



Community & Residential Services Authority

MEMBERS PRESENT

Springfield Location:

Michele Carmichael	Seth Harkins	Merlin Lehman	Gary Seelbach
Maureen Haugh-Stover	Julie Stremlau	Randy Staton	Dee Ann Ryan
David Elder	Susan Fonfa		

Chicago Location: (attending by Video conference)

Robert Bloom	Kathy Briseno	Toni Hoy	Jane Kelly
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MEMBERS ABSENT

Lisa Betz	William Delgado	Candice Jones	Brittany Stern
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STAFF PRESENT

Springfield Location:

Nancy Aguirre	Mindy Miller	Linda Prewitt	John Schornagel
Debbi Smith	Lynn Lowder		

Chicago Location: (attending by Video conference)

Robert Watts

LIAISONS PRESENT

None

GUESTS

Brad Boucher	Tana Elder	Uli Senz
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I. CALL TO ORDER

Chairperson Staton called the meeting to order at 9:33 a.m. Members, CRSA staff and guests introduced themselves.

II. APPROVAL OF THE AUGUST 13, 2015 AUTHORITY MINUTES

The Authority reviewed the minutes of the August 13, 2015 Authority meeting suggesting a minor amendment.

MOTION: *Seth Harkins moved and Merlin Lehman seconded that the minutes of the August 13, 2015 Authority meeting be approved with one minor correction. The motion carried unanimously.*

III. STAFF REPORT

Director Schornagel referenced the following informational handouts:

- **Staff Activity Reports** for August and September of 2015: Director Schornagel commented that there are currently no cases pending dispute resolution activity and it's been 3 years since that happened. He added that while we entered FY 16 with 3 cases active in the Dispute Resolution process, all have been resolved in the first quarter of this year. Gary Seelbach inquired about the status of families recently awarded Individual Care Grants (ICGs) and who are waiting for placements in ICG facilities. Director Schornagel commented the CRSA staff are not aware of any recent ICG recipients still awaiting placements at an IGC facility. Dee Ann Ryan expressed ongoing concerns that none of the custody relinquishment risk cases referred to the CRSA in recent years have progressed through the dispute resolution process to the level of Authority Hearings and as such they are not visible to member agency directors, legislators and the Governor's office. She expressed frustration that Illinois' increasing reliance on custody relinquishment practices are evident in the CRSA staff activity reports, but that cases involving custody relinquishment are not progressing to more visible, upper levels of the dispute resolution process. Director Schornagel commented that during the last decade the Authority has intentionally shifted the emphasis in the dispute resolution process toward resolving potential service and/or funding disputes at early stages of the dispute resolution process, thereby shortening the amount time needed to process and resolve the disputes. He added that as a direct result of these changes to the dispute resolution process all but a few case situations in the last decade have been addressed at the less visible Staff Review and Technical Assistance Conference levels within the dispute resolution process. He acknowledged that lock out cases, which can lead to custody relinquishment, typically move far faster than CRSA's dispute resolution process can accommodate and thus, challenge the CRSA staff and Board to continue to amend the process to meet the need. He added that custody relinquishment risk situations referred to CRSA represent only a portion of families facing those challenges and that there is no way to accurately determine the extent of the custody relinquishment practices in Illinois without comprehensive statewide data. Toni Hoy commented that that that Federal legislation requires that states track custody relinquishment cases.

MOTION: *Dee Ann Ryan moved and Seth Harkins seconded that the Authority actively work with DCFS to determine how many involuntary custody relinquishments occur in Illinois. The Motion carried unanimously.*

Toni Hoy commented that the proposed Intergovernmental Agreement to implement Public Act: 98-0808 (the Custody Relinquishment Prevention Act) has neither been publicized nor signed. Director Schornagel echoed this concern noting that none of five state agencies charged with the implementation of PA: 98-0808 have a defined an accessible process through which to address emerging custody relinquishment risk situations. Dee Ann Ryan noted confusion in the field on how Medicaid's Choices initiative will intersect with DCFS

adoption preservation services and DORs services in custody relinquishment situations. Debbi smith also noted that questions are emerging in the field regarding how and when to use private insurance in situations where there is potential for partnerships between private insurance and Medicaid to jointly underwrite costs associated with custody relinquishment situations.

