

Governmental Affairs Brief

June 2010

- **Special Session on Budget (House Bill 1)**
 - Supports for Community Living Slots
 - *Included in the above appropriation is \$1,896,700 in General Fund moneys and \$5,983,300 in Federal funds to support 200 additional Supports for Community Living slots in fiscal year 2010-2011 and \$6,774,000 in General Fund moneys and \$16,986,00 in Federal Funds to support 200 additional Supports for Community Living slots in fiscal year 2011-2012 for a total of 400 additional slots over the 2010-2012 biennium.*
 - *Note: Total appropriation is \$31,640,000. Which is \$360,000. Less than what was proposed by the Governor and House in the 2010 Regular Session. Still, all things considered, our constituency is fairing better than most.
- Mental Health (including Developmental/Intellectual Disabilities) Services were held harmless by this budget.

Caveat: The KY Budget is premised on the expectation of over \$200 million in Enhanced Federal Matching funds for Medicaid. To date, Congress has failed to pass the FMAP extension funding which is scheduled to expire on December 2010.

Thus, in the second half of the next Fiscal Year the Commonwealth could experience yet another serious shortfall in the Medicaid budget.

On a positive note, Mary Lassiter (Governor's Budget Director) reports that tax receipts are slowly improving and she expects that trend to continue.

- **HELP NOW**
 - Our advocacy before the Metro Council was successful and most of the funding cut by the Mayor's budget was reinstated. \$9300. Was cut and \$8300 was restored. I am grateful to our Board and Staff members who contacted their Council members. It makes a difference. Our plan is to promote the positive outcomes of HELP NOW throughout the year, utilizing families who are willing to help us advocate long before the Mayor's budget is presented next year.

- SCL Waiver RE-write;
 - The Dept for Medicaid services has submitted it's proposed waiver amendments to the Federal govt.. We have submitted comments prior to this submission and will likely continue to do so. Frankly, having the opportunity to review the Waiver after it is submitted to CMS is rather superfluous. We can try to impact the regulatory process, when that begins. And if there are truly onerous amendments perhaps we can appeal directly to CMS.

- Protection & Transparency
 - We have encouraged Secretary Miller to submit a letter of intent related to planning for a National Background Check program. The Feds are offering States \$1 million for planning purposes. And up to \$3 million for implementation of the program. This would seem to achieve the purposes of our proposed Adult Abuse Registry without the necessity of legislation. Also, it would be more comprehensive as it uses the FBI fingerprint database and requires checking of abuse/neglect records among all existing State databases.
Senator Denton agreed to help us advocate for Kentucky's participation.

The requests to the Legislature's Program Review & Investigations Committee have been submitted. It was requested that the Committee conduct a complete review of the Adult Protection Services system in KY. And our efforts to pass the Abuse Registry were referenced. No word yet...

The Council's Board approved our strategy to convene a Task Force on Protection & Transparency. Judges, attorneys, advocates, and families have already indicated an interest in serving. We hope to have our recommendations ready to publish in six months.

The Council's Board also approved, if necessary, filing in Franklin Circuit Court a challenge to the Cabinet's violation of the Open Records Act, especially as it relates to individual Wards of the State who have died while being placed in SCL settings. One objective is to compel a more credible Mortality Review process and to afford the Council access to records to assist in our advocacy and, of course, to better protect people w/ developmental disabilities.

- **Governmental Affairs Symposium**
 - Our Keynote has been secured: Valerie Bradley. Biographical information below:

Ms. Bradley, who has a lifelong interest in public policy, has guided the Institute since its inception in 1976 to become a leading resource for public managers in human services across the country. After getting her Masters in Political Science at the Eagleton Institute of Politics, she began her work in the 1960s as a staffer to the California Assembly where she contributed to the development of landmark legislation in mental health and developmental disabilities. Her interest in reform has been manifest by her involvement in a number of important issues including quality improvement, family support, deinstitutionalization, and performance measurement. In the mid 1970s, Ms. Bradley authored a book on deinstitutionalization which began her decades long interest in the adoption of policies that would move people out of large custodial institutions. Most notably, Ms. Bradley was the co-director of the Pennhurst Longitudinal Study - a five year study of the ultimate closure of Pennhurst State Center in Pennsylvania. She has also been concerned with the quality of community services and supports, and that concern led to her explore best practices in quality improvement around the country, to work with individual states to enrich their quality assurance systems, to edit two volumes on quality assurance, and more recently - and for the past decade, to her work with the Centers for Medicare and Medicaid Services as a provider of technical assistance to state waiver managers.

In the 1980s, Ms Bradley and her colleagues worked to amplify the voices of families with children with disabilities in the formation of public policy. With support from the Administration on Developmental Disabilities and the U.S. Department of Education, Ms. Bradley led efforts to organize families in a number of states to initiate legislation that established flexible and family centered community supports. More recently, Ms. Bradley helped the Institute to forge important collaborations - the most important of which is with the National Association of State Directors of Developmental Disabilities. This partnership has resulted in the creation of National Core Indicators - a performance measurement system that facilitates state by state comparisons and that has generated perhaps the largest database of individuals with intellectual and developmental disabilities in the country if not internationally.

Ms. Bradley has also made contributions beyond her work at the Institute including as the Chair of the President's Committee on People with Intellectual Disabilities under President Clinton, and as President of the American Association on Intellectual and Developmental Disabilities. She has received numerous awards including the Compass Award from the National Association of State Directors of Developmental Disabilities Services.