

VIRGINIA BRAIN INJURY COUNCIL MEETING

MINUTES

Friday, July 27, 2012 ♦ 1:00-4:00 p.m.

Members Present:

Jeffrey Barth, Ph.D.	University of Virginia School of Medicine
Heather Board	Virginia Department of Health
Gayl Brunk	Valley Associates for Independent Living
John Butrick	Survivor
Susan Elmore	Virginia Dept of Behavioral Health & Developmental Services
Lynn Forsyth	Family Member
Melissa Fox, DPT	University of Virginia Health System
Aaron Goldmann	Survivor, Commissioner's Designee
Patricia Goodall	Virginia Department for Aging and Rehabilitative Services
John Heath	Federal TBI Grant Family Ombudsman
Jocelyn Johnson	Survivor
Kathleen Lawson	Virginia Board for People with Disabilities
Cynthia Millican	Family Member
Anne McDonnell	Brain Injury Association of Virginia
Cynthia O'Donoghue, Ph.D.	James Madison University
Jodi Power, RN, JD	Virginia Nursing Board
Gerald Showalter, Psy.D.	Woodrow Wilson Rehabilitation Center
Brian Shenal, Ph.D.	Salem Veterans Administration Medical Center
Leigh Wion (Secretary)	Virginia NeuroCare
Debbie Pfeiffer, Ed.D.	Virginia Department of Education
Chuck Walsh	Middle Peninsula Community Services Board

Members Absent:

Carole Norton, Ph.D.	Mary Buckley Foundation
Martha Mead	Virginia Wounded Warrior Program
Michelle Nichols, R.N.	Defense and Veterans Brain Injury Center
Mark Salisbury (Chair)	Family Member
Paul Sharpe, R.N.	Virginia Department of Health
Jeff Sherman	Virginia Department of Juvenile Justice
Barbara Seymour	Virginia Department of Medical Assistance Services
Julie Triplett	Virginia Office for Protection and Advocacy
Michelle Witt	Virginia Alliance of Brain Injury Service Providers

Others in Attendance:

Karen Brown	Brain Injury Services, Inc.
Kristie Chamberlain (Staff)	Department for Aging and Rehabilitative Services
Mary Margaret Cash	Virginia Department for Aging Rehabilitative Services
Kristy Joplin	Brain Injury Association of Virginia
Vanessa Rakestraw	Department for Aging and Rehabilitative Services
James Rothrock	Commissioner, Department for Aging and Rehabilitative Services
Mary Wallace	Brain Injury Association of Virginia
Kelli Williams-Gary	Virginia Commonwealth University
Lynn Yntema	Brain Injury Services Southwest Virginia

Opening Protocol

At 1:10 p.m., in the absence of the Chair, Mark Salisbury, Brian Shenal, Ph.D., Vice Chair, called to order the quarterly meeting of the Virginia Brain Injury Council at the Virginia Department for Aging and Rehabilitative Services Offices in Richmond. Members and guests introduced themselves. Dr. Shenal recognized and welcomed Jocelyn Johnson as the newest member to the Council.

Approval of July 27, 2012 Meeting Agenda

Dr. Shenal called for approval of the meeting agenda. Patti Goodall requested that the proposed agenda be revised to read “DOJ Settlement” vs. DJJ Settlement and that a new topic, “DJJ Summit” be added to the agenda. **Jeff Barth, Ph.D., made a motion to approve the revised agenda; Jodi Powers seconded the motion. The motion passed unanimously.**

Approval of April 27, 2012 Meeting Minutes

Melissa Fox made a motion that the April 27, 2012 Meeting Minutes be approved as written; Anne McDonnell seconded. The motion passed unanimously.

Public Comment Period

Karen Brown, Brain Injury Services, Inc., announced that Dr. Jeffrey Barth, a Commissioner’s Designee on the Council, received the “Mitch Rosenthal Honoree” award at the 2012 Williamsburg Brain Injury Rehabilitation Conference.

