



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

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CAROL SALA
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MINUTES

Name of Organization: Nevada Early Intervention Interagency Coordinating Council (ICC)

Date and Time of Meeting: July 21, 2011
9:00 a.m.

Meeting held via Videoconference at the Following Locations:

Las Vegas: Nevada Early Intervention Services, Southern Region
4528 W. Craig Road, Ste 170, Conference Room
North Las Vegas, Nevada

Reno: Nevada Early Intervention Services, Northwestern Region
2667 Enterprise, Conference Room
Reno, Nevada

Elko: Nevada Early Intervention Services, Northeastern Region
1020 Ruby Vista Drive, Conference Room
Elko, Nevada

I. Call to Order and Introductions

Melissa West called the meeting to order at 9:05 am. Introductions were made and quorum was present.

Members Present: Yvonne Brueggert, , Nancy Buntin, Michelle Canning, Jenny Casselman, Sherry Halley, Robin Kincaid, Joyce Larsen, Johnette Oman, Karen Stephens, Fatima Taylor, Sherry Waugh, Melissa West, Mary E. Wherry

Members Absent: Senator Horsford, Pamela Phillips, Veronica Domingues-Gephart, Jerry Allen, Nancy Sileo, Tina Jeeves, Sherry Manning, Ann Bingham, Maynard Florence

Public/Guests: Libby Brown, Robert Burns, Sally Cannon, Lisa Cridland, Tina Gerber-Winn, Laurie Kass, Ruth Miller, Janelle Mulvenon, Julie Ortiz, Susan Richards, Martha Schott-Bernius, Roberta Simon, Amy Zadorozny

Part C Staff: Brenda Bledsoe, Daniel Dinnell, Cissy Garic, Edie King, Iandia Morgan, Wendy Whipple

II. Public Comment

Roberta Simon a mother to 18 adopted children and three children waiting to be adopted made comment regarding the recent changes to her children's services. She noted her family, who resides in rural Nevada, has been involved with NEIS for the last 22 years and have had great successes during that time. Three of her children currently should be receiving 27 hours of services a month combined. A NEIS representative informed her recently that due to budget cuts her children's hours would be reduced and she would likely have to drive to a facility for those services. She was given the option to use services in the private sector but choices are limited or nonexistent in rural Nevada. Ms. Simon stated her dilemma over the affect of reduced services on her children and how she would have to transport 13 children, two of whom are in wheelchairs and two who are in need of total care. She also questioned why NEIS was not honoring the law and her IFSP which she understood to be a contract between NEIS and her family. She also questions how NEIS can act above the law by reducing service hours and location without any warning or notice to the family. Ms. Simon concluded by thanking the ICC for their time to hear her concerns.

Lisa Cridland a parent of five children who all have special needs related on how the wait list has affected her two boys who were diagnosed with Autism. She stated her three girls did not have to wait for services and are progressing well. The boys however have had a long wait time and feels the wait has impaired their development. Ms. Cridland added it was after her persistence with NEIS that they received services from TMG which has made a big difference for her family.

Brenda Bledsoe stated three members of the public were present to offer comments but would like to do so during specific agenda items.

III. Approval of the Minutes from the January 20, 2011 Meeting and April 7, 2011 Meeting

Ms. West asked for comments or changes to the presented minutes. The following corrections were noted for the January 20 minutes:

- Within the first sentence on page 8 the word "on" should be "one" and there are two periods at the end of the sentence.
- Michelle Canning needs to shown as an appointed member.
- The spelling of Joyce Larsen's name needs to be corrected on the bottom of page 2.
- The word "air" should be "err" in the last paragraph on page 3 and the first sentence on the same page the word "families" should be "family's."
- On page 6 in the next to last paragraph an "o" is needed.

Corrections to the April minutes are:

- Joyce Larsen's name is spelled incorrectly on page 6 and the numbers formatting changes to roman numerals.
- Second paragraph, second line on page 7 needs "and early education" added following "after inclusion in child care."

MOTION: To approve minutes with the afore mentioned corrections.

