



Community & Residential Services Authority

MEMBERS PRESENT

Springfield Location:

Michele Carmichael	Alan Dietrich	David Elder	Susan Fonfa
Seth Harkins	Julianna Harms	Maureen Haugh-Stover	Merlin Lehman
Dee Ann Ryan	Gary Seelbach	Randy Staton	Julie Stremlau
Brooke Whitted			

Chicago Location: (attending by Video conference)

Robert Bloom	Toni Hoy	Laura Paul (non-voting)
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By teleconference:

Kathy Briseno (non-voting)

MEMBERS ABSENT

William Delgado	Candice Jones
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STAFF PRESENT

Springfield Location:

Mindy Miller	Lynn Lowder	Linda Prewitt	John Schornagel
Debbi Smith			

Chicago Location: (attending by Video conference)

Robert Watts

LIAISONS PRESENT

None

GUESTS

Chicago Location: (attending by Video conference)

Uli Senz, Genesee Lake Schools

I. CALL TO ORDER

Chairperson Harkins called the meeting to order at 9:30 a.m. Members, staff and guests in attendance introduced themselves

II. APPROVAL OF THH MARCH 13, 2014 AUTHORITY MINUTES

The Authority reviewed the minutes of the March 13, 2014 Authority meeting.

MOTION: Gary Seelbach moved and Randy Staton seconded that the minutes of the March 13, 2014 Authority meeting be approved with minor amendments. The motion carried unanimously.

III. STAFF REPORT

Director Schornagel referenced the following informational handout:

- **Staff Activity Report** for March, 2014.

Director Schornagel commented on the **2014 Ethics Training** documents sent electronically to Authority members last month. It contains a 41 page training manual that needs to be reviewed and completed. The Acknowledgement of Participation Certificate then needs to be signed (page 41) and mailed or faxed to the CRSA Office. He thanked those members who have already completed this training and he added that as of yesterday there were still 11 Authority members and alternates from whom staff have not yet received Acknowledgement of Participation Certificates. He requested that members take a few moments to complete the training. He congratulated CRSA staff for completing their Ethics Training within the first week and commented that CRSA was the first agency in the state in which all staff had completed the training.

IV. AGENCY REPORTS

Susan Fonfa of HFS gave the Authority a managed care update, reporting that HFS is scheduled to begin to send out letters in June 2014 asking recipients to review managed healthcare providers and to select a managed care company that best suits their needs. She added HFS is also finalizing the Alternative Benefit Plan for the new adult population identified in the Affordable Care Act (ACA) benefit plans for new populations and is awaiting approval from federal Centers for Medicare and Medicaid Services.

Randy Staton of DHS/DORS clarified that individuals with mental illness and/or developmental disabilities remain eligible for DORS services even if they have a primary designation of physical disability. He reminded the Authority that he had alerted CRSA in June of 2012 that individuals with mental illness and/or developmental disabilities might no longer be eligible for DORS services if they had a primary designation of physical disability and that this change was tentatively scheduled to become effective on July 1, 2012. Mr. Staton reports that this change has not yet been implemented and regrets any confusion that his prior alert may have caused in the field. He added that the change is still being considered within DORS Administration.

V. OLD BUSINESS

A. Staff Evaluation Committee Report

Chairperson Harkins reports that the Staff Evaluation Committee has not met in the last month and as such he has no update for the Authority at this time.

B. Legislation Update

Director Schornagel updated the Authority on the progress of HB 5598 as it has worked its way through the legislative process in the Illinois House. He reminded the Authority that CRSA has been tracking this bill closely as it relates to the ongoing practice of Involuntary Custody Relinquishment (ICR) in Illinois; a practice which is seen frequently on the CRSA caseload and which has been addressed numerous times in high profile CRSA Dispute Resolution cases. He added that the apparent intent of the bill is for families at risk of ICR to obtain needed services in a timely manner and without having to relinquish guardianship of the child to the State. He commented that this bill represents the most concerted effort to address the ICR problem in Illinois since the Authority recommended the

appointment of an Involuntary Custody Relinquishment Task Force to the Governor's Office in February of 2012.

The Authority reviewed CRSA's position statement from February 2012, the most recent language of HB 5598 (Amendment # 2) and the legislative history of the bill as it has moved through the legislative process. Director Schornagel reported that on April 9, 2014 the bill, as amended, was passed upon second reading in the house with the support of DCFS, DHS and the Governor's office. He observed that the substance of the bill in its current form is consistent with Authority's interests and position with respect to ending the practice of involuntary custody relinquishment in Illinois and urged the Authority to support the bill in its current form. Director Schornagel reported that the CRSA Executive Committee had recently discussed the bill in depth and was supportive of his recommendation that the Authority support the bill in its current form. He outlined several key elements of the proposed legislation: 1.) that DCFS gather exact custody relinquishment data and report the data to the legislature periodically and 2.) that an Interagency Agreement between the Illinois Departments of Human Services, Children and Family Service, Public Health, Healthcare and Family Services, Juvenile Justice and the Illinois State Board of Education be written and implemented to intercept approximately 100 families a year at risk of ICR and to route them through the Illinois child and adolescent service system.