Debbie Pfeiffer, advisory Council member from the Virginia Department of Education, announced that the Department of Education had completed another new three day training of Traumatic Brain Injury (TBI) Resource Teams. There are now 91 people trained across the state.

DARS Commissioner’s Update-Jim Rothrock

Commissioner James Rothrock first asked if Council members had any questions for him. Anne McDonnell, Chair of the Council’s Priorities Committee, thanked Commissioner Rothrock for coming to the meeting despite the recent increase in his responsibilities resulting from the merging of two agencies. Anne said that the Council had been discussing its annual priorities letter and was aware that agencies begin developing their budgets in August. She asked that the priority areas identified in the Priorities Letter be included in the DARS budget request. She noted that he would be receiving the Council’s Priorities Letter once Council approved the language. Commissioner Rothrock offered that he had not yet received any guidance from Governor McDonnell on this year’s budget development but that he would be preparing a document for Secretary Hazel. He suggested taking advantage of the upcoming Disability Commission meeting on August 22, 2012 and the Work Group on Publicly Funded Services by sharing the Council’s priority areas with that group.

Commissioner Rothrock offered the following in comments:

1. The agency is working on the need for a new case management system for the brain injury services contractors and has recognized and been trying to address this need for many years—the problem has been that there has not been any dedicated funding available to build a new system. The Department for Aging and Rehabilitative Services is utilizing the “No Wrong Door” program (PeerPlace) and there is a meeting scheduled on August 30, 2012 to preview this system to determine if it would be address the brain injury community’s needs.
2. The U.S. Department of Justice (DOJ) Settlement related to the *Americans with Disabilities Act (ADA)* and the 1999 Supreme Court decision in the *Olmstead* case is still in a pending status. The Commissioner understands the Council is eager to learn how the settlement will impact Virginians with brain injury. The Commissioner suggested that the Council invite Heidi Dix, the Assistant Commissioner at the Department of Behavioral Health and Developmental Services who is the

Commonwealth's point person or another designee from Behavioral Health or the Secretary's office to update the Council on the Department of Justice settlement. Details will continue to unfold in the next year as the agreement is still not signed by all parties.

Commissioner Rothrock recognized the grassroots efforts of the BIS programs in protecting the BIS dedicated funding for FY '13, as no cuts were experienced.

3. New Agency as of July 1, 2012 – Department of Aging and Rehabilitative Services (DARS)
The new agency has added 25 Area Agencies on Aging (AAA). Services provided by the AAAs include case management, in-home services, activities programs, senior centers, meal delivery, guardianship for 600 Virginians, and specially funded programs. In July 2013, Adult Protective Services (APS), which serves about 70% aging and 30% adults with disabilities - and the auxiliary grant program - will migrate to DARS. The delivery of services will continue to be provided by the local governments with oversight and administration from DARS. There are still a few issues to work out such as IT systems communicating with each other.
4. In June, the Department for Aging and Rehabilitative Services (DARS) held a board/council officer leadership meeting for Chairs/Vice-Chairs under the DARS umbrella to come together to meet and share the role of their boards/councils and to learn some new tricks with parliamentary procedures. Feedback from participants has been consistently positive and DARS plans to continue to sponsor this meeting.

New Business

Report from Vice Chair on Commissioner's Leadership Meeting in June 2012 –Brian Shenal, Ph.D., Vice-Chair

Dr. Shenal reported that the DARS board/council leadership meeting mentioned by Commissioner Rothrock was an opportunity for interaction and communication between boards/council officers under the Department for Aging and Rehabilitative Services umbrella. Dr. Shenal shared some aspects he found most useful from the meeting pertaining to parliamentary procedure:

- The use of “if there are no objections, then this motion is approved” as an acceptable procedure to keep meetings running smoothly. This procedure is then recorded as an anonymous vote. This procedure is not used when a motion requires a majority or 2/3 vote.
- If a motion is seconded, this does not mean that the person who seconded supports the motion, but it is intended to move the motion into the discussion phase.
- Agenda times are usually not recommended.
- Old Business should be titled Unfinished Business.

