

Virginia Brain Injury Council

July 26, 2024, 1:00 – 4:00 p.m.

MINUTES

This was an **electronic** meeting, consistent with the approved electronic meeting policy adopted in December, 2022.

VIRTUAL ATTENDEES:

Mike Puglia, Chair
Kara Keuthan, Vice Chair
Patrik Sandas, Secretary
Cara Meixner, Immediate Past Chair
Maria Altonen
Ann Bevan
Kristen Galles
Deborah Johnson
Joani Latimer
Elizabeth Horn

Teri Morgan
Susan Moon
Steven Nape
Derek O'Neal
Nicholas Rudisill
Ronald Seel
Erika Sisson
Maria Stransky
Carolyn Turner
Linda Wilkinson
Jason Young

MEMBERS NOT IN ATTENDANCE:

Gayl Brunk
John Reynolds

DARS STAFF:

Donna Cantrell, DARS, Staff to Council
Marcia DuBois, DARS, Deputy Commissioner, Division for Community Living
Charlotte Arbogast, DARS, Division of Policy and Legislative Affairs

MEMBERS OF THE PUBLIC IN ATTENDANCE:

Kathy Stumm
Anne McDonnell
Amber Walter
Aster Thomas
Jacole Thomas
Rachel Evans

Welcome and Roll Call of Members Present

Mike Puglia, VBIC Chair, welcomed attendees and called meeting to order. Mike reminded Council that they officially adopted an Electronic Meeting Policy in December of 2022, and it allows for up to 2 meetings per year to be held virtually.

Mike verified that a quorum (simple-majority) was present, acknowledged that the public was able to access the meeting live, and welcomed those viewing as Council conducts its business.

Review Proposed Agenda

Mike provided an overview of the meeting and asked if there were any changes to the agenda. Hearing none, the agenda was approved by acclamation.

Review of Previous Meeting Minutes

Mike asked if there were changes to the April meeting minutes. Kristen asked that they be amended to include more detail about her objection to the section describing how New Business was to be handled. Kristen will work with Donna on the language around that change.

Carolyn Turner motioned that the April minutes be approved, as amended. Patrik Sandas seconded, and the minutes were approved, with Ron Seel abstaining.

January 2024 Meeting Minutes

Mike reminded Council that during the April meeting, the January minutes were tabled until content of the discussion around New Business could be reviewed by Council-staff. Donna transcribed the discussion, and a word for word transcript of the discussion was provided to members in advance of this meeting, along with the proposed agenda and meeting materials.

Kristen Galles requested that the January Minutes be amended to include the reasons that she objected to the process. She stated that she would provide the language for the revision to Donna after the meeting.

Kristen made a motion to approve the January Minutes with the changes noted and Derek O'Neal seconded. The motion passed, with Ron Seel abstaining. Once amended, the January Minutes will be posted for the record.

Public Comment Period

Prior to asking for public comment, Mike reminded members that they do not directly engage with, nor respond to, public comment but that all public comments are made part of the public record and considered when future business items are discussed.

Donna received 2 requests to give public comment:

- Kathy Stumm is a family member whose brother is a Virginia resident living with a brain injury. Ms. Stumm attended the July 17, 2024 meeting of the Joint Commission on Healthcare to hear information presented on traumatic brain injury services in long term care facilities. She noted that the presentation slides are available at [Joint Commission on Health Care \(virginia.gov\)](https://www.virginia.gov/joint-commission-on-health-care) and that she, along with various advocates, had concerns about the information presented. They have provided public comment, and she noted this might be an opportunity for other individuals to participate in the process.

Ms. Stumm noted that she had found the Bylaws on the Council's website and that she latest membership list she had found was from Spring, 2023. She put her name forward for appointment as a family member or as the Commissioner's Special Designee member during the next nomination cycle. She also noted that there may be a problem with Targeted Case Management as the numbers served were very low. Mike noted that this was on the agenda to be discussed later in the program.

