

Minutes

Developmental Disabilities Resource Board of Directors

DDRB Board Meeting

October 29, 2019

The **Board of Directors of DDRB** met on October 29, 2019 at 6:30 pm at the DDRB office. The meeting was called to order by Chairman, Gary Steinman. Those present at the meeting and noted by Roll Call in addition to Gary Steinman were Steve Elliott, Tom Bradley, Rick White, Pat Schoenrade, Alan Naylor, James Gottstein and Robert Sevier. Also present was Sonja Bennett, Administrative Director.

Guests present were:

Randy Hylton, VSI

Holly Wilmes, ESMW

Shaney Othic, NTRC

Cassey Melancon, ESMW

Brea Connett, NEEC

Mary Beth Green, TNC

John Hartman, Ray County Director

Jim Huffman, Life Unlimited

Anita Hartman, CHS

Mark Bertrand, Life Unlimited

Brian Watson, Life Unlimited

Amy Heithoff

Announcements

There were no announcements.

Minutes

The Minutes of the DDRB Board Meeting of August 27, 2019 were previously read and reviewed by each member. Pat Schoenrade moved the minutes be approved as submitted; the motion was seconded by Alan Naylor and approved by unanimous vote.

The Minutes of the DDRB Board Owned Property Committee Meeting of October 15, 2019 were previously read and reviewed by each member. Alan Naylor moved the minutes be approved as submitted; the motion was seconded by Pat Schoenrade and approved by unanimous vote

Financial Report

Tom Bradley, Treasurer provided the following Financial Report for the year to date August 2019.

DDR B P&L YTD to Date August YTD

- Total Income = \$ 5,657,924.20
- Total Expenses = \$ 2,979,856.20
- Net Income = \$ 2,678,068.00

DDR B Balance Sheet August YTD

- Total Checking & Savings = \$ 7,378,559.29
- Total Fixed Assets = \$ 1,804,432.58
- Total Assets = \$ 9,182,991.87
- Total Liabilities= \$ 4,319,92
- Total Fund Balance = \$ 6,500,603.95
- Net Income = \$ 2,678,068.00
- Total Equity = \$ 9,178,671.95
- Total Liabilities and Equity = \$ 9,182,991.87

TCM P & L Year to Date August YTD

- Total Income = \$ 2,471,500.19
- Total Expenses = \$ 1,793,600.44
- Net Income = \$ 677,899.75

TCM Balance Sheet August YTD

- Total Checking & Savings = \$ 3,082,441.61
- Total Assets = \$ 3,082,441.61
- Net Income = \$ 3,082,441.61
- Total Liabilities and Equity = \$ 3,082,441.61

RECAP of Investments – August 31, 2019

DDRB

Long Term Reserves Investment:	\$3,657,000.00
Short Term Working Capital Investment:	\$1,723,000.00
DDRB Interest Earned YTD:	\$ 67,398.32

TCM

Long-Term TCM Reserves Investment:	\$2,473,000.00
TCM Interest YTD:	\$ 34,124.63

Administrative Directors Report

Sonja reported she had received funding applications from eleven (11) agencies. No new agency requests were submitted. She also provided an update on the 2019 Capital Grants program. The board approved projects for ten (10) agencies totaling \$487,829.45. Completed and paid projects total \$366,352.90 with \$121,476.55 in projects still outstanding all of which are due to be completed and paid by December 31, 2019.

Executive Committee

No report.

Finance Committee

Tom Bradley reported for the Finance Committee. He advised a request was received from **Easterseals Midwest for additional funding in the amount of \$12,000** for the Family Support Program for this calendar year (2019). He asked Casey Melancon with ESMW to address the board and elaborate on her request and ask any questions. (Written request is attached to the minutes). Casey explained that the Northwest Autism Project was the main source for funding of the family support/parent training program. There are a number of families that do not qualify for this funding and DDRB has been the funder for those families. They currently have a waiting list of participants for the program and coupled with the fact that no new funding is being approved, they will experience a shortfall in funding or the need to continue to place families on the wait list. Tom Bradley motioned the board to approve the additional \$12,000 in funding for 2019 for ESMW which was seconded by Rick White. The board approved the additional funds by roll call vote unanimously.