MOTION: *David Elder moved and Gary Seelbach seconded that the Authority authorize CRSA members and staff to support House Bill 5598 in its current form and that such support be reconsidered if the bill is substantially modified as it progresses through the Senate. The Motion carried with Michele Carmichael, Alan Dietrich, Susan Fonfa, Maureen Haugh-Stover, Randy Staton and Julie Stremlau abstaining.*

Dee Ann Ryan commented that CRSA should logically be involved in multiple-agency discussions about how to resolve the practice of ICR in Illinois because of its experience in trying to help families in ICR situations. Toni Hoy commented that she supports the idea of CRSA being involved in ICR cases as a "Neutral Third Party" because of its statutory charter to resolve multiple agency service/funding disputes but to also advocate to eliminate systemic barriers to needed services once the barriers have been identified. Ms. Hoy gave kudos to Heather O'Donnell for her advocacy on behalf of HB 5598 adding that families at risk for ICR families need a "safety net". She expressed disappointment that the Voluntary Placement Agreement (VPA) portion of HB 5598 was removed from the bill and that without the VPA clause, the only real safety net that parents have is admission to psychiatric hospitals, which regrettably, often lead to lock-out and court interventions. Brooke Whitted commented that as children's behavior become increasingly violent and potentially lethal; lock-out coaching is becoming a more common practice. He added that parents in lock-out situations are treated deplorably by DCFS. Director Schornagel commented that the 180-day VPA provision initially proposed in HB 5598, the 90-day Emergency Placement provision proposed as part of the ICG Transformation Initiative, and the ongoing discussion of development and utilization of short-term PRTFs through Medicaid under EPSDT, are all examples of the apparent need for short-term emergency stabilization placements as a necessary component of system redesign in Illinois to respond to crisis cases more quickly and more responsibly. Debbi Smith commented that much of the pathology seen in adopted children is rooted in childhood trauma and that in many other states language is routinely included in formal adoption agreements of publicly adopted children assuring families ongoing access to intensified trauma informed levels of care after the adoption is finalized. She suggested that Illinois consider a legislative initiative adding similar language into DCFS adoption agreements thereby assuring adoptive families timely access to needed services without the need for crisis driven planning. Brooke Whitted commented that families with privately adopted children, particularly children adopted from foreign countries, need similar access to a full continuum of prevention and intervention services. Dee Ann Ryan commented that while the Affordable Care Act should gradually improve access to behavioral health services for families with private medical

insurance that intended benefits from Parity legislation have been slow to materialize.

C. Other

None

VI. CRSA FY 15 SPENDING PLAN

Director Schornagel informed the Authority that CRSA's FY 15 Appropriation Request is being considered by the Governor's Office of Management and Budget which is recommending that CRSA be funded at the initially requested level of \$592,200. He added that the Governor's budget also contains an alternative forecast of \$513,900 for CRSA which might come to be if the General Assembly does not maintain the income tax increase that was passed several years back. This would represent a 13.2% budget cut for CRSA.

Director Schornagel hopes that the state's budgeting process will be completed by the end of May but conjectures this year might be like past years, where budget agreements have not been finalized until after the beginning of the new fiscal year.

VII. NEW BUSINESS

A. Appointment of an Ad Hoc Nominating Committee

Chairperson Harkins reported that the CRSA Nominating Committee is meeting in the coming weeks and is not limiting anybody's opportunity for leadership. He added that the committee will be prepared to nominate a slate of CRSA Officers for FY 15 at the June 2014 Authority meeting.

B. CRSA FY 15 Meeting Schedule

The Authority reviewed the proposed FY 15 CRSA Meeting Schedule.

MOTION: *David Elder moved and Brooke Whitted seconded that the Authority adopt the proposed FY 15 CRSA meeting schedule. The motion carried unanimously.*

C. Other

None

VIII. COMMITTEE REPORTS

A. Ad Hoc Staff Evaluation Committee

Chairperson Harkins reported that the Staff Evaluation Committee has not met in the last month and as such he has no update at this time.

