

VISITOR'S REGISTER

HOUSE HUMAN SERVICES

SUB COMMITTEE

BILL \_\_\_\_\_

DATE 2-4-83

SPONSOR \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Kevin Johnson	Dillon	Dillon Special Resources, Inc.	✓	
Patricia Carrick	Dillon	DSR, Inc.	✓	
Wayne D. M...	Conrad	N-G Activities	✓	
Joe Roberts	Helena	724 11th Ave	✓	
Gail Neal	Billings	Billings Workshop	✓	
Orville Bullock	Helena	Helena Industries	✓	
Mike Morris	Missoula	CDC	✓	
John Fike	Hamilton	RSC	✓	
Steve Shirley	Helena	Lee State Bureau		
Bery John	Helena	SRS	✓	
Paul Lewis	"	OBAP	✓	
Henry Kanger	Glasgow	Hi-Line Home Programs	✓	
Ron Langworthy	Miles City	Eastern Montana Industries	✓	
DARWIN BROCKWAY	MALTA MT.	MALTA OPPORTUNITIES INC	✓	
Cashe L. Burrows	Glendive	Developmental Assessment Services	✓	
Joe Nemes	Harlem	Blaine County Activities	✓	
Connie Green	Big Sandy	Big Sandy Activities	✓	
Deane Swanson	Haure	Regional Living Services	✓	
Quay Rodgers	Clay	Jeff		
Bill Miley	Helena	Board of Care Capital		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

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NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Honnie Koenig	Kalspell	Consumer 191 ARC	✓	
Joyce Curtis	Chateau	Consumer Regu County	✓	
Kenneth Konlusch	Conrad	Region 11	✓	
Gene Egare	Valien	" "	✓	
Don Doughty	Missoula	" "	Parent	
Regina Dougherty	Missoula	" "	"	
Bill Arnelle	Kalspell	Flithead clusters	"	
Shirley Ramm	Great Falls	consumer	✓	
Joyce Vaska	Helena	✓	✓	
Jelene Kennerly	Bozeman	Blackfoot	✓	
Melvin Rootkeff	Bozeman	Blackfoot	✓	
Mr. Ken Duffel	Gr. Falls			
Mr. Ken Duffel	" "			
Mrs. Ann Duffel	Co. rd	consumer	✓	
Bonnie Tolbort	Missoula	int. person	✓	
Elen Dethay	Missoula	ARC - parent	✓	
Viola Cram	Missoula	ARC - Parent	✓	
Jan Rammer	Helena	DD consumer	gov bud	
Judy Olsen	Helena	Westmont Comm. Care	✓	
"	Helena	int person	✓	

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DATE 2-4-83

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NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Guy Holliday			✓	
Karvin Richard	Billings		✓	
Constance Rasky	Billings		✓	
Richard J Rasky	Billings		✓	
Gene Wilbur	Billings		✓	
Harold Richard	Billings		✓	
Wally Richard	Billings		✓	
Valley Melton	Great Falls	Region II child & family services	✓	
Jane I. Davis	Bozeman	parent	✓	
Charles Smith	Bozeman	parent	✓	
Emelie Williams	Ronan	social citizens center	✓	
Lila Williams	Missoula		✓	
Lorita Cotton	Missoula	Rel's	✓	
Jane Johnson	"	"	✓	
Patricia Watson	"	"	✓	
Shirley Gunn	"	"	✓	
Sandra Cork	"	Big Bear Resources	✓	
Margaret Mann	"	"	✓	
Lynne Bell	"	"	✓	
Gary Rognotta	Bozeman	Beach Inc.	✓	

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BILL \_\_\_\_\_

DATE 2-4-83

SPONSOR \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Tom Drager	Helena	Deaconess Home	✓	
Bill Emge	Helena	Tri County DD	✓	
Edwin A. Roush	Cut Bank	My-SELF	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS SUBCOMMITTEE  
ON HUMAN SERVICES  
February 4, 1983

Begin Tape 32 Side one

The meeting was called to order by Chairman John Shontz at 9:15 a.m. Sen. Pat Regan was the only subcommittee member not present.

Also present were: Peggy Williams and Mason Niblack, Fiscal Analysts and Mr. John LaFaver, Director of the Social and Rehabilitations Services and Mr. Jack Ellery, the Administrator of the Developmentally Disabled Division of SRS.

The meeting was held in the Scot Hart Building Auditorium to accomodate the public hearings for the Developmentally Disabled.

#### DEVELOPMENTALLY DISABLED HEARINGS

Mr. Jack Ellery was introduced by Mr. John LaFaver. He told the committee he had given them handouts which showed the purpose of the program's history, the services provided across the state and demonstrated the cost of upkeep of this program. See exhibit 1

The first chart he presented showed the summary of the movement of the program from 1975 to 1983. He said that currently there are 1760 individuals receiving services in Montana at an average annual cost of approximately \$7,000 and that there are over 600 individuals currently on waiting lists. According to Mr. Ellery, Montana has made a solid and continuing commitment over the past 4 bienniums both at de-institutionalization and in serving the developmentally disabled individuals.

The second chart showed residential services. Individuals are being moved from highly structured services to less structured services; the costs of these services is reduced by doing so. The goal is to develop handicapped individuals to the extent they become more self-sufficient and more independent. The DD budget proposal is consistent with national and state economic plans. Mr. Ellery recognized the Division faces difficult times and so is requesting a modest increase of 6% in direct benefits. This represents approximately 1.5 million dollar increase over the biennium. An additional \$900,000 for the de-institutionalization of 16 individuals currently residing in State institutions is also requested. This would reduce the cost of Boulder River School and Hospital as one cottage could be closed. The cost savings generated from this would be used to fund community based services.

Mr. Ellery assured the committee that what he had requested was essential to maintain services now on line. He explained that the division has also requested modest program improvements totaling \$900,000 in two areas. The first is a \$600,000 request for specialized home care for 30 severely handicapped children. These children are not now being served and should be served in a resi-

dential setting rather than in a nursing or group home. The program is based upon the use of foster care families who have been recruited, screened, and trained to serve the severely handicapped.

The second program request is for \$300,000 to more appropriately compensate direct care staff in community group homes. This funding is needed to improve the quality of service to DD individuals in group homes. It is recognized that working in community group homes is difficult and that it should be more appropriately compensated.

Mr. Ellery told the committee that the difference between the executive request and the LFA recommendation is \$3.2 million dollars. He said approximately \$1.6 million of this is in program improvements just outlines and that the remaining \$1.6 million dollars funds services currently "on line." He said that if the LFA budget is adopted, the DD Division will have some serious problems and felt it would be difficult for them to maintain current level services. He believed that adoption of the LFA budget would eliminate 5 group homes and affect 32 severely handicapped individuals. The options for serving these individuals is very limited. In addition, 10 individuals currently employed would no longer receive training supervision. He hopes any differences they have can be reconciled in the next few days.

The following people then gave public testimony concerning the DD programs.

1. REP. GAY HOLLIDAY, District 46 from Roundup explained that, as the mother of a developmentally disabled son, she had experienced the services and care that are available. As a result, her son is now living independently and holding down three parttime jobs. His only need of service now is medicaid to receive prescription drugs for control of seizures. She encouraged the committee to act favorably to continue services. (see witness statement)
2. REP. GLEN ROUSH, District 13 from Cutbank, made a brief statement. He has served on the DD council for his county for the past three years. He believes there is a strong need for this service in Montana and has seen the things that can be done for the handicapped. He supports more group homes. He hopes the population in Boulder can be reduced, but knows there will always be a need for the institutions. He realizes there have been serious questions raised in the past few years about provider contracts in relation to the department. He told the committee in cost analysis that as of February 1 it costs \$50,422 per year or \$138 per day for a client at Boulder. He believes the providers are basically doing a good job; however, accountability must remain a top priority. He urges the committee to give the program strong consideration for funding.

3. JOE ROBERTS, Lobbyist for the Legislative Action Committee for the Developmentally Disabled, told the committee there were other legislators who wished to testify but were unable to be present. He told the committee that the legislative action committee felt concern for both the executive and the LFA recommendations and felt it was appropriate to address those concerns to the committee. He said the action committee has not requested people to write letters, etc., but had encouraged them to come before this public forum. On the format of the LFA budget, the committee has taken it at face value. In the areas of new service, he thinks it is appropriate that those be set out for careful scrutiny, but they do not have particular problems with the LFA setting these out as options to decide upon.

4. MR. WALLY MELCHER, Director of Region II Child and Family Services from Great Falls then testified. He said the community services system for DD persons has grown significantly since its beginning in 1975. The system currently serves approximately 1700 clients in a variety of programs and the system is one that Montana can be proud of.

However, there have been some growing pains and a major issue of contention has been to what degree provider agencies were being controlled by SRS versus being controlled by their own boards of directors. These differences were aired in testimony last year before the legislature and, as a result, this committee issued a mandate to John LaFaver and the providers to resolve their differences and get on with the primary function of providing quality service to Montana's DD citizens. He was pleased to report there has been significant progress toward resolving differences and they anticipate more cooperation in the future.

He urged strong support for the inclusion of the 46 DD people who would be placed in new specialized care under the executive budget proposal and requests that the committee give careful consideration to the needs of all developmentally disabled people who need services. He also urged support of the creation of specialized foster care for 30 children during the 1985 biennium. See witness statement

5. SEN. ED SMITH, District 1, from Dagmar, spoke in support of the adequate funding of DD program. As a member of the 17 county disabilities council, he is familiar with the programs and the type of service they provide. As a member of the legislative committee that has reviewed the programs thoroughly, he knows their records and feels strongly the committee would approve of an adequate budget.

6. VONNIE KOENIG from Kalispell, a parent of a 22 year old DD son then testified. She told the committee, "the system is working," and that she has been involved with it from the start and knows the service it has provided for her son. She knows that with the legislature, the state agencies and the parents working together, they can do much for these people. She also read a letter from Floyd and Kathryn Ballard

thanking the legislature for the services they had helped to provide.

7. TERRI AND VIC HAGLER, from Belgrade, Montana, spoke to the group about their three year old developmentally disabled son and the services and care he has been provided. Their three year old son Stephen was with them. Mrs. Hagler felt the services have been very supportive, especially the respite services.

8. RENA WHEELER, Director of Special Training for Exceptional People in Billings (or STEP as they are called) serves DD children and their families with training and respite care services. She expressed extreme concern about more adequate salaries for group home employees, not for administrators, but for people who are responsible for the care and training of clients on a daily basis. In spite of the allocations made by the last legislature to upgrade salaries, these staff are still not paid adequately for the work they are required to do. She felt other benefits are equally inadequate in comparison to teachers and other employees. Only 19% of group homes have live-in apartments for staff, so staff must pay for housing out of less than adequate take-home pay. She felt the executive budget request of \$300,000 to upgrade direct care staff employees was good, but even this increase of 6% will not be enough to impact the problem. End of Tape 32 Side one

Begin Tape 32 Side two

She appealed to the Legislature for assistance, requesting that at least the \$300,000 recommended in the executive budget be included. If additional monies can possibly be appropriated for this purpose, she further requested the legislators to set this as a high priority. See witness statement

9. KANNON RICHARDS, Member of the Regional Council in Billings, a member of the Legislative Action Committee, and a member of the Board of Directors for the Residential Support Services Corporation and the father of a retarded 26 year old daughter, spoke of the responsibility of caring for a developmentally disabled person. He said he was here to request full funding and support for the DD Division so they can achieve their goals. He feels Montana is taking the correct approach by leaning towards more community based services versus the centralized institutional care, but feels there is a need for both. He sees two grave danger signs which the legislature must be on guard against. They are (1) in regards to lack of adequate funding--He indicated that an impasse almost occurred when one corporation was prepared to dissolve itself and turn over the operation to the state because of disagreement over salaries. and (2) the second issue had to do with risk and liability. He hoped that the legislature would introduce and support legislation that will free these people from a possible catastrophe. See witness statement



10. SHARON AND WALLY REHARD, permanent foster parents of a 17 year old developmentally disabled daughter testified to the need for more group homes. They are on a waiting list for putting their daughter Tammy in a specialized group home at the present time. Tammy has been with them since she was 5 weeks old. As Tammy has grown, it has been an increasingly more difficult task to care for her. They would like to have Tammy placed in a home for specialized care and encouraged the committee to support more such homes. See witness statement
11. RICHARD AND CONSTANCE RASKY, parents of a handicapped 17 year old daughter Karen, also have a daughter on the waiting list for intensive care group home and urge funding increased services for group homes for intensive care and for salary improvements. See witness statement
12. SHIRLEY GANN from Missoula, Montana testified on the importance of Big Bear Resources and the benefits she is deriving from living at the Vista Group Home. She hopes to be able soon to be able to live on her own and hopes the legislature will help others to receive these services too. See witness statement
13. PATTI WAKEN, from Missoula, also told the committee how much she has gotten out of being in Khanabad Group Home and how much she has learned to do for herself there. She urged support for Big Bear and Khanabad Group Home. see witness statement
14. LINDA COBBER from the Community Nursing Home in Missoula testified that while she lives in a nursing home, she would like to live in a group home someday with her husband. She attends Big Bear and does crafts during the day and said programs like this help her and other disabled people. She asked for support.
15. JOSIE JOHNSON, from Missoula, also told the group how much she has gotten out of being in Khanabad Group Home and all of the help she has received and encouraged support for others. see witness statement
16. LORI HETHNIDER from Billings, Montana, made comments regarding the intensive specialized care homes which currently serve 32 DD throughout the state. This is a fairly new service and a fairly costly service to operate. She said it costs \$52,000 to maintain an individual in Boulder River Hospital and it costs approximately \$28,600 per year to maintain a similar type of individual in a community. If the people are not able to be cared for in a community, they will be forced to go to Boulder or a nursing home at a much higher cost. She said that financially, the continuation of funding for group homes speaks for itself.
17. BILL EMGE, Director of a Residential Program which serves 80 DD adults and a senior program which serves 24 people ages 55 or older here in Helena testified about the amount of time a group home adviser

have for the care of these people. He said they are really professional people and should be reimbursed for such in recognition of the job they do. They have become very cost conscious and have reduced costs as much as they can. He feels the executive budget is conservative. He feels that if client social security or supplemental security income increases are withheld for six months as presently proposed and 6% is allocated, they are looking only a 4.9% increase. After subtracting a 4% inflation rate for 1982, they are left with less than 1% for fiscal year 1984 and less than 6% for FY85. This leaves them without much of an increase. He urged continuing support and to allow them to explore the possibility of granting a percentage increase in excess of the 12% which is being considered.