Appointment of Nominations & Elections Committee- Brian Shenal, Ph.D. Vice-Chair

Dr. Shenal requested Council volunteers to serve on a Nominations and Elections Committee to fill the following Council positions:

Officer Elections to be held October 26, 2012

Opening Positions: *nominated by all Council members, but only voting Council members are eligible

Chair (2 year term, effective January 2013)

Secretary (1 year term, effective January 2013)

At-Large Member Elections to be held January 2013

Opening At-Large Member positions: *Folks outside the Council are nominated by any current Council members

At-Large Members (3 year term, effective April 1, 2013)

(1 family member & 1 professional, expiring 3/30/2016)

Dr. Shenal reminded Council members that officer *nominations* are solicited from both voting and non-voting members of the Council, but *candidates* for officer positions must be voting members. For officer positions, the Council votes on a slate (consisting of one suggested candidate for each open position) developed by the Nominations and Elections Committee. The officer positions are effective at the January meeting.

At-Large nominations are solicited from both voting and non-voting members of the Council. For the open at-large positions, the Council votes on a slate developed by the Nominations and Elections Committee. The Commissioner makes final appointment to the Council, using the slate as a guide and at his discretion.

The following Council members volunteered to serve on the Nominations & Elections Committee: Cyndi O'Donoghue (Chair), Jodi Powers, Cynthia Millican, Melissa Fox, and John Heath.

DARS Vocational Rehabilitation (VR) Presentation-Vanessa Rakestraw, Ph.D., CRC – Policy Analyst
Vanessa Rakestraw of DARS Office of Policy & Planning presented on the federal/state Vocational Rehabilitation process. Council members asked questions about the following topics and Dr. Rakestraw responded:

- Order of Selection:
 - When Virginia DARS does not have enough money to serve all eligible individuals, it must implement an order of selection according to federal regulations. Under an order of selection, eligible individuals are placed into one of four priority categories. Regulations require those with the most significant disabilities be served first. A persons with a brain injury may be placed in any one of the four categories, depending upon his functional limitations and service requirements.
- Financial Participation:
 - DARS considers the financial need of individuals in determining the provision of VR services. However, some select services are exempt from financial participation. Also, individuals receiving Temporary Assistance to Needy Families (TANF), General Relief, Supplemental Security Income (SSI), or cash benefits from Social Security Disability Insurance (SSDI) as the claimant or as disabled adult child of retired, disabled, or deceased parent are exempt from financial participation.
- Neuropsychological testing:
 - Neuropsychological testing may be provided by DARS if it is needed in order to determine eligibility for the VR program or to plan VR services for the individual.
- Interfacing with the Educational System:
 - It is inaccurate to state that the VR case of a student in transition cannot be opened until the senior year. A VR case can be opened on a client as young as 14 years old if there are services that VR can provide that will lead to employment. Policy guidelines pertaining to taking applications on students still in secondary school exist in the Policy and Procedures manual which can be viewed online at <http://www.vadrs.org/frsmanual.asp>

Vanessa offered to respond to any other questions that Council members may have and she provided her e-mail address to members (Vanessa.rakestraw@dars.virginia.gov).

Old Business

Priorities Committee Letter & Vote-Anne McDonnell, Committee Chair

The Priorities Committee consisted of Anne McDonnell (Chair), Aaron Goldmann, Debbie Pfeiffer, Chuck Walsh & Michelle Witt. The committee received a 56% response rate to the Survey Monkey instrument that was sent out for ranking of priorities suggested by Council members at the April 27, 2012 Council meeting. There was a clear delineation of the top choices and those were in line with what Council members wrote on the sheets from last meeting.

Brain Injury Waiver

Expansion of Core Services
Neurobehavioral /Outcome Management

Per the Commissioner's suggestion, Anne requested the Council consider providing a copy of the Priorities letter to the Disability Commission and shared that the Brain Injury Association of Virginia (BIAV) and the Alliance for Brain Injury Service Providers (Alliance) legislative agenda matches the Council's top priorities.

