



## **Commission on People with Disabilities**

February 14<sup>th</sup>, 2018

### **Welcome and Approval of January 2018 Meeting Summary Minutes:**

Seth Morgan, Chair, convened the meeting. A motion was made to approve the January 2018 Meeting Summary Minutes. The motion was seconded. A vote was taken, and the January 2018 Meeting Summary Minutes were unanimously approved as written. Approved minutes are available online at [www.montgomerycountymd.gov/cpwd](http://www.montgomerycountymd.gov/cpwd).

### **Overview of the Montgomery County Adult Protective Services Program – Mario Wawrzusin, LCSW-C, ACSW, NCG-Assessment, Adult Protective Services and Case Management Services, Aging and Disability Services, Department of Health and Human Services**

**Handout – Red Flags Of Abuse:** [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/MCAPSRedFlagsofAbuse.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/MCAPSRedFlagsofAbuse.pdf)

**PowerPoint:** [www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/APSCPWDFeb2018PPT.pdf](http://www.montgomerycountymd.gov/HHS-Program/Resources/Files/A%20D%20Docs/CPWD/APSCPWDFeb2018PPT.pdf)

**Website:** [www.montgomerycountymd.gov/hhs-program/program.aspx?id=ads/adsadultprotectsvcs-p176.html](http://www.montgomerycountymd.gov/hhs-program/program.aspx?id=ads/adsadultprotectsvcs-p176.html)

Mario has worked with the Montgomery County Department of Health and Human Services (MCDHHS), Aging & Disability Services (ADS), for 30 years. His experience includes serving as a clinical case manager in a number of programs, including Adult Protective Services (APS), Public Guardianship, and care management for 15 years. Additionally, he has served as a Supervisor, Administrator and now the senior Adult Services and APS Administrator since 2010. His duties as administrator include training, community outreach, program development and partnering with key members of the community. He has been a member and leader of the Montgomery County Elder/Vulnerable Adult Abuse Task Force since 2011. He has been either the Chair, or Co-Chair, of the nationally recognized, local World Elder Abuse Awareness Day event for the past five years in Montgomery County, Maryland. He's an active member of NASW, NAPSA, and is a member of NAPSA's Education Committee. He's been recognized with several awards, including a NACO team award for the Montgomery County Disaster/Shelter Response Team model (2016); the Carol Johnson Memorial Award for Public and Community Service (2007); the Montgomery's Best Honor Award for Customer Service (2000); the Cheryl D. Friedman HHS Customer Service Award (1999); and as a Boy Scouts of America volunteer leader: the National Capital Area Council, Great Falls District Award of Merit (2008).

APS is a state mandated program that investigates allegations of abuse, neglect, self neglect and/or exploitation of vulnerable adults. Self-neglect includes the inability to perform activities of daily living or difficulty accessing medical supports, transportation or social activities. Self-neglect is more prevalent in the older population. The program provides professional services to reduce risk factors and promote protection of the health, safety and welfare of endangered, vulnerable adults. A vulnerable adult is one who lacks the physical or mental capacity to provide for his/her daily needs.

APS staff are there to support the individual and the family, and to help maximize that individual's independence and ability to be in the community. Sometimes the caregiver needs training and education or the individual needs additional home supports. A Registered Nurse will conduct an assessment and social workers will investigate allegations to ensure the individual is safe. 70% of the APS population is 65 and older. APS works closely with the police and the State's Attorney's office.

Exploitation is a trend that is on the rise. In 2012, Maryland General Assembly passed legislation that made it a requirement for banks and credit union employees to report suspected financial exploitation of an older adult if they, while on the job, see or become aware of behavior or unusual circumstances or transactions that make them suspicious that the older adult is being financially abused. The law focuses on adults 68 and older, but the bank will report on all ages. The bank will file a report with APS who will then follow-up on the case. APS has a screening unit that gathers information.

Mario discussed a case where an older adult had been convinced to give power of attorney to a caregiver. The caregiver then had control for medical decision-making, the property, and access to the individual's funds, which were used to pay for the caregiver's child's school. The caregiver and her husband were found guilty and are serving 5 and 10 years in prison.

Abuse oftentimes happens with a family member or partner. Mario noted that abuse happens more frequently for people with various challenges or disabilities.

Isolation is a key risk factor of abuse. If an individual is no longer involved with their job or vocational program, education, or recreational and social activities, it could be an indicator that they are at risk.

APS is able to locate housing for at-risk adults who cannot stay at their homes. Housing includes ElderSafe, Hebrew Home, group homes and respite facilities. The ElderSafe Center provides services to adults 60 and over including safe, temporary shelter; case management; confidential counseling; medical services; spiritual support; physical and/or psychological therapeutic services; SAFE discharge; legal referrals; and community referrals and coordination with partner agencies.

