



Legislative
Research
Council

MINUTES

Department of Human Services Agency Review

**Third & Final Meeting
2011 Interim
Monday, October 24, 2011**

**Room 413
State Capitol Building
Pierre, South Dakota**

The third and final meeting of the interim Department of Human Services Agency Review Committee was called to order by Senator Jean Hunhoff at 7:30 a.m. (CDT), on Monday, October 24, 2011, in Room 413 of the State Capitol Building, in Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Senators Jim Bradford, Phyllis Heineman, Elizabeth Kraus, and Jean Hunhoff (Chair); and Representatives Peggy Gibson, Jenna Haggar, Larry Lucas, Tad Perry, Jacqueline Sly (Vice Chair), and Jim White. Representative Melissa Magstadt was excused.

Staff members present were Clare Charlson, Senior Research Analyst; Amanda Reiss, Legislative Attorney; and Rena Ortbahn, Committee Secretary.

All the documents distributed at the meeting are attached to the original minutes on file in the Legislative Research Council (LRC). The committee documents are available at the LRC website at <http://legis.state.sd.us> under "Interim Information – Committee Documents." For the purpose of continuity, these minutes are not necessarily in chronological order. This meeting was web cast live. The archived web cast is available under "Interim Information – Minutes and Agendas."

Approval of Minutes

Senator Kraus moved, seconded by Representative Sly, that the minutes of the September 29 and 30 meeting be adopted. Motion prevailed on a voice vote.

Remarks of the Chair

Senator Jean Hunhoff, Chair, noted that this would be the final meeting of the committee and thanked Dr. Ted Williams and his staff for the previous month's tour of the SD Developmental Center.

Department's responses to requests from the last meeting

Ms. Laurie Gill, Secretary of the Department of Human Services, responded to committee questions and requests from the last meeting. She submitted her responses in writing to the LRC prior to the meeting, and her responses were distributed to committee members via electronic mail (**Document 1**).

In response to questions from Senator Heineman regarding the strategic planning process, Secretary Gill said the current strategic plan for the department is several years old. She stated that now, with the new leadership and new components within the department, it is her intent to start anew and focus on measurable goals and outcomes. Secretary Gill also noted that she and her management team intend to examine the various processes within the department to look for possible ways to make them more efficient. When asked how she will prioritize those examinations, she indicated that she would begin by looking at the processes that have created issues or problems.

Representative Sly asked about the consultant the department will use in its strategic planning process. Secretary Gill responded that the consultant is T. J. Reardon, who is a consultant from South Dakota.

Committee Discussion

Representative Lucas asked if there are any plans in place to make better use of the facilities on the campus of the SD Developmental Center. Secretary Gill responded that the staff at the SD Developmental Center works closely with the city of Redfield and with the SD Bureau of Administration on matters regarding the physical facilities. She also said she would like to make better use of the expertise of the staff at the SD Developmental Center by developing more formal training opportunities possibly through the use of the Digital Dakota Network.

When asked by Senator Heineman if there are any individuals with disabilities from out-of-state who are placed in South Dakota for services, Secretary Gill responded that there are very few.

Senator Hunhoff asked the cost associated with curing the deficiencies that were found in the Life Safety Code Survey that was conducted by the Department of Health at the SD Developmental Center. Dr. Ted Williams responded that there has been very little cost to the state in meeting these standards. Most of the physical adjustments were done internally. There were some issues with remodeled buildings, but these were corrected by the contractor with no additional cost to the state. He said the center had no deficiencies in any other areas.

Senator Heineman commented that some of the community support providers have expressed interest in a closer working relationship with the staff at the SD Developmental Center. Secretary Gill responded that a dialog among all providers is a key element in providing the best possible services. She said she has been meeting with providers all around the state and is also networking with the community support providers' association on various issues.

Senator Hunhoff asked about the future of the SD Developmental Center and from where new referrals will likely come. Dr. Williams responded that a review of admissions data reveals that most new referrals are coming from community support providers. He noted that sometimes an individual is sent to the Human Services Center first and from there is sent to Redfield.

Senator Hunhoff asked if, due to the aging population, the SD Developmental Center is dealing with more individuals with age-related issues like dementia or Alzheimer's disease. Dr. Williams responded that the Center is serving a few individuals with those issues, but not

many. When asked by Senator Hunhoff if he could see the SD Developmental Center becoming a resource for dealing with such aging issues, Dr. Williams responded that he certainly could.