18. DIANN AND CHARLES HANSON, SR. testified before the committee. She told of the problems that they have encountered in trying to find help for schooling for their son, Chuck. They feel if he could get extensive training through the Billings group homes, he could become a normal citizen. They hope they will get the funding needed for the group homes there. End of Tape 32  
Begin Tape 33 Side one

19. MR. CHUCK SUPER, from Billings, represented a corporation that provides services for 105 developmentally disabled adults in day programs, 32 slots in group homes in 4 different communities, and 14 positions in semi-independent living situations. Last time, they had a proposal to build three group homes in the Billings area and they have accomplished the goal. He has written to HUD proposing funding for two additional group homes in Red Lodge and shutting down the old facility they have there now. He gave the committee literature concerning the support he has received for this proposal thus far. See exhibit 2 He explained to the committee the opposition and procedures he had to go through to get the homes built in Billings and showed the audience pictures of the new homes. Mr. Super hopes the committee will be able to appropriate money for direct care staff employees.

20. JOYCE BACHRON from Helena, told of the help her son has received in the AWARE program in Anaconda, in the group home, and how much support they have received from all the services. She compared his time in Boulder and was thankful he is receiving the help he is getting at this time.

21. HUGH AND MARY MCWHORTER, of Helena, told of the personal experiences they have had with the services they have received for their 16 month old Downs Syndrome daughter. Mary said she couldn't stress enough that early intervention was such a help and the support she receives from the home visits have been of such a great aid to them. They urge support for adequate funding. see witness statement

22. MR. BILL CRIVELLO from the Flathead Industries for the Handicapped in Kalispell requested financial consideration for services to those still on community waiting lists. see witness statements

23. MR. MELVIN RUTHERFORD from Browning, Montana, a member of the Board of the Blackfoot Indian Program stated they currently have 28 clients and two group homes with 14 people. He feels that if the Governor's budget is cut, it would greatly reduce the services they are now providing. If the group homes were closed, people would be denied the services they are entitled to. He also submitted 79 letters to the committee supporting adequate funding See exhibit 3

24. SHIRLEY RAMMER from Great Falls, parent of two DD children, told of the services she has received for her two children and she stressed the need for basic training and hoped that the committee would appropriate funds to increase the salaries of the direct care staff in these homes.

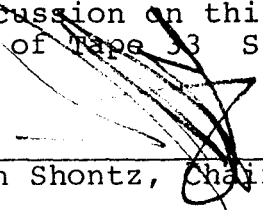
25. KEVIN JOHNSON, of Dillon Special Resources, expressed concern that the system that we have today is not complete. He feels the councils do not have the powers they need to provide meaningful advise and feedback to the administrative body that directs these services. He also pointed out the difficulties that underfunding brings to the provider organizations. He believes they are doing the best they can but that it is not an easy task. See exhibit 4

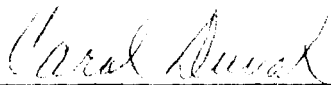
26. JULIAN KENNERLY, from Browning, Montana, represented the Blackfoot Indian Program as the executive director of the program. She expressed to the committee her appreciation for the support of the group homes and hoped they would continue to fund it.

27. JOE ROBERTS, lobbyist, closed by saying that there was one person named Sue Deskitel who would arrive too late to testify. Mrs. Deskitel is an employer in Billings who helps to place clients in jobs and she had hoped to tell of her service to the committee. Joe expressed thanks to the committee for their attentiveness and for the concern they had shown for the clients testifying today.

Meeting was adjourned at 11:15 a.m.

The committee will continue DD staff presentations and executive discussion on this budget on Monday, February 7 and February 8.  
End of Tape 33 Side one

  
\_\_\_\_\_  
John Shontz, Chairman

  
\_\_\_\_\_  
Carol Duval, Secretary

2/4/83  
exhibit 1

DEVELOPMENTAL DISABILITIES PROGRAM

January, 1983

## DEVELOPMENTAL DISABILITIES PROGRAM

### Program Overview

A belief in human dignity, that each person is unique and capable of development, is the cornerstone for the Montana Developmental Disabilities Program. Developmental disabilities such as mental retardation, cerebral palsy, epilepsy and autism place obstacles in the way of individual development.

Over the past fifteen years, both society's view of disabled people and the help offered to handicapped individuals and their families have changed. Community programs have been developed to provide alternatives to placement in state institutions. Montana's statutes document these changes and show a long history of concern for and commitment to handicapped people.

Montana's thrust for providing services to it's developmentally disabled calls for more normal and less institutional program settings, integration with non-handicapped people, and individual participation in decisions concerning their lives. These changes were a result of many events including the growing concern for individual rights, the effectiveness of advocacy groups, and the successes of developmentally disabled people in community programs. Our years of experience with community programs provide direction for the future. We have learned what is needed: cost effective programs which insure each individual's development. Our current system is cost effective, is progressive. It is still evolving and is incomplete. It is threatened by funding cutbacks.

The Developmental Disabilities Division expects to be scrutinized closely. An examination of the program -- its accomplishments, its effectiveness and the work yet cut out for it -- will demonstrate its necessity.

Attached are a number of graphs and tables which illustrate the history of the Developmental Disabilities Program, explain the services which are provided throughout the state of Montana, and demonstrate the cost effectiveness of the program.

The following is a brief discussion and explanation of the graphic aids which are attached:

### History of Community Based Service Development

#### 1977 Biennium

The Montana Developmental Disabilities Program formally began when the 1975 Legislature appropriated substantial funding to develop services for handicapped individuals in the community. During this biennium,

community based services were developed across the state which included both residential and day programs. At the conclusion of the biennium, the number of individuals served in community based settings increased from 225 to 1,289; 280 of which left the institution.

#### 1979 Biennium

During the 1977 Legislature no specific appropriation for the expansion of community services was provided. However, the number of individuals served increased from 1,289 to approximately 1,550. This was almost entirely due to the development of a Children and Family Services. Without an appropriation for expansion of community based services, waiting lists started to develop, particularly for adult services because of an increasing number of individuals graduating from Special Education Programs.

#### 1981 Biennium

In 1979 the Legislature appropriated \$815,000 for continued deinstitutionalization. The \$815,000 was to provide services for 60 individuals currently residing in institutions. During the biennium 62 institutionalized individuals received services in the community. However, during this period few individuals from the community entered services due to lack of appropriate funding. As a result the waiting list continued to grow.

#### 1983 Biennium

In 1981, the Legislature appropriated \$1.8 million to address the expanding need to develop additional community based services for individuals on community waiting lists. The initial proposal was to provide residential and vocational services for approximately 95 individuals. During this biennium, approximately 325 individuals from the waiting list will receive community based services. This appropriation and the efforts made by individuals within the DD system have made a significant impact on community based waiting lists. By reviewing the graph entitled Statewide Count of Persons on Waiting Lists for Services, it becomes apparent that the upward trend which had been established over three biennia has, at least for the time being, been leveled.

### Continuum of Services

These two illustrations explain the type of services provided to Montana's developmentally disabled and provide information regarding the number of individuals receiving services and their associated costs.

### Cost Comparison of Community Based Services

This graph illustrates comparative costs for providing services to adults and children in a variety of community-based service alternatives. The cost illustrations include not only the direct costs funded by the DD program, but also ancillary costs which may include special education, medicaid, social security, and state supplement.

### Changes in Community Services Waiting Lists

This graph illustrates the impact the \$1.8 million appropriation in FY82-83 had in providing services to individuals on community waiting lists. It shows where services were provided, summarizes the waiting list changes by Region and projects waiting list needs to July, 1983.

### Statewide Count of Persons on Waiting Lists for Service

The graph provides a historical perspective of the growth of the waiting list for community-based services. This chart parallels the history of community-based services as it draws a direct correlation between funding levels and the expansion/contraction of waiting list needs.

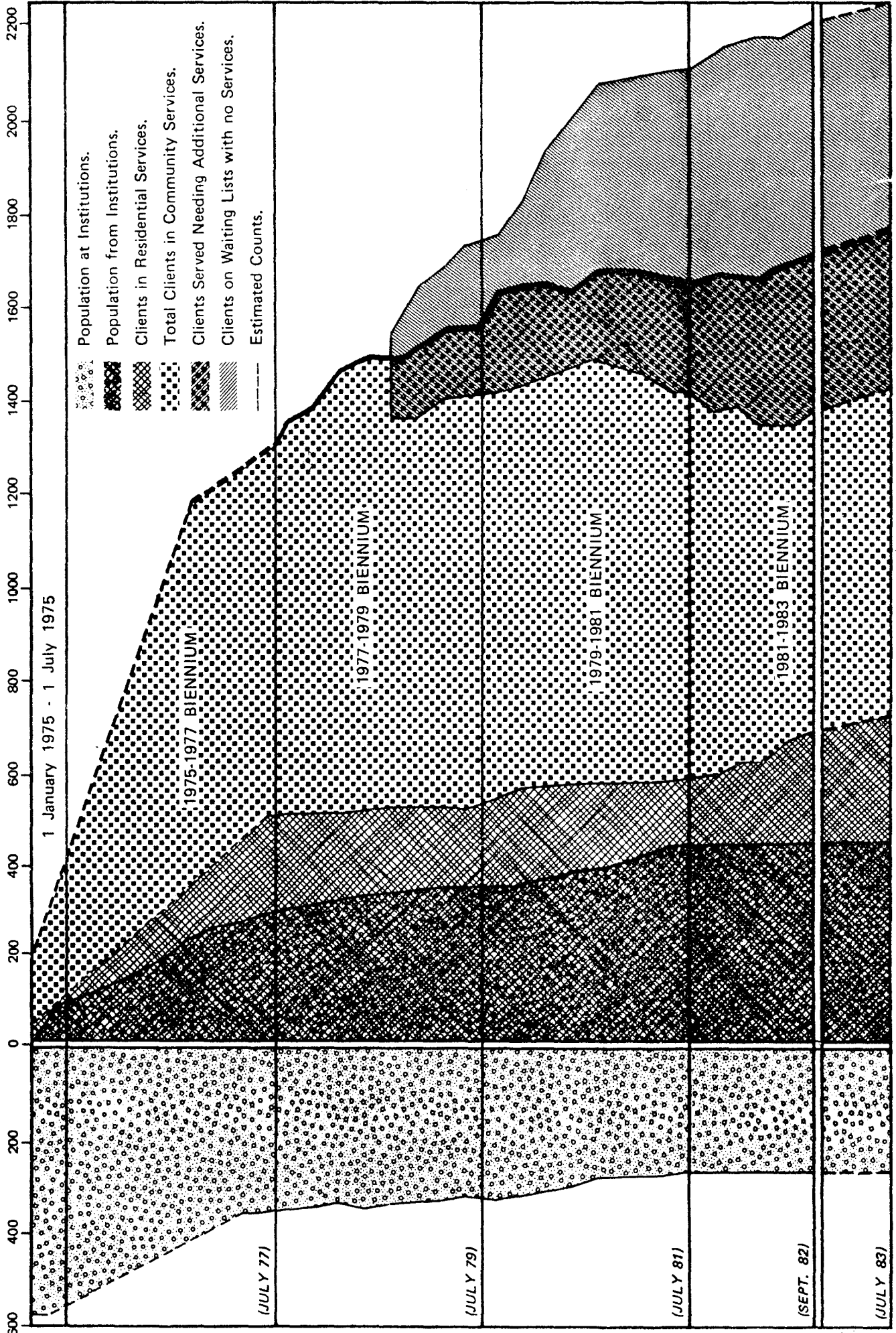
The most significant point to be made with this graph is the impact made to reduce the waiting list in the 83 biennium and the reversal of the escalating upward growth trend.

W4/c

# DEVELOPMENTALLY DISABLED POPULATION MOVEMENT IN MONTANA

## A HISTORY OF COMMUNITY-BASED SERVICE DEVELOPMENT

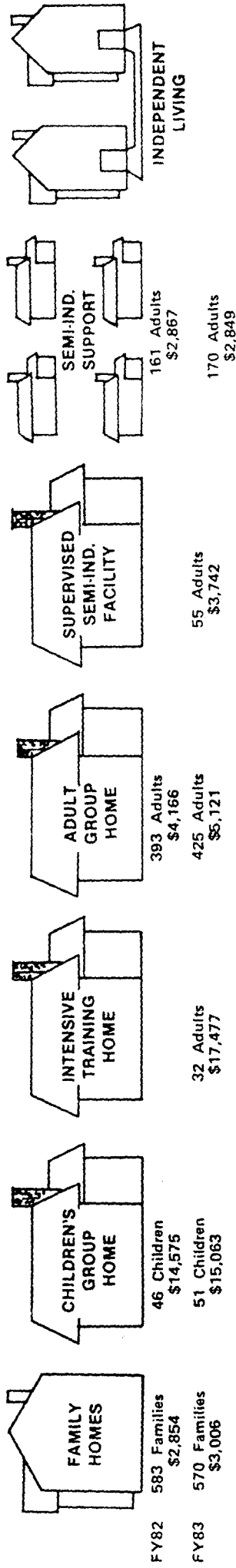
### 1975 - 1983





**Developmental Disabilities Division  
CONTINUUM OF SERVICES  
CLIENTS SERVED AND COST PER YEAR PER CLIENT**

**RESIDENTIAL SERVICES**



**Services to Families** - Family Training and/or respite services are provided to natural and foster parents with developmentally disabled children. Family Training services provide assistance to parents in training their own children. Respite services provides for temporary relief periods to parents from the continuous care of a disabled family member. The goal of these services is to provide support for parents to better enable them to keep their children at home.

**Adult Group Homes** - The majority of adults receiving residential services are living in typical model 8-person group homes. These homes generally have one or two staff on at various times and no on-duty night staff. Training is provided to help clients become more independent; such as cooking, housekeeping, and leisure skills. The goal of this service is to enable clients to move to semi-independent living. Movement is often difficult because it is too large a step, apartments are very expensive, and semi-independent services are not available in many communities.