Gary Seelbach suggested that the Authority reach out in writing to the 5 state agencies charged with implementing the custody relinquishment prevention act: to inform them of CRSA's interest and involvement in custody relinquishment prevention and abatement issues; to share CRSA custody relinquishment data and case resolution strategies employed by CRSA staff when responding to custody relinquishment risk situations and to solicit a PA: 98-0808 implementation update/timetable. Bob Bloom advised that the DCFS Child and Family Services Advisory Council will meet again soon and that he will reference CRSA's concerns regarding custody relinquishment prevention and abatement to the Council and to DCFS Director Shelton. Dee Ann Ryan and Toni Hoy offered to provide Dr. Bloom with an overview of concerns and issues to be presented at a coming Council meeting.

Director Schornagel commented that the long-standing issues of involuntary custody relinquishment and the related interagency dynamics and resource deliberations are of sufficient importance and urgency to the Authority that the Board should consider forming an Ad Hoc Custody Relinquishment Issues Committee to guide the Authority's actions and responses to custody relinquishment challenges.

MOTION: *Dee Ann Ryan moved and Gary Seelbach seconded the Authority form an Ad Hoc Custody Relinquishment Issues Committee to guide the Authority's actions and responses to persistent statewide custody relinquishment challenges. The Motion carried unanimously.*

Kathy Briseno, Jane Kelly, Toni Hoy, Dee Ann Ryan and Randy Staton volunteered to serve on the Committee.

IV. AGENCY REPORTS

Jane Kelly, Alternate DCFS designee, advised that she will not be making an in-depth in-service training at this meeting regarding Voluntary Placement Agreements (VPAs) and how federal and state funds might be channeled to support VPAs. She stated that active discussion are occurring with DCFS attorneys regarding Federal/State law with respect to VPAs, and that an in-depth VPA presentation to CRSA could occur at a future Authority meeting perhaps with DCFS attorneys present. Director Schornagel reminded the Authority that in June of this year DCFS' Juliana Harms agreed to hold an in-service training at a CRSA meeting. He added that this offer was prompted by ongoing discussion at the CRSA board level about SB: 850 (the Voluntary Placement Agreement Bill) and how VPAs might be utilized in custody relinquishment prevention and abatement situations. Jane Kelly encouraged interested CRSA members and staff to review VPA information posted on the DCFS website. Director Schornagel suggested that the issue of and how VPAs might be

utilized in custody relinquishment abatement situations be placed on the agenda of the Ad Hoc Custody Relinquishment Issues Committee

V. OLD BUSINESS

A. Public Act 99-0479: Individual Care Grant Program Transfer to HFS

Director Schornagel updated the Authority that following the passage of HB: 4096 (the ICG bill) and it becoming law as Public Act 99-0279, that the Individual Care Grant (ICG) Program administration has been moved to the Healthcare and Family Services (HFS) effective September 10, 2015. The Authority reviewed a document which details the administrative ICG program transfer. Director Schornagel advised the Authority that he has reached out to the ICG Director as well as the CRSA Representatives from DHS/DMH and HFS to ascertain how the administrative transfer of the ICG program to HFS might impact ICG consumers. He reports that as far as CRSA staff can discern, there are no immediate changes in the operation of the ICG program. He reports that since the transfer to HFS that the ICG program appears to be operating normally: that the Toll-free ICG customer service line is active; that the Collaborative is actively involved in ICG administration; that parents are being awarded ICGs, and that some families with active ICGs awaiting placements have been matched to ICG facilities. Director Schornagel commented the current ICG Director, Kimberly Jenkins, appears to be the only remaining ICG program staff person and that CRSA staff will continue to reach out to her on ICG related matters now that the program has been transferred to HFS.

Seth Harkins speculated that the system may re-create the ICG program with a Managed Care focus and that it would be an opportunity for the service contract with Value Options Inc., to be re-thought. He observed that under the management of The Collaborative that the children served by the ICG program have been scaled back to unprecedented lows. He also noted that ICG program staff have been almost totally eliminated under the control of The Collaborative. Gary Seelbach noted that the ICG program has not published an annual report since FY 12 reportedly due to ICG staff shortages. Dr. Harkins observed that the Collaborative has not been able to address gray areas in complex cases and that the Collaborative has been seen as being in the way of the resolution of complex cases. Dr. Harkins referenced the CRSA Executive Committee conclusion that the transfer of the ICG program to HFS might be an opportunity for the public sector to take back administrative control over the ICG program, rebuilding the ICG staff and coherent leadership capability. He added that the CRSA board should continue to vociferously influence the direction of the ICG program in constructive directions. Director Schornagel recommended that if HFS elects to reinvent the ICG program that it review and consider recommendations made by the ICG Transformation Workgroup in early 2015 to guide JCARs revision of Rule 135. Director Schornagel commented that he has operational questions regarding the interface between DMH, Community Mental Health agencies and HFS as the ICG program transforms under HFS leadership.

