



Community & Residential Services Authority

MEMBERS PRESENT

Springfield Location:

Michele Carmichael	Alan Dietrich	Susan Fonfa	Seth Harkins
Julianna Harms	Merlin Lehman	Dee Ann Ryan	Gary Seelbach
Julie Stremlau			

Chicago Location: (attending by Video conference)

Kathy Briseno	Toni Hoy
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MEMBERS ABSENT

Robert Bloom	William Delgado	David Elder	Lisa Hampton
Mary Spriggs-Ploessl	Randy Staton	Brittany Stern	

STAFF PRESENT

Springfield Location:

Mindy Miller	Lynn Lowder	Linda Prewitt	John Schornagel
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Chicago Location: (attending by Video conference)

Robert Watts

LIAISONS PRESENT

None

GUESTS

None

I. CALL TO ORDER

Chairperson Seelbach called the meeting to order at 9:42 a.m. Members and staff in attendance introduced themselves.

II. APPROVAL OF THE DECEMBER 11, 2014 AUTHORITY MINUTES

The Authority reviewed the minutes of the December 11, 2014 Authority meeting.

MOTION: *Seth Harkins moved and Kathy Briseno seconded that the minutes of the December 11, 2014 Authority meeting be approved with minor amendments. The motion carried unanimously.*

III. STAFF REPORT

Director Schornagel referenced the following informational handouts:

- **Staff Activity Reports** for December 2014 and January 2015. Director Schornagel noted the increase in dispute resolution activity during FY 15 and informed the Authority that he will talk more about this later in today's agenda.
- **Autism Task Force Annual Report (January 2013)**. Members had requested an update from this group after the last CRSA meeting, at which we discussed several CRSA cases which involved children with a primary diagnosis of Autism whose cases had been resolved through Dispute Resolution proceedings. Director Schornagel indicated that it is currently estimated that 35,000 Illinois children and young adults are diagnosed with an autism spectrum disorder (ASD). Linda Prewitt commented that she is seeing increasing numbers of referents on her caseload with overlapping ASD and Intellectual Disability diagnoses. She also noted that because of changes in the DSM V children with diagnosed Asperger's are now included in the ASD diagnostic category.
- **Letter from Governor Rauner's Office to Healthcare Transformation Stakeholders** announcing his office's intention for Illinois to pursue the 3 million dollar State Innovation Model Design Grant.
- Excerpt from a January **State Superintendent's update, reporting on final residential Room and Board Claims for the 2013-2014 school year as well as projected claims for the 2014-2015 school year**. Director Schornagel referenced the attached graph which estimates that during the current school year 540 students will be in residential placements through Illinois public school districts at a cost of \$42.7 million dollars. The graph shows the steadily increasing number of students in education funded residential treatment over a 7 year period. He noted parenthetically, that there are still voices in the mental health community that point out that the steady increase in school funded residential treatment over time coincides with the steadily decreasing number of kids qualifying for Individual Care Grants (ICGs) through DHS/DMH.

Director Schornagel announced that CRSA has hired Regional Coordinator for Northern Illinois, Nancy Aguirre, who starts full time on March 1, 2015. He explained that Ms. Aguirre will be training in the Springfield Office one day a week at the outset and will be also be shadowing other CRSA Regional Coordinators in the field. He thanked CRSA Regional Coordinator, Debbi Smith and CRSA Chairperson, Gary Seelbach who both served on the Interview Committee.

Director Schornagel announced that CRSA has entered into substantive discussions with the Phillip J. Rock Center in Glen Ellyn, Illinois to lease office space for a CRSA Office to be used as an office for CRSA Regional Coordinators, Robert Watts and Nancy Aguirre. He offered special thanks to Seth Harkins and Phil Rock Center staff for making affordable accommodations for a CRSA Chicago-Metro Office. He concluded that if all goes well, CRSA hopes to have the office up and running by July.

Director Schornagel reported that he recently sent members an e-link, to the final report and recommendations for the Governor's Office Healthcare Innovation and Transformation (GOHIT) workgroup. He reported that it is a complex report but is well worth the time to review carefully. We will make paper copies for members upon request.

Director Schornagel informed CRSA board members that they will be contacted by staff via email in late March with instructions and required documents to take 2015 Ethics Training specific to members of Illinois Boards and Commissions.

IV. AGENCY REPORTS

Julianna Harms announced that Governor Rauner appointed George H. Sheldon, as the Acting Director of DCFS, and that Acting Director Sheldon has been making site visits and meeting with executive staff and administrators statewide. She commented that Acting Director Sheldon brings a wealth of child welfare experiences to the department including experience with the population served by the CRSA. She added that he is trying to forthrightly address recently well publicized issues in the child welfare system. She concluded that former Acting Director, Cynthia Tate, is still with DCFS Administration.