B. Ad Hoc External Communications Committee

Dr. Kathy Briseno reported on behalf of the Ad Hoc External Communications Committee that the committee convened on March 28, 2014. The Committee reviewed a draft of the CRSA FY 13 Annual Report and recommended that a final draft of the report be placed before the Executive Committee and the Authority for review, revisions and adoption at the April Authority meeting. Seth Harkins added that the draft FY 13 Annual Report was reviewed by the Executive Committee and concurred with the recommendation of the External Communications Committee.

MOTION: *David Elder moved and Gary Seelbach seconded that the Authority adopt the revised draft of the CRSA FY 13 Annual Report and authorize staff to publish the document. The Motion carried unanimously.*

Dr. Briseno informed that Authority the External Communications Committee revisited its original charter and concluded that its only existing function is to review and edit CRSA annual reports. She added that the committee also agreed that the issue of development of a CRSA press policy be addressed by the Policy Committee. She reported that the External Communication Committee concluded that the existing External Communications and Policy Committees could be folded into a CRSA Policy and Communications Committee and that the CRSA Annual Report review function be moved to the new committee. She added that the Executive Committee reviewed the conclusions and recommended that the Authority approve the formation of a CRSA Ad Hoc Policy and Communications Committee.

MOTION: *David Elder moved and Gary Seelbach seconded that the Authority approve the formation of the CRSA Ad Hoc Policy and Communications Committee, folding the membership and functions of the current Ad Hoc External Communication and Policy Committees into the new committee. The Motion carried unanimously.*

C. Executive Committee

Chairperson Harkins informed the Authority that many of the items discussed in Executive Committee have been covered in earlier agenda items with the following exceptions.

Chairperson Harkins informed the Authority the Executive Committee reviewed that the results of a preliminary Board poll which was initiated by staff to identify an optimum month for holding a CRSA Strategic Planning Conference ostensibly in connection with a scheduled CRSA Board meeting set in June, August or October of 2014. He reported that the poll suggests maximum attendance for a planning conference in October 2014 and that staff can begin to make the needed arrangements after there is clarity regarding CRSA's final FY 15 Appropriation.

IX. OPEN DIALOGUE

The Authority discussed the challenges inherent in Involuntary Custody Relinquishment (ICR) cases as an example of the limitations of CRSA's technical assistance procedures and dispute resolution process. Dee Ann Ryan stated that based upon her experience the CRSA Dispute Resolution process is too cumbersome to help parents who need help quickly. She recommended that CRSA find a way to reprioritize who CRSA helps and that families in an ICR crisis should be fast tracked through the Dispute Resolution process and get the services they need, when they need them. She commented on several systemic barriers inherent in the CRSA Service Procedural Guidelines including; the limited definition of what constitutes a dispute; the time needed for parents

to meet the Dispute Resolution qualifications/guidelines, including acquisition of systemic denials and exhaustion of appeals; and the Authority's lack of ability to assure the provision of services or funding among its member agencies for kids and families whose situation warrant Dispute Resolution activities. She added that state agencies are increasingly reluctant to document denials service/program eligibility because of the potential for litigation. She went on to say that on some occasions agencies will verbally promise to provide needed services but then fail to implement services in a timely manner, both of which increase the likelihood that families in need will be underserved or go unserved. Ms. Ryan concluded that CRSA's dispute resolution process needs to evolve to meet the changing service planning needs and systemic pressure parents/communities face. Brooke Whitted wondered why the CRSA Dispute Resolution process could not be revised to constructively accommodate "high-velocity cases". He suggested that the process be modified using a two-prong approach: 1) prioritizing cases for "emergency action" and 2) asking agencies and schools to accelerate already existing service eligibility and program access decision making, rather than reinventing those review and determination processes. He added that it is becoming increasingly common in today's service environment for families in crisis to have to seek out and utilize costly legal assistance to procure basic educational and human services at the right time. Bob Bloom agreed with the comments stating that Illinois needs an "Emergency/Crisis Response" group like CRSA to appropriately respond to kids and families in-crisis. He commented that the CRSA Dispute Resolution process should not require families in crisis to have their children "fail their way up" various agency's service continuums to getting the right help at the right time. Merlin Lehman commented from the parent's perspective observing that by the time parents figure out that CRSA can help them to acquire needed services that it is often too late to offer a complicated and time consuming process like CRSA's Dispute Resolution Process. He added that offering intensive community-based services as a response to crisis is often too little, too late because families are often too traumatized to benefit from the services. Bob Bloom echoed those concerns recalling an Ohio initiative in which families were offered rapid access to intensive community-based services in response to crisis and that most of the families turned down the intensified services because they were simply too worn-out by the time those service were offered. David Elder commented that if the Authority were given statutory "Binding Authority" in dispute resolution cases it would encourage agencies to work more intensively at the administrative level to implement service and funding solutions and would shorten the time needed to accomplish implementation of appropriate plans of services in cases processed through the process. Toni Hoy commented that she would support the idea of CRSA obtaining "Binding Authority" in dispute resolution cases to speed up service planning and implementation to at-risk children and their families and to provide a predictable and viable "safety net" for the children. Dee Ann Ryan commented that CRSA member agencies might be reluctant to accept CRSA recommendations in dispute resolution cases which require emergency action but that "Binding Authority" might help the cases get resolved more quickly.

