

Virginia Brain Injury Council Meeting
Meeting Minutes
October 24, 2008

Members Present:

Theresa Ashberry
Scott Bender, Ph.D.
Helen Butler, R.N.
Kelli Williams Gary, Ph.D.
Anne McDonnell, MPA, OTR/L
Carole Norton, Ph.D.
Patricia Goodall, Ed.S
Lisa Garver, MA, NCC, CBIS
Victoria Harding, MBA, MS, CCC-SLP
Linda Redmond, Ph.D.
Mark Salisbury
Micah Sherman
Gerald Showalter, Psy.D.
GiGi Szelesta
Jenny Toth
Alan Towne, MD, MPH
Jason Young, MSW

Family member
University of Virginia Health System
Brain Injury Services of SWVA
Survivor
Brain Injury Association of Virginia
Professional
Virginia Department of Rehabilitative Services
Professional, Brain Injury Services, Inc.
Lakeview Healthcare
Virginia Board for People with Disabilities
Family member
Survivor
Woodrow Wilson Rehabilitation Center
Family member
Brain Injury Association of America
Virginia Commonwealth University
Virginia Alliance of Brain Injury Service
Providers

Members Absent:

Paul Aravich, Ph.D.
Nancy Bullock, R.N.
Tia Campbell, R.N., BSN, NCSN
Terry Miles
Michelle Nichols

Russell Payne

Paul Sharp, RN, NREMT-P
Julie Triplett

Eastern Virginia Medical School
Virginia Department of Health
Virginia Department of Education
Survivor
McGuire Veterans Administration Medical
Center
Virginia Department of Mental Health, Mental
Retardation & Substance Abuse Services
Virginia Department of Health
Virginia Office of Protection and Advocacy

Board Staff:

Kristie Chamberlain

Virginia Department of Rehabilitative Services

Others in Attendance:

Laura Anglin
Karen Brown
Marylin Copeland
Christine Grauer
Commissioner James Rothrock
Whitney Sherman
John Szelesta
Juanita Thornton
Leigh Wion
Michelle Witt

Phoenix Star Clubhouse
Brain Injury Services, Inc.
Brain Injury Association of Virginia
Brain Injury Association of Virginia
Virginia Department of Rehabilitative Services
Family member
Family member
Phoenix Star Clubhouse
Virginia NeuroCare
Crossroads to Brain Injury Recovery

CONVENING OF THE MEETING

The Virginia Brain Injury Council meeting was called to order at 1:05 p.m. by Anne McDonnell, Chair. Council members and guests introduced themselves.

Approval of Minutes

Minutes of the July 25, 2008 meeting were distributed and reviewed. **Micah Sherman made a motion to accept the minutes with the corrections; Jason Young seconded. The motion passed unanimously.**

Approval of Agenda

The October 24, 2008 agenda was distributed and reviewed. Anne McDonnell added two items to the agenda. **Carole Norton made a motion to accept the agenda as prepared with the two additions; Micah Sherman seconded. The motion passed unanimously.**

Public Comment:

No public comment was given during the Public Comment period.

Remarks from the Department of Rehabilitative Services (DRS) Commissioner:

Commissioner Rothrock provided the following updates, announcements and suggestions:

1. The Commissioner presented certificates of appreciation to Helen Butler, who finishes two terms as Secretary of the Council, and to Paul Aravich, Ph.D., retiring Immediate Past Chair, in absentia. He also presented a letter of thank you to Anne McDonnell who will move into the Immediate Past Chair position in January 2009.
2. The Commissioner discussed the continued downturn in the Virginia economy and the recent 2009 budget cuts initiated by the Governor. The deficit projection calculated in the summer of 2008 for the 2009-2010 budget is \$2.5 billion. Virginia agencies were asked to prepare three budget scenarios—5%, 10% and 15% reductions and submit to the Governor in September 2008. The Commissioner stated the Governor chose not to cut brain injury services from the DRS budget thanks to advocacy efforts by the Brain Injury Association of Virginia and the Virginia Alliance of Brain Injury Services Providers, as well as other advocates with connections to the Governor (i.e., Fran Rooker of The Jason Foundation). In addition, Disability Services Boards, Personal Assistance Services Program, and Centers for Independent Living were not cut. Overall, DRS sustained a \$3.2 million reduction which included a 15% cut in employment services; 13% cut in Long Term Supportive Employment Services, and \$422,000 cut in Vocational Rehabilitation. To help achieve these reductions, DRS will stop accepting new clients in November. There are currently 1,000 on the waiting list and 17,900 being served by DRS. There are 1,600 applicants. The reductions in the 2009 budget covered \$900 million of the \$2.5 billion projected deficit, leaving \$1.6 billion to be cut from the 2010 budget. The Commissioner urged Council members to:
 - a) Thank the Governor for his understanding of the issues facing survivors of brain injury and for refraining from reducing funds for these services;
 - b) Continue advocacy efforts and;
 - c) Look at ways that the state-funded programs can institute “cost conservation” procedures to make the most of state general funds during each fiscal year.