V. OLD BUSINESS

A. CRSA Strategic Planning Report

The Authority reviewed comments written by Margaret Vimont, the facilitator of the CRSA 2015 Strategic Planning Conference and a preliminary Strategic Planning Conference Overview draft written from the compiled observations of participating CRSA staff. Director Schornagel noted that there have been no comments to date from participating CRSA board members. He added that staff has already been acting on the recommendations which emanated from the most recent Strategic Planning session.

B. Other

None

VI. NEW BUSINESS

A. CRSA Caseload Trends & Dispute Resolution Updates

Director Schornagel reported to the Authority that the CRSA's Dispute Resolution process is evolving, in part, in response to the increasing numbers of cases in which short-term decision making is required to address crisis cases, particularly

Lock-out/Custody Relinquishment cases in which parents have only days or weeks, not months, to get access to services to forestall Custody Relinquishments. He reported that currently, CRSA staff are approaching member agencies to get involved in CRSA cases earlier than in the past. As a consequence this reduces the time delays typically experienced in the past as parents worked the funding silos to obtain service/funding denials needed to activate the dispute process and, as staff collected the requisite paperwork which had previously been a requirement for entry into the Dispute Resolution process. He reported that on a CRSA staff process level, this means that cases which are listed as being at Staff Review level require the rapid notification and involvement of relevant member agencies. He added that cases which reach the Technical Assistance Conference level typically require immediate member agency administrative activities to achieve case resolution. Director Schornagel gave brief overviews on the 9 cases which have been placed at Staff Review level during this fiscal year, 3 of which were resolved within sixty days of the Technical Assistance Conferences.

Director Schornagel discussed current caseload trends. The Authority reviewed a graph and a demographic and geographic breakdown of the 51 cases so far in FY 15 which involve a tangible risk for custody relinquishment. He reported that of these cases, two resolved at the community service level, some were resolved through Dispute Resolution activity, many did, in fact, relinquish to DCFS, and that 15 such cases remains "pending" as their parents apply for services through existing silos and the CRSA Dispute Resolution process for funding/placements. Director Schornagel also reported that cases involving children on the autism spectrum are at an all-time high and that transition planning crises for older adolescents are increasing this year; typically involving parents who have no viable adult pre-arranged supported living plans in place for their adult-children and who then become panicked when transition deadlines approach.

Dee Ann Ryan shared her belief that all parents of Medicaid eligible children on the CRSA caseload whose parents are seeking medically necessary services should be explicitly informed, in writing, of their potential eligibility as N.B. lawsuit class members or risk legal liability peril for failure to do so. She commented that for Medicaid eligible families seeking community based services that Medicaid-based, Managed-Care Organizations (MCOs,) like Choices, offered the prospect of clearly needed multi-agency case management services, and that for parents seeking residential services for their children that the N.B. lawsuit provides for more rapid access to a limited number of residential resources. Gary Seelbach questioned whether it was CRSA's role to usurp HFS's legal responsibility to inform Medicaid recipients for their rights to HFS supported

services in general and/or to explicitly steer potential N.B. Lawsuit class members to attorneys to seek injunctive relief under N.B. Lawsuit. Susan Fonfa mirrored that concern and cautioned that in the absence of a signed N.B. consent decree, CRSA explicitly linking consumers to a specific MCO, like Choices, for statewide care coordination, including to access medically-necessary residential services under N.B., might be premature. Director Schornagel commented that he would prefer to pass along written information from member agencies themselves about the services they offer. He added that he would be willing to seek a written legal opinion from the Illinois Office of Attorney General, if necessary, to clarify CRSA's role to provide official notification to consumers detailing services available through member agencies, in the absence of agencies providing that information themselves. Seth Harkins reiterated his opinion that CRSA needs board members with specific legal expertise to guide the board on matters like this. Director Schornagel commented that since the N.B lawsuit against HFS achieved class action status and became a viable state resource that parents calling CRSA seeking residential services are encouraged to explore potential service eligibility through HFS on an equal basis with the other member agency funding silos. He clarified CRSA staff are always mindful that parents calling CRSA make the sole decisions about which state supported program(s) they ultimately elect to use for their child, based upon the unique needs treatments needs for the child and the family and based upon the resources available through various state supported silos and programs.

B. Proposed Amendments to CRSA Legislation

The Authority reviewed and discussed a document proposing areas of possible CRSA statute amendments including; membership updates related to member name changes of some member agencies and legislative committees, possible additions of CRSA membership based upon the changing needs of CRSA and the possibility of seeking "Binding Authority" in CRSA dispute cases as evidenced by ongoing absence of existing multiple-agency decision making capacity for CRSA's population among CRSA member agencies. Chairperson Seelbach informed the Authority that the Executive Committee had discussed these potential amendments at some depth and has requested that Director Schornagel submit a draft of proposed legislative amendments in legislative form to the Authority for consideration at its April meeting. He added that the Executive Committee supported the changes and additions in the membership and also supported statutory changes that would give the Authority "binding authority" in CRSA Dispute resolution cases. He added that the Executive Committee also suggested that the CRSA consider renaming the Dispute Resolution language in the CRSA statute, changing the language to a more affirmative and less pejorative phrase. Michele Carmichael commented that CRSA pursuing legislation changes to seek binding authority in CRSA disputes might be better accomplished through Intergovernmental Agreements.