Mario noted that only 1 in 24 cases of abuse, neglect and exploitation of vulnerable and older adults are reported to the police or State's Attorney's Office. The County is working to start a second APS unit. APS case volumes continue to increase between 5% and 15% per year. Betsy noted that Seth Morgan has already presented APS as a budget priority in October, 2017 to the County Council HHS Chair in support of funding for additional APS workers. Seth is also set to testify in April. A National Public Radio report indicates that people with intellectual disabilities are 7 times more likely to be sexually abused.

All local jurisdictions have an adult public guardianship program. The adult public guardianship program provides surrogate decision making for adults with disabilities adjudicated as incapacitated by the Circuit Court, and in need of the service. The program provides case management under the direction of the court and is only considered when there are no other alternatives. Temporary guardianship is also available. The County currently has between 115 to 120 adult public guardianship cases. This does not include the number of private guardianships. On rare occasions the County will challenge a petition. Court appointed attorneys will advocate for an individual going through that process.

APS is expected to have over 900 new records this year and 1,000 records by next year. The County's population is now over 1,000,000 people and demographics are growing. Elder abuse is also becoming more known. The State's Attorney's Office has been providing a lot of community awareness and education. About 30% of the APS caseload is persons under 65 who often have a disability.

The floor was opened to questions.

Susan Hartung indicated that some families or friends may be reluctant to report major situations involving children and adults with extreme behavior issues. It was asked how people can receive assistance in those situations instead of contacting APS. Mario recommended that families contact the Aging and Disability Resource Unit (ADRU) at 240-777-3000 (V). ADRU provides personalized hands on assistance, referrals to services and specific information to people age 65+, people with disabilities and caregivers over the phone and in person. It is the primary point of entry for most of the services within Aging and Disability Services. Staff tell residents about benefits and services, help them determine what they are eligible for and can also help them apply.

Susan asked if APS has a direct link to DDA and if they make referrals. Mario noted that it can be difficult at times to access DDA funds. He recommended that if the family has an adult age 18 to 21 that the individual stay in the school system as long as possible to access services. Mario discussed a previous case of a 21-year-old on the Autism spectrum that was an eloper and became a danger to himself and the community. The individual was involved with Officer Laurie Reyes and the Autism/Intellectual and Developmental Disabilities (IDD) Outreach Unit. The elopements continued and the police couldn't continue to provide support, so they asked APS to take over. APS met with DDA and were able to increase his Community Supported Living Arrangement (CSLA) hours and staff was increased to 2-to-1, but they could not be present 24 hours a day. The case eventually went to guardianship and the County was able to access a group home through DDA. The individual's elopements decreased substantially. Afterwards, guardianship was given back to the family.

Kathy Mann Koepke, Commissioner, noted that neighborhoods have changed, and people may be reluctant to report someone in their proximity. She asked who can report a case to APS. Banks, teachers, health and human service workers, police officers, and health care workers are all mandated reporters. Mario encourages any citizen to call in if they suspect someone is being abused or neglected. APS does not institutionalize individuals; staff are there to set up a plan.

Seth asked about the transition process of an individual from Child Protective Services to Adult Protective Services.. There is no transition process. Both CPS and APS are short-term investigate periods of about 60 days and no longer than 90 days. If there is a high risk, an individual may be moved from APS to a continuum of protective services. If a child is found to be at risk after an initial investigatory period, they typically go to court and into foster care. The County supports family reunification and seeks to mitigate any risks. CPS has six or seven teams and has terrific supports in terms of foster care and short-term respite facilities.

Susan Smith, Housing Opportunities Commission (HOC), asked for clarification regarding the criteria and eligibility for moving an individual from an investigatory period to continuing APS. If an individual has a significant level of risk, then they will receive continuing APS, which is still voluntary, and provides more access to personal care resources. Susan also asked when an individual needs Social Services to Adults (SSTA). Mario noted that SSTA provides short-term case management and seeks to enable maximum client self-sufficiency in the community and to reduce inappropriate institutionalization. SSTA case management is geared to mitigating those factors that may lead to abuse, neglect, self-neglect and/or exploitation. Often the case management is related to a specific need such as personal care, or the need for assessment to determine a plan of care. SSTA is for individuals with no more than \$20,000 in assets or \$23,000 in assets for a couple. No more than 30% of APS and SSTA cases are long-term. The County is always seeking community partners to provide additional support.

