individuals in categories 1 and 2. Other recent staff trainings have included client de-escalation, which was presented by Richmond Residential Services, Inc. Ms. Miller noted that, through the VCU School of Social Work, VOPA is conducting a mental health needs survey. The surveys are running 5-6 weeks behind schedule right now.

**Announcements/
Reminders:** Barbara Barrett noted the following meeting dates:
DAC – Thursday, July 29, 2004 in Richmond
PAIMI – Thursday, August 12, 2004 in Charlottesville
Board – Friday, September 10, 2004 in Richmond

Ms. Barrett noted that Colleen Miller received confirmation via e-mail that her application to the Virginia State Bar has been accepted. Further confirmation will be received via regular mail. Michael Cooper made a MOTION to extend the period for Ms. Miller's licensure with the Virginia Bar for another six months. Ray Burmester SECONDED the motion and it passed unanimously.

Adjournment: There being no further business, Waja Grimm made a MOTION that the meeting be adjourned at 3:18 p.m. Elizabeth Prialx SECONDED the motion and it passed unanimously.

Accepted:

_____ September 10, 2004
Date