C. "Neighbor To Family" Foster Care Model

Director Schornagel indicated to the Authority that CRSA member Dee Ann Ryan had requested that the "Neighbor to Family" Foster Care Model be put on today's agenda for review and discussion. Ms. Ryan sees this Model as being part of potential solution to an ACLU Lawsuit reopening an existing consent decree signed by DCFS years ago intended to keep adequate foster care and child protective services in place for wards. He referred members to related handouts provided by Ms. Ryan to familiarize the board with the concept and program. Dee Ann Ryan informed the Board that this foster care model had been initially implemented in Illinois by former DCFS

Director Gordon Johnson, but that DCFS had lost the contract. The program intended to help preserve sibling bonds within sibling groups placed together through the use of specialized foster family homes, utilizing a Wraparound treatment philosophy and improving the prospect of permanency for sibling groups removed from their biological families. Ms. Ryan shared some anecdotal data on the success rate of this program as it been implemented outside of Illinois. After discussion the Authority urged Director Schornagel and Ms. Ryan to write a draft letter of CRSA support for Illinois to revisit this program.

D. Other

None

VII. EXECUTIVE COMMITTEE REPORTS

Chairperson Seelbach indicated that all but a few of the issues discussed at the February Executive Committee has already been covered in earlier agenda items with the exception of the following. Director Schornagel had reported to the Executive Committee that the Governor's Office has submitted a proposed FY 16 Budget and has recommended CRSA's FY 16 appropriation at its FY 15 level of \$592,300.00. Chairperson Seelbach announced that the Executive Committee had briefly discussed the need for him to appoint a Nominating Committee at the April Authority Meeting, who would nominate a slate of officers for board consideration at the June 2015 Authority meeting. He asked that any members interested in serving on the Nominating Committee express interest by e-mail to Director Schornagel.

VIII. OPEN DIALOGUE

Authority members and CRSA staff discussed CRSA's immediate and long term role in identifying and resolving Custody Relinquishment cases that it encounters through its technical assistance and dispute resolution mandates. Director Schornagel commented that the rapidly escalating numbers of parents and system professional referring cases involving the tangible risk of custody relinquishment to CRSA during FY 15 might well be a reflection of the passage of the

Custody Relinquishment Prevention Act (P.A. 98-0808) during the last legislative session. He added that Custody Relinquishment may be becoming a "lightning rod" for parents and service professionals seeking a fast-track to residential services and anticipating their imminent resolution because of P.A. 98-0808. He explained that this could account for the rapid increase in such cases seen by CRSA and for the unabashed willingness by system professionals to overtly engage in lock-out coaching without seeming regard for the potential legal and familial consequences of Lock-out and subsequent custody relinquishments. He noted that the widely anticipated resolution of the N.B lawsuit has similarly fueled a wholesale diversion of Medicaid parents seeking residential treatment for their children away from traditional residential silos/programs toward the N.B. lawsuit/HFS residential silo. He commented that the custody relinquishment prevention law and the N.B lawsuit have become inexorably entwined in the minds of system professionals as evidenced by their linkage in the GOHIT deliberations and the widespread rumors about active an emerging MACS process among some CRSA member agencies. Director Schornagel referenced a legislatively inspired initiative to create a short-term DMH-funded Custody Relinquishment Prevention Pilot as an example of a MACS-centered program which is currently seeking referrals of Custody Relinquishment risk cases from CRSA. Susan Fonfa indicated to the Authority that a Multiple-Agency Clinical Staffing (MACS) process is in fact taking shape, involving some of the CRSA members code agencies (excluding ISBE) and that there is an intergovernmental agreement (IGA) that is being crafted for eventual signatures to oversee its work. Director Schornagel commented that of clarity/transparency about the nature and scope of this multi-agency effort could dampen the rumors and could dampen competing legislative initiatives. Michele Carmichael cautioned that CRSA seeking legislation changes during this legislative session to become specifically involved with resolving custody relinquishment cases might be unnecessary and might introduce an element of legislative confusion, noting that CRSA member agencies are already legislatively required and actively discussing the mandates of P.A. 98, 0808, by June 30, 2015.

IX. PUBLIC PARTICIPATION

None

X. COMMENTS AND ANNOUNCEMENTS

None

XI. ADJOURNMENT

MOTION: *Merlin Lehman moved and Michelle Carmichael seconded that the meeting be adjourned at 11:11 a.m. The motion carried unanimously.*