**Children's Group Homes** - These homes are intended to serve only children who cannot remain in natural or foster homes. Many of these children have serious physical and medical disabilities, most are learning primary self-help skills like feeding and dressing, and some have serious maladaptive behaviors. Without these homes, there would be few alternatives for these children except placement in nursing homes or institutions.

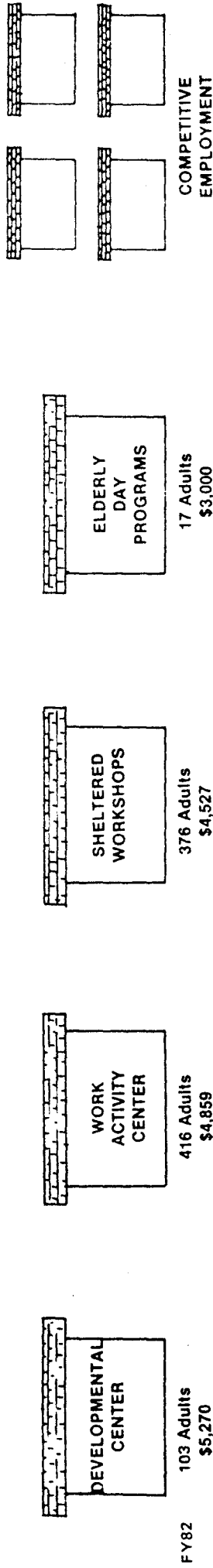
**Supervised Semi-Independent** - This service was recently developed to provide an intermediate step between group home and semi-independent living and promote more movement out of the group homes. This service model provides staff to train and supervise the clients who should be more responsible for doing their own cooking, shopping and cleaning. This service is less restrictive and less costly than group homes and many clients have been able to move out of group homes since this service has become available.

**Intensive Training Homes** - These homes are needed to serve adults who have very low self-help skills or have serious maladaptive behaviours and cannot be served in the typical 8 person group home. These homes provide a more intensive level of training and supervision with fewer clients, a higher staff/client ratio and night coverage. The goal of this service is to prepare the client to move to a less restrictive, less costly regular community.

**Semi-Independent Support** - Provides support services to enable clients to live in their own apartments. This service provides staff to visit the clients as needed on evenings and weekends to provide training in independent living skills like menu planning, shopping, and money management. Staff are not available for routine help and supervision. The goal of this service is to prepare clients to live independently in the community.

Developmental Disabilities Division  
**CONTINUUM OF SERVICES**  
**CLIENTS SERVED AND COST PER YEAR PER CLIENT**

**DAY SERVICES**



FY82

FY83

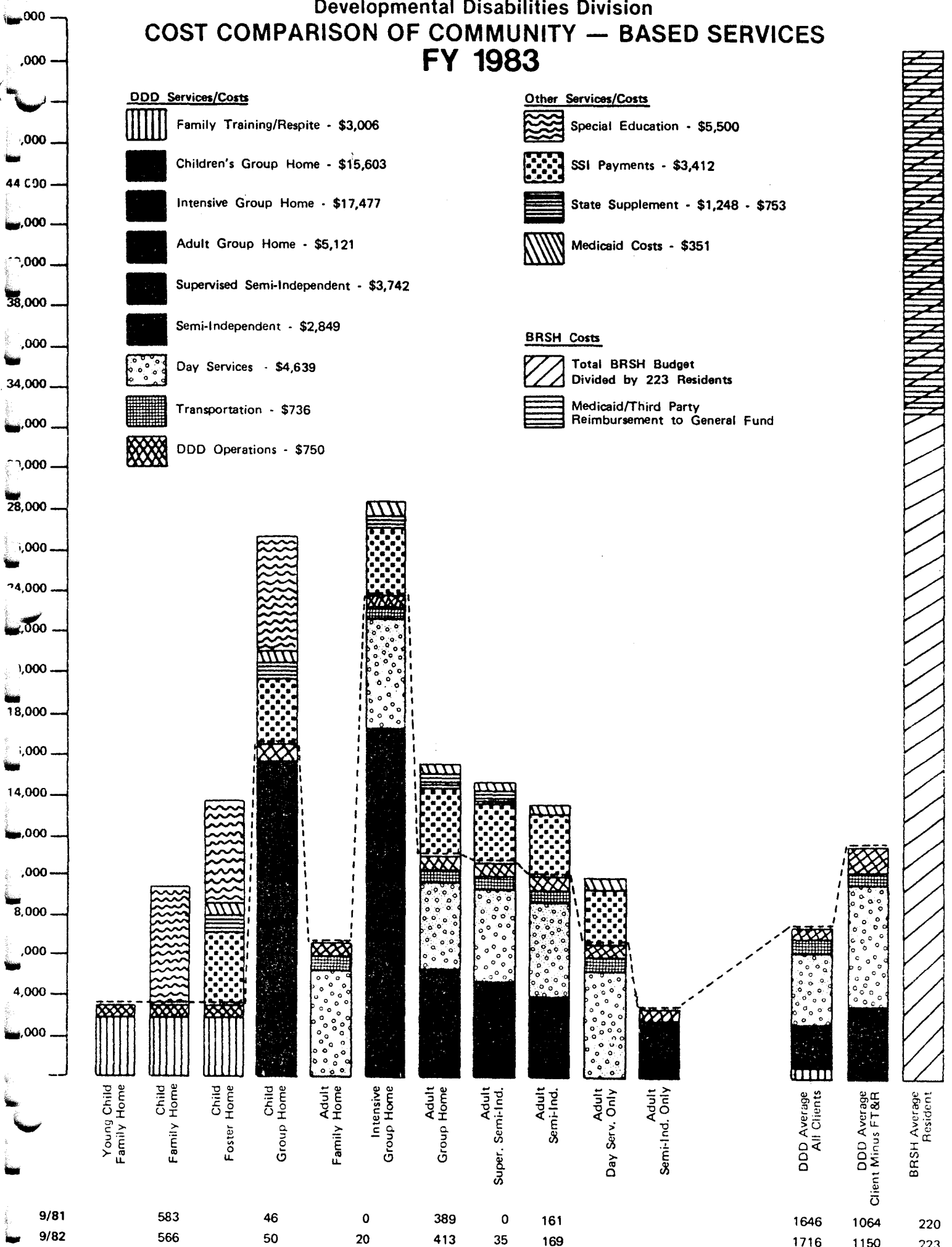
**Developmental Centers** - Provide day training services to adults who are not ready for vocationally oriented programs. Many of these clients do not have all primary self-help skills, some have physical handicaps and some have severe maladaptive behaviors. These programs must have higher staff/client ratios to serve a similar population as the intensive training homes. The goal of this service is to prepare the clients to move to regular vocationally oriented day services.

**Sheltered Workshops** - These services are provided to clients in seven facilities which have joint Voc. Rehab. funding. These programs provide a similar range of services as work activity centers but generally have more specific work available for clients and easier access to Voc. Rehab. services and potential job placements. The goal of this service is to prepare clients to move to VocRehab. programs or competitive employment.

**Work Activity Centers** - These services are provided to adults and include the majority of day programs in the state. These programs provide a range of services from functional academics, job skill training, and actual work for which clients receive reimbursement for their production. The goal of this service is to prepare clients, to move to sheltered workshops, Voc. Rehab. programs or competitive employment.

**Elderly Day Programs** - This service has recently expanded to serve clients in Helena and Butte, in addition to the older program in Great Falls. These programs are not vocationally oriented, but rather provides training and activities more specific to the needs of the elderly, such as socialization skills, leisure skills, community activities and maintenance of self-help skills. These special services better meet these clients need for a more relaxed, flexible program with less intensive training, less emphasis on production, a lower staff/client ratio and no daily attendance requirement. The daily client cost would be lower at these elderly day programs.

# Developmental Disabilities Division COST COMPARISON OF COMMUNITY — BASED SERVICES FY 1983



# Changes in Community Services Waiting List

September 1981 to September 1982

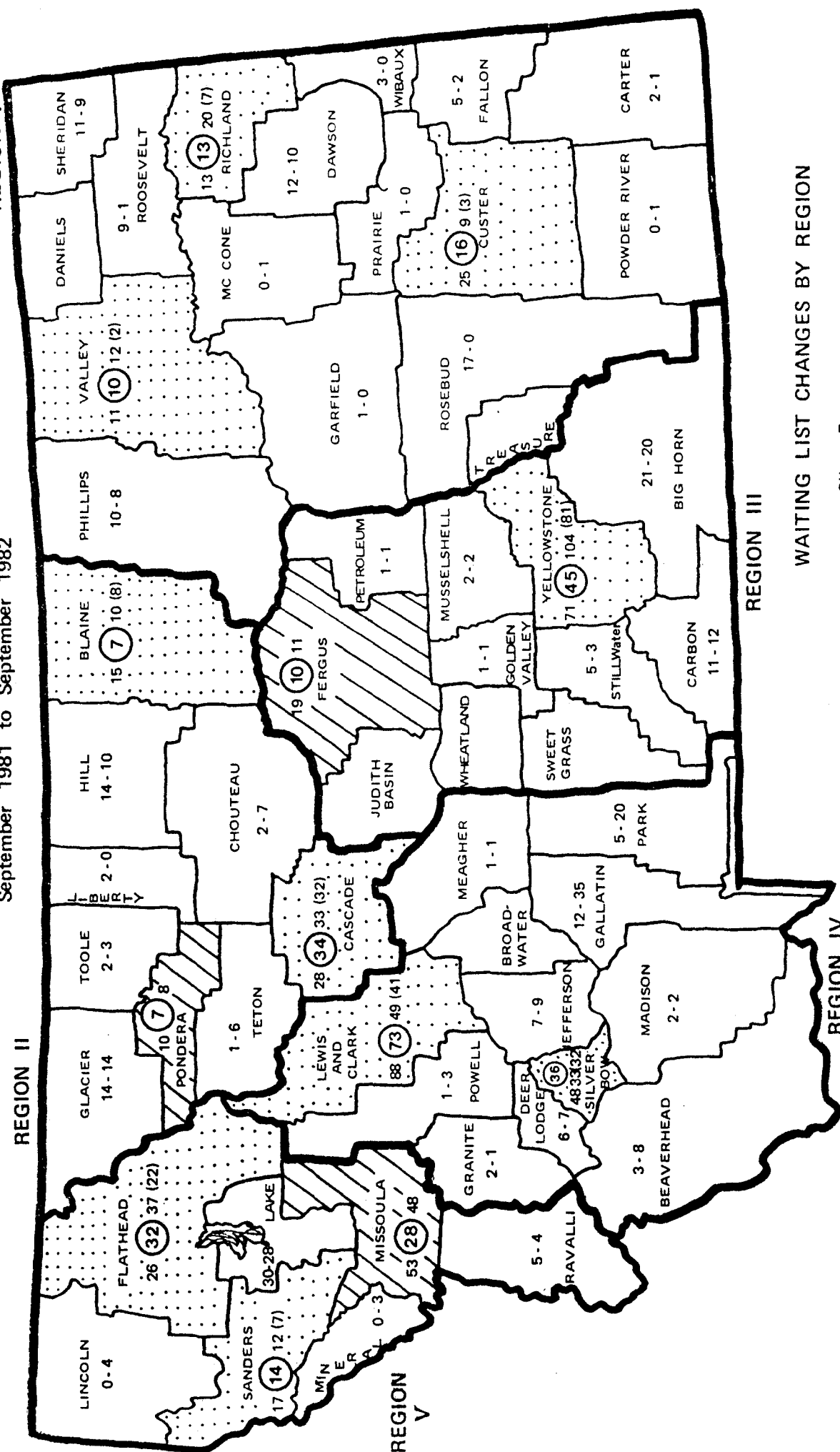
REGION I

REGION II

REGION V

REGION III

REGION IV



### WAITING LIST CHANGES BY REGION

Region	Clients 9/81	Clients Enter Expanded Services	Other Changes	Clients 9/82	Expected 7/83
REGION I	120	-39	-36	74	45
REGION II	88	-48	+48	91	88
REGION III	131	-55	+55	154	131
REGION IV	175	-109	+93	168	159
REGION V	130	-74	+60	136	116
TOTALS	644	-325	+220	539	539

Counties with expansion of services completed 9/82.

Counties with expansion of services not completed by 9/82. The number in ( ) represents the expected waiting list with expansion completed.

