**DEPARTMENT OF HUMAN SERVICES**

# External Program Review Committee (EPRC) agenda

**Date of meeting**: 9-11 a.m. Feb. 26, 2019 (rescheduled from Feb. 7)
**DSD liaison**: Stacie Enders
**Type**: Whole committee
**Location**: Elmer L. Andersen Human Services Building, Room 2223, 540 Cedar St., St. Paul 55101. Most members of the committee, however, will participate through an online video conference line.

## Common acronyms used by the committee

We ask committee members to avoid the use of acronyms. Here are common acronyms:
- RA or Request: DHS form 6810D: Request for authorization of the emergency use of procedures
- FBA: Functional behavior assessment
- PSTP: DHS form 6810: Positive Support Transition Plan
- DHS: Minnesota Department of Human Services
- DSD: Disability Services Division
- EUMR: Emergency use of manual restraint
- BIRF: DHS form 5148: Behavioral Intervention Report Form
- IRP: Interim Review Panel (Predecessor to the EPRC)
- CABC: Context, antecedent, behavior, consequence
- PS Manual: DHS form 6810C: Guidelines for Positive Supports in DHS-Licensed Settings
- MDH: Minnesota Department of Health
- CCM: County case manager
- HCBS: Home and community-based services

## Agenda items

- Technology
  - We will dedicate the first few minutes to addressing any connectivity issues.
- Public comments
  - We encourage public participants to share their thoughts and ask questions about committee activities at the beginning of each meeting. The committee will continue on to the next agenda item when either 30 minutes have passed or 2) when there are no additional comments or questions, whichever comes first.
- General reminders
  - Before speaking, please state your name.
  - Committee members are expected to:
    - Read the minutes, agenda and supporting documents before each meeting
    - Participate in ideas and conversations, as well as pause to allow others to share input
    - Commit to spending the whole meeting time present and not engage in other activities during the meeting
    - Be on time.

- Discussion
  - The committee will discuss the minutes from January and vote.
  - The committee will review its 2018 Olmstead report. The recommended changes may be viewed on page 3 of this document.
  - Does the committee want to have a table at the Odyssey conference? If yes, are there volunteers to staff the table?
  - A list of what to cover when mentoring new committee members is on the last page of this document – do members have anything they want to add or change?
  - The following information was shared with the committee:
    - https://safesupportivelearning.ed.gov/sites/default/files/discipline-compendium/School%20Discipline%20Laws%20and%20Regulations%20Compendium.pdf
    - https://safesupportivelearning.ed.gov/school-discipline-compendium
    
    Because of the large quantity of information (more than 5,000 pages), members will point out specific places that other members may find information they might be interested in.
  - Members are encouraged to give feedback on the proposed edits (see supporting documents) to DHS forms 6810, 6810A and 6810B. Here is some background information:
    - The changes were informed by feedback retrieved through a statewide survey and feedback from EPRC members and DHS staff.
    - More emphasis put on positives, such as things the person enjoys and what the person will learn.
    - The forms do not yet include all the hyperlinks – those will be added in the final drafts.
    - While it may appear that information has been deleted, it was instead moved or rephrased in an attempt to make the documents more user-friendly.
    - The final drafts of the forms will allow copying and pasting, the insertion of graphs and charts, and spellcheck and formatting options.
  - Committee members will have the opportunity to share information and discuss.
  - What is going well? What should we change? What have we learned?
- Subcommittees
  - Each group will provide an update on the work it has completed recently.
- Closing
  - The committee will list action steps and topics that members would like to discuss for the next meeting.

# Recommended changes to Olmstead report

Deletions are crossed out and additions are bolded. Notes from the committee coordinator are in brackets.