Mario suggested Commissioners become familiar with the Village movement. Villages are a local, volunteer-led, grassroots organizations that aim to support community members who choose to age-in-place. They foster social connections through activities and events and coordinate volunteer help at home using neighbor helping neighbor model. For more info or to find out where Villages are located, review [www.montgomerycountymd.gov/village](http://www.montgomerycountymd.gov/village). Person who may be feeling isolated or experiencing loneliness are encouraged to contact the Montgomery County Volunteer Center <https://www.montgomerycountymd.gov/volunteercenter/>

#### **Chair Report:**

Seth Morgan, Chair, reported he attended an informal housing conference earlier in the week. He noted that the focus of the conference was more on affordable housing and did not include accessible housing. Seth noted that if you build inaccessible units, then builders are eliminating a large part of the population that needs affordable housing. He plans on attending a pre-summit planning meeting on May 11<sup>th</sup>.

Seth reported the Steering Committee will meet next Wednesday, February 21<sup>st</sup> from 5:30 p.m. to 7:00 p.m. at Health and Human Services Building, 401 Hungerford Drive, 1<sup>st</sup> Floor Conference Room, Rockville. Steering Committee meetings are used to discuss agenda items, issues and plan for future meetings.

Seth reported that he met with Delegate Jeff Waldstreicher last week in Annapolis on an issue. During the meeting, Delegate Waldstreicher asked for individuals to testify in agreement with bill [HB 0782 – Maryland Achieving A Better](#)

[Life Experience \(ABLE\) Program – Death of a Designated Beneficiary](#). The bill would authorize money and assets in an ABLE account to be transferred, on the death of a designated beneficiary, to a certain estate or a certain ABLE account for an eligible individual, unless prohibited by federal law; and prohibiting the State, unless required by federal law, from seeking payment from an ABLE account or its proceeds for certain medical benefits paid for the designated beneficiary. Currently, upon the death of the beneficiary the state in which the beneficiary may file a claim to all or a portion of the funds in the account equal to the amount in which the state spent on the beneficiary through their state Medicaid program. This is commonly known as the “Medicaid Pay-Back” provision and the claim could recoup Medicaid related expenses from the time the account was open. There will be a hearing on HB 0782 on February 21<sup>st</sup> at 1:00 pm.

### **Introduction of New Members:**

Steve Robinson is a lifelong resident of Montgomery County and is the Deputy Director for Madison House Autism Foundation, which focuses on working and addressing the needs of adults with Autism over the age of 21. Madison House also operates Madison Fields, a farm that features a state-of-the-art riding stable, bank barn, corn crib, chicken coop, tenant housing, a guest house, a historic farmhouse, and two fully-enclosed out buildings. Steve grew up with a family member who has Autism.

Myra Coffield is a lifelong resident of Montgomery County and is an advocate for people with disabilities in the arts, primarily theater, with a focus on deafness. She previously worked for Gallaudet University. She currently works for the Department of Veterans Affairs, Section 508 office.

Jenn Lynn is the Executive Director for Upcounty Community Resources, Inc., which offers innovative programs, events, and social opportunities for adults with developmental and intellectual differences. These opportunities promote healthy lifestyles, friendships, self-awareness, and personal-development. Jenn Lynn’s son, Jake, is a Montgomery County Police Autism Ambassador and he is present for all police trainings at the Montgomery County Police Training Academy. Working with Officer Laurie Reyes and Pathfinders for Autism, Jake has helped train 2,000 police officers.

Day Al-Mohamed works for the Occupational Safety and Health Administration (OSHA) and manages the national Voluntary Protection Program. Prior to her current position, she spent 15 years as a lobbyist working on disability issues in regard to health care, education and employment. She is particularly interested in housing and growth. She also previously worked for the Office of Disability Employment Policy and designed initiatives to identify and develop strategies to connect the underutilized labor supply of youth and adults with disabilities, with demand from small business entrepreneurs, particularly businesses in underrepresented and historically excluded communities. Day also introduced Gamma, her service animal.

Joel Snyder is the President of Audio Description Associates, which provides audio description services for people who are blind or have low vision. Audio description is a verbal version of the visual image. Today, audio description is mandated for television programs and almost every film now has an audio description track. Some museums now offer an audio description service for patrons. Joel is also the Director of the American Council of the Blind Audio Description Project. He hopes to continue to raise awareness of audio description and other services for individuals with disabilities.