3. The Commissioner stated the Governor, DRS and DMAS are continuing to discuss the feasibility of a Brain Injury Medicaid Waiver. The Commissioner encourages state funded brain injury service providers to seek and gain Medicaid vendor approval. Helen Butler requested that the Commissioner investigate whether there might be an alternative form of credentialing to become a vendor rather than the lengthy and complicated licensure currently required for participation in Medicaid wavier programs. Helen Butler stated the process to become an approved Medicaid provider requires rewriting policies and procedures that have already been written according to mandated CARF accreditation standards. The Commissioner stated the requirements of a future BI Waiver are determined by the DMAS and DMHMRSAS and that he did not feel he would have influence over the vendor / licensing requirements.
4. The Commissioner stated he received the Council's letter of October 9 2008 asking him to explore the issue of the Community Service Board systems' inability to respond appropriately (or at all) to brain injury survivors who are in crisis. A copy of the letter was distributed. The Commissioner stated he will address the issue when he meets with DMRMHSAS and report back to the Council.
5. The Commissioner said that he is working with the Commonwealth Neurotrauma Initiative Trust Fund to support a Department of Juvenile Justice (DJJ) research project identify and remediate problems of juvenile offenders who enter the correctional system. The DJJ study was mandated via a FY '09 budget amendment, and they are to submit a report to General Assembly in November 2008.

NEW BUSINESS

Virginia Alliance of Brain Injury Service Providers

Jason Young, Chair of the Virginia Alliance of Brain Injury Service Providers (VABISP, also known as "Alliance"), provided an update regarding their Legislative Agenda for FY 2010:

- 1) The Alliance will confirm its legislative agenda after learning of the Governor's budget in December.
- 2) A priority is prevention of budget cuts affecting brain injury services. There are two programs that would likely cease operation in 2010 if their budgets are reduced.
- 3) The Alliance recognizes that the availability of neurobehavioral treatment programs is critical; however, funding is needed to support placements of persons with significant behavioral challenges.
- 4) The Alliance supports passage of a legislative directive to study how best to treat dual diagnostic groups within three agencies: DMRMHSAS, DRS, and DMAS.

Jason Young also announced that the Alliance will host a Brain Injury Awareness Day at the General Assembly, tentatively scheduled for the morning of January 21 for legislators and aides.

Request from Dr. Paul Aravich

Anne McDonnell advised the Council that Dr. Aravich requested Council approval to write an opinion editorial to the Virginian Pilot as Immediate Past Chair and Chair of the Neurobehavioral Committee of the Council, regarding mishandling by Norfolk police of a person with brain injury. The person has a history of "hula hooping" for exercise in the median of a busy highway in the Ward's Corner section of Norfolk. She has a boom box playing music while she exercises. She has done this for years, but there was a recent complaint of "noise" and police went to investigate.

Police arrived and tried to handcuff the person who they thought was ‘resisting arrest.’ Due to the person’s physical limitations, the handcuffing process was painful and she did resist, while trying to explain that she had medical problems (she was wearing a “medic alert” necklace that was in clear view).

Helen Butler motioned approval of Dr. Aravich’s request to create an opinion editorial and forward it to the Executive Committee of the Council or to the entire Council for review; staff would then forward it to the Commissioner for final approval as quickly as possible. Carole Norton seconded the motion. Council members unanimously passed the motion with the request that the entire Council receive the Op Ed to review once drafted.

Helen Butler motioned that the Council send a letter of thanks to Governor Kaine, per Commissioner Rothrock’s suggestion, for keeping funds at current levels in the general budget for brain injury services; Jason Young seconded. The motion passed unanimously.

OLD BUSINESS

Nominations and Elections

The Nominations and Elections Committee consisting of Lisa Garver, Kelli Williams Gary, GiGi Szelesta, Victoria Harding, Mark Salisbury and Anne McDonnell (ex officio) placed the following slate before Council for a vote to fill two Officer Positions:

Carole Norton, Ph.D., Chair
Jason Young, MSW, Secretary

Alan Towne made a motion to accept the slate as presented by the Nominations and Elections Committee; GiGi Szelesta seconded. The motion carried unanimously. The slate will be forwarded to the Commissioner for approval.

With the election of Carole Norton as Chair, the Officer Position of Vice Chair will be vacant. The Council agreed that, per bylaws, the Nominations and Elections Committee would conduct the regular nominations process and will solicit Council members for candidates to fill the Vice Chair vacancy. The vote will be taken electronically (via e-mail) so that a new Vice Chair will be in place for the January 2009 meeting. Kristie Chamberlain will email the form to all members.

Mark Salisbury motioned to not revisit the bylaws with the purpose of changing the Officer Position of Vice Chair to a “Chair Elect” position [which would mean that the person voted in as “Chair Elect” would automatically become Chair after the two-year term]; GiGi seconded. The motion carried unanimously. The Council did agree that bylaws would be reviewed by staff (Patti Goodall and Kristie Chamberlain) and they will submit suggested bylaws changes to the Secretary, who will forward to the Council for electronic vote (or discussion at January 2009 meeting).