- Anne McDonnell is the former Executive Director of the Brain Injury Association of Virginia and current Advocacy and Affiliate Specialist with the Brain Injury Association of America; she has been actively involved with the TBI Authorization Act since 1992. She noted BIAV had been a proud partner with DARS for more than 20 years, over 5 federal grant cycles, and that for the first time, BIAV was not written into years 4 and 5 of the latest federal grant. Anne reminded members that the Virginia Brain Injury Council was the advisory body for the federal grant and suggested that some areas of interest might be:
 - The status of the statewide Action Plan for Brain Injury
 - The status of the Needs and Resources Assessment
 - The results of the Brain Injury Screening project with the Community Services Boards and a second screening project with homeless organizations that was funded through American Rescue Plan Act monies, and
 - The results of the self-assessments that were done through the National Association of State Head Injury Administrators assessment tool for the Annual SEED Summit in DC.

Mike thanked participants for their comments and acknowledged that some of these important topics may be discussed at the October meeting, along with the scheduled Federal Grant Update. He asked members who may have comments or questions to hold those until either the next meeting or possibly in New Business to give all members a chance to digest those important comments.

DARS' Brain Injury Services Staff Changes and Reset

Carolyn Turner, Director of Disability Programs at DARS and the Interim Director of Brain Injury Services, provided a brief update on recent staff changes and assured members that the Virginia Brain Injury Council had the full support of DARS' leadership and staff. DARS has begun the recruitment process for a Director of Brain Injury Services.

Carolyn noted that DARS received new monies for brain injury services and all of the contracts with existing service providers were amended and processed on time so that new service areas could begin to be covered immediately. Jason expressed appreciation for the success DARS had executing those contracts so quickly. For the first time, all areas of the State are covered for brain injury case management services.

Linda Wilkinson expressed hope that when DARS is ready to begin the recruitment process, that they will share the announcement because BIAV and other organizations

are ready to assist with recruitment and may have some referrals. Carolyn noted that the recruitment is still in development, and Kristen seconded Linda's request that the announcement be shared once it is publicly available.

A Word from Commissioner Hayfield

The Commissioner stated that DARS appreciates public comment and their interest in what is happening in the world of brain injury. Regarding the TBI Act Grant and being in a transition phase with recent staffing turnover, we are in a slight "catch-up" phase. At the next Quarterly meeting, DARS will provide an update on our brain injury activities, specifically on the Federal TBI State Partnership Program grant.

Related to the items mentioned in the Priorities Letter that the Council sent in May, 2024, Commissioner Hayfield acknowledged Council's interest in learning more about the needs of and services available for pediatric patients, as well as cognitive rehabilitation, in general. She agreed that affordable housing options for individuals with brain injury and other disabilities, and housing in general, are very important considerations. DARS strategy thus far has been to be sure that we have a seat at the table where these discussions are taking place.

The Commissioner specifically congratulated advocates across the state for bringing brain injury services to all areas of the state for the first time. She acknowledged that there are still many areas that are underserved and that more is still needed, but she was proud that all areas of Virginia now have access to something. She also thanked Council for the Funds Dissemination Letter that was considered when DARS made its final budget allocations for the newly allocated State funds.

Commissioner Hayfield noted that earlier in the year, Council had approved a new membership structure, and she was pleased to note that it substantially increased the number of individuals living with brain injury on Council, while at the same time maintaining some of our important partnerships with the agencies and organizations that work together to expand and improve service for individuals living with brain injury.

The Commissioner acknowledged that we are hiring for the Director of Brain Injury Services and that we will get the recruitment announcement out to Council, once it is published. She encouraged all members to share that information and recruit far and wide. She noted that she felt that DARS' Brain Injury Services Unit was underfunded. DARS recently did a look back and 20 years ago, funding for brain injury services was just over \$2 million. It is now just over \$10 million; however, DARS staffing hasn't not increased in that same time period.