### **Ex-Officio and Member Updates:**

Nancy Greene, ADA Title II Compliance Manager, Department of General Services (DGS), reported the lobby level restrooms in the Executive Office Building will be closed starting March 19<sup>th</sup> for two to three months for ADA improvements. The terrace level restrooms will still be available. Nancy also reported DGS will be providing ADA training to staff that work at homeless shelters and transitional programs. Any Commissioners interested in attending or assisting with the training can contact Nancy. She noted that the Department of Justice announced the withdrawal of four previously announced Advanced Notices of Proposed Rulemaking, pertaining to title II and title III of the ADA, for further review. Rulemakings included website accessibility, accessibility of equipment and furniture, and Next Generation 9-1-1. At the local level, the County will continue to improve website accessibility as well as accessibility of buildings, facilities, and furniture. The County is also working on moving towards Next Generation 9-1-1, that will provide voice and data (such as text, pictures, and video) capabilities and help individuals who are deaf or hard of hearing contact 9-1-1.

Charlie Butler, Department of Recreation (DR), reported the [Spring 2018 Recreation Guide](#) is now available. He also noted that almost all the SOAR (Senior Outdoor Adventures in Recreation) trips have been sold out already.

Denise Isreal, Department of Transportation (DOT), reported DOT received \$544,430 in federal funding from the National Capital Region Transportation Planning Board (TPB) at the Metropolitan Washington Council of Governments for its Call-n-Ride taxi service. The grant will reduce the lowest income program participants' (Level 1) co-payment from \$10.50 to \$5.25. Participants must pay \$5.25 each month to receive the grant's portion of \$5.25; value of \$120 will be added to swipe card. The two-year grant period is from July 2018 to June 2020. Participants will be notified in writing of their eligibility, prior to the grant implementation period. After June 2020, DOT plans to re-apply for funds again. If approved the grant period will be extended through June 2022. If not approved, participants will revert to the usual \$5.25 payment to receive \$60 value, or \$10.50 to receive \$120 on their swipe cards.

<u>Categories</u>	<u>1-Person</u>	<u>2-Person</u>	<u>3-Person</u>	<u>4-Person</u>	<u>5-Person</u>	<u>6-Person</u>
Level 1	up to \$15,856	up to \$21,403	up to \$26,950	up to \$32,498	up to \$38,047	up to \$43,595

Susan Smith, HOC, reported within the last month HOC has pulled 500 people off the waiting list for Housing and Urban Development (HUD) vouchers. Persons who receive them pay only 30% of their income for rent. Selected individuals were notified via e-mail and packets were sent via mail. Many folks with IDD were chosen as well as many seniors from ADS. Jubilee Association of Maryland had 19 people selected. Susan noted that Housing Day in Annapolis is tomorrow, February 15<sup>th</sup> and Mental Health Day is February 22<sup>nd</sup>. She will send an e-mail out regarding new legislation that the Mental Health Association of Maryland is tracking.

Susan Hartung, Developmental Disability Advisory Committee (DDAC), reported DDA has two new waivers will support 800 families. The [Community Supports Waiver \(CSW\)](#) will serve 400 people of all ages and have a \$25,000 cap. The [Family Supports Waiver \(FSW\)](#) will serve 400 children ages birth to 21 and have a \$12,000 cap. You cannot be in other services and receive these waivers. Of the 800 spots, 152 went to the Southern Maryland Regional Office (SMRO). Of those 152 slots, 71 went to Montgomery County. Susan also reported that the County Council has established a short-term Work Group on Meeting the Needs of Residents with Developmental Differences. Individuals interested in applying to be on the work group can e-mail their resume and cover letter to Linda McMillan by February 23<sup>rd</sup>.

Kathy Mann Koepke, Liaison to Commission on Health, reported February is American Heart Month and people are encouraged to wear red to raise awareness about cardiovascular disease. Kathy noted that most individuals with disabilities are at an increased risk for cardiovascular disease

**Announcements:**

Trish Gallalee, Commissioner, reported [H.R. 620 – ADA Education and Reform Act of 2017](#) will be going to the Senate for a vote. The bill would require those filing suit in federal court against businesses for not complying with the ADA to first give that business 60 days to devise a plan to fix the problem. They then have another 120 days to implement the changes.

**Next Full Commission Meeting:** Wednesday, March 14<sup>th</sup>, 2018 – Executive Office Building, 101 Monroe Street, Lobby Level Auditorium, Rockville, MD 20850 – 6:00 p.m. to 7:30 p.m.

**Steering Committee Meeting:** Wednesday, March 21<sup>st</sup>, 2018 – Health & Human Services, 401 Hungerford Drive, Conference Rooms 1A/1B, Rockville, MD 20850

Submitted by: Carly Clem, Administrative Specialist I  
Betsy Tolbert Luecking, Community Outreach Manager

