

*Les Wagner, President*  
*Boone County Family Resources*  
*1209 East Walnut*  
*Columbia, MO 65201*  
*(573)874-1995 \* (573)443-2864 (fax)*  
[lesmcwagner@bcfr.org](mailto:lesmcwagner@bcfr.org)



*Missouri Association of County*  
*Developmental Disabilities Services*  
[www.macdds.org](http://www.macdds.org)

*Ann Graff, President Elect*  
*Pettis & Saline Counties, [agraff@chs-mo.org](mailto:agraff@chs-mo.org)*

*Jan Jones, Secretary*  
*Greene County, [jan@abilitiesfirst.net](mailto:jan@abilitiesfirst.net)*

*Lynn Smith, Treasurer*  
*Buchanan County, [lgw323@yahoo.com](mailto:lgw323@yahoo.com)*

*Deb Miller, Member-at-Large*  
*Howard County, [dmiller@endlessoptions.org](mailto:dmiller@endlessoptions.org)*

*Jake Jacobs, Past President*  
*Jackson County, [jjacobs@eitas.org](mailto:jjacobs@eitas.org)*

---

---

**Minutes**  
**Wednesday, June 27, 2012**  
**The Country Club Hotel- Lake of the Ozarks**

**1:00 – 2:00 PM**      **Call to Order:** Les Wagner, President

Introductions/General Announcements/Celebrations of Success

Jan Jones announced they have opened a new business in Greene County, Art Inspired which takes waste paper and converts it into art. Ann Graff announced they have created six new minimum wage jobs in,.... Mary announced they have just received a united way grant for a summer work program. Ron announced that they have hired their second behavior analyst and they are partnering with Clay County.... Boone announced that they have successfully partnered with the local workshop and hospital to create a laundry crew and eight new positions for competitive employment. Michelle Darden announced they are expanding their TCM department with 5 new case managers which brings them to 30. Their Horizon Club program for individuals without a home is celebrating its 5 year anniversary. The city of St. Louis has also begun another innovative grant cycle and they are implementing the use of new technology to help individuals live more independently. Nancy announced that they had two individuals who have been able to purchase a home via USDA funds. Anita Contreras announced they are in the process of completely eliminating their waiting list. Wendy Hays announced they did their first leadership academy which was facilitated by Darla Wilkerson. She announced they have two camps going this summer and the kids earn a stipend while learning about jobs and job exploration. Debbie Miller announced that they have a new director for employment services. She shared a newspaper article about new employment opportunities they have created. Les announced that he will start his new position as MACDDS Executive Director on July 10. He announced that an office has been leased in Columbia which is well within budget and is ADA accessible. Les stated that he has met with Keith Schaffer and Bernie Simons about the TCM contract amendment and the agenda has been revised to allow more time to discuss the issues.

1. Minutes from the May 2012 meeting. Lynn Wells made a motion to approve the minutes as presented. Dan Cole seconded and the motion passed unanimously.
2. Finance/Treasurer Report – May 2012 Financials (L. Smith) Alecia made a motion to approve the minutes as presented. Tim Crew seconded and the motion passed unanimously.

3. **Agency Liaison Reports:**

*MARF (B. Barnes)*, No report

*Vocational Rehabilitation (R. Largent)*, Hoping to have training rolled out in the next couple of months

*Supported Employment (W. Hays)*, APSE annual conference August 7, 8, 9. Information is posted on the MACDDS website

*MO Planning Council (B. Blackwell)*, Continuing with employment survey. Going to look at state use tax again. They are interviewing for an Executive Director position.

*Extended Employment (B. Blackwell)*, Workers in Oregon with disabilities have sued the state based on the complaint that they have to work at a sheltered workshop or nothing. Oregon uses a medical model, but Missouri uses an industrial model.

*Congress on Disability (M. Whitlock)*, They asked organizations to complete forms indicating a commitment. Marcus suggested that Les might be a good representative from MACDDS since they meet at Boone Center in Columbia. There is going to be a statewide candidates forum in Columbia September 15 1-3 at the Hilton Garden Inn in Columbia. Member agencies will be asked to make a contribution for the cost of the room and representatives from member agencies who are interested in volunteering for the event notify Marcus. Alecia made a motion for MACDDS to contribute up to \$500 toward the cost and Max Lytle seconded. Discussion was held as to whether this was budgeted and if the cost is reasonable based on what other members might be asked to contribute. Lynn stated there is \$7500 in the budget for individual county grants which could be used for this purpose. The motion passed unanimously.