Tom Bradley previously sent to each member the proposed **2020 DDRB operating budget** to review. This budget proposal is strictly DDRB operating and administrative income and expenses (copy of the proposed budget is attached). After review of the income, the board requested Sonja review and update, if necessary, the income from the Group Home Lease since there will be fewer homes/residents this year. It was noted that the expenses included \$20,000 for remodel of the Ridgeway House bathroom, if approved by the board. The total income is projected at \$6,036,109 and expenses of \$217,225 leaving net income at \$5,818,965 which will be offset by funding to the agencies. Alan Naylor

motioned the board approve the operations budget and Pat Schoenrade seconded the motion. The measure passed unanimously by roll call vote.

Services Committee

Pat Schoenrade provided a brief report regarding her visit with Laurie Brewer with **Della Lamb** regarding transportation services. Pat reported that Laurie said she felt the process was going reasonably well with the referral process and communications much improve.

Pat also advised the board that she had visited the ACED program in progress on September 14. She reported that she was impressed by the program and it seems quite reasonable to expect the participation in the program will continue to grow.

A copy of her written report is attached to these minutes for file.

Board Owned Property Committee

Alan Naylor provided the report for the Board Owned Property Committee.

He reported that the **3rd and final board owned property inspection** would be November 4, 2019 beginning at 9am at the Ridgeway House with inspections to that home, Hampton House and Liberty House. Jason will continue on to conduct the inspection of Kent Street.

Kent Street

He reported that the issues we have been experiencing with the Fire Alarm at Kent Street are related to the telephone lines. It takes very little disruption in the line to trigger the alarm. ATT is converting the telephone lines to digital and fiberoptic from analog. The system is set up for analog and it is likely that we will continue to experience these issues. Mr. Toomey, with Teclarm who installed, maintains and monitors our system said that he has installed a radio cell at other locations to address this problem. The cost for the phone is \$350 installation included. The annual monitoring fee will increase by \$235. The other maintenance would be batteries as needed. Rick White motioned the board to approve the purchase and installation of the cell radio for the fire alarm system as well as the additional annual monitoring fees. The motion was seconded by Gary Steinman and passed unanimously by roll call vote.

Ridgeway House

Alan reviewed the three (3) bids he had received for the remodel of the bathroom at Ridgeway to make it ADA compliant. The board agreed that Kuhlman Construction provided the best bid at \$19,176. Gary Steinman motioned the board to approve the bid from Kuhlman Construction but added "not to exceed \$20,500" in the event that an unforeseen encumbrance is encountered. The motion was seconded by Tom Bradley and passed unanimously by roll call vote.

Clay County Homes Inspection

Alan relayed that they had come to an agreement with Life Unlimited regarding the **homes inspection project** which has been reviewed and discussed for many months. The Board Owned Property Committee approved the following on October 15, 2019:

The committee previously requested the Life Unlimited prepare a proposal for the board for inspection of the homes they own and/or manage in which Clay County. After review and discussion, the Committee and Life Unlimited agreed to three (3) inspections annual to include up to five (5) homes supported by Life Unlimited in Clay County chosen by DDRB 10 to 15 days prior to the inspection date. This selection of homes does not include homes owned by DDRB as those homes will continue to be inspected three (3) times annually or as the board deems appropriate. This will cover 31% of the Life Unlimited homes in Clay County each year as a random sample. Life Unlimited will get approval from individuals served and guardians. If a home is chosen and the individuals served and/or guardian refuse the inspection, DDRB will be notified and requested to choose another home. The DDRB and Life Unlimited will meet to discuss and review the situation with any home where the inspection was refused or denied. These inspections will be held on the first Monday of March, July and November unless another date is requested by either party for a special circumstance.