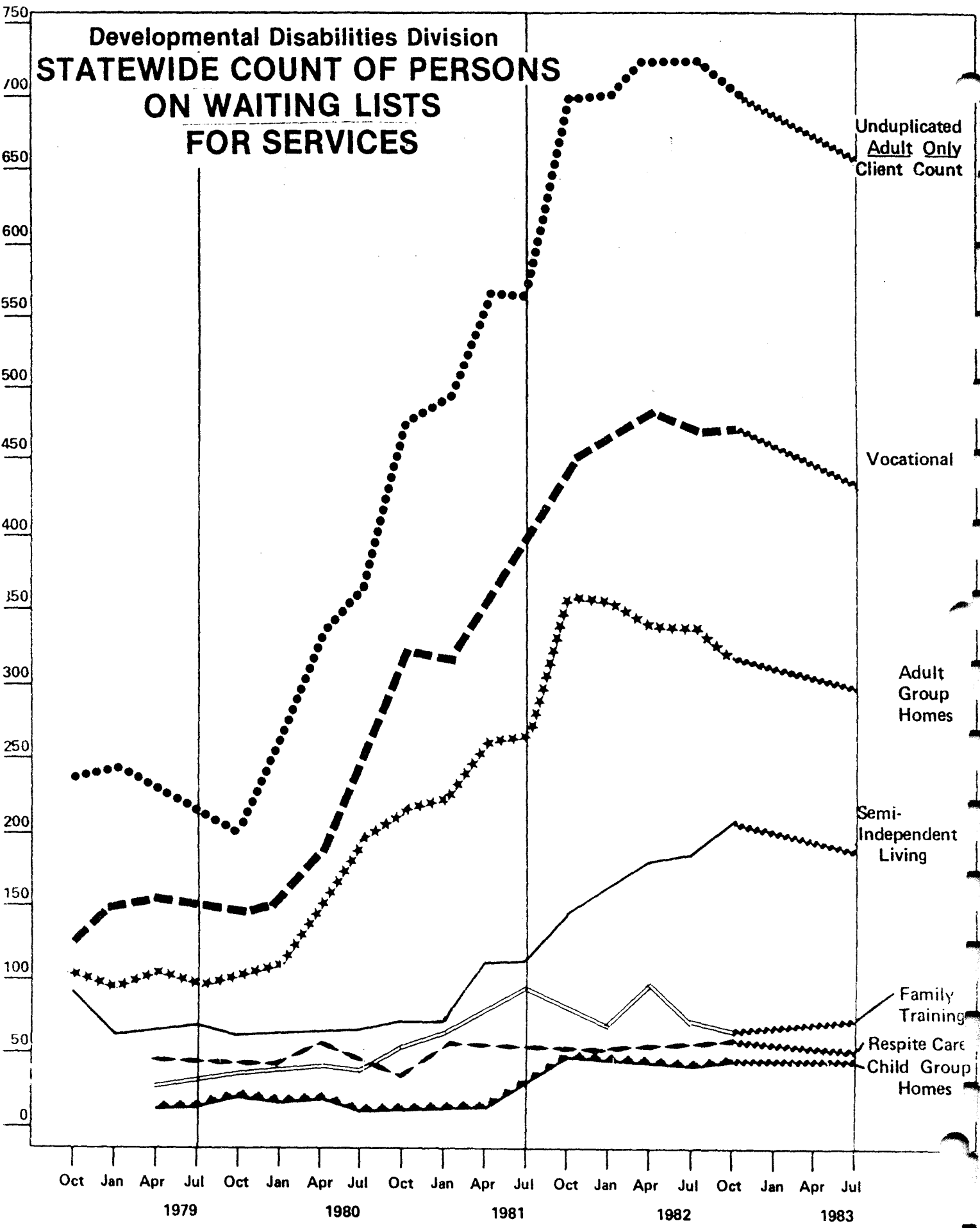
First number represents the waiting list 9/81.

Second number represents unduplicated clients to be served 6/83 in expanded services.

Third number represents the waiting list 9/82.

# Developmental Disabilities Division STATEWIDE COUNT OF PERSONS ON WAITING LISTS FOR SERVICES

Numbr of Clients



Unduplicated  
Adult Only  
Client Count

Vocational

Adult  
Group  
Homes

Semi-  
Independent  
Living

Family  
Training

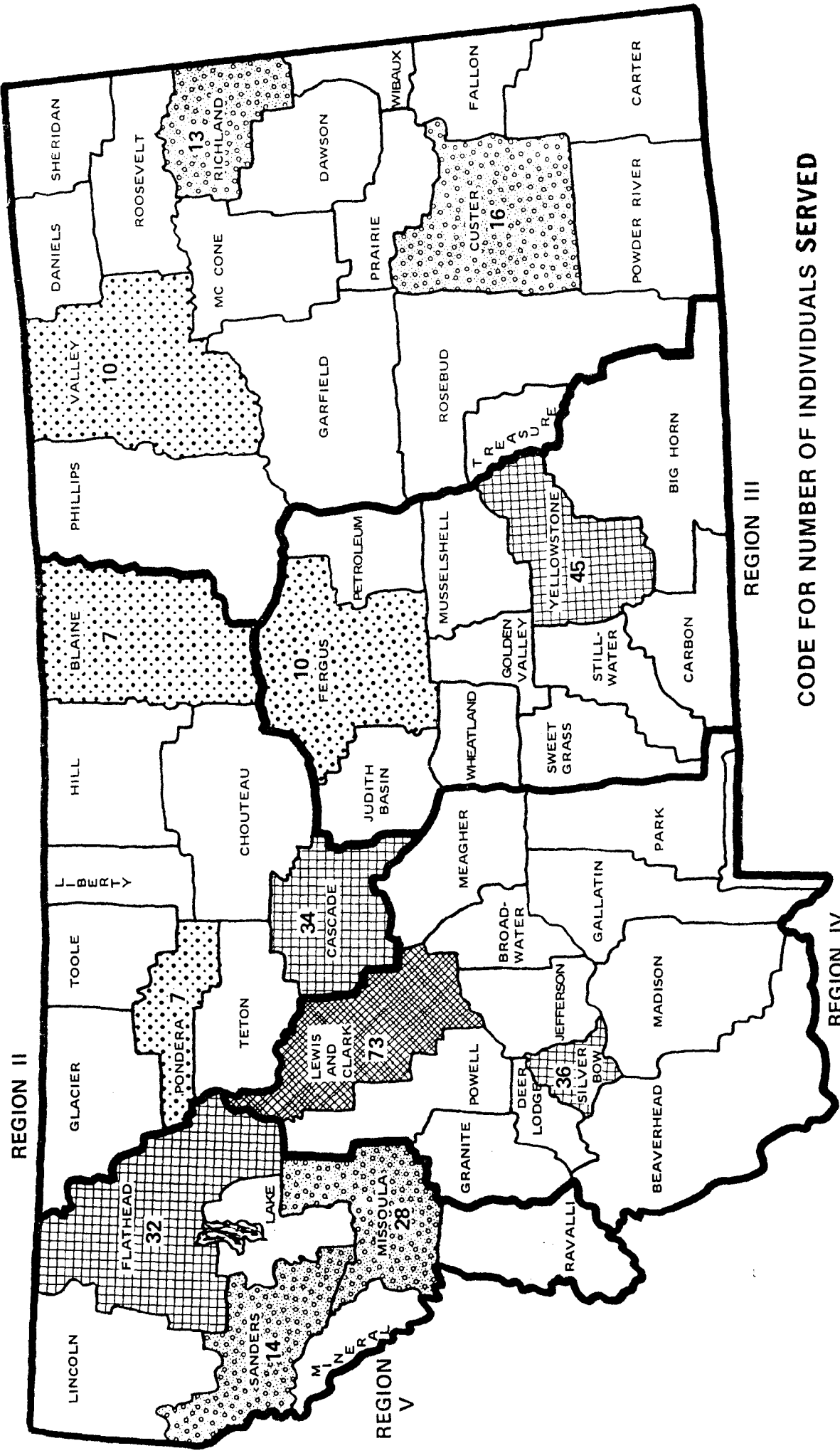
Respite Care

Child Group  
Homes

Oct Jan Apr Jul Oct Jan Apr Jul Oct Jan Apr Jul Oct Jan Apr Jul  
1979 1980 1981 1982 1983

Developmental Libraries Division  
**UNDUPLICATED CLIENTS SERVED BY SERVICE EXPANSION PLAN  
 FY 1982 - FY 1983**

REGION I



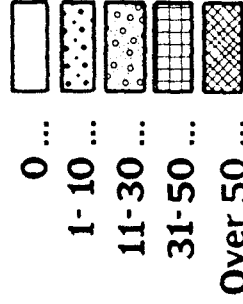
REGION II

REGION III

REGION IV

REGION V

CODE FOR NUMBER OF INDIVIDUALS SERVED



## REGIONAL SERVICES FOR THE DISABLED

CENTRAL OFFICE:

Box 31253 • Billings, MT 59107 • (406) 245-5196

February 1, 1983

Dear Legislators:

Regional Services for the Disabled (RSD), a provider agency based in Billings, sponsored three new Housing and Urban Development group homes in Billings during this current biennium. This project not only set a precedent for new group home proto-types, but allowed the State an opportunity to expand services to clients on a long waiting list in an extremely cost effective manner. These three homes were opened last week and are fully occupied at this time; (the only project of its type administered by HUD in the 11 state region which was completed and occupied during this biennium).

Therefore, during the completion of the three Billings projects, RSD was given approval by HUD to proceed with new construction of two additional homes for Developmentally Disabled Adults in our service region.

The Red Lodge group home has been a strained operation for us since its inception. Even though its level of service has been good, it has gained notoriety as being one of the poorest physical plants in the state system. In addition, during the last quarter of 1982 the County Mountain Home in Red Lodge ceased operation as a personal care home and displaced twelve developmentally disabled individuals into the general Red Lodge community.

Due to these factors and the growing waiting lists of clientele, our board resolved to replace the one aged facility and add a second group home in Red Lodge. We have secured suitable land sites in Red Lodge and are proceeding to a construction project this summer. We can furnish, we believe, the two facilities from equity upon sale of the existing facility. Debt on the new construction can be serviced from fair market rent and SSI and Section 8 guarantee, including annual upkeep, repair, and replacement funds built in to our HUD program.

This leaves us then with a short fall of only staffing and training and operational salaries of \$50,000.00 per annum to serve waiting lists for replacement of a second barrier-free Red Lodge Group Home.

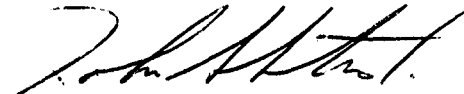
SATELLITES:

Legislators  
February 1, 1983  
Page 2

This is an opportunity for the State to do much needed expansion at an extremely small investment and at the same time provide a service superior to any services now in operation in the State.

Please give your consideration to our request for this small budget increase. If you have any questions about our program or this source of expansion funding with minimal State participation, please contact me.

Respectfully requested,



John S. Stewart  
Chairman  
Board of Directors  
Regional Services for the Disabled

JSS/dsh





U.S. Department of Housing and Urban Development  
Denver Regional/Area Office, Region VIII  
Executive Tower Building  
1405 Curtis Street  
Denver, Colorado 80202

September 27, 1982

RECEIVED SEP 29 1982

Mr. John Stewart  
Chairman  
Regional Services for the Disabled  
P. O. Box 31253  
Billings, MT 59107

Dear Mr. Stewart:

SUBJECT: Notification of Selection of a Section 202 Fund Reservation  
Project No.: 093-EH020-NP-L8/MT99-T822-002  
Name of Project: Beartooth Homes  
City, State: Red Lodge, Montana

I am pleased to advise you that your Application, dated June 30, 1982, to construct 16 units of developmentally disabled housing in Red Lodge, Montana, under the Section 202 Direct Loan Program has been approved. Loan authority in the amount of \$714,500 has been reserved for this project, along with Section 8 annual contributions authority of \$77,568. Please indicate by signing in the space provided whether or not you accept this notification including the special conditions or requirements that are specified on the enclosed sheet. In either case, return two signed copies to this office within 15 days from the date of this notification.

FUND RESERVATION TERMS AND CONDITIONS

Your acceptance of this notification constitutes a certification and agreement that:

1. There will not be made any sale, assignment, conveyance, or any other form of transfer of this notification, the property, or any interest, thereof.
2. The Fund Reservation shall be canceled if construction approved by the Department of Housing and Urban Development (HUD) has not commenced within 18 months from the date of this Notice, unless an extension of time, not to exceed six months, is granted by this office.
3. The Section 202 Fund Reservation shall not be available for use in connection with a Section 8 project which previously had been processed by the field office without regard to the use of Section 202 funds.

4. It should be understood this letter places upon the Borrower the responsibility to develop a viable project. The loan reservation and annual assistance funds recited above do not reflect appraised land value or other conclusive cost estimates, operating expense estimates or final credit or financial analysis. These determinations will be made at the next stage of processing.
5. This approval is contingent upon compliance with the special conditions or requirements listed on the enclosed sheet.

To provide you and your architect with assistance in the development of a proposal which meets HUD Minimum Property Standards, please contact Mr. Jack Sleight at (303) 837-5961, our design representative, to discuss the design of the proposal. In addition, he is to be consulted regularly during the development of the plans and specifications of the project so that as few problems occur as possible at subsequent stages of processing. Enclosed is a copy of the approved prototype utility analysis of utility combinations and fuel types which provide maximum operating economy for buildings of various styles, sizes, and types of construction.

You are requested to submit to this office, not later than December 1, 1982, a Request for Conditional Commitment for Direct Loan Financing in accordance with the provisions of Chapter 5 of Handbook HUD 4571.1 REV. If you have any questions as to the requirements for a Request for Conditional Commitment, please contact Ms. Laura Placencio, Supervisory Multifamily Housing Representative, at (303) 837-6261.

If you do not return two signed copies of this notification by the specified date, or if you accept but fail to submit a Request for Conditional Commitment by the specified date, HUD may rescind this notification and cancel the Section 202 Direct Loan Reservation and the Section 8 annual contributions authority.

Sincerely,

*J. Michael Guinan*  
Donald J. Dirksen  
*per* Director  
Office of Regional Housing, 8H

Enclosures

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
DEVELOPMENTAL DISABILITIES PLANNING AND  
ADVISORY COUNCIL



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

(406) 449-3878

HELENA, MONTANA 59604

August 17, 1982

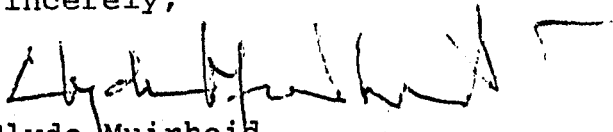
Mr. Donald J. Dirksen, Director  
Office of Regional Housing, 8H  
U.S. Department of Housing and Urban  
Development  
Denver Region/Area Office, Region VIII  
Executive Tower Building  
1405 Curtis Street  
Denver, CO 80202

Dear Mr. Dirksen:

Proposal No. 093 - EH020/MT99 - T822 - 002 (16 units in Red Lodge, Montana) is compatible with current and future state and Council plans for Montana's developmental disability service system.

Persons who would benefit from the realization of this proposal are in critical need of such services. Consequently, the Montana State Developmental Disabilities Planning and Advisory Council supports this proposal.

Sincerely,

  
Clyde Muirheid  
Executive Director  
Montana State Developmental  
Disabilities Planning and  
Advisory Council

January 27, 1983

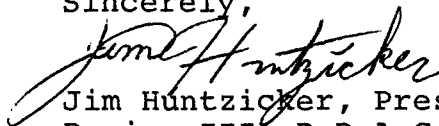
Charles M. Super  
Regional Services for the Disabled  
Box 31253  
Billings, MT 59107

Dear Mr. Super:

The Region III Developmental Disabilities Advisory Council would like to congratulate you on your approval from the Department of Housing and Urban Development for a Section 8/202 loan to construct two new group homes for the developmentally disabled/handicapped in Red Lodge, Montana.

