

Leadership

Leadership is a weekly newsletter for ND families who are interested in leadership in accessing systems and systems change. Leadership is prepared by staff from the ND Center for Persons with Disabilities at Minot State University. If you are interested in receiving a copy, contact Cathy Haarstad at haarstad@minotstateu.edu or call her at 1-800-233-1737.

Leadership Teams

A leadership team is a group of families and professionals who are leaders in accessing systems and system change. They are willing to share what they learn with other families who are raising children with special needs. Team leaders are asked to please contact their leadership team this week and set a date to meet. Please complete the team assessment and forward it to Cathy Haarstad from the Family Support Project (1-800-233-1737). Remember each team is asked to set up training for other parents by April 15, 2002 using one part of the LASSC curriculum. Each team has a budget of resources to pay for training expenses with prior approval.

Legislative Working Groups

Each region in North Dakota has a legislative working group. A legislative working group is made up of professionals, families and people with disabilities who are interested in following the work of the North Dakota State Legislature, testifying on bills that may impact their lives and working together to educate legislators about the needs of people with disabilities and their families. Jim Jacobson from the North Dakota Protection and Advocacy Project will be contacting Leadership Teams to let them know how to contact the Legislative Working Group in their region.

The Legislative Session

Legislative working groups will follow numerous bills and resolutions that may impact people with disabilities and their families. The web-site for the ND State Legislature is <http://www.state.nd.us/lr/> During the last session over 100 bills related to mental health, education, transportation, human rights, health care, and communication devices for children with special needs were followed. What are the issues that are most likely to impact families in the upcoming session? Three important issues are highlighted below. We will continue to highlight important information about issues that impact families each week throughout the session.

School consolidation – Small rural school districts will feel pressure to consolidate as the population continues to decrease. By consolidating, districts can save resources and continue to operate. Special Education Units are

consolidating too. This may impact where your child goes to school next fall or who will be providing special education services and what services are available.

Income disregard – Many families have been able to access Medicaid for their child with a disability for the first time since last January. The ND Department of Human Services decided to disregard family income as a criterion for Medicaid eligibility. The disregard will end effective June 30 unless the legislature decides to continue the disregard. Medicaid pays for many services that insurance companies do not including various types of therapies. The legislature is facing a 14-15 million dollar shortfall. The shortfall was not caused by the disregard but by changes in family income that impacted the amount of Medicaid ND receives under a formula used by the Federal Government. The legislature must balance the budget and may decide to cut services as a way to recoup the losses. This may impact whether your child continues to receive therapy or durable medical equipment

Medicaid Buy-In – The federal government has authorized a law that allows people with disabilities to “buy into” Medicaid just like they would a private insurance policy. The Medicaid Buy-In now has to be approved at the state level. Although a plan was developed for North Dakota that is “budget neutral” (it would not cost the Health Department any additional dollars) it is not clear if the plan will be adopted by the ND legislature. This legislation is not only important for people with disabilities but families as well. Right now the law applies only to persons with disabilities and not to families. Similar legislation is included in the Family Opportunity Act that would allow for a buy-in by families. Congress may vote on the Family Opportunity Act in the next session. The Medicaid Buy-In may prepare the way for legislation that will impact your family soon.

Early Intervention – Several services paid for under the Home and Community Based Waiver are considered by the Federal Government to be optional – that is, it is up to the state whether or not to provide these services. They include dental services, durable medical equipment and therapy among others. As the state of ND tries to balance the budget, the state legislature must either come up with the dollars to continue to pay for these services or drop them. This will impact many families.

These are only a few of the issues that will impact families this session. We will continue to provide information weekly. If you wish to follow specific bills or give testimony we suggest that you contact the Legislative Working Group nearest to you.

Rule Changes Whenever the ND Department of Human Services is considering a rule change it obtains public input on the change by posting a copy of the proposed change and holding a public hearing. The DHS has proposed an amendment to the N.D Administrative Code (State law) Chapter 75-02-02. Any written data or comments must be submitted to the department by 5:00 PM on February 3, 2003. The public hearing will be held at the State Capitol – Judicial Wing, 600 East

Boulevard Avenue, Bismarck, ND 58505-0250 in the AV room. The proposed rule change address four areas:

1. **Changing the definition of dental services under Medicaid to remove a lengthy definition of dentures** from the law. (The remaining definition continues to allow coverage for treatment of disease or injury that affects oral health).
2. **Adding a co-payment of three dollars for each brand-name prescription filled.** (This change decreases costs to the department and increases the likelihood that generic drugs may be used. Families or people who rely on brand-named drugs will be most affected).
3. **Indicating that payment for inpatient psychiatric services will not exceed 45 days per calendar year per individual.** (This change will replace the current 21-day limit for each admission to an annual limitation of 45 days. The change is intended to prevent over utilization of psychiatric services)
4. **Defining ambulatory behavioral health care (partial hospitalization) at three levels A, B, and C, and limiting payment to situations where prior approval is asked for by a provider in writing within three days and given by the DHS. The change limits each level of service to a specific number of days (A = 30 calendar days, B = 15 calendar days and C = 20 calendar days).** Families whose children have needed and received partial hospitalization will be most impacted by this change).

Families or persons who are interested in finding out more about these changes are asked to call **(701) 328-2311**. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, ND Department of Human Services, State Capital – Judicial Wing, 600 E. Boulevard Ave., Dept. 325 Bismarck, ND 58505-0250.

Before You Decide Staff from the Family Support Project are collecting brief statements or stories about topics that families want legislators to be aware of before the legislator decides on important legislation. The first topic was called Heroes and asks families to talk about the people in their community who are heroes to their family. If you would like to submit some comments, email them to Cathy Haarstad at haarstad@minotstateu.edu The next topic is about Families and will be introduced in a separate email today.