BY: Jenny Casselman
SECOND: Johnette Oman
VOTE: Motion Passed

IV. New Member Introductions and Biographies

Ms. West stated this agenda item would be postponed to the next meeting due to the Governor's office not yet making the proposed member appointments. Wendy Whipple added Filiberto Ontiveros was appointed to the Developmental Disabilities (DD) Council by the Governor so he will not be joining the ICC. Another parent from the south has expressed interest in becoming a member of the ICC so Part C staff will pursue that lead in an attempt to fill the vacancy in the south quickly. Robin Kincaid asked Ms. Whipple to explain the appointment process for prospective parents. Ms. Whipple provided the process procedures adding the Governor's office makes the official appointment not the Part C office. She also noted the Governor's office has specific people they would like added to councils.

V. Health Division Updates

- **State Program Budget**
- **Community Program Budget**
- **Implications of Budget Cuts on Programs**
- **Elimination of Wait List**
- **New Health Division Policy for Efficiencies in Budget Process**

Mary Wherry presented the Health Division (HD) budget by comparing State Fiscal Years (SFY) 2010 through 2013. She explained how ARRA funds increased funding for a limited time without "carryover monies." Legislature addressed the wait list and lack of community providers by using these ARRA funds. Now with this funding gone and caseloads higher than projected, a short fall was created. Yvonne Brueggert inquired how this will affect the responsibilities under the maintenance of effort requirement in the ARRA grant. Ms. Wherry replied it was her understanding that HD does not have that requirement. Ms. Whipple remarked Part C of IDEA does not allow for a waiver for maintenance of effort. The criteria is to expend as much in the current budget as that of the previous year. HD fiscal is reviewing those figures to make sure SFY12 meets or exceeds what was expended in SFY11. This will not be an issue for SFY13.

Ms. Wherry discussed the changes legislature made to categories 12/13/14. These categories were a combination of contract dollars with 12 mostly going to state contractors' 13 being for community partners/private sector and some to the state; category 14 was 100% community partners. Legislature changed category 12 to strictly state contract dollars and category 14 is all private sector dollars. It was noted legislature made a commitment to continue the growth of private sector providers (those who have a provider agreement with the HD) which is reflected in the funding budgeted in SFY12 and 13.

Ms. Wherry explained the four options presented to Legislators by Legislative Council Bureau (LCB) staff to determine the final HD budget. The option chosen gives fiscal staff the authority to make adjustments of savings projected which are a result of "efficiencies" agencies identified to offset funding shortfalls. Early Intervention staff was asked to move to a more "clinical" service delivery model for therapy services; reduce travel and transportation costs; and to eliminate the wait list which will reduce

compensatory services by provides service more timely. Ms. Wherry addressed ICC members' concerns regarding federal natural environment requirements by stating the program will either be noncompliant with natural environment or timely services. It is her belief that providing timely services will provide the "efficiencies" needed to balance the limited resources and the wait list issues. She also believes Legislature made the decision that it is more important to them that children are served efficiently with the limited dollars available and timely. ICC members voiced more concerns about how IFSP's will be written (available services/funding versus a child's needs); whether services between private and public agencies will be equitable and how will families be notified of these differences. Ms Wherry answered these issues by saying IFSP's will still be handled by the multidisciplinary team (MDT) within each program. As for the program differences; it will be left up to each private provider whether they employ the same service model as the state. Parents would be notified of these deficiencies, if any, at the time of referral. Ms. Whipple asked what happens if these "efficiencies" do not save the level of money anticipated. Ms. Wherry replied she hopes fiscal staffs calculations will hold true.

Ms. Wherry reported the HD are in talks with two new providers who are interested in providing statewide services and have also learned that Easter Seals of Nevada (ESSN) have been approved by their board to expand their services statewide.

Ruth Miller, attorney from NDALC, inquired as to how the HD will handle and pay for complaints filed by families because of these changes within the HD. Ms. Wherry replied staff is expected to comply with requirements and funding could be moved between regions if needed to cover costs. She further explained changes to categories are decisions made by the IFC because budgets cannot be exceeded without their approval.

Libby Brown, an NEIS contracted physical therapist, stated she was told on July 8 that as of July 1 her hours were cut by 50%. This was a surprise and a huge burden for her and the families she works with. Her concerns are that she cannot provide services to the number of children on her caseload in the number of hours allocated; some of her clients are unable to come in to a clinic setting; savings by moving to a clinical service model will not be realized; and that the contract staff are having to discuss the implications of the budget shortfall with their families.

ICC members asked to have at the next meeting numbers be provided to them on the amount of compensatory hours owed, how many existing IFSP's there are and how many services from IFSP's will be affected by the changes to HD policies. Ms. Wherry noted that services were not be cut but provided in a different model.