Because of the long waiting lists for residential services for the handicapped, we are in dire need of adequate barrier-free housing. You have our unanimous support in your efforts to acquire additional funding from the Legislature, in addition to the Governor's budget request, in order to staff the new home.

Sincerely,

  
Jim Huntzicker, President  
Region III, D.D.A.C.

Evelyn Old Elk  
Jean Grove  
Florence Massey  
Pat Lynes  
Joyce Williamson  
Thomas R. Girvin  
Kannon Richards  
Nita Oversen  
Lillian Scheafer  
Bruce D. McCallum  
Jan Atwell  
K. Kent Koolen

# CITY of RED LODGE

P. O. Box 507 --- Red Lodge, Mt. 59068

November 11, 1982  
2M168.101

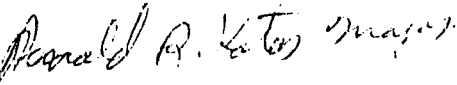
Mr. Charles Super  
Executive Director  
Regional Services for the Disabled  
P.O. Box 31253  
Billings, Montana 59107

Dear Mr. Super:

With regard to your proposed projects in Red Lodge and in support of the work your organization performs for the Red Lodge Community, the Red Lodge City Council has agreed to revise its Housing Assistance Plan to accommodate the need for handicapped housing opportunities in Red Lodge. With the closure of the Mountain Home and questionable licensing of your Red Lodge Group Home, the need for low income housing has temporarily shifted in priority from elderly housing needs to small family (handicapped) housing needs. The revised Housing Assistance Plan reflects this priority revision. Formerly our goal for renter assisted Section 8 or Low Income Public Housing was weighted 30 percent elderly, 50 percent small family, and 20 percent large family. Our revised plan weights elderly 10 percent, small family 80 percent and large family 10 percent. Based on our unchanged goal of seeking 20 units of new housing, our revised goal now favors the provision of 16 units of low family (handicapped) assisted housing.

We will forward a copy of the revised Housing Assistance Plan to the Denver Regional HUD office for their records.

Sincerely,

  
Ronald R. Kotar  
Mayor of Red Lodge

# Two "barrier free" group homes planned for Red Lodge

**RED LODGE**—If all goes as planned, within a year and a half, Red Lodge will be the site of two newly constructed group homes, which together will house up to sixteen developmentally disabled adults.

According to Chuck Super, Executive Director of Regional Services for the Developmentally Disabled, his loan request and building proposals for the two group homes were approved by HUD within the last couple of weeks. The HUD loan will cover construction costs of both homes plus the land on which they will be built.

The single level homes will include eight separate bedrooms, two large bathrooms, a kitchen, dining room and living room, a counselors room with separate bath, laundry room, and two storage areas. Floor space will measure 3,400 square feet. The homes will be fully landscaped and will include an outdoor patio area.

"The next step," says Super, "is to go hunting for land." Two lots measuring 150' x 100' are needed and HUD requires that they be inside the city limits, preferably in a residential area, Super said the residences are well designed, sophisticated homes that will fit nicely into any neighborhood.

Super has spearheaded the development of three new group homes in Billings which are presently under construction and should be ready for occupancy by January. Their design, formulated by Billings Architect Lewy Evans, is the same that will be used for the homes in Red Lodge.

Each home is designed to be completely barrier free, and will incorporate the latest conveniences to accommodate a disabled person's lifestyle. "They'll be able to live in a home that's especially made for them," Super said. Two resident trainers will be on "semi-shifts" at each home and will alternate overnight duties.

Rental fees for each client in their new residence will come to \$320 per month. This amount will cover housing, salary for the trainers, food supply, linens, some furniture, and utilities. Super also noted that a rental subsidy has just been approved by HUD which will pay up to 75 percent of a client's rent.

Total costs for each home will be \$220,000, which includes cost of construction and the price of land. HUD's loan also provides for the acquisition of water heater and heating systems, stove, refrigerator, washer and dryer. All other furnishings will be bought with equity gained from the sale of "The Mountain Home", the local group home that was

closed in September due to high maintenance costs and a failure to meet updated state requirements.

Super said the eight displaced residents from "The Mountain Home" have been "scattered throughout Red Lodge, living in the nursing homes or foster homes."

Super is looking forward to working with the Red Lodge community on this project, stating "I can't think of a town I'd like to see this happen in or be involved with more than Red Lodge."

Construction will begin no later than next summer. Slovarp Construction Co. out of Billings, who is now completing the Billings project, will be hired to construct the Red Lodge homes. Super said that the job should involve hiring of some local construction workers.

Super welcomes any questions regarding the group homes or any leads on available land in Red Lodge appropriate for building sites. Chuck Super may be contacted by writing to Box 31253, Billings, MT 59107, or by phone at 245-5196.

## Christie to speak solo at forum

**RED LODGE** - A sheriff's "candidate debate" will take place this week, despite the fact that only one of the two candidates will be present at the event.

Undersheriff Craig Christie, Republican contestant for sheriff, said Monday he has set up a forum at the Elks Club Friday night at 7:30 p.m., with retired Billings Chief of Police Gerald Dunbar to act as moderator.

Christie said although Gary Dent, his Democratic opponent, has refused an invitation to attend, the show will go on with out him.

Dent had accepted Christie's challenge to a public debate, but later offered a counter-proposal to hold a forum on KRBN radio, to avoid what he called a "Circus atmosphere" that he felt would prevail at a public gathering.

Christie subsequently ruled out a radio format, saying he disagreed with Dent's insinuation that Carbon County residents were "circus performers", and that the public had a right to be present at a showdown between the candidates.

Negotiations for a debate ended there, with neither man taking the initiative to contact the other to start afresh on a new plan that would be agreeable to both. Meantime, both candidates said they were waiting for input as to public preferences for a debate format.

Various responses in news media showed that con

exhibit 3

2/4/83

79 letters from Browning area  
residents supporting DD

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Valerie J. McKay  
Director Special Education  
Browning Public Schools  
Browning, Mt. 59417*

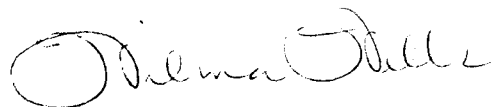


Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

A handwritten signature in cursive script, appearing to read "Delma Dille". The signature is written in dark ink and is positioned to the right of the main text block.

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*John W. Warner*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Wanda Phipps  
District Administrator  
Blackfoot Community College

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Cheryl Holloway*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Betty Peace,  
Blackfoot Head Start, Training Coord.  
Browning, mt.*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Vera Wearehead*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Cushman H. Goddard*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

A handwritten signature in cursive script, reading "Daniel P. Boggs". The signature is written in black ink and is positioned below the typed text.



Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Elizabeth Blackman

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

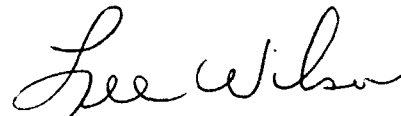
A handwritten signature in cursive script, appearing to read "J. B. Howard". The signature is written in dark ink on a white background.

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

A handwritten signature in cursive script that reads "Lee Wilson". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Lianne Bremner*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Carol Williams*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

A handwritten signature in cursive script, reading "Linda Juneau". The signature is written in black ink and is positioned in the lower right quadrant of the page.

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Phyllis R. Rupp*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Sincerely,

Vicky L. Velle



2/2/83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Kathy Catsey*

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Donald Red Head  
P.O. # Box 1194  
Browning - MT. 59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Barbara Kipt*  
*Browning, Mont 59417*

Browning, Montana 59417

2/3 - 83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Doris Henderson  
Browning mt  
Box 1032*

2-3-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Josephine  
Jugan*  
Box 29  
Browning, Mt.  
59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Paul K. JR  
Box 602  
Browning, MT 59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*For Kennedy  
Box 602*

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Clifford J. Smith  
Gene Weil  
Browning Mont 59417



Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Myra Lacey*  
*Box 165*  
*Browning, Mont*  
*338 4301*

*Feb 3, 1983*

Browning, Montana 59417

*Feb. 3, 1983*

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Betty D. Drake  
Box 565  
Browning, mt 59417*

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Regina Nichols*  
*Box 373*  
*Browning Mt.*

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Isabelle Han  
General Del  
Browning, Mont 59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Eileen Dorey*  
Box 261  
Browning Mont  
59417

Browning, Montana 59417

2/2/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Emmo B Fisk  
Box 595  
Browning, Mont  
59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*M. R. R. R.*  
Bo. B. 1343  
Browning, Mt.  
59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Helen Augare  
Box 969  
Browning, Montana 59417*



Browning, Montana 59417

2-3-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Merle Birdhatter*  
923  
Browning mt  
59417

Browning, Montana 59417

Feb. 3, 1983

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Betty Hall

Box 323

Browning, mt 59417

Browning, Montana 59417

2/3/83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Sheila Barnes*

*Box 843*

*Cut Bank, Mt. 59427*

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

'3/83

My Madplume  
owning Montana  
x 175 59417

Browning, Montana 59417

2 - 2 - 82

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Audrey Shelby Lake  
Browning, Mont  
Box 215 59417

Browning, Montana 59417

2-3-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Stella Tinley  
Browning, Mont.  
P.O. Box - 1114

2-3-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Patti Ann Pepion*

*Box 1058*

*Browning Montana*  
*59417*

Browning, Montana 59417

*Feb. 3, 1983*

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Audis Hall  
Board Member  
Blackfoot D. D. Program  
Browning Montana  
59417*



2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Hallie M. Larance*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Yvonne Haef*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Luolino Carlson*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Betty Dalbreath*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Philomena Stone*

Philomena Stone, Director  
Blackfeet Tribe Head Start Program  
Browning, Montana 59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Mary D. Lyons  
Blackfoot Head Start  
Special Services*

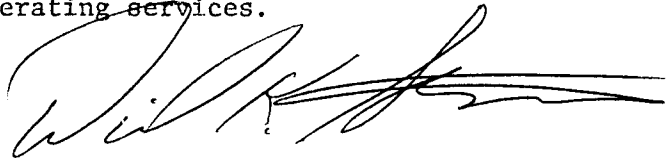
2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

A handwritten signature in black ink, appearing to read "David K. Stevens", with a long horizontal flourish extending to the right.

David K. Stevens, Fiscal Officer  
Napi Educational Services, Inc.  
Browning, Montana 59417

Browning, Montana 59417

2-2-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Leona Rasmie*  
*Browning, Montana*  
*Box 323*  
*59417*



Browning, Montana 59417

2-2-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Laurie MacDonald  
Box 73  
Browning mt  
59417

Browning, Montana 59417

2-2-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Jana Skunk Cap

Box 906

Browning, Montana 59417

Browning, Montana 59417

2-2-83

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Darlene Hall  
Box 1121  
Browning, Mt.  
59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Bryan A. Kelly*  
Ex 1533

*Browning, Montana*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Alfred E. DeBoell  
P.O. Box 433  
Browning MT. 59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Susan L. Cobell*  
Box 998  
Browning, Mt.  
59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Minnetta Brown Pipe*  
*Box 416*  
*Browning, Montana*  
*59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.



Bx 972

Browning, Mt.



2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Donald R. Keeney*  
Bkg. Mt 59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Ernest Marceau  
Browning mt.*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Anna Lee Haring*  
*P.O. Box #15*  
*Browning, Mont.*  
*59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Glenda K. LaPlante*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Judy M. White  
Teacher  
Blackfoot Head Start

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Jess Seymour Boeder M.S. CCC  
Speech - Language Pathologist  
Special Services Coordinator  
Blackfeet Head Start

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Charlotte Treacherway*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

David A. Kree, DDS  
134 3<sup>rd</sup> Ave S.E.  
COT BANK, MT. 59417



2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Kathy Walk  
Box 1313  
Browning, mt.  
59417-

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Norman Bullshoe  
Browning, MT  
59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Maudie E. Cobell  
Sen Del  
Browning, MT  
59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Dadric Little Plume  
Browning MT  
59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*J. M. Spald*  
Dental Clinic  
Browning, MT.

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Gay L. Piro  
Box 601  
Browning, Mt.  
59417

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Irene Wing*  
*Browning, Mt 59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

Jane Longene Sleepy

Box 1017

Browning, Montana  
59417



2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Nathaniel Bird Rattler Box 972 Browning mt.*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Lydia Totsky*  
*Box 495*  
*Browning, Mt. 59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Shedio Morris*  
*Browning, Montana*  
*59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Archie Lee Miley*  
*Browning, MT 59417*

2-2-83

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Janet M. Hall*  
*Browning, Mt.*  
*59417*

WITNESS STATEMENT

NAME Gay Hilliday (Rep) BILL No. \_\_\_\_\_

ADDRESS \_\_\_\_\_ DATE \_\_\_\_\_

WHOM DO YOU REPRESENT \_\_\_\_\_

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman and members of the Com.  
I am Gay Holliday, Roundup - House Dist 46

As several of you know, I am the mother  
of a developmentally disabled son.

Our Jeff was injured in an accident at  
ranch in 1970 - suffering severe brain damage.  
He laid comatose for several months and the  
prognosis being that he would never regain  
consciousness ~~therefore~~ <sup>and</sup> at that time, Boulder  
was the only alternative to hospital care  
in Montana.

Instead, we took him to a private center  
in Oregon and then 3 yrs in New Orleans, La  
in a private school and therapy center.

Jeff then returned to Montana and partic-  
ipated in services that had become available <sup>here</sup>.  
Because of those services including <sup>the</sup> a workshop,  
semi-independent living <sup>arrangements</sup> & training by the YWCA.  
Jeff now lives independently and holds 3 part time  
jobs.

His only need of service now is Medicaid so  
that he may receive prescription drugs to control  
seizures.

I want to encourage the committee to act  
~~favorably~~ <sup>responsibly</sup> ~~in~~ <sup>continuing</sup> ~~providing~~ the services so greatly  
needed to mainstream our DD people back  
into a productive life in society.

Thank you - Mr. Chr.