Susan Fonfa advised that the transition of the ICG program to HFS control does not have to be completed until March, 2016 and that HFS is actively considering possible changes to the ICG program and is keeping options open until then. Gary Seelbach asked whether the Program will be run by contract with the Collaborative, and was advised by Dr. Fonfa that she is not sure at this time. Michele Carmichael asked if there will be a rewrite of Rule 135 and Susan responded that this is being reviewed at this time. She requested that CRSA staff forward a copy of the recommendations of the ICG Transformation Workgroup to her. Director Schornagel responded that he would send her a copy quickly.

Gary Seelbach voiced concern regarding explicit language in Public Act 99-0279 that the ICG "shall become inoperative" during the calendar year in which N.B. remedies are implemented and asked for clarifications. Dee Ann Ryan stated that there have been discussions of expanding Home and Community Based Services through HFS. Susan Fonfa noted that NB is not yet resolved, and it is not known how its resolution will affect ICG. Staff member Debbi Smith asked about how this will affect children who are not Medicaid eligible and how these children's will needs be met. Susan stated that this issue is being discussed.

B. FY 17 Proposed CRSA Spending Plan

The Authority reviewed a proposed FY 17 Spending Plan totaling \$592,300. Director Schornagel commented that the budgeting for FY 17 has been awkward due to the lack of an approved expenditure for FY 16. He added he is operating as if the Authority's FY 16 expenditure request of \$592,300 is in place and that the FY 17 expenditure request of the same amount contains no increases for the coming year. Director Schornagel noted that the Authority will continue to respond flexibly to budgeting challenges given the uncertainty in the statewide budgeting process for FY 16 and the difficult overall economic climate in the state. Seth Harkins commented that he has never seen such a "fluid" budget in the course of his career and questioned how the Authority and other agencies can remain stable if their budgets are fictional.

The Authority also reviewed the finalized CRSA FY 2015 Expenditure Report which documents that the Authority expended \$477,900 during FY 15. Director Schornagel advised the Committee that the Authority lapsed amount was unusually large due to the passing of a senior Regional Coordinator, whose position remained vacant for 8 months during FY 15.

C. Budget Impasse Communiqué

The Authority reviewed a draft communiqué to the Governor's Office and to legislators written to raise awareness of the potential for destructive impact that the current budget impasse between the Executive and Legislative branches is having on the child and adolescent services system. Gary Seelbach complimented staff on the initial draft observing that it was politically neutral in tone but also captured the ongoing concerns of the Authority

regarding the degradation of programs and services throughout the state and how those service erosions negatively impact services to children and families served by CRSA. Gary Seelbach suggested that the communiqué be amended to reflect its unanimous endorsement by the entire Authority rather than being sent under the pen of Director Schornagel. Agency representatives in attendance noted that they are prohibited from making such an endorsement and restated emphatically that the communiqué must not reflect the opinions of their directors. Members also explored the possibility of amending the communiqué to identify which specific services and programs are at risk from the budget impasse observing that some programs and services have not been impacted and are still operating normally. Director Schornagel urged members to keep the communiqué generic rather than highly specific noting that the more complex the communiqué becomes, the less likely that full Authority consensus and final language could be achieved in timely way. There was no opposition to a suggestion to reference concerns about a possible increase of custody relinquishment in the communiqué. Director Schornagel commented that he felt like he had sufficient input to make necessary amendments to the communiqué that would express overall concerns about the impact of the budget impasse on the services system without violating the conscience or boundaries of the diverse constituencies on the Authority. David Elder expressed his preference that edits to the communiqué be completed and that the communiqué sent out sooner rather than later. Seth Harkins agreed that the communiqué should be sent as soon as is practicable.