Jeff Barth, Ph.D. made a motion to approve the letter as written. Jodi Powers seconded the motion. In the discussion of the motion, Patti Goodall added that the Council consider amendment of the letter to note the past reaction of the Disability Commission to the Department of Medical Assistance Services (DMAS) presentation regarding the need of a brain injury waiver versus inclusion of brain injury as part of a future Universal Waiver. At that meeting, a member of the Disability Commission was pushing for a universal waiver vs. a specific brain injury waiver. Ms. Goodall suggested modification of the letter to reference that though the wish is for a universal waiver, until such a waiver is created, the need for a brain injury specific waiver still exists. Jeff Barth and Jodi Powers both accepted the friendly amendment. The motion passed for Anne McDonnell as Priorities Chair to work with Council staff to amend and send a revised letter to the Commissioner.

John Heath made a motion to send a copy of the revised letter to the Disability Commission. Cynthia Millican seconded the motion. The motion passed unanimously.

Dr. Shenal thanked the committee for their hard work on this project.

The U.S. Department of Justice Settlement Update –

Council asked Commissioner Rothrock to advise them on the best way to approach the Department of Behavioral Health and Developmental Services (DBHDS) to request a presentation and clarification of the terms and conditions of the U.S. Department of Justice settlement with the Commonwealth of Virginia to move targeted groups out of Virginia's state facilities into community settings. Council would like to better understand the ramifications of how it may affect the brain injury community. The Commissioner stated that he would be willing to send a letter to Commissioner Stewart on behalf of the Council, asking that someone from DBHDS (either Heidi Dix or someone designated by Commissioner Stewart) attend the October or January 2013 Council meeting. Staff will draft a letter for Commissioner's signature.

DARS Federal TBI Grant Activity: Virginia Collaborative Policy Summit on Brain Injury and Juvenile Justice –Patti Goodall & Anne McDonnell

DARS subcontractor, Brain Injury Association of Virginia, coordinated the June 2012 Virginia Collaborative Policy Summit on Brain Injury and Juvenile Justice. There were 30 participants representing five states (Minnesota, Nebraska, Texas Utah & Virginia), including researchers; state agency staff; and advocacy professionals. The Policy Summit provided a unique opportunity for attendees to discuss each state's policies and practices for identification, diagnosis, and treatment of brain injury among youth entering the juvenile justice system. States also reported on their successes, challenges, and results to date. A summary document of the two day meeting will be distributed at a later date. DARS' Federal TBI Grant Officer, Rebecca Desrochers, also attended and provided very positive feedback. The written evaluations were outstanding and, in fact, Texas offered to coordinate and pay for a follow-up summit next year (Virginia paid for three individuals from each state to attend this Summit, using Federal TBI Grant funding). Commissioner Rothrock presented the DARS "Brain Injury Champion Award" to Delegate Jim Scott for his continuous contributions and attention to the issues of brain injury among incarcerated juveniles.

Needs Assessment/Action Plan Update

The Department for Aging and Rehabilitative Services (DARS) executed a one-year contract with Virginia Commonwealth University's Survey, Evaluation and Research Lab (SERL) to conduct a statewide survey to determine the gaps and barriers in services for caregivers and individuals with TBI's and other brain injuries.

SERL will be using a mixed methods approach in conducting the assessment (i.e., “mixing” or combining quantitative and qualitative research techniques, methods, approaches, concepts or language into a single study. The use of a mixed- method approach strengthens the validity of results and allows for a better understanding of results by using multiple sources of data). DARS and its Federal grant subcontractor, the Brain Injury Association of Virginia, have been working with SERL on content, target populations for delivery of the survey and implementation options (web-based, mail, phone, etc.).

Currently, SERL is working on the steps needed to conduct focus groups (of 8-10 participants) in each of the five health planning regions, to guide the creation of the survey. For implementation of the focus groups, SERL is creating a facilitator's manual, which includes facilitator guidelines and focus group scripts. Focus group recruitment will occur through contacting organizations, groups, and individuals within each of the regions. Please send contact information to Kristie Chamberlain if you know of anyone who may be interested in being a part of the focus groups. SERL has also been busy recruiting individuals to serve as advisory committee to the project. The Virginia Brain Injury Council will have representation on the Advisory Committee by Mark Salisbury (current Chair) and Kelli Williams-Gary (a past member & officer).