Life Unlimited will provide the following documentation to the DDRB to ensure quality maintenance of the Clay County homes being supported by Life Unlimited are being maintained with exceptional quality.

- Life Unlimited will submit the annual home inspection reports from our insurance company to DDRB within 30 days of receipt.
- Life Unlimited will submit their CARF survey report every three years within 30 days of receipt.
- During the quarterly inspections Life Unlimited will bring a report that lists all APTS from CHS concerning the physical conditions of homes and/or identified repairs needed.
- During the quarterly inspections Life Unlimited will bring a report that lists all maintenance tickets addressed and pending for the previous quarter.

Alan said that this same procedure would be utilized for the TNC Community owned homes. Mary Beth Green was in attendance for TNC and agreed to work with the committee to schedule inspections of their homes. They currently have two homes and are hoping to open a third home in 2020.

For the file record, Gary Steinman asked Anita her opinion about DDRB inspecting the homes and Anita said that she was not in favor of the idea. She said that she is concerned that it is intruding on the right to privacy of the individuals who live in the homes. Additionally, she thinks that the CHS Service Coordination staff have eyes on the homes and a method in which to record concerns to DMH although she admitted that are not likely to discover some of the maintenance issues that the inspector would find.

Steve Elliott motioned the board approve this proposal for the inspections and agree to review the program in one (1) year to see if it accomplished the goals of the board. Pat Schoenrade seconded the motion and the board voted in unanimous favor.

Alan is to work with Jason to formalize the inspection list and procedures for reporting any issues. The program will begin in in 2020.

Long Range Committee

There was no report.

Targeted Case Management

Anita Hartman provided a report for targeted case management. She reported that CHS has 42 full time employees and are in the process of hiring two (2) new Service Coordinators. They are serving 1284 consumers with a current caseload of 1 to 42. They had 14 newly eligible and 6 transfer in with 11 discharges and 10 transfer out. The Medicaid eligible rate remains pretty constant at 68%. She updated the board on the Waiver Wait List. (a copy of her report is attached to these minutes. Anita shared a short video of the annual Halloween event held the previous week in which they had over 600 attendees.

Other Business

None noted.

Guest Comments

Amy Heithoff, guest, asked if she could address the board with prepared remarks. She provided the board with a copy of her remarks which she read and a copy of a letter she had received earlier from the law firm, Kessinger Law Firm, representing Life Unlimited. The following is the transcript from her prepared and read remarks:

*“My name is Amy Heithoff. I am a Registered Nurse and hold a Master’s degree in Health Administration. I have owned Heithoff Health, Inc since 1990 & I nurse case manage catastrophic worker’s compensations cases in 6 states & I do legal nurse consulting. I’ve been my sister, JoAnn Heithoff’s legal guardian since 1998. I have taken this role very seriously for the past 20+ years. My Father is aging at 86 and lives in our home state of Nebraska. Our Mother has been deceased for almost a decade. As Parents ourselves, my husband & I *treat JoAnn like she is our first child. We have guided JoAnn in a successful and happy life until 2 years ago when Life Unlimited changed leadership. It was a very distinct departure from the previous culture we enjoyed of 20+ years of warmth, caring, and individualized support for JoAnn with Concerned Care.**

My sister is medically fragile being under the care of a cardiologist since birth, a nephrologist, a neurologist, a psychiatrist, a podiatrist, an internist & a dentist. I personally know all the history

& details of her complicated medical history; I have taken an active role & am very involved in my sister's life as we both desire this. Personally, professionally and morally, I work to fulfill the expectations of my parents as well as performing the legal responsibilities of being a guardian. *We did not "give JoAnn away" to a service provider, but sought a safe environment, kind & appropriate care, and a partnership with individuals who would welcome our involvement and ongoing family support. In the past when served by Concerned Care, it was very comforting for our family to know that we could always be an integral part of JoAnn's life.*

I am here tonight because the State of Missouri Department of Mental Health has urged me to communicate with you about my concerns with Julie Edlund and Life Unlimited. Due to the lack of appropriate response from Life Unlimited Leadership, I contacted and was interviewed by several people at CARF. I was also interviewed as a part of the possible recertification of LU. CARF told me they were very concerned about my complaints and urged me to report Life Unlimited to other supervising agencies. They urged me to report my substantial concerns to you, the County Board of Services, the State Department of Mental Health. The State has urged me to communicate my concerns about Julie Edlund with the Life Unlimited Board of Directors, but the President, Mr. Brennen Garry refused to allow me to speak at the last board meeting last week.

