

Illinois Department of Public Health
Office of Health Care Regulation

**Developmentally Disabled Facility Advisory Board Meeting
November 8, 2017 • 10 a.m.**

APPROVED MINUTES

I. Call to Order and Introductions

Darlene Harney called the meeting to order and introductions were made. A quorum was established during the meeting.

Members Present: Marie Rucker (proxy for Michael Bibo), Patricia Perez (proxy for Fabricio Balcazar), Lois Sheaffer-Kramer, Deborah Kennedy, Dr. Geunyeong Pyo, and Jeff Stauter

Members Not Present: Nancy Andrade, Susan Fonfa, Dale Simpson, and Anne Fitz

IDPH Representatives: Darlene Harney, Daniel Levad, George Logan, Sean Dailey, Henry Kowalenko, Sherry Barr, Lisa Griffith, and Jason Grigsby

Guests: Bill Bell, Marie Rucker, Patricia Perez, and Sarah Myerscough-Mueller

II. Approve meeting minutes

The draft minutes of August 10, 2016, November 9, 2016, February 8, 2017, May 10, 2017, and August 9, 2017 were reviewed. A motion was made to approve the minutes as presented, 2nd and motion was unanimously carried.

III. Membership Update

a. New Members introduced:

Jeffrey Stauter (Provider Association Member)
Fabricio Balcazar (Public Member)
Deborah Kennedy (Advocacy/Legal Assistance Member)

b. Membership vacancies:

(1) Physician Member
(1) Resident Advisory Council Member

c. Expired terms – n/a

Darlene Harney reminded the board members to please provide a proxy for the meeting if a member cannot attend or call into the meeting so the board can obtain a quorum since there are now enough members.

I. Old Business

a. Rulemaking – (77 IAC 350 SSNs, 77 IAC 390 SSNs)

1. Sean Dailey reviewed status of the rulemaking on Part 350 and 390
 - A. Rules needed updated for the requirement of Owners to submit their SSN
 - B. SSN requirement conflicts with other state laws
 - C. Eliminating the requirement for the need of SSN in 350 Section B1 and 390 Section B4
 - D. Updated the statutory language
2. Board members shared their questions and concerns to these proposed changes.
 - A. Language is a little awkward and needs cleaned up in the ownership disclosure

- i. Sean Dailey stated the language was modified already in other boards and can do it with this board as well.

A Motion to vote by Deborah Kennedy was made and Marie Rucker 2nd the vote. Motion was unanimously carried.

A Motion was made to move forward by Marie Rucker with the changes as discussed, Deborah Kennedy 2nd and it was unanimously carried.

- b. Rulemaking – (77 IAC 395 Ratios)
 1. Sean Dailey reviewed rulemaking on Part 395
 - A. Sub-section E – change from 15-1 students to 16-1 students
 - B. Clinicals are 8-1 so needs to move to 16-1 to make sense
 - C. Previously received “YES” vote on LTC board and it needs to have two Boards
 2. Board members had no comments/questions.

A Motion to approve was made, 2nd, and motion was unanimously carried.

- c. Informed Consent for Psychotropic Medication Form
 1. Darlene Harney stated any comments/recommendations to send to Jason Grigsby by 12/29/17 so they can be reviewed by the department.
 2. Board members shared their questions and concerns with the form.
 - A. Dr. Pyo questioned if it was for the guardian or individual; assent/consent
 - i. Board members commented the form is for both guardian and individual
 - B. Board Members stated form is patterned after Mental Health code and it is appropriate
 - C. Bill Bell reviewed Section 2-106.1 from the ID/DD Community Care Act; asking if there needs to be rules along with the form
 - i. George Logan stated needs to be rules along with the consent form; develop protocols; reasoning behind the questions and the consent form
 - ii. Dan Levad stated outlined in state/federal requirements on certification rules on DD elements; guidelines used for annual surveys
- d. Follow up on Potential Error from the Annual Report – page 37
 1. Darlene Harney stated that it was reviewed with the fiscal manager - Stu Thompson. The area of concern was for FY16 expenditures for 7/1/15 – 6/30/16. The number is correct; it covers expenditures including interns, facilities, management, statistical services, telephone equipment, and office supplies.

II. New Business

- a. Emergency Preparedness Rules
 1. Henry Kowalenko presented the new CMS Emergency Preparedness Rules
 - A. Implementation of the rules was one year ago
 - B. The rules will be enforced on November 15, 2017
 - C. Developed by CMS; consistent, standard rule for their facility
 - D. Apply to 17 provider types
 - E. Plan has to be taken into account for all hazard approach; each facility would do an assessment of hazards they would face in their location
 - i. Risk assessment and develop an emergency plan
 - ii. Policy and Procedures to implement plan
 - iii. Communication Plan
 - iv. Training and Exercise; twice a year training; table top and drill; updated annually
 - F. There will be E-tags that surveyors will start reviewing 11/15/17
 - G. All the information is available on CMS website
 2. Bill Bell asked about a federal survey/certification letter about phase II requirements on postponing enforcement action for a year with no fines/penalties. Have you heard anything similar with the emergency preparedness requirements?
 - A. Henry Kowalenko stated he has not heard anything on it; no waivers or postponement but he

is trying to clear up if it is for annual surveys

A motion was made to adjourn and it was 2nd; meeting adjourned

III. Meeting:

- 1) Next Board Meeting is February 7, 2018 at 10:00 am
- 2) Agenda items to Connie Jensen, connie.jenson@illinois.gov by January 22, 2018.
- 3) Confirm attendance (or designated proxy) via email to Jason Grigsby, jason.grigsby@illinois.gov by February 1, 2018.
- 4) Agenda items will be sent to the Board two weeks prior to the meeting date.

Videoconference locations

122 S. Michigan Ave., Room 711, Chicago
525 W. Jefferson St., 4th floor, Springfield
5415 N. University St., Peoria