WITNESS STATEMENT

NAME Rep. Glenn H. Ranset BILL No. \_\_\_\_\_  
ADDRESS District 13 DATE 2-4-83  
WHOM DO YOU REPRESENT \_\_\_\_\_  
SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:



WITNESS STATEMENT

NAME Wally Melcher BILL No. \_\_\_\_\_  
ADDRESS Great Falls nt. DATE 2-4-83  
WHOM DO YOU REPRESENT Region II Child & Family Services  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Warren, ...  
Director, Region II Child/  
family Services.

The Community Services system for Developmentally Disabled persons in Montana has grown and matured significantly since its beginning in 1975. The system currently serves approx. ~~600~~<sup>1100</sup> clients in a variety of programs including sheltered workshops, work activity centers, adult and children's group homes, semi-independent living arrangements, family training, respite, transportation, etc. These programs form a continuum of services that Montana can be proud of as its philosophies and technologies have advanced to a level that exceeds the expectations and even the aspirations of many other states.

The growth of Montana's system, however, has not been without its growing pains. Since the legislature initiated community services in 1975 consistent and, at times arduous, effort has been made to arrive at a workable relationship between non-profit service providing organizations and the Department of Social and Rehabilitation Services. The major issue of contention in establishing this relationship has been to what degree the providers agencies were controlled by SRS versus their being controlled by their own boards of directors and local constituents. This issue appeared to reach its apex during <sup>the</sup> FY 83 contracting process. The discussions between providers and SRS

During this period focused on responsibilities, liabilities and control. Sufficient to say that there were significant differences of opinion between <sup>Service</sup> providers and persons within SRS.

These disagreements between SRS and providers were aired in testimony to the Legislative Finance Committee in of last year. as a result this ~~the~~ Finance Committee issued a mandate to John La Favor and the providers to resolve their differences and to get on with their primary function of providing quality services to Montana's developmentally disabled citizens. This mandate initiated the creation of the Developmental Disabilities Contract Advisory Council. The members of this Council are from provider organizations and the Developmental Disabilities Division, as well as, three third-party members. The Council members were selected by John La Favor and were officially appointed by the Governor. The recommendations of the DDCAC are made to John La Favor who has the prerogative of accepting or rejecting them. The recommendations are also distributed to providers for their review and comment. To-date there has been support from both Mr. La Favor and the majority of providers for the resolutions of the Council.

I am pleased to report that, while do not yet have a general contract format for FY 84,

Significant progress has been made toward resolving many differences. The work of this Council has been characterized by a feeling of cooperation and even trust. <sup>These feelings</sup> ~~that~~ have been lacking in many discussions between SRS and providers in the past. It is anticipated that FY84 will ~~so~~ mark an era of fence-mending and cooperation that should serve to enhance both the efforts of the SRS staff, as well as; providers. I feel that this process will take a great deal of work, but is on the road.

Now I would like to address several comments to ~~two~~ <sup>two</sup> critical issues for the 85 biennium. First, the executive budget proposes that 46 <sup>developmentally disabled</sup> persons be placed in to <sup>new</sup> services ~~from~~ ~~waiting lists~~ during this two year period. Sixteen of these clients would come from Boulder River School and Hospital, while <sup>the other</sup> 30 would be children who are ~~stated~~ <sup>stated</sup> ~~to enter~~ <sup>to enter</sup> specialized Foster Care <sup>homes</sup>. I strongly support the inclusion of these 46 individuals in <sup>new</sup> services. I would hope, however, that specific attention will be given to the fact that these 46 ~~clients~~ <sup>persons</sup> ~~amounts~~ <sup>amounts</sup> to a small percentage of the ~~39~~ <sup>39</sup> clients we project will need services on July 1<sup>st</sup>, 1983. I respectfully request, Mr. Chairman, that this committee give careful consideration to the needs of all ~~these~~ developmentally disabled persons who ~~need~~ <sup>require</sup> services. The ~~provider~~ <sup>provider</sup> organizations are ~~ready to~~ <sup>ready to</sup> ~~provide~~ <sup>provide</sup> these further, ~~and~~ <sup>all</sup> of ~~our~~ <sup>us</sup> ~~attention~~ <sup>should continue to attend to the</sup> ~~considerations~~ <sup>remain</sup> should include

needs of  
the

clients who are presently residing in institutions. The Continuum of Community Service Montanans have developed in many cases is <sup>prepared</sup> ~~adequate~~ or could be made <sup>ready</sup> ~~adequate~~ <sup>supplied</sup> to accomodate the needs of institutionally individuals. We mustn't back away from the demstitutionalization effort that has been ~~as~~ a <sup>primary</sup> ~~motivating~~ motivating force in <sup>the</sup> creation of our State's Community service system.

The second issue I would like to address is the proposed creation of Specialized Foster care. This <sup>idea</sup> ~~notion~~ of well trained adequately compensated foster parents who can act as surrogate parents in situations where natural families are unable <sup>to care for a child</sup> ~~to~~ has been discussed in Montana for many years. For various reasons and

view of certain

<sup>priorities</sup> this critical service has been placed on hold. Montana is now at the point in the creation its Community Services system where it is time to <sup>begin developing</sup> ~~look at~~ specialized services such as proposed foster care. There are a number of children identified in our system who ~~would not be~~ could not be served in children's group homes and are certainly not appropriate for nursing homes. The least restrictive alternative for <sup>these children</sup> ~~these~~ is a foster home where they will be cared for and by well trained foster parents that are able to be formally responsible for the <sup>their</sup> child's progress.

located

I respectfully request, that the <sup>Mr. Chairman</sup> Committee carefully review, and <sup>give</sup> ~~give~~ <sup>their</sup> ~~their~~ <sup>approval</sup> ~~approval~~ for the <sup>of</sup> ~~of~~ specialized foster care for 30 children during

WITNESS STATEMENT

NAME Vic E. Terri Hager BILL No. \_\_\_\_\_

ADDRESS Box 870, Belgrade, MT 59714 DATE 2-4-83

WHOM DO YOU REPRESENT Parents

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Rena Wheeler BILL No. \_\_\_\_\_

ADDRESS 1733 Clark DATE 2/4/83

WHOM DO YOU REPRESENT Special Training for Exceptional People

SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND  Add to

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

budget

Comments:

Representative Shontz and members of the Joint Subcommittee, for the record, my name is Rena Wheeler. I am the director of Special Training for Exceptional People in Billings. STEP, as we are called, serves developmentally disabled children and their families with family training and respite care services. We also have two group homes serving eight developmentally disabled children with severe and profound handicaps or severe behavior problems.

I am here to speak to you as a representative of a number of corporations with group homes. <sup>As for the money paid out earlier</sup> We are extremely concerned about more adequate funding for group home employees. We are not asking for additional monies for program administrators, such as myself. We are asking for additional monies for our staffs--those who are responsible for care and training of clients on a daily basis.

We clearly recognize that the State, as well as the Nation, is facing a severe economic recession right now. We also recognize that hundreds of funding requests will come before this Legislature, and that you will have to establish the priorities.

It is our hope that you see fit to place funding for adequate services to the developmentally disabled as a high priority. Group homes are an integral part of those services in Montana communities. Yet, without more adequate funding for group homes, the system is jeopardized.

One critical problem which <sup>plagued</sup> the system since the <sup>funding</sup> founding of the first group homes in 1975 is that State contracts with non-profit corporations do not permit adequate remuneration to group home employees. The problem still exists in spite of a seemingly generous allocation made by the last Legislature to upgrade these salaries. Even today group home salaries and benefits fall far below what is paid to others in comparable positions statewide. Two independent studies done recently, one by the Developmental Disabilities Division and one by residential care providers, indicate that the average hourly wage for a direct care employee in a group home is about \$4.39 per hour or \$9100 annually. This salary is comparable to a state employee at a Grade 5 Step 2.

A teacher's aide in Billings makes \$4.48 after 90 days. A head cook in the lunchroom makes \$4.90 and a custodian \$8.01. Contracting groundskeepers here at the capitol reportedly make \$6.50/hour. <sup>at Boulder at Grade 5 Step 2 and make group home employees</sup> ~~they do not work, unsupervised~~ Many new group home managers have college degrees. They may have been unable to find work in the depressed job market or simply graduated at the wrong time of year. Their colleagues who become first year teachers in the Billings schools start at nearly \$14,000 or about \$9.25 per hour. Again, these salaries compare to \$4.39 per hour or \$9100 annually for group home staff.

Group home employees are generally expected to train and teach clients new skills, requiring competencies similar to or even exceeding those of a classroom teacher. They are expected to provide recreation and leisure time activities, assure that clients receive adequate medical and dental care; maintain training records and account for group home and client monies, cook, clean and do the laundry; maintain contact with clients' families, purchase food, clothing and household supplies; maintain the house, premises, and vehicles - as well as supervise and care for clients. Depending on the clients' functioning levels, they may also have to feed, toilet, dress and diaper.

*This includes employees who have worked in group homes for 10 to 15 years.*

*funding*

*Habilitation Aide 4's*



In adult group homes there are eight clients supervised by one, two or, rarely, three staff. In children's homes one or two staff care for four or five children. Frequently corporations cannot hire sufficient numbers of staff to be on-duty training and caring for clients. Overnight, generally one person is on duty to care for and supervise clients and to get them to safety in case of fire or emergency. These arrangements pose a definite risk.

In some group homes employees must spend overnights without reimbursement as part of their job. Other corporations reimburse staff \$8 to \$10 per night. Frequently overnight staff must work caring for ill, seizing or misbehaving clients. Corporations sometimes are able to pay only for time actually spent caring for clients. Employees must do ~~marketing~~ <sup>marketing</sup>, attend planning meetings or take clients to doctors appointments as a part of their job but without reimbursement. An interpretation provided to corporations <sup>in the last few weeks</sup> yesterday by Dick Kane of the Department of Labor indicates that current Montana Wage and Hour Regulations are not being met in many cases; however, non-profit corporations have no additional sources of funds to come into compliance.

*If this Legislative  
Houses the state  
minimum wage  
to equal the  
federal standard  
of 3.35, this  
will further  
compound  
the  
problems.*

Other benefits are equally inadequate. Benefits available to State employees commonly reflect 20% of the employee's annual salary. In the Billings School District, annual benefits for a beginning teacher are worth approximately \$3200, ~~without including the costs of leave benefits.~~ The average direct care group home employee in Montana has benefits valuing only \$1450. Although corporations might prefer to hire full-time employees, they are sometimes forced to use part-time help because they cannot afford the accompanying benefits. For example, group home employees at STEP working 30-32 hours per week are considered part-time and have no paid sick leave, holidays or vacations, insurance or retirement benefits. At least one group home corporation in the Billings area can pay neither for a retirement plan nor for social security for their employees, including management personnel.

Only 19% of group homes in the State have live-in apartments for their staff as a benefit. Even in these cases only one staff person has this benefit, and all other staff must pay for housing out of less-than adequate take-home pay.

The ultimate outcome of poor salaries and benefits for group home employees is to weaken the community-based service system. High staff turn-over rates and low staff morale affect clients negatively. An independent provider sampled a number of corporations with group homes and found that the staff turned over in adult group homes about every 11 months. Some providers report the average length of stay for relief staff to be 12-13 weeks. Those of us who are responsible for management of group homes believe that if the economic situation improves and jobs become more plentiful, staff turn-over rates will push even higher. It is difficult to recruit and retain good staff under these conditions.

*It is when staff leave,  
the emotional  
stability of the  
clients homes  
is eroded, and  
their training is  
interrupted.*

*poor pay*

When staff leave, the emotional stability of the clients' homes is eroded, and their training is interrupted.

The Executive Budget requests \$300,000 to upgrade direct care staff salaries. <sup>My question is if this is that much of TMS</sup> A portion of TMS is designated for group home employees.

As providers we realize that even this, in addition to a 6% inflationary increase, will not permit us to significantly impact the problem of group home salaries and benefits. *If this money \$300,000 were spread equally across all group homes and if there were no increase in benefits, this would represent only about 15-17% per home to our group home employees*

If Congress passes the recent recommendations made to salvage the federal budget and Social Security system, it appears providers can expect very inadequate increases from other funding sources for group homes. For the first six months of next year providers can expect no increases in ~~social security~~, supplemental security income or ~~food stamp~~ benefits which help pay for clients' board and room.

Rules now prohibit clients in group homes from being eligible for Low Income Energy Assistance benefits which originally helped to pay utility bills. The \$404 State supplement paid to group home clients has not increased since 1975.

Last year providers saw paid benefits for employees climb as much as 23%. Again, the proposed social security bail-out plan would require non-profit corporations to pay in for their employees. To date, non-profits have had the option of not joining and many group home corporations did not. This would be an additional benefit expense, or it would eliminate current, more acceptable, private retirement plans. Depending on how the Legislature deals with funding for the ~~workmen's~~ unemployment insurance fund, providers may receive significant increased in these premiums. Health insurance premiums will inevitably increase given dramatically rising health care costs. It is possible that the \$300,000 budgeted to upgrade direct care salaries will primarily off-set rising costs of benefits.

As providers we are appealing to the Legislature for assistance. We are requesting <sup>the 300,000</sup> the \$300,000 recommended in the Executive Budget be ~~maintained~~ in the appropriation for the next biennium. <sup>Group home</sup> employees provide a service to the State that cannot be overlooked. As taxpayers we have a responsibility to meet the needs of the developmentally disabled in our communities. These services should not; however, be provided at the expense of those who give the direct care on a daily basis. Many group home employees currently live at poverty levels. They are asked to work without just compensation which would permit them to care adequately for their own families. We are asking the Legislature to do everything possible to impact this problem. Minimally we are requesting this body to retain the \$300,000 recommended by the Governor to upgrade direct care staff salaries in the next biennium. If additional monies can possibly be appropriated for this purpose, we would further request that the Legislature set this as a high priority.

home

*spread equally across all group homes*  
*in budgeting this amount*  
*unintentionally*  
*investigation*  
*done*  
*unhappy*

My name is Kannon Richards. I am a member of the Regional Council in Billings, a member of the Legislative Action Committee for that council, and a member of the Board of Directors for the Residential Support Services Corporation. I am also the father of a retarded 26-year old daughter.