The attitudes & actions of the current direct care staff and the supervising leadership actions particularly in this last year, have been very disconcerting and disturbing as they have all disregarded my instructions as well as distancing me away from my sister. They are not honoring our family relationship nor as they honoring my role as her legal guardian. They have blatantly disregarded physician orders multiple times! They are very resistant to cooperate with me in ensuring that appropriate care is given. They conceal information, they manipulate my very vulnerable sister & they discredit me as her guardian. They do not inquire what my wishes are for my sister. The LU Nursing staff flat out lied about pre-operative orders, did not implement preop orders & along with non-medical staff, have made inexcusable errors that resulted in a surgical infection. *Those attitudes permeate, are allowed & encouraged by the CEO, and top management which trickles down to the Supervisors & Direct Care Staff.*

As a result of my registered objections to the CEO, JE relating unsafe practices and multiple care issues for JoAnn, my correspondences/emails to her were ignored. No attempt to solve the problems was implemented, no staff changes were made as promised months earlier. Instead the response by JE was to simply to issue a discontinuation of service notice that included an attempt to silence and intimidate me. This is a pattern of behavior for Julie Edlund. Intimidation

& distancing of Guardians from their Loved Ones. Pushing Guardians off the Board of Directors, & punishing staff for sharing information to families is also known to occur. Her final action of announcing to the Board that services would be discontinued for JoAnn while still acting like she was interested in solving problems was unethical. No effort was made to make the staff changes that I requested that would have greatly improved care. This is not the first incident by Edlund of punishing a guardian by threatening legal dismissal of the consumer. This is her pattern and how she is growing the organization, by fear and intimidation...

I am not here this evening seeking a reversal of the legal action taken against JoAnn. We have found a very favorable new organization that will care for JoAnn's needs. For many years, my husband & I have been staunch supporters of fundraising for special needs individuals in the Northland and a member of Harvester Ball Society, the Northland Community Foundation and a verbal supporter of Concerned Care in public and on social media. The Northland has been our home since 1985 and JoAnn's since 1998. I am driven to assure a happy and safe home for JoAnn so I have relocated her to the best possible environment, and caring staff for whatever years she has left to live. I am making this report to you because I'm very worried by the pattern of unethical practices by Julie Edlund, not addressing valid safety concerns in for home structure and for care practices, not cooperating with Guardians, allowing & encouraging bullying of consumers without guardians as I've seen all these things with my own eyes. I also witnessed Edlund being arrested by 4 police officers in front of her home, put in handcuffs and driven away in the police car. I know this because I live across the street from Ms. Edlund.

DDRB should be aware of a prevailing culture that:

- Edlund opposes guardians or parents serving on the boards, as has been openly stated by Edlund. There SHOULD be several designated board seats that are filled only by guardians or family members of the persons being served.
- LU does not foster no open communication with family, parents, or guardians without retaliation. Guardian's are not encouraged, are not supported in their legal roles.
- Empire building so extensive that they are perceived as unable to let them fail, despite delivery of inappropriately supervised care and with no transparency to the community.
- The LU board has no agency personnel feedback of it's consumer programs and activities. Staff can't contribute their suggestions for improvement as it may differ from Edlund's plan.
- Direct care staff are reluctant to have open communication with guardians/parents for fear of retaliation adding to consumer-family breakdown
- Retention of direct care staff is challenging because they do not feel supported by management(administration)

- Management does not foster "open door policy", open communication, and/or sharing of information as suddenly you may receive a "we can't serve you" letter.
- Life Unlimited rapid expansion compromising current consumer care and put the agency at risk financially
- Annual board evaluations and that of its CEO is "best practice" recommendation for those it serves. CEO salary should be tied to an annual performance evals which are not being done.