Kristen stated that she heard that DARS was slightly behind on the TBI Act grant, and she felt that this might be an opportunity to involve the Council more. She expressed frustration that the Council doesn't "do" more and feels that members' expertise could be used more efficiently. She asked that DARS let members know where all the money comes from and what it is designated to provide.

Cara Meixner noted that she's been on Council for a while now and she's noted how fundamental cross-agency collaboration is to our work. The Commissioner agreed, saying that having these players at the same table helps ensure that the decision-makers throughout the Commonwealth were building the relationships they needed to move things forward and improve the lives of individuals living with brain injury. She noted that is very easy to become siloed and only see things from one perspective when that isn't the best approach to improving or expanding services.

Several members noted that House Bill 888 and Senate Bill 176 are bills that members might be interested in; each of them addresses brain injury services for individuals in state psychiatric hospitals. ([LIS > Bill Tracking > HB888 > 2024 session \(state.va.us\)](#) [LIS > Bill Tracking > SB176 > 2024 session \(state.va.us\)](#)). There was considerable discussion about the lack of placement options for these individuals and agreement that psychiatric hospitals are not a good placement option for people with brain injury, dementia, Alzheimer's, or conditions that are other-than-mental health. But there are no other options. This legislation gathers a diverse group of individuals to look at this and come back to the general assembly in a year to discuss their findings.

Committee Reports

Mike thanked DARS' leadership for their remarks and support. He noted that the majority of the work of Council happens in committees and that during the last quarter, the Executive Committee, the Orientation Planning Committee, and the Bylaws Committee met.

Executive Committee

The Executive Committee met in late June. Carolyn Turner and Marcia DuBois assured them that the work of Council was valued and will continue, even as DARS is going through a transition period with respect to staffing, state contracts for services, and federal grant deliverables. The Committee was briefed on the agenda for this meeting and was able to ask questions on specific items. No formal action was taken.

Bylaws Revisions

This committee met on July 10th and the 22nd.

As a result of membership changes made at the meeting in April and mistakes that were made earlier this year regarding membership terms that resulted in two members being removed and Council not having the ability to address that in a timely manner, Council asked the Bylaws Committee to convene to review the existing Bylaws and recommend revisions for the full Council to consider on July 26 at the full Council meeting. To begin this process, DARS DCL staff worked with the DARS' Policy Division to examine the 2018 Bylaws and develop a draft version for the Committee to consider.

Some procedural elements also needed to be revised to bring Council into compliance with state and agency policies, to eliminate contradictions and redundancies in the 2018

version, and to improve clarity, efficiency and flexibility of the Council Bylaws moving forward.

Patrick Sandas reported that the committee had met twice to discuss revisions but had not come to agreement on recommendations for revisions. Committee members noted that the changes are extensive and are taking longer to review. They will continue their work before the next full Council meeting. Mike clarified that the Committee needs to have a proposed document out to Council 10 days before the October meeting, to allow members to review the changes and be prepared for discussion. Council will need to vote to approve a set of Bylaws at the October meeting.

Orientation Program Review

Steven Nape briefly reviewed the process and progress that the Orientation Planning Committee is working on, and he noted that the material they've developed so far is being vetted through DARS before they proceed further. As a reminder, information taken from the old orientation program was fairly comprehensive and it was more a question of: is anything missing? And how should it be delivered?

Steven is pulling the materials together and will get them to Carolyn as soon as possible so the Committee can move forward. DARS will ensure that the VBIC Orientation is consistent with agency and State policy and may be able to offer some guidance on content that should be included.

Alliance Update

Jason Young briefly updated Council members on the implementation of Targeted Case Management in the Medicaid State Plan. This service was implemented in January of this year and state funded programs have been working with the MCOs to begin offering services. Thus far, very few individuals are being served in this program.