*Mental Health Commission (D. Miller)* No report.

*Missouri Business Alliance (R. Garlich)* Kansas passed similar legislation to the state use legislation. Les announced that he does have an appointment with the Governor's assistant to discuss things in this regard.

4. **Committee Reports:**

*Executive (L. Wagner)*; Met by phone earlier this month and then again this morning. Discussed a proposal submitted by Doris to include greatly expanding CABLLC's role. The Executive Committee did not solicit this proposal. The Executive Committee did not accept this proposal, but will be discussing the role of CABLLC. Discussed the need for a MACDDS credit card. Will be further investigating the availability of a meeting room without charge in Columbia with a block of rooms. Approved the Treasurer making electronic payments when it is more efficient to do so. The Committee met with Roger Garlich and discussed issues with the TCM agreement.

*Public Awareness (D. Miller)*; No report.

*Education & Training (J. Casey)*; Betsy reported that the conference committee will meet in the morning. Conference is October 11 and 12.

*Governmental Affairs (P. Capo/M. Sullivan-Thomas)*; Face to face meeting is July 10 at Gamble's office from 10-1. Will develop proposed legislative message. Please rsvp for this meeting so there will be enough space.

*Regulations/Standards/Policy (J. Tilman)*; No report.

*Finance (L. Smith)*; No report.

*Quality Assurance/Enhancement (R. Kruse)*; No report.

*College of Direct Support (R. Garlich)*; There is new curriculum available for currently enrolled providers at no cost. If a member pays the license fee through the Center for

***Our Mission:***

*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*

Human Services, it can be an administrative claim which could result in half the fee being reimbursed.

**Respite Coalition** (*J. Casey*). No report.

5. **Workgroup Reports:** *TCM* (*K. Butler*); No report.
6. **Rate Parity** (*B. Rocoberto*) Met in June and Jeff is preparing a powerpoint for Bernie. It will then be reviewed with the entire membership. Some items that will be in the powerpoint include that no individual or provider will have their funds reduced based on SIS. How the SIS will be used by DDD to establish rates, how to ensure that SIS scores are reliable.

**2:00 – 2:45 PM**      **State Auditor’s Office-** Randy Gordon, Assistant Director of Local Governmental Audits

Randy provided a handout outlining his presentation. He stated that the Auditor’s office often audits county boards as part of the County audit. In 2008 the auditor’s office did a report on all sb40s. This was not something done before or since. They audit every third class county every four years. Staffing levels do not permit additional audits. The priority is State offices. They audit about 22-23 counties per year. They use contracted CPAs to audit the financial statements then the State Auditor’s office (SAO) checks internal controls, compliance, and management issues. Chapter 610 (Missouri Sunshine Law) says meeting minutes are maintained that include adequate detail of the issues discussed and the decisions made. The new Auditor, Tom Schwiech, has implemented a new system of grading counties based on the audit findings. If a county gets a fair or poor rating, the auditor’s office will be back at the office to follow up in 90 days. If a Board member abstains, the minutes should indicate who abstained and why they abstained. Telephone votes must comply with Sunshine Law. The actual meeting place has to have a quorum. The telephoning in member cannot be what makes the quorum. Ann asked for clarification about this, for example if the meeting is posted as a phone meeting and anyone is allowed to call in. He was unsure about this point in the law. Minutes have to be read and approved by the Board. Signature is optional if there is documentation they have been approved by the Board. Ensure minutes document the vote to go into a closed meeting and state the reasons for going into closed meetings. In addition, minutes should be maintained to support all closed meetings. Closed sessions can only cover what is allowable and no other topics. Minutes must be kept for the close minutes. Ensure that accurate and complete budgets are submitted to the State Auditors office as required. The budget document should include a comment in the front if funds are being accumulated for a specific goal. The public needs to know what you are doing and that you are not taxing more than is necessary. Budget should be presented in total, not just tax revenue but everything. Segregation of duties is usually a problem because the offices are small and have few staff. Check receipts and disbursements, review bank reconciliations and cancelled checks. Someone needs to be reviewing. Bank reconciliations should be done monthly. Article III Section 39 of the Missouri Constitution, as well as the Attorney General’s Opinion No. 72, say that government employees cannot receive bonuses.