Virginia’s Brain Injury Action Plan for 2008-2013 “Executive Summary”

This item is tabled until the next Council meeting scheduled for January 23, 2009.

Proposal to TBI State Grants Program for Partnership Implementation Grants

Patti Goodall distributed a “Draft Abstract” for Virginia’s proposal to the TBI Federal Grant Program. The grant proposal must be submitted by the State’s “lead agency for brain injury” which is DRS. Patti will present the full state grant application to the Council at a later date. The grant opportunity is for a four year federal grant in the amount of \$250,000 per year, requiring a

\$125,000 state match. Patti explained the state match will most likely come from the Commonwealth Neurotrauma Trust Fund in the form of a research study of the Juvenile Justice System as referred to earlier by the Commissioner. Goals of the proposal program are:

- 1) **Data.** Identify and use data from various sources to provide evidence-based information to guide policy and program decisions that meet needs of Virginians with brain injury. Activities include assessing the needs and resources of Virginians with brain injury; development of a screening tool to obtain brain injury prevalence data for juvenile offenders; and collection and analysis of data on the needs of Virginians with brain injury.
- 2) **Education.** Expand the range of and access to brain injury related educational opportunities for survivors, family members, and professionals. Activities include increasing the knowledge of brain injury services professionals through events and certification; developing education and training materials for juvenile justice personnel and; increasing the knowledge and ability of CSBs to effectively screen and treat Virginians with brain injury.
- 3) **Systems Change.** Strengthen and expand Virginia's brain injury service system infrastructure. Activities include securing passage of policy/regulatory changes to improve services for Virginians with brain injury; expand the use of brain injury screening tools to a variety of agencies in the criminal justice system and; establish partnerships between state agencies that serve Virginians with brain injury who have behavior support needs.
- 4) **Outreach.** Increase knowledge of and improve access to quality brain injury support, services, and information for all Virginians. Activities include strengthening the role of family members as advocates for Virginia families; develop resource materials to enhance capacity of agencies serving juveniles with brain injury and; increase the knowledge and support network of family members of Virginians with brain injury needing behavioral support.

Helen Butler suggested an electronic documentation system previously under development by DRS, but put "on hold" indefinitely due to budget constraints. Helen stated that the statewide Brain Injury Case Management Software System is critical to the grant's data goal to assist in the assessment of needs and resources of Virginians with brain injury. Helen explained the system envisioned by DRS is to include all state-funded brain injury service providers and would capture not only data on clients served but also on information and referral provided to callers. Patti Goodall stated the possibility that funding for the Case Management Software System may be successful in a CNI Trust Fund grant application process (Request For Proposals to be issued in January 2009). She encouraged Council members to attend the December 5 CNI board meeting where a proposal to fund the system may be discussed. Patti further explained that if the CNI Trust Fund project did not go through, then the DRS federal grant application could be amended in subsequent years to include development of this reporting system. No motion was made to amend the federal grant abstract to be submitted in December.

State Agency "Report Out Day" Committee Update

Anne stated that this activity has not been discussed and that the issue will be continued until the January 23, 2009 Council meeting.

Veterans Committee

No written report was distributed. Anne McDonnell reported that the Virginia Wounded Warrior project is interviewing for three regional coordinators. A two-day Virginia Wounded Warrior Summit is planned for November 6-7, 2008 at WWRC, with various videoconference sites in

Virginia. A written description of the event and agenda were distributed. Learning objectives include: describing the process of Battlemind; translating current knowledge of trauma and PTSD into a combat/military context; creating and maintaining a therapeutic alliance with combat veterans and their families from assessment through treatment; identification of how family relationships are impacted by mobilization, deployment and redeployment; and explaining how to address issues related to privacy, referrals and ethical dilemmas. Anne McDonnell reported registration for the summit is low and encouraged members to register and attend...

Anne McDonnell shared highlights of the Yellow Ribbon Campaign; this federally mandated program is to address home and community reintegration issues of Army and Air Guard reservists. At this point, the meetings are being led by staff within the Virginia National Guard, and they are currently identifying available resources to assist them with carrying out this directive.

Anne McDonnell announced that she had received information about a Veterans Administration contract awarded to the Rehabilitation, Research and Training Center (RRTC) at Virginia Commonwealth University to provide service coordination for veterans. She will provide additional information as it is known.

Volunteer Contributions

Kristie Chamberlain distributed copies to document volunteer hours contributed by Council members through their attendance at quarterly meetings. This documentation provides DRS with information on the "in kind" contributions made toward the federal TBI Act Grant. Anne requested all members to fill out the sheet and to submit them directly following the meeting or to submit them to Kristie Chamberlain by the end of the week. Also contact Kristie anyone had questions.

ADJOURNMENT OF THE MEETING:

Anne McDonnell, Chair, adjourned the meeting 3:55 p.m.

Respectfully submitted by Helen Butler, Secretary to the Virginia Brain Injury Council