I speak for myself with more years of experience and observation than I would like to remember in the responsibility of caring for the Developmentally Disabled people - a responsibility which all of us must bear. I can also assure you that my position is supported by the great number of parents and other individuals who have expended tremendous amounts of energy in these efforts. Our driving force is to guarantee a continuity of satisfactory services for these people. I am here to request your full funding and support for the Developmentally Disabled Division necessary to achieve these goals.

I feel strongly that the way we are going in Montana is the correct approach, that is, our concept of "community based services" vs centralized insitutional care. I feel that there is a need for both. Some problems are of such a nature that centralized care is a necessity to assure all necessary services. What this point is, and the minimum number in each facility to assure services and achieve a degree of economic good sense, I will leave to the professionals.

The economics of the "community based services" vs centralized care in Boulder is well documented. We know that community based services are considerably cheaper; only the amount is in question. I attribute the greatest percentage, if not all of this savings, to the enormous amount of volunteer time involved in these programs. This time is freely given in all of our localities, by parents, citizens, and our employees in the group homes in whom we have entrusted the day-to-day care of our clients. Were it possible to total these efforts, I can assure you that the amounts would be staggering. Our entire concept depends upon these efforts, and I feel they will continue. However, I see two grave danger signs which we must guard against.

First - The lack of adequate funding. I am referring to that point at which our nonprofit corporations, all run by a volunteer Board of Directors, simply give up and give it back to the state. Such an impasse almost occurred last year when one corporation was solidly prepared to dissolve itself and turn over the operation of their group homes to the state. This was over contract negotiations concerning inadequate salaries and benefits for direct care staff - those closest to and directly responsible for our clients. Some mechanism, arbitration or other, satisfactory to all must be put in place to guard against such contract concerns.

Second - This other issue has to do with risk and liability. We must accept the fact that Community Based Services carries more risk as it relates to clients, than centralized institutions. This is a simple fact of life, one we all face in our own homes.

Eventually, someone is going to get hurt, hit by a car, abused physically, burned, or simply fall in the tub. I was appalled to discover, that as a volunteer, on the Board of Directors for the Residential Support Services, that I am subject to personal lawsuit because professional liability cannot be purchased by the corporation.

We have been fortunate so far, but the first time a lawsuit of this nature happens, our present concept is dead. We simply will not be able to find volunteers to provide this service.

I request that you introduce and support legislation that will free these people from this possible catastrophe.

Thank you. If there are any questions, I will try to answer them as a parent.

WITNESS STATEMENT

NAME Wally Richard BILL No. \_\_\_\_\_  
ADDRESS 920 Parkhill Dr DATE Feb 4, 88  
WHOM DO YOU REPRESENT Parent  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND ✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. FUND ADDITIONAL  
Comments: GROUP HOMES

WITNESS STATEMENT

NAME Sharon Renaud BILL No. \_\_\_\_\_

ADDRESS 920 Parkhill Dr DATE Feb 4, 1983

WHOM DO YOU REPRESENT parent

SUPPORT  OPPOSE \_\_\_\_\_ AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. *fund additional group homes*

Comments:

Representative Shantz & members of  
The Committee

We are Wally & Sharon Richard  
who are Permanent Foster Parents  
of a 15 yr old daughter named  
Tammy. She was placed in our home  
as an adopted child <sup>when she was</sup> at 5 weeks old.  
At 6 months we were told she had  
severe brain damage & would not  
be more than a vegetable. It was  
recommended that she be placed  
in Boulder & we were told she would  
not live past 3 yrs of age. We opted  
to make a foster home for her for  
this time.

<sup>because of special Ed. program & lots  
of love</sup>  
15 years later she is healthy, is  
a very neat eater - talks in complete  
sentences and is a very loving child.  
<sup>function 5 yr level</sup>  
She has experienced a lot of pain  
because of dislocated hips & was operated  
on <sup>years ago</sup> last Dec to make her pain free.  
The operation was unsuccessful & she

It's been in a good deal of pain ever since.  
It requires 2-3 people to lift her  
and because she is wheel chair  
bound her care is on a 24-hr basis.  
Consequently it has been a real  
strain on the physical and emotional  
well being of our entire family and  
has taken a toll on the other  
3 children in our family. <sup>at the top of us.</sup> Because  
she was a foster child and a ward  
of the state we had a false security  
of feeling that when the time came  
that we could no longer take care  
of Tammy that the state could find  
another home for her. That time has  
come and we find there is no place  
for her to go. No foster homes -  
No Intentional Group Homes that  
are barrier free with wheel chair  
accessibility. Tammy needs these  
services and will for a long time to come.  
We have a real need for additional



Funding for severely handicapped  
Children & Adults. In Billings a  
<sup>New</sup> Group Home was opened and there  
were 3 openings and 17 <sup>children</sup> who desperately needed help. <sup>Best thing I really should</sup> <sup>Come to see her</sup> <sup>Take her home</sup>  
The other alternative is Specialized  
Foster care where our home or  
some other home <sup>could</sup> get badly needed  
help through ~~and~~ aid in the home  
that could relieve us of some of  
the 24 hr care that is robbing us  
of a "normal" family life.

Yesterday we went through the  
Boulder School which we feel is  
a last resort. Emotionally this would  
be very hard on our family, on  
Tammy, and we feel she has  
progressed so far that the work  
that we do as her family - her therapist  
& teacher <sup>for last 15 yrs</sup> would all go down the  
drain. We do know that if we can't  
get some relief we have no choice

As we must align the priorities &  
the lives of our other children, <sup>we feel</sup> we  
will have no <sup>alternative</sup> choice but to put her  
in Boulder.

This past year we received less  
than \$8,000 <sup>for caring for Tammy</sup> a year. <sup>Medical School</sup> Placing her in  
Boulder would cost over ~~10~~ times  
that much and she would not  
benefit from a loving family environment.

We feel a real need in our home for  
one of two options

Intensive Group Homes  
or Specialized Foster Care.

We wish to thank you  
for your help in the past  
and plead for your support  
in these badly needed programs

WITNESS STATEMENT

NAME Shirley GANN Shirley G. Gann BILL No. \_\_\_\_\_  
ADDRESS 402 South 4th St. U. Missoula DATE 2/4/83  
WHOM DO YOU REPRESENT myself (client w/ developmental disability)  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I'm Shirley Gann, I'm from Missoula, Montana. I work at Big Bear Resources and live at Vista Group Home. I think it's important that Vista and Big Bear stay open, because, there are a lot of handicapped persons out there who need a place to live and a place to work. I think that I learn a lot. I've been graduating on the programs that Vista Group Home gave me and get to move out on my own soon because of it. Big Bear and Vista have given me lots of skills that I didn't have before. They've taught me how to get along with others and to help other people. I would really like your help.

WITNESS STATEMENT

NAME RICHARD & CONSTANCE RASKY BILL No. \_\_\_\_\_

ADDRESS 720 AVE F, BILLINGS 59102 DATE 2/04/83

WHOM DO YOU REPRESENT HANDICAPPED DAUGHTER - KAREN, & YARC  
Age 17, Billings

SUPPORT X OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

Comments: - Karen is now on waiting list for intensive care group home - was screened twice - not chosen.

We urge you to fund increased services for group homes for intensive care & for salary improvement.

Having had Karen in Boulder in 1971 & 1972 when there was no school available, we are aware of the heartache of separation & the vast difference between institutional placement & community services.

Our daughter Karen is 17 and is confined to a wheelchair requiring complete personal care - dressing, toileting, lifting. Due to older brothers & sisters who assisted us we have been able to maintain Karen at home. The family is growing up and the time is coming when group home placement will be best - for social development & to relieve family burdens. Please don't cut (or fail to increase) funding when our children are on waiting lists.

We feel it is most important that Karen remain in Billings so she can maintain family ties, have access to the volunteer activities & many services available in Billings. We also encourage aid for natural families & foster families to enable home placement throughout childhood. Then least restrictive community group homes.

WITNESS STATEMENT

NAME Patti WAKEN wAREN BILL No. \_\_\_\_\_  
ADDRESS 2325 Highwood Drive, Missoula DATE 2/4/83  
WHOM DO YOU REPRESENT myself (client w/ developmental disability)  
SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

Josie Johnson

NAME Josie Johnson BILL No. \_\_\_\_\_

ADDRESS 1307 KHANABAD WAY, Muskegon DATE 2/4/83

WHOM DO YOU REPRESENT myself (client w/ developmental disability)

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

My name is Josie Johnson.

I work at Big Bear Crafts with Hal and Anne. They are very nice. It's fun to go to work and see my friends and staff I care about. I think we can help Big Bear to stay open for more activity and service. I like living at Khanabad Group Home with my friends. I like learning to cook, take care of myself, and especially going swimming and bowling.

Will you please support Big Bear and Khanabad Group Home. It means a lot to me.



WITNESS STATEMENT

NAME Linda Cobben / Linda Cobben BILL No. \_\_\_\_\_  
ADDRESS Community Nursing Home, Missoula DATE 2/4/83  
WHOM DO YOU REPRESENT myself (client w/ developmental disability)  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Charles S. Smith Sr. BILL No. \_\_\_\_\_

ADDRESS 330 Crest Dr. DATE 2-4-83

WHOM DO YOU REPRESENT Charles S. Smith Jr.

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. Fund for

Comments: additional Group Homes.

WITNESS STATEMENT

NAME Bill Crivello BILL No. \_\_\_\_\_  
ADDRESS 305 3rd Ave E Kalespill DATE 2-4-83  
WHOM DO YOU REPRESENT Flathead Industries For The Handicapped  
SUPPORT — OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

*Request financial consideration for  
services to those still on community  
waiting lists.*

WITNESS STATEMENT

NAME Mary McWhorter BILL No. \_\_\_\_\_

ADDRESS 2103 Gold Rush DATE 2.4.83

WHOM DO YOU REPRESENT \_\_\_\_\_

SUPPORT  \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Melvin Rutherford BILL No. \_\_\_\_\_  
ADDRESS Box 421 DATE \_\_\_\_\_  
WHOM DO YOU REPRESENT BLAUCFEET D.D. CO-OPERATION  
SUPPORT PROGRAM OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Shirley Rammes BILL No. \_\_\_\_\_  
ADDRESS Great Falls 1109 19<sup>th</sup> Ave DATE 2/4/83  
WHOM DO YOU REPRESENT Consumer <sup>Sw</sup>  
SUPPORT gov. budget OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

exhibit 4  
2/4/83

Input to Subcommittee  
from Dillon Resources

# DILLON SPECIAL RESOURCES

329 N. ~~5th~~ PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

February 2, 1983

To the Legislative Sub-Committee on Human Services, State of Montana

Dear Sirs:

Dillon Special Resources, Inc. has been in existence now almost two years. It is a non-profit Provider serving developmentally disabled clients Work Activity, Group Home, Semi-Independent and Transportation Services. The following are our perception(s) of the significant features of the developmental disabilities system and factors impairing the success of that system.

Dillon Special Resources, Inc. has been formed and is being run under a significantly different administrative 'atmosphere' than was present two and more years ago. When Corporations were being formed and services expanded during the system's early years the attitude was one of development and improvement of services. Today the attitude is of concern for control of operations and responsibilities. The reason for this is that the 'system', as it is called, is not complete and is, therefore, not fully functional. The missing component is that of steering: planning, directing and monitoring.

The State and Regional Developmental Disabilities Planning and Advisory Councils (D.D.P.A.C.'s) are powerless in the current 'system' to conduct the function of returning meaningful guiding feedback to the S.R.S. Department, hence, S.R.S. and its' guiding Developmental Disabilities Divisions are not responsive and responsible to the people of Montana.

The Developmental Disabilities 'system' does have many strong positive attributes that we do not wish to overlook, though, less we should ask you to "throw out the baby with the bathwater". The majority of persons with developmental disabilities in this State are being served in the Provider network and in the Schools. The persons with disabilities that are not being served are typically persons with particular situations or needs that cause them to need special care that is either not available or is currently full. We support continued efforts to define and procure both specific and generic services to meet the needs of all of the disabled citizens of Montana. In bringing up and listing what we perceive as hindrances to the system's effectiveness we would like you to keep in mind the facts of the numbers of clients currently being served and the overall cost efficiency of the developmentally disabled systems' community-based services.



Dillon Special Resources, Inc. has every intention of continuing to provide services to the persons with developmental disabilities of Beaverhead and Madison Counties so long as it is able. Unfortunately, there are some problems currently that give us concerns for the viability of service provision not only in our corner of the State, but all across Montana. The underlying source of most of our difficulties comes, as mentioned previously, from not having a "Feedback Loop" through which the system should adjust itself. We submit examples, or symptoms, of this lack in the materials attached. As you may be aware, there is currently convening a Developmental Disabilities Contract Advisory Council. If the D.D.P.A.C.'s were functioning entities this Council would not be necessary. No more significant Resolution could be adopted by them than that the D.D.P.A.C.'s be granted powers commensurate with their roles. The Planning and Advisory Councils would then also serve as receivers for information such as that attached here, minimizing the need to present it to Legislative bodies in asking for assistance. Our information attached is in two parts: materials submitted to the Legislative Finance Committee and D.S.R., Inc. budget information.

We hope that you will consider our input and the ramifications contained therein. We assure you that we want nothing but the best for our disabled brothers and sisters. You Legislators buy this service, getting some "bang for your buck" - look at this information and tell us where the money is best spent. If you agree with us that some correction is necessary, then now is the opportunity. Only through your actions will this 'system' be safeguarded from failure and for improvement through the future.

Respectfully,



Kevin R. Johnson  
Director

KRJ/hh  
Encl.

# DILLON SPECIAL RESOURCES

329 N. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

To the Legislative Subcommittee on Human Services

February 4, 1983

Dear Sirs;

Please consider the attached budget sheet and list of budget shortfalls that was submitted to the D.D. Division at the beginning of this Contract Year. The 6% increase allowed for this Year yielded a forecast shortfall for D.S.R., Inc. of \$11,870. D.S.R., Inc. was then at the close of it's first year of operation and had \$35 of Group Home S.S.I. income left and about \$400 from other sources, so we had no way to supplement our Contract income on our own. The Divisions' Policy #357 does not allow accrual forward between Contract years of Title XX funds. I suppose they have reasons for this, but this is the situation we're left with.