In response to a question from Senator Kraus, Dr. Williams stated that, in a typical year, twenty-five or thirty individuals are moved from the SD Developmental Center to a community support provider.

Representative Gibson distributed to the members of the committee a copy of a report from the Kaiser Commission on Medicaid and the Uninsured entitled, "State Options That Expand Access to Medicaid Home and Community-Based Services" (**Document 2**). Representative Gibson said that a community support provider in her area had made her aware of the report, and that she wanted to share the timely information with the entire committee.

Committee Action on proposed clean-up legislation

Ms. Clare Charlson, Senior Research Analyst, reviewed draft clean-up legislation which she said updates and makes some style and form revisions to certain sections of law pertaining to the Department of Human Services. The draft legislation contains no substantive changes to the current statutes. A copy was distributed to the committee at the September 30th meeting.

Representative Sly moved, seconded by Representative Gibson, to adopt the clean-up legislation as a committee bill that will be introduced in the next legislative session. The motion prevailed on a roll call vote with 10 ayes, 1 excused. Members voting aye: Bradford, Gibson, Haggar, Heineman, Hunhoff, Kraus, Lucas, Perry, Sly, and White. Member excused: Magstadt.

Committee Recommendations

Senator Hunhoff said she would like the committee to ask the Executive Board to appoint a working group made up of legislators, state agency personnel, and consumers to accomplish these tasks:

1. Reassess the mission and programmatic offerings at the SD Developmental Center;
2. Assess the potential for realignment of programs at the SD Developmental Center in conjunction with the programs being offered in communities;
3. Assess and recommend the potential integration of other human service-related programs being offered by the state that would align with potential offerings at the SD Developmental Center; and
4. Develop a time frame and long-range plan for cost-effective implementation of consumer-based services.

Senator Hunhoff noted that her proposal would provide for legislative participation in policy setting relative to the SD Developmental Center, its mission, and its future direction.

In response to questions from Senator Heineman and Senator Kraus, Secretary Gill said that the SD Developmental Center's mission has been adjusted over the years to reflect the movement of clients to the least restrictive environment possible. Dr. Williams advised that the mission statement has also been revised internally over the years.

Representative Lucas suggested that the working group contain no more than fifteen members. Senator Kraus added that she would like the working group to include state agency personnel from the Bureau of Administration and any other pertinent state agency. She also suggested that the group include representatives from community support providers rather than consumers.

Representatives Perry and White and Senator Bradford all expressed support for Senator Hunhoff's proposal.

Representative Sly moved, seconded by Representative White, that the Department of Human Services Agency Review Committee recommend that the Executive Board of the Legislative Research Council appoint a working group of legislators, employees of pertinent state agencies, and community support providers to achieve the following:

- 1. Reassess the mission and programmatic offerings at the SD Developmental Center;**
- 2. Assess the potential for realignment of programs at the SD Developmental Center in conjunction with the programs being offered in communities;**
- 3. Assess and recommend the potential integration of other human service-related programs being offered by the state that would align with potential offerings at the SD Developmental Center; and**
- 4. Develop a time frame and long-range plan for cost-effective implementation of consumer -based services.**

Motion prevailed on a roll call vote with 9 ayes, 2 excused. Members voting aye: Gibson, Hagggar, Heineman, Hunhoff, Kraus, Lucas, Perry, Sly, and White. Members excused: Bradford and Magstadt.

Representative Lucas moved, seconded by Representative Gibson, that the above motion be amended to state that the working group be composed of no more than fifteen members, including up to four legislators. Motion prevailed on a roll call vote with 9 ayes, 2 excused. Members voting aye: Gibson, Hagggar, Heineman, Hunhoff, Kraus, Lucas, Perry, Sly, and White. Members excused: Bradford and Magstadt.

Representative Sly moved, seconded by Representative Lucas, that the Department of Human Services not be sunsetted. The motion prevailed on a roll call vote with 9 ayes, 2 excused. Members voting aye: Gibson, Haggar, Heineman, Hunhoff, Kraus, Lucas, Perry, Sly, and White. Members excused: Bradford and Magstadt.

In closing, Senator Hunhoff thanked the members of the committee and the staff of the Department of Human Services for their time and effort.

Adjournment

Representative Gibson moved, seconded by Representative White, that the meeting adjourn. Motion prevailed on a voice vote.

The meeting adjourned at 8:35 am.