Director Schornagel commented that the current budget impasse is placing significant stress on Illinois' service system at a time when the system is in a weakened state. He referenced active CRSA discussions during the past 18 months including: the sluggishness in the system as the change in administration in Springfield takes hold; the uncertain fate of the progressive GOHIT recommendations for development of a fully coordinated system-of-care in Illinois; the paralyzing effect that the protracted N.B. lawsuit is having on implementation of critical initiatives like The Custody Relinquishment Prevention Act and the development of PRTFs. Director Schornagel commented that in spite of the stress, the service system as a whole has shown considerable resilience as the budget impasse has crossed the three month point. Discussion shifted to specific observations from members and staff about how programs and services are faring during the budget impasse. Director Schornagel commented that as a result of the budget impasse some agencies have been forced to move to 3 day work weeks and others are either cutting staff hours or lay staff off. Some agencies and programs are closing. Linda Prewitt and Nancy Aguirre commented that they are hearing that families are being dropped from services due to lack of funds as the impasse continues. Dee Ann Ryan referenced reductions and elimination of funding for psych services which is creating reluctance among psychiatrists to serve children. Seth Harkins shared the observation of the Executive Committee that we may be witnessing an enduring contraction of the service system which may not replenish after the current budget impasse is eventually resolved. As an example he noted that residential treatment facilities have been unable to provide rate adjustments and that providers are being steered to appeals, which if fail to provide relief, will inevitably lead to more agency failures and program closures. Gary Seelbach stated this is already being seen in the education sphere with larger

classrooms and fewer staff at the district level and districts being forced cut back on contracting out for specialized educational services, all of which have the potential to degrade educational outcomes. Michele Carmichael noted that currently monies are still flowing to school districts and that decisions at the district level are not to be made based on lack of funding. Gary Seelbach countered that schools are anticipating that resources will not continue at the same rate in the future and are making decisions accordingly. Seth Harkins added that schools are trying to save money by keeping children they would normally send to other district programs and/or to residential schools, but do not have a plan for how they can teach these children in their own districts. Maureen Haugh-Stover stated that DD CILAs are currently being paid and that crisis requests are coming in and being addressed. Chairperson Staton advised that the personal assistants within ORS are being paid through Human Services as per policy, without issue. Director Schornagel reminded members that Michelle Schneiderheinze warned at the last Authority meeting that CILAs are contracting with fewer home placements, closing programs and cancelling expansion of CILA homes and may not recover if the impasse continues.

D. CRSA Program Research

Bob Bloom requested an update regarding the status of the CRSA Program Research Project proposed last spring. Director Schornagel responded that a small committee of board and staff members have been discussing the research proposal and concluding that the proposed research was vague and lacked clear purpose and focus. He added that while this advisory group had made some progress on outlining a clearer proposal, further discussion is needed before a final proposal can be approved by the Authority and resources allocated to fund the research. Bob Bloom commented that funding the research project may be cost neutral noting that a university professor colleague, Dr. Robert Foltz, has expressed interest in conducting the research and has a cadre of interns available to assist in the research.

VI. NEW BUSINESS

None

VII. EXECUTIVE COMMITTEE REPORT

Chairperson Staton informed the Authority that items of discussion by the Executive Committee have been covered in today's agenda with the exception of the following. Chairperson Staton informed the Authority that the Staff Evaluation Committee will be concluding its evaluation in the coming weeks and meeting with Director Schornagel. Director Schornagel informed the Authority that he would be contacting members soon to arrange Hoc Committee meetings in November.

VIII. OPEN DIALOUGE

Director Schornagel referenced a draft compendium of systemic observations and referral trend data drawn from CRSA files by staff. The document was requested by a member of the Executive Committee at the August meeting to ostensibly inform member agency planning groups in the short-term and in the longer term as they identify and prepare to address service system gaps. Susan Fonfa asked who will be seeing this document. The Director confirmed that this draft document is currently an internal document only, not for publication. Dee Ann Ryan commented the observations should be reviewed and considered by the Authority. Director Schornagel commented that this document is not intended to be comprehensive, but is a work in progress and urged members to share their comments and suggestions with him by email.

Dee Ann Ryan updated the Authority on the Choices Medicaid-based 4-county pilot. She announced that Choices has been working with an HFS Transformation Committee to develop a detailed community service plan and is now entering an implementation stage. Cornerstones of the Choices initiative include team-based crisis planning and stabilization and have are attracting new providers. She commented that she is hoping Choices will become a statewide Medicaid-based initiative at some point will address the needs for workforce training and development activities.

IX. PUBLIC PARTICIPATION

None

X. ADJOURNMENT

MOTION: Gary Seelbach moved and David Elder seconded that the Authority meeting be adjourned at 10:53 a.m. The Motion carried unanimously