**2:45 – 3:00 PM**      **Break**

**3:00– 4:00 PM**      **MMAC-** Markus Cicka, MMAC Director

The role of MMAC is oversight and education to prevent, detect, and investigate waste, fraud, and abuse in the Missouri Medicaid system. Darla is in charge of DMH and SB40 Boards. Prevention is their primary goal. The Supreme Court will rule on the Affordable Care Act tomorrow and this act has significant impact on how they operate. They will analyze the decision and decide how they will move forward in the future. The return of overpayments is an important piece of what they do. The false claims act states that claim adjustments

***Our Mission:***

*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*

must be made within 60 days or claimant can face serious penalties including fraud charges. They are working on ensuring consistency within policy, regulation, and statute. Markus will send a copy of his presentation to Mary and she will post on the MACDDS website. Darla is the supervisor over DMH programs for MMAC. They will begin doing TCM. Still working on the MOU for the Targeted Case Management. Brandy is the person who will be doing TCM. They have begun pulling records from some providers. She will be visiting Callaway County and “job shadowing” to increase her understanding of the role of TCM providers. At this time, they are still working out a process to do recoupments. They are checking to ensure that the services provided are in the ISP, the ISP is signed and up to date. They try to follow-up, but it is very time-consuming. It is ideal for them to get all of the information up front. Lynn Wells stated a concern that it is possible that MMAC can recoup monies from a provider when the actual problem may be out of the control of the provider. An example is that the provider cannot leave the consumer in a dangerous situation and can be penalized for not providing a service, but if the plan is sitting on someone’s desk in a Regional Office, the provider can be penalized for providing a service that is not authorized since the plan is sitting on someone’s desk. Darla gave an example of an ISP which indicates that an individual is incontinent and diapers are being purchased, but nowhere does it say in the plan that diapers are needed. The regulations state that there must be specific information so the incontinence mention doesn’t cover the documentation required for diapers to be purchased. Targeted Case Management has never been audited before. Darla stated that they receive a lot of ISPs which are not signed. When MMAC sees an ISP that is exactly the same from one year to the next, it leads them to question whether the person was actually seen. Jane stated they had a sweep about eight months ago but have had no information back. She asked if the information from sweeps that have been done was for education purposes. Darla stated they were not, and that they are finishing up the documents to notify the agencies of their findings. Case notes for TCM should be thorough and clearly justify the amount of time billed.

**4:00 – 5:00 PM      TCM Agreement Discussion**

Roger apologized on behalf of the Division for prematurely sending out the TCM agreements that had been in effect without a prior review by MACDDS as required by the existing MOU. He stated that his title and his responsibilities have changed as well. Jane Kruse announced that to get the answers to questions for the June MACDDS meeting, she looked into the Mental Health Trust fund and payments made by County Boards. The state auditor’s report did not provide enough detail, so a records request pursuant to the Missouri Sunshine Law was made. The Mental Health Trust fund is established by statute. There has been a significant surplus in the Local Tax Matching fund that is unexplained. Receipts should not exceed disbursements if they are for a specific purpose. Match money going in has not been expended. In 2011 documents Jane received via the Sunshine request indicated \$7.8 million surplus at the end of 2011. A long discussion was held about the possible ways to address the full funding for County Boards providing TCM and the TCM Agreement. Mary made a motion to amend the current contract to include the full funding for TCM and extend the contract as currently written. Jan seconded. Discussion was held. Ron made a motion to table the motion Mary made in order to have the discussion with Division representatives then act on the motion after the discussion. Further discussion was held. The discussion will be resumed Thursday morning.

***Our Mission:***

*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*

**AGENDA**  
**Thursday, June 28, 2012**  
**The Country Club Hotel – Lake of the Ozarks**

**9:00 - 9:15 AM**                      **Call to Order** – Les Wagner, President

The group resumed discussion regarding the motions from Wednesday afternoon. Discussion about the process for exceptions for the PFH waiver and the inconsistencies around the state as well as the gaps in communication. Many SB40 Directors do not receive information about exceptions until they are billed. Roger suggested that these issues be addressed in the MOU regarding PFH. Ron suggested that a joint committee between MACDDS and DMH which would work on any regulation pertaining to waiver agreements, TCM, and other related subjects. The group discussed including the language in the MOU in every contract with DMH. The consensus of the group is to continue the current agreement, with full funding, and establish a committee with DMH and MACDDS members to reach mutually agreed upon understandings for the TCM agreement, PFH agreement, MOU, etc. before any new agreements will be signed by MACDDS members. The group voted on the motion made by Mary and seconded by Jan. The motion passed with one abstention from Buchanan County.