Ms. Simon, the mom of 21 who spoke earlier added that her children's service hours have already been cut drastically and her family is in crisis. She believes the IFSP will be driven by the budget not by her children's needs. She is also disappointed by the lack of notice given by NEIS regarding the changes which have or will take place which directly affects how she can advocate for her children.

VI. Discussion of Native American role on the ICC

- **What role and activities did this position have in the past**

- **How can a link be re-established with early intervention and the tribes**

Agenda item tabled to next meeting.

VII. Annual Self-Assessment Reports of Early Intervention Providers

- **Report of compliance and noncompliance by program**
- **Presentation of Program Report Cards for SFY2010**
- **Nevada's Determination Status by OSEP**

Edie King summarized the finding and corrections reports for three of programs; Positively Kids, Integrated Support Solutions (ISS), and ESSN. Landia Morgan provided a finding and corrections reports summary for Therapy Management Group (TMG) and Nevada Early Intervention Services (NEIS) South programs. Brenda Bledsoe reported the finding and correction reports for Advanced Pediatric Therapies (APT), The Continuum, and NEIS-Northeast.

Ms. Whipple reported on the report cards for the programs noting these are posted on the website and this data is always reflective of the previous year not current data. She added the areas reported on are OSEP required and are to be publicly posted.

Ms. Whipple presented the OSEP determination letter which is sent to Michael Willden. Every state receives a letter of determination based on the APR which is submitted in February of each year. This year Nevada's determination was in the category of "Needs Assistance." The primary reasons for this was the ongoing noncompliance with the timely delivery of service indicator the inability to correct within in one year the noncompliance with the 45-day timeline. She is pleased Nevada did not fall into the "needs intervention" category. Based on the self-assessments the programs do, we know what needs to be worked on and the programs have done exemplary work to get to where they are. They should be commended for their hard work.

VIII. Update and Discussion on Virtual Home Visit Pilot

- **Northeast Region Update**
- **Health Division Use of Skype**

Martha Schott-Bernius reported the Northwest program is moving closer to using this technology than the Northeast. Ms. Wherry indicated the HD Office of information Technology (OIT) is in the process of configuring all HD programs hardware and software. Within the next couple of weeks the technology will be rolled out to the Carson, Reno, Fernley, and Lovelock areas. Hawthorne will be the next roll out location. Parents will have the choice of Skyping from their home. Nationwide programs are moving to the use of Skype for accessing families in the rural areas who are hundreds of miles from service providers. It is hoped using this technology will reduce travel time for staff, families and give families immediate access to therapists. Ms. Wherry noted DSs would still be going to families homes to reinforce what the therapists have trained and therapists would make intermittent home visits. She added for those families without a computer the HD has purchased iPads which families can borrow so they can have access to a therapist.

IX. Developmental Specialist Early Childhood Special Education Endorsement Update

- **Elimination of Provisional License and Creation of New Conditional License**
- **Update from Universities on Impact of Budget Cuts on Early Childhood Special Education Coursework and Graduates**

Ms. Whipple stated she included in the meeting packet the Early Intervention Conditional Endorsement document. This internal policy for endorsement was in place to ensure staff were continually moving forward in their coursework to obtain their license. However, due to the requirements for highly qualified staff in the no child left behind regulation, the Department of Education (DOE) eliminated this endorsement/provisional license. This created a problem for the staff that were in the process of applying for their endorsement and were told it no longer existed which then created issues for the programs. Dr. Nancy Sileo, an ICC member and a member of the Commission of Professional Standards with the DOE interceded on our behalf. A meeting was arranged to discuss this issue and the DOE was very responsive and receptive to our needs. The outcome of this meeting was a “conditional endorsement” process which will result in a “conditional temporary license” that is valid for only three years and nonrenewable. It will be issued to EI specialists and initiated by EI programs with tracking and oversight provided by the Part C staff specifically Ms. Whipple. This process will not go into effect until after there is a final agreement between the Part C office and the DOE. Ms. Whipple reported she would place this item back on the agenda for the next meeting and will report back on the question of whether this license will be able to transfer with the person if they move to another EI program with no lapse of time between employment.

X. Discussion of Creating Caseload Size Policy (*For Possible Action)

Ellen Richardson-Adams was unable to attend this meeting and asked for this item be put on a future agenda. Ms. Whipple invited ICC members interested in working on this policy to notify her and she would add them to the contact list.