Closing Protocol – Dr. Shenal, Vice Chair

Dr. Shenal reminded Council members that the next meeting in October would be held at WWRC in Fishersville. The dates for 2013 meetings are:

§ 2012: October 26, 2012*

*Woodrow Wilson Rehabilitation Center, Fishersville

§ 2013: January 25, 2013; April 26, 2013; July 26, 2013; October 25, 2013*

*October meeting is generally held at WWRC, Fishersville

Adjournment of meeting

Cynthia O’Donoghue made the motion to adjourn; seconded by Cynthia Millican. The meeting adjourned at 3:35 p.m.

Department for Aging and Rehabilitative Services (DARS)
Federal Traumatic Brain Injury Grant Report: “Closing the Gap”
Virginia Brain Injury Council (VBIC)
Friday July 27, 2012

QUARTERLY HIGHLIGHTS

Statewide Needs & Resources Assessment: The Department for Aging and Rehabilitative Services (DARS) executed a one-year contract with Virginia Commonwealth University’s Survey, Evaluation and Research Lab (SERL) to conduct a statewide survey to assess the service needs and barriers of individuals with acquired brain injury (ABI) and their family members / caregivers. SERL will use a mixed methods approach in conducting the assessment (i.e., “mixing” or combining quantitative and qualitative research techniques, methods, approaches, concepts or language into a single study). DARS and its Federal grant subcontractor, the Brain Injury Association of Virginia, have been working with SERL on content, target populations, and delivery options (web-based, mail, etc.).

Currently SERL is:

- Preparing to conduct focus groups in each of the five health planning regions. The results of the focus groups will guide the creation of the survey. For implementation of the focus groups, SERL is creating a facilitator's manual, which includes guidelines and scripts. DARS and BIAV are assisting with recruitment for focus group by helping to identify organizations, groups, and individuals within each of the regions.
- Obtaining Internal Review Board (IRB) approval from both Virginia Commonwealth University and the Department for Aging and Rehabilitative Services.
- Developing Advisory Committee to assist with the project; finalizing recruitment and setting initial meeting time.

Virginia Collaborative Policy Summit on Brain Injury and Juvenile Justice: DRS Federal grant subcontractor, Brain Injury Association of Virginia (BIAV), coordinated a very successful two-day *Collaborative Policy Summit on Brain Injury and Juvenile Justice* in Richmond on June 13-14, 2012. The national meeting brought together Federal Grant related Health Resources and Services Administration (HRSA) staff, researchers, state agency stakeholders, and advocacy professionals from Virginia, Texas, Nebraska, Utah, and Minnesota, all states currently studying this population (MN is studying the adult population). The *Policy Summit* provided a unique opportunity for attendees to discuss each state’s policies and practices for identification, diagnosis, and treatment, as well as their successes, challenges, and results to date. A summary document, created by facilitators from VCU, describing challenges, discussions, plans, and recommendations is currently under review by DARS and BIAV and will be distributed at a later date.

Performance Report for Year Three (4/1/11 – 3/31/12): DARS and BIAV been preparing the Year 3 Performance Report which is due to Federal HRSA office on July 31, 2012.

Subcontractors of the Federal Grant: The Brain Injury Association of Virginia and Virginia Commonwealth University (working with the Dept. of Juvenile Justice) will present updates on their Federal TBI Grant activities in separate reports.

SUBCONTRACTOR: BRAIN INJURY ASSOCIATION OF VIRGINIA

Year Four, Quarter One Report

Target Group #1: Juveniles with brain injury committed to the Virginia Department of Juvenile Justice

Systems Change

- Coordinated national Policy Summit bringing together reps from other states (TX, MN, UT, NE) with similar projects to discuss successes and challenges and brainstorm on topics including: screening/evaluation; treatment/intervention; education/outreach; and policy initiatives.