Director Schornagel commented that all of the stated concerns and proposed remedies discussed have merit based upon staff members' individual and collective experiences with CRSA clients. He stated that while the dispute resolution process has historically worked well that it was not designed to cope with crisis service planning and delivery. He recalled several CRSA Dispute Resolution cases in which the dispute resolution process had proven to be too labor intensive and too time consuming be useful to parents at immediate risk of ICR. He added that CRSA staff would welcome further revision to the process that could potentially accelerate decision making without sacrificing the clinical propriety of decision making or supplanting member agencies' responsibilities to serve. He noted that the dispute resolution process has historically evolved to try to keep pace with the service and funding challenges faced by parents in response to systemic changes. Director Schornagel added that the Dispute Resolution process was last substantially amended in 2011 in response to similar systemic pressures and concerns and that since then dispute resolution cases are being resolved faster at earlier levels of review. He noted that among the changes that were the most helpful were expediting CRSA board review earlier in the process and meaningfully engaging member agencies at the administrative level much earlier in the process. He reaffirmed CRSA staff practices which alert member agencies immediately when a case progresses to the point that it is considered likely to become a dispute resolution case. He credited and applauded agency designees for their willingness to then actively advocate within their agencies for faster

planning and service delivery and CRSA staff for continuing to take a factual and non-emotional approach to presenting cases more quickly to member agencies and to the CRSA board. Director Schornagel suggested that the time is right for the Authority to re-visit the issue of a statutory change granting the CRSA binding-authority as a helpful tool to implement services and funding solutions in dispute resolution cases.

MOTION: *David Elder moved and Merlin Lehman seconded that the Authority consider, as a New Business item, amending the CRSA statute; incorporating language which, if signed into law, would grant CRSA binding authority in dispute resolution cases. The Motion carried with Michele Carmichael, Alan Dietrich, Susan Fonfa, Juliana Harms, Maureen Haugh-Stover, Randy Staton and Julie Stremlau abstaining.*

Director Schornagel recommended that the Authority consider the formation a standing Dispute Resolution Committee, designed specifically to respond quickly and affirmatively to assure access to needed services and funding for children and families identified by CRSA of being at risk of being under-served or unserved within the current service system. He cautioned that such a committee could become a lightning rod in today's services and funding starved environment but concluded that such a committee is consistent with CRSA's statutory responsibilities and service principles and that many of the necessary stakeholders are already members of the Authority. He concluded that binding-authority in combination with short-term emergency stabilization placements might well be necessary tools for such a committee to effectively address the concerns voiced at this meeting. Michele Carmichael commented that the formation of such a committee might be premature, referencing predictable changes to the service system in the immediate future and how those changes might mitigate the need for such a committee. Bob Bloom cautioned that each case is unique and that a modified dispute resolution process needs to retain sufficient flexibility to respond fluidly to the needs of each case that moves through the process. Toni Hoy outlined a plausible multiple-agency ICR response protocol:

- Through an interagency agreement, a child and family at risk of ICR is intercepted
- The child is placed temporarily in a Voluntary Placement Agreement, for up to 180 days
- The case is referred to CRSA, for review and potential actions, including the possible use of binding services/funding recommendations.

MOTION: *David Elder moved and Brooke Whitted seconded that an Ad Hoc Committee be appointed by the Chairperson to explore development of Emergency Action Procedures within the CRSA Service Procedural Guidelines. The Motion carried with Michele Carmichael, Alan Dietrich, Susan Fonfa, Juliana Harms, Maureen Haugh-Stover, Randy Staton and Julie Stremlau abstaining.*

Michele Carmichael requested that a one paragraph outline of the proposed committee be written and distributed to the board in the coming weeks.

X. PUBLIC PARTICIPATION

None

XI. COMMENTS AND ANNOUNCEMENTS

Brooke Whitted announced that the Sonia Shankman Orthogenic School and the Hyde Park Day School are holding an open house on Sunday, April 27th.

XII. ADJOURNMENT

MOTION: *Michele Carmichael moved and Gary Seelbach seconded that the meeting be adjourned at 11:16 a.m. The motion carried unanimously.*