- Over time, members of both the Interim Review Panel and External Program Review Committee noticed teams struggle more with phasing out the seat belt harnesses/guards than phasing out mitts, arm splints or helmets. For example, of the seven people who had approval for a seat belt harness/guard in 2014, four still had approval in 2018. In comparison, of the 21 people who had approval for other types of mechanical restraint in 2014, only two still had approval in 2018. As of Aug. 31, 2018, seven of the 13 approved requests for prohibited procedures are for seat belt harnesses or guards.
  [Begin delete] ~~One observed difference is the contrast between the type of behavior that requires a seat belt harness/guard vs. the type of behavior that requires the use of mitts, arm splints or helmets. Specifically, seat belt harnesses/guards typically address self-endangerment behaviors (behaviors that increase the potential for harm) whereas mitts, arm splints and helmets address self-injurious behaviors.~~ [End delete][We recommend to take this part out because it's not entirely true and multiple people have mentioned that it is confusing. It does not follow the paragraph before it and doesn't really explain why one type of procedure might be harder to phase out than the other.]
- [Begin add] It is important to highlight that the inability to use seat belt harness/guards contributes to reduced community participation, which is contrary to the Olmstead vision. The EPRC continues to closely monitor this area and provides recommendations as appropriate to each person. Further evaluation of the seat belt harness/guard topic and related data is available in the Past Recommendations [insert hyperlink] section of this report. [End add]
- The committee collected the following data and reviewed it in October 2018. [Begin add] As mentioned on page 6 of this report, the committee has noticed that teams struggle with phasing out seat belt harness/guards more than other types of restraint. While some explanation for why teams struggle is described on page 7, the committee also conducted this data review to assess if there were any other differences between requests to use seat belt restraints versus requests for other types of restraints. The goal of this assessment was to identify possible solutions the committee could recommend for safely phasing out the use of seat belt restraints.
  The results of this data review did not provide any further insight on possible solutions or an explanation of why teams are struggling to phase out seat belt harnesses/guards. The data showed no discernable differences between service settings: the staffing ratios, frequency of staff turnover, types of licensed settings, staff training, and policies and procedures are approximately the same between both groups. The ages of the people served are approximately the same for both groups. [End add] The remaining two data points (trends in frequency of restraint use and scores using the FBA and PSTP quality checklists) could not be evaluated. See details below.
- [Begin delete] ~~Is there a different trajectory for each category?~~ [End delete] [Begin add] Trends in frequency of restraint use
- A valid comparison cannot be made [End add] [Begin delete] ~~The trajectory cannot be assessed~~ [End delete] because [Begin add] the use of seat belt harnesses/guards will always be more frequent than other types of restraint for two reasons: 1) providers typically use seat belt restraints proactively because it is dangerous to apply a harness/guard while the vehicle is moving and 2) the use of a seat belt restraint often increases as a person starts participating more frequently in his/her community. [End add] [Begin delete] ~~whereas providers apply other types of mechanical restraint after the person starts to attempt self-injury.~~ [End delete]

# Topics to review with new committee members

An existing committee member will discuss the following topics with new committee members:

- Provide background on:
    - Current conversations
    - Committee milestones and success stories
    - Committee purview and responsibilities within rule and statute
    - Forms, spreadsheets, folders, and tracking systems we use to complete work
    - How whole and subcommittee meetings run, including discussions that might occur and responsibilities
    - Donuts and manuals, including the level of support we give teams and what is outside our responsibility
- Review the first two to three cases together and discuss any red flags and accomplishments. It might be helpful to do this before meeting with the larger group. Review what data is usually looked at
    - Requests subcommittee: Discuss how to approach/evaluate a request for approval
        - An example would be looking for things recommended in an FBA and if those recommendations are addressed in the PSTP. If they are not in the PSTP, looking for why: is it listed as a "thing tried but didn't work," was it possibly overlooked, was it the responsibility of someone other than the provider, etc.
        - Maybe provide some guidance on the order in which documents are read
    - EUMR subcommittee: Discuss how to follow up on reports and navigate the documents
        - An example would be how to review a PSTP using the quality checklist
- For the subcommittee that reviews requests for approval, review what the process looks like from the provider's perspective and the perspective of the commissioner
- Provide reassurances on things like:
    - It's okay to listen the first couple of meetings but it is nice to jump in with your ideas/thoughts as much as possible as well
    - There is never a dumb question - it's preferable to say things rather than not
    - We don't have a formal lead for meetings but anyone is welcome to present on a topic that is important to him or her
    - It's helpful to get to know other committee members if you have the time to do so, but it's not required
- Review other information such as:
    - Understanding the story of the person who receives services
    - How to communicate/expectations for communication with providers and team members
    - Where to find provider contact information
- Share personal contact information as needed (not required)

DHS staff will review the following with new committee members:

- Setting up computers
    - Fobs
    - Passwords
    - Where to find committee documents – S drive and SharePoint
    - Using [SECURE] when sending emails
    - Signing up through SWIFT
    - How to use Outlook
    - Webpages we use and monitor
- Role and history of the committee (Minn. R. 9544 and Minn. Stat. 245D)
- Mileage and time sheet forms
- Process for onsite visits and keeping record of work completed