XI. Legislative Follow-up on Bills Passed and the Impact on Early Intervention

- **Autism Bills AB315 and AB345**
- **Report from Autism Treatment Assistance Program Regarding Data Collection Criteria**

Ms. Whipple noted a handout was included in the packet which summarizes the Autism Bills AB315 and AB345. Ms. Bledsoe reported on behalf of Todd Butterworth. She described the process and timelines for developing the regulations ASD are charged with doing through these bills. The main issues are data collection/reporting and the referral process. For early intervention, it will include a requirement to use a standardized test in the evaluation of children suspected of having autism and will require these children to also be referred to ATAP.

XII. Updates and Highlights from Early Intervention Programs

The following programs had representatives present to discuss and answer questions regarding the activities their programs participated in since the last ICC meeting and detailed within their provided written reports:

Sally Cannon for Positively Kids
 Fatima Taylor for NEIS South
 Julie Beamus for APT

Martha Schott-Bernius for NEIS NE
Johnette Oman for NEIS NW

Edie King reported for ISS and noted ESSN did not provide an update. A written update was not provided by The Continuum but Brenda Bledsoe reported they had hosted an open house on caregiver resources in June with about 125 people estimated in attendance and they are in the process of implementing electronic health records.

XIII. The Nevada Commission on Services for Persons with Disabilities Meeting Update

- **Update on Legislation Affecting Persons with Disabilities**

This agenda item was tabled until the next meeting.

XIV. ICC Committees – Reports on Activities

- **Family Support Resource Committee (FSRC)**
 - i. **Biennium Parent Conference Update**

Ms. Brueggert reported a meeting was attempted to be held on July 14 but was unable to establish quorum so they unable to hold the meeting.

XV. Part C Information Reports

- **Complaint Matrix Review**
- **Technical Assistance Center on Social Emotional Interventions (TACSEI)**
- **Expanding Opportunities for Inclusion Project**
- **Review and Discuss Third Quarter State Fiscal Year 2011 Data Report**

Ms. Whipple reported complaint matrixes for 2011 and 2012 were provided. She noted the system complaint remains open and all but two in 2011 are closed. The two remaining open complaints are still within their timeframe for correction. The first complaint for the new 2012 fiscal year was just received and is in the investigation process.

Ms. Whipple informed the ICC of the three day TACSEI training of the Madre Cadre with regional trainers from around the state where they discussed who would be assisting with the program rollout. It is hoped all early intervention staff will be trained in the Pyramid Model for Behavior Support for Children. This, however, is an initiative bigger than just early intervention; it affects all early childhood programs across the state. They are looking at how to implement the model statewide to help support children in healthy relationships.

Ms. Manning described the Expanding Opportunities for Inclusion Project. This is a collaborative initiative from OSEP Part C and Part D, Head Start collaborative Office and the UCED. The two latter being the driving force behind it. This initiative is for children from birth to five. She spoke of how she and Ms. King attend a workshop last spring where the process for building a state team began. A drafted vision and mission statement were put together. Ms. King reported other state teams are further along in the process than Nevada. There is still a need for participants especially family representatives.

Cissy Garic provided a brief overview of the third quarter data report noting the time period for the report was January to March 2011. Ms. Whipple added fourth quarter data is being compiled and in April there were 500 referrals which is one of the highest numbers for the entire year. This shows referrals are not shrinking and projections are accurate.

XVI. Consider Agenda Items for the Next Meeting (*For Possible Action)

The following issues were suggested for possible agenda items for the October face-to-face meeting.

- New member introductions
- Native American discussion
- DD Council and CSPD Updates from Sherry Manning (standing agenda items)
- Skype Update for the rural areas
- University cuts/impacts
- Conditional endorsement to finalize, caseloads, strategic plan for the ICC
- Updates on Compensatory services, Clinical setting services and service coordination training
- Health Division update on implication of budget cuts on programs
- ICC to consider writing a letter of concern regarding budget reductions to programs.

XVII. Schedule Future Meetings

- October 20, 2011
This meeting will be a face-to-face meeting in Las Vegas at the Department of Education building and video conferencing will not be provided.
- January 19, 2012
- April 19, 2011

XVIII. Public Comment

No comments were given at this time.

XIX. Adjournment

Meeting adjourned at 2:35 in the afternoon.