Discussion was held about individual scenarios in various counties who are being asked by the Division to assume payment for Division expenses. The group discussed the information received from DMH regarding the financial records regarding local tax match fund and the mental health trust fund.

Discussion was held about decisions made by the Executive Committee including the office for the new Executive Director. There are members of the group who understood that the agreement was to have an office in Jefferson City. The Executive Committee understood that the agreement was to have a strong and consistent presence in Jefferson City. Discussion ensued regarding the position the group is in with having a new Executive Director and different members having differing expectations. The minutes do reflect that the discussion was to have an office in Jefferson City. The Executive Committee indicated that it is also learning the new role and asks the membership for leeway as it works through establishing the new roles.

The group discussed whether a County Board should be allowed to join MACDDS as an RPO. The consensus of the group was that this would not be acceptable. The group discussed amending the bylaws to this effect. The regulation standards and policy committee will need to meet to discuss this and make a recommendation to this effect.

The group discussed the budget process and that once the County Board Director signs a budget, it is no longer a draft, since draft implies it is subject to change.

Discussion was held about the URC process and concerns that things continue to be added by DMH which create further delay. It was agreed that if there are issues with policies and processes the Regulations Standards and Policy committee be notified and work on the issue. It was suggested that the Committee and Les be the point of contact for changes in directives, policy, etc. The group discussed that DMH may get input and may include MACDDS in decision making forums, but often the input is disregarded.

**9:15 – 10:00 AM**                      **Discussion Items:**

***Our Mission:***

*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*



- Friends of MACDDS- Conference Committee
- Partnership for Hope Exception Process- Lynn Wells
- Residential Services Group- Ron Kruse

**10:00 – 10:15 AM**                      **Break**

**10:15 – 11:00 AM**                      **Met Life Special Needs Planning** – Todd Gentry and Michael Chiodini  
Cancelled due to need for further discussion on items from previous day.

**11:00 - Noon**                              **Updates and Open Discussion** – Bernie Simons

Bernie Simons, Jeff Grosvenor, Vicki McCarrell, Marcie Volner, and Christina (a student mentor from Columbia College) joined the group. The information regarding the group's earlier discussion was presented to the representatives from DMH. They were informed that the group voted unanimously with one abstention, to continue the current TCM agreement with full funding, until an agreement can be developed through mutual efforts and representatives from DMH and MACDDS participate. The group would like to continue with the current agreement and receive full-funding. Bernie stated that the funds are not designated for full-funding, but to free up funds to get 1100 people off the waiting list for the PFH. The membership does not agree that requiring PFH match should be part of the TCM agreement, but should be a separate agreement. The group wishes to address ongoing issues that encompass more than just TCM or just PFH. Bernie agreed to having separate agreements for PFH and TCM and for those to be developed with representatives from both dmh and macdds. Discussion was held regarding the fact that some counties do not have enough eligible people in their county to meet the numbers designated by DMH.

Discussion was held about the balances carrying over in the local tax funds. Jeff stated that funds that come in at the end of the fiscal year have to be carried over. Those funds are then used in the next year. Everything he does with the funds is client specific. A long discussion was held about the financial reports discussed by the group earlier. Jeff stated that he would be glad to meet with a small group to review financial information that is more specific to the funds contributed by SB40s. The group addressed the concern that individuals are not being served on the waiting list, but there is a surplus of funds according to the reports received.

The group discussed the memorandum of understanding which states that both parties will recognize and seek the others timely input, position, guidance, and counsel and commit to engaging in early dialogue and exploration of systems issues especially those having fiscal impact. The group would like to return to this philosophy.

Marcy Volner stated that Regional Offices will grant extensions to those Boards which are not ready to implement the electronic form rather than the paper copies of the Community Event Report forms. Therap is working with Boone County to develop a county based information system. It can solve billing and authorization problems, incident reporting, etc. They will present at the annual MACDDS conference.

Vicki was informed that the group will be getting comments on the two new division directives from Janice who is collecting feedback from the group. Vicki stated that she would like to have the information as soon as possible on the ADHC due to it being effective July 1. Vicki will be out of the office tomorrow and asked that feedback be sent to Robin. The other can wait until July 6.

The meeting was adjourned at 12:19 pm

***Our Mission:***

*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*

***Our Mission:***  
*MACDDS is dedicated to the promotion of county initiatives in developmental disability services*