I'm concerned that Consumers remain in substandard housing while Julie Edlund wants to build a multimillion-dollar office for herself and the top management folks she's hired. The Director of Maintenance shared with me that all 60 residences have had standing water in the basements. They are many that have rodent/insect infestation, & poor upkeep due to only 3 staff members who can't keep up with the demand. Neighbors of LU homes are upset with the lack of home upkeep and are hesitant to invite more disabled adults into the community when the current ones are lacking so much maintenance. The Director of Maintenance for LU confided me that all 60 residences have standing water in the basements. Why build a \$3 million office building for Edlund and her Staff when the consumers live in damp, moldy, problems with insects and rodents?

I've insisted that Staff follow Dr's orders exactly. Often times, staff with high school degrees do not understand the Dr's orders. Some staff have less than High School degrees. I've always been there to explain it, assist with doing it and encourage them to call me with any questions. Many times, LU Staff forget about appts and haven't taken JoAnn unless I call to make sure it's really going to happen. I have taken JoAnn to several appts because either I wanted to go or LU Staff dropped the ball and it would have been missed without my attention to JoAnn's medical care. LU staff didn't think JoAnn needed the narcotic pain medication that was ordered for her by the surgeon after her bilateral bunionectomies and fungal toenail removal. Yes, indeed, very painful surgeries. LU Staff made mistakes for both surgeries because of poor supervision from the LU Staff and LU Nurses. I am flabbergasted at how the ball could be dropped so often. It has required me to be on every detail to ensure safety and healing, still they did inappropriate things because Edlund did not think my involvement was necessary. Staff was encouraged not to call me. Staff flat out told me that they would not follow DR's orders because it's "just too much work." Mr. Flanders calls my behavior interfering, sabotaging and causing confusion/discord which is completely false. I don't know where JoAnn would be without me...

I urge you to investigate and demand transparency from Julie Edlund. There are so many unmet needs, worried parents, worried guardians, betrayed consumers that feel pushed out and

uninvolved. It doesn't have to be this way. I know this because we've had mostly excellent years when it was Concerned Care. The problems escalated severely when Julie Edlund took over. I don't even recognize the organization anymore as the culture bullies the Consumers, bullies the Staff, pushes out and bullies the guardians, all so Julie Edlund can do things her way without transparency and ethics. I didn't sign up for that nor did anyone else.

My main concern is that LU remember who is supposed to be serving who & that they remember they are serving people, not widgets! My biggest concern is for the Consumers who do not have a Guardian at all or they don't have a Guardian who feels comfortable speaking up when they know that Edlund will just fire them from services & move on the next family on the waiting list for services. Life Unlimited is unapologetic for the last 2 years of mistakes, fumbles, errors, rudeness, unethical behavior and abuse of their consumers and guardians. This has to STOP!"

Gary Steinman thanked her for her time and comments.

Holly Wilmes with Easterseals Midwest advised that they would be undergoing a Federal Review for the Head Start program and it was likely that someone would be in touch with DDRB for an interview.

Shaney Othic with Northland Therapeutic Riding Center told the board that she has now become the full time Executive Director for the organization after having served on the board for a time. She also said that they had just completed their Evening of Hope fund raiser which was very successful and raised \$27,000.

Gary Steinman offered the Board's congratulations on both announcements.

Randy Hylton with Vocational Services they had recently enjoyed their annual Length of Service Awards Luncheon. They recognized 150 individuals with the longest terms of service at 52 years. He also said they would hold their annual Thanksgiving Day celebration on November 22, sponsored by the ARC of Kansas City.

Adjourn

With no further business the meeting was adjourned.

Respectfully submitted: Sonja Bennett

November 6, 2019