Education

- Produced 4-part video series to train DJJ staff on brain injury; Topics include: Introduction to Brain Injury; Project Overview; Behavioral Implications and Strategies – Parts 1 & 2.
- VCU & DJJ staff approved usage of BIAV's Professional's Guide as appropriate educational materials for staff. Other info sheets to be developed; considering topic sheets for Behavioral Issues, Project Overview/Results, Screening/Evaluations, and Communication.

Targeted Group #2: Persons with Low Socioeconomic Resources

Systems Change

- DMAS requested by BIAV to resume workgroup; was told a date would be arranged.

Data Collection

- Received 209 contacts to I&R program (166 survivors/family; 43 professionals); barriers indicative of LSES were reported 38 times; 9 reported being a member of a minority population.
- Exploring options for further data-mining of VSTR information.

Education

- Exhibited at Annual Health & Safety Day at Children's Hospital; distributed info packets to 53 elementary school classes.

Targeted Area: Infrastructure Expansion

Systems Change

- DRS finalized contract with VCU's Survey & Evaluation Research Lab (SERL), who will conduct the assessment; DRS & BIAV provided guidance to SERL on appropriate questions, target populations, and delivery mechanisms.

Education

- Website: Total visits 7,430; Unique visits 6,297; Page Views 12,507; Docs downloaded 1,735.
- Newsletter: 1,186 mailed
- E-Newsletter: 220 e-mailed
- Facebook: 639 Fans

SUBCONTRACTOR: VCU's Department of Physical Medicine and Rehabilitation
Commonwealth Neurotrauma Initiative (CNI) Trust Fund Grant #10-168
"Best Practices for Incarcerated Youth with Brain Injury Project"

A partnership between VCU's Department of Physical Medicine and Rehabilitation, the Virginia Department of Juvenile Justice, and the Brain Injury Association of Virginia

***Cash match to the Department for Aging and Rehabilitative Services**

HRSA TBI Federal Grant / Federal Grant Deliverable

Primary Investigator: Jeffrey S. Kreutzer, Ph. D. (VCU)

Project Coordinator: Stephanie Lichiello (VCU)

Project Accomplishments:

- ∇ VCU collaborated with the Brain Injury Association of Virginia (BIAV) to create a series of short videos educate front-line staff working for the Virginia Department of Juvenile Justice about brain injury. The videos were shot on May 8, 2012 at Park Group Productions studio and included the following:
 - Video 1: Introduction to Brain Injury, Dr. Gregory O'Shanick
 - Video 2: Overview of Virginia's Project to Identify Brain Injury among Incarcerated Youth, Dr. Jeffrey Kreutzer
 - Video 3: Behavioral Implications and Strategies for Adolescents with Brain Injury, Dr. Harvey Jacobs

The videos are currently available for public viewing on the BIAV YouTube website:
<http://www.youtube.com/user/biavirginia>

- ∇ The Virginia Department of Health held an Injury and Violence Prevention Symposium on June 5, 2012. VCU Research Associate, Dr. Nancy Hsu, gave an overview of the CNI grant and a summary of the current findings during a 60-minute session.
- ∇ VCU collaborated with The Virginia Department of Rehabilitative Services and the Brain Injury Association of Virginia to implement a national two-day Collaborative Policy Summit on Brain Injury and Juvenile Justice on June 13-14, 2012.
 - Attendees, including HRSA staff, leading researchers, state agency stakeholders, and advocacy professionals came from five states: Utah, Nebraska, Texas, Minnesota, and Virginia. Each state presented on current projects and future plans related to juvenile TBI. Ideas on future direction were shared by the attendees.
 - As part of the summit, Dr. Jeffrey Kreutzer gave a series of presentations about the CNI grant including Project Overview, Identification and Screening Procedures (regarding participant assessment), and Results to Date.
- ∇ The complete dataset for the CNI project contains a total of 667 participants and is in the process of being analyzed.
- ∇ The CNI grant formally ended on June 30, 2012.