Targeted Case Management is administered by 5 MCO's and none of the state funded providers were Medicaid providers before this. The MCOs did some on-boarding with the program's Executive Directors and Administrators; however, those were not the front-line users and neither the MCOs nor the programs were speaking the same language. Through intervention from Ann Bevan and Linda Wilkinson, a plan to remediate this problem was developed and the process is now moving forward.

Jason acknowledged the new state funding, saying that it was the first time all areas of the state were covered by state-funded case management and, in some cases, expansion of other services and reduced waitlists. The new dollars also help to remediate the high turnover rates in organizations, allowing salaries to be slightly more competitive than they have historically been.

The providers also attended a legislative retreat, led by the Brain Injury Association of Virginia, where they began to develop a plan for their 2025 legislative priorities, which would include asking for additional dollars to expand brain injury services throughout the State.

Housing Workgroup Update

Marcia DuBois briefly reviewed the history of the Housing Workgroup that was a result of an earlier Priorities Letter; the Workgroup produced a written report and recommendations were submitted April, 2024. One of those recommendations involved working with a consultant to come up with a strategic plan for incorporating brain injury in existing permanent supportive housing models, making policy recommendations, and investigating costs for these services. The former Director of Brain Injury Services and Marcia had a conversation with the housing consultant/technical assistance center that the Department for Behavioral Health and Developmental Services (DBHDS) worked with when they developed their permanent supportive housing services for individuals with mental health conditions.

After some discussion, it was determined that the technical assistance center would not be in a position to provide those consulting services due to their relationship with DBHDS, but that some of the things the workgroup had talked about might fall within their purview under their current project with DBHDS. They will be available to talk further if there were more questions about permanent supportive housing. They also noted the revival of the permanent supportive housing steering committee that DARS and DMAS are a part of and noted that it might be easier to have brain injury added to other housing-related discussions rather than creating a separate program. Expanding these partnerships and learning more about what challenges these groups already experience is also on the Alliance's (Alliance of Brain Injury Services Providers) agenda, and DARS will share more as discussions take place in that steering committee. Making this happen will involve a lot of interagency discussions and many community partners.

It was noted that the recommendations submitted to DARS by the Housing Workgroup were shared with the steering committee.

New Business

As was mentioned in the Council's 2024 Priorities Letter, the Executive Committee wanted to discuss the future professional development topic of pediatric brain injury. Mike has opened up a discussion with Deborah Johnson from the Department of Education and John Reynolds, Athletic Trainer, on how this topic might be presented for maximum benefit. After considerable discussion, it was decided that subject matter experts serving on Council will plan a professional development opportunity on pediatric brain injuries in schools and present it at an upcoming meeting.

Members also wanted to explore the topic of cognitive rehabilitation at some future date, and the possibility of establishing a workgroup to look at this issue was discussed. Marcia explained that based on current staffing challenges and existing projects, DARS is not in a position to staff such a workgroup at this time, but Council may come back to this.

Linda announced that the Brain Injury Association of Virginia had hired a new Executive Director, Dan Reeves, who will be attending future meetings. He has a background in

Housing at domestic and international levels, so he may be able to contribute to future housing-related discussions.

Council is in favor of resuming the practice of holding the October Quarterly meetings at off-site locations. Sheltering Arms Institute and the Wilson Workforce and Rehabilitation Center were mentioned as potential sites for the October meeting. Donna will follow up on this and keep Council informed on progress.

Council members were reminded that the day and time of Quarterly meetings are changing to Wednesdays from 12:30 p.m. til 3:30 p.m. Meetings are held in January, April, July, and October. Donna will provide a schedule of the 2025 Quarterly meetings at the October meeting, which will be in-person at a location to be determined.

There being no further business, Linda Wilkinson motioned that the meeting be adjourned; Derek seconded and the meeting adjourned at 3:48 p.m.

NEXT MEETING: WEDNESDAY, October 23, 2024, 12:30 p.m. thru 3:30 p.m.