We have made our money be as effective as possible by adopting a policy of fiscal conservation and, as a result of not experiencing some potential cost requirements (e.g.: van repair, gas price increase, food price increase) we are in a solvent condition. Last fall we hired a gentleman who has been a State Auditor and the Business Manager for Western Montana College. He is very good at his job and I am not reluctant to open our Books to anyone, nor to be accountable to the various sources of controls on us. I'm not saying we're perfect in our expenditures and recordings, but we can show quite well what has occurred.

We have done some analysis of our income- that relating to staff salaries is conveyed in the following table:

1)	Positions:	\$ salary/ work hours per year	=	\$/hour
	Director	17,500 / 2080	=	8.41
	Bookkeeper	9,123 / 2080	=	4.39
	Training Super.	11,898 / 2080	=	5.70
	3 Trainers	27515 / 6240	=	4.41
	4 Trainers, G.H.	26400 / 8320	=	3.17

I ask you to look at the Group Home Trainer line, the bottom one. We don't know if we have been in compliance with the Minimum Wage Standards of the Department of Labor, or not. An estimation of the dollar value of the room and board benefit is addable to the hourly figure. If we estimate \$.80 / hr, the total wage would be \$3.97 / hour. This is using a 40 hour per week schedule which does not include time on duty during normal sleep time or any extra time for events such as Special Olympics. The Providers are now finding out that the Department of Labor is

expecting and requiring that we pay overtime and can't allow comp. time for the extra time that our staff's put in, and that we should not allow them to volunteer time to us or our clients, as they then have two or three years in which to sue us for wages owed for that time. We are liable to employees for payment for that time. I and some other Directors will be going home with this on our minds and we will have to compare our various statuses with the requirements to make the decisions of whether we are and can continue to be in compliance.

For the Company I represent here, I think I can predict how we stack up. For time worked- regular time and relief time- we are in compliance, for other time worked- overnights and outings- we are not in compliance. I believe that I can bring D.S.R., Inc. into full compliance. If you will again look at our staffing budget, a set of figures is relevant here. Please notice that \$21,000 of the Group Home Trainer funds are in the "Adult Community Home" column which is Title XX money and the \$14,000 of the Group Home Trainer funds are in the S.S.I. column. S.S.I. is the one column on that page which we can control in an independent fashion and, as we have some savings in other categories, I can probably pull some funds into paying for the staff time that we need and use. I submitted a Budget Amendment Request for \$8,000 additional specifically for Group Home staffing in September and have received no reply. I don't know when or if we will receive a reply, but the point is that a 6% increase was not sufficient for D.S.R., Inc. this year and we'll have a difficult time of it next year if we only receive that same amount. I've responded to the Division's request for input as to the best utilization of the \$50,000 for Group Home salaries with a request for help and expressed our need. I have heard nothing since, but I would predict that nearly 3/4 of the year will have gone by before we receive any of that money. Retroactive dispersing of that money will do us very little good as we cannot carry over any of the money to next year and we have already ecked through this year as best we could. Anyway, if we make it through the end of this year and if we can have only a 6% increase for next year, I still might be able to get us by. If myself, the Bookkeeper and the Training Supervisor get no increase, the Day Service and Semi-Independent Trainers get very little increase and if we don't incur further significant Group Home Repair & Maintenance costs so that we can have some dollars from that category, then maybe we can pay our staff a decent income. Remember- I've been trying to get above Minimum Wage to our Group Home staff. Take a look at the Job Description for that position and consider whether that is a minimum wage type job. I hope I know which way you'll decide. The \$9,000 a 6% increase would give us might see us through another year, it might not. One thing I can tell you for certain is that this is not the way to get quality services for your clients.

So what do we need? Consider the following table:

2)	actual:	needed:
	FY '82 \$144,429	\$150,000
	x <u>106%</u>	x <u>110%</u>
	FY '83 153,648	165,000
	x <u>106%</u>	x <u>110%</u>
	FY '84 \$162,867	\$181,500

The \$27,852 difference between actual FY '83 and needed Fy'84, divided by the actual FY '83 \$153,648 yields an 18 % increase rate. The \$20,000 difference between the actual and needed FY '84 amounts would buy:

Bookkeeper salary increase of \$4,000 (salary, then, of \$13,123),	
Training Supervisor " " 3,000 ( " , " , " 15,000),	
Day Services Trainer 1 " " 500 ( " , " , " 9,600),	
" " " 2 " " 500 ( " , " , " 9,600),	
$\frac{1}{2}$ " " " 3 " " 250 ( " , " , " 9,794),	
$\frac{1}{2}$ Semi-Ind. " 4 " " 250	
Group Home " 1 " " 2,000 ( " , " , " 8,500),	
" " " 2 " " 2,000 ( " , " , " 8,500),	
" " " 3 " " 2,000 ( " , " , " 8,500),	
" " " 4 " " 2,000 ( " , " , " 8,500),	
Day Services Relief " " 500 ( total, then, of 1,000),	
Semi-Ind. " " " 500 ( " , " , " 1,000),	
Activity Center rent " " 1,450 ( " , " , " 5,050),	
Day Services P&E " " 500 ( " , " , " 600),	
Day Services R&M " " 150 ( " , " , " 300),	
Day Services utilities " " <u>400</u> ( " , " , " 1,460).	
total of \$20,000	

Yes, I think we should see these figure stabilize in future years so that the increase amount each year wouldn't continue to be so large, providing the rate of inflation or rise in the Consumer Price Index will give us some rest. Yes, there are usually places where our budget will be underspent so the some extra dollars will accumulate over the course of a year. I think you see, though, how inadequate increases to an underfunded Program result in "if" conditions ("if" we don't have major repairs on our van, "if" we don't have any major repairs on our Group Home, "if" our independent income can continue to pay the Activity Center rent, etc) that put this Program in jeopardy. We ask you to help us with this so that we may have a real opportunity to continue and to improve our service delivery. Thank you.

Respectfully,

*Kevin R. Johnson*  
Kevin R. Johnson, D.S.R. Inc

Outline of materials relevant to Dillon Special Resources, Inc.'s budget and finances

A) FY '83 D.S.R., Inc. budget

1. Breakdown to hourly wages
2. List of budget shortfalls

B) D.S.R., Inc. Job Descriptions

1. ~~Highlights of duties "in the field"~~



- 2) Staff
- 3) Clients
- 4) Records
- 5) Other

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Director

Responsible to: Board of Directors

Qualifications: College graduate in the field of Human Services or a related field such as Education, Social Services, Vocational Rehabilitation, Sociology, Psychology, etc. 5 to 7 years experience with a B.A. or 3 to 5 years with a Masters.

1. A. Supervise Corporate activities including: Day Program, Semi-independent, Transportation, and Group Home; and evaluate Corporate operations, facilities, equipment, staff and activities yearly.
- B. Coordination of agency services:
  1. Utilize the services provided through:
    - a. public welfare
    - b. Southwest Montana Mental Health Center
    - c. D.D. of Montana Advocacy Program
    - d. Doctors, dentists, eye doctors, etc.
    - e. Vocational Rehabilitation
    - f. Volunteers
  2. Coordination of community services:
    - a. Beaverhead County High School
    - b. Western Montana College
    - c. Community service organizations
    - d. Public Library and entertainment
- C. Preparation and negotiation of grants, contracts, and other funding for the Board's review.
- D. Preparation and negotiation of all contracts for purpose of service to the developmentally disabled.
- E. Assist the Board with fund-raising activities including: rummage sales, bazaars, etc.
- F. Take complete charge of Public Relations and community development. Deliver presentations on Dillon Special Resources, Inc. to:
  1. Churches
  2. Service and civil organizations
  3. Retired teachers
  4. Beaverhead County High School and Western Montana College classes

Job Description/Position: Director (cont.)

- 2) A. In conjunction and agreement with the Board of Directors, the Director shall be in charge of the hiring, termination and promotion of all contract staff.
- B. Supervisor of all staff
  1. Supervise, monitor and evaluate performance, establish job descriptions, and assign and schedule all staff.
  2. Prepare and share written formal evaluations on a quarterly basis.
  3. Conduct staff meetings to coordinate client programs.
  4. Conduct inservice meetings with staff to improve training methods, assist with staff development, and discuss and work on problem situations.
- 3) A. Supervise and coordinate client programs
  1. Assist in developing modules and training programs for clients.
  2. Supervise maintenance of record keeping and client evaluations.
  3. Help prepare and approve all I.H.P. plans developed for the clients.
  4. Assist with Intervention programs and handling behavior problems.
  5. Supervise, monitor and evaluate client programs and development.
- 4) A. Make reports to the Board of Directors monthly on evaluations, etc.
- B. Coordinate all incoming and outgoing information with all agencies. Keep the staff and Board up to date on all important meetings and changes in the rules and regulations regarding the Regional Council, DDPAC, DDD, A.I.D.S., etc.



- 1) Office
- 2) Staff
- 3) Clients
- 4) Records
- 5) other

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Training Supervisor (former Program Manager)

Responsible to: Director

Qualifications: B.A./B.S. in Social Sciences and 2 years of related work experience.

- 1) A. Assist with budget and contract negotiations information.  
B. Recommend and requisition P and E and other supplies and equipment.  
C. Assist with public relations presentations.  
D. Recommend D.S.R., Inc. changes to Director as deemed necessary or beneficial, and assist with corporate evaluations.  
E. Provide transportation services as necessary.
- 2) A. Orient, instruct and assist new staff, volunteers and other persons interested in working with developmentally disabled persons.  
B. Assist the Semi-independent Trainer with follow-up services to clients moving to less restrictive living &/or working environments.  
C. Assist with staff evaluations.  
D. Pass Level 1 D.D.D.C.P.T. Certification within 1 year and Medications Delivery Certification, continue professional development.  
E. Assist with staff training and development in using data-based behavioral training methods; supervise, assign duties and monitor the performance of all Trainers (Activity Center and Semi-independent), assist the Group Home Trainers with staff development and training.
- 3) A. Coordinate training programs with appropriate staff persons of the Group Home, Semi-independent and Day Services programs.  
B. Administer assessments of clients on contracted/I.H.P. sche-

Job Description/Position: Training Supervisor (cont.)

- 3) B. (cont.)  
duple, assist training staff with conducting assigned assessments.
- C. Coordinate I.H.P. preparedness for Day Services, Semi-independent and Group Home; participate in I.H.P. meetings, Child Study Team meetings and staff meetings providing input to establishing goals and objectives.
  - D. Oversee, design and implement individual and group training programs for clients per I.H.P. goals and objectives; supervise trainers' I.P.P.s.
  - E. Conduct training sessions as necessary (acceleration or deceleration).
  - F. Evaluate and record client training and behaviors development, review I.P.P.s with Trainers, Managers &/or Director.
  - G. Assist with behavior interventions and emergencies; review behavior problems with staff &/or Director.
  - H. Recognize and discontinue nonprogressive programs and initiate alternative programs.
  - I. Recognize and suggest referral services for clients as necessary; follow up on effectiveness of referral services for clients.
  - J. Assist with/do client medications reviews and summaries with Director.
- 4) A. Prepare statistical analysis of client and staff data when required for evaluation.
- B. Coordinate (review for up-to-date) records of attendance for Semi-independent and Day Services; provide information for monthly billings to Bookkeeper.
- 5) A. Review and coordinate lunch menus for Group Home clients with Group Home staff.
- B. Other duties as assigned.

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Bookkeeper

Responsible to: Director

Qualifications: High school diploma plus two years of college business classes or equivalent experience at bookkeeping.

Duties:

1. Make payment of all corporate bills.
2. Make recommendations to Project Director concerning contracting and other financial matters.
3. Review expenditures to verify acceptability, i.e., spent from correct contract line, person purchasing had authorization, etc.
4. Maintain auditable records of accounts.
5. Prepare monthly financial reports prior to each Board of Directors meeting.
6. Assist with or do yearly income tax statements.
7. Balance client checkbooks and make recommendations about client finances.
8. Assist with staff evaluations by giving input as to purchases by staff.
9. Prepare quarterly tax reports.
10. Issue payroll semi-monthly and maintain corporate and employee records.
11. Maintain records lists:
  - a) donors and donations to D.S.R., Inc.
  - b) special client activities (whom, where, how long, with whom)

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Secretary

Responsible to: Director

1. Prepare all correspondence and documents of Dillon Special Resources, Inc. in legible fashion.
2. Prepare ditto masters and make copies of necessary materials.
3. Maintain staff and client records.
4. Maintain client financial records and complete forms for Social Security, Supplemental Income, Food Stamps, etc.
5. Maintain files in workable order.
6. Maintain program publicity notebook--historical record.
7. Perform receptionist and errand duties as needed.
8. Assist with staff meetings.
9. Prepare payment forms for S.R.S.
10. Prepare and make bill payments.
11. Receive incoming calls, mail, etc.
12. Maintain rapport with clients, staff, and community.
13. Perform other tasks as assigned.
14. Purchase and document purchases and requisitions.

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Day Program Trainer

Responsible to: Training Supervisor

Qualifications: High School graduate or equivalent, experience working with developmentally disabled would be beneficial.

Job Summary: assess client behaviors, assist with Habilitation planning, write and conduct training programs, evaluate and follow-up on training.

Duties:

1. Attend Inservice Training Sessions, pass Level I Certification within 1 year (given sufficient assistance).
2. Work at the Day Program under the supervision of the Training Supervisor.
3. Develop curricula modules, material and training programs to be taught in the Day Program.
4. Maintain data and records for assigned clients and training programs and evaluate client programs and performance with the Training Supervisor.
5. Communicate client observations to the Training Supervisor and assist with behavior interventions and emergencies.
6. Write and implement individual and group training programs for designated clients as per Habilitation Team goals and objectives.
7. Participate in Habilitation Planning meetings and Staff meetings to provide input towards establishing goals and objectives for clients and for the agency.
8. Provide transportation services when necessary.
9. Perform other duties as assigned.

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Semi-Independent Trainer

Responsible to: Training Supervisor

Qualifications: High School graduate or equivalent, 1 or 2 years related college or work experience.

Job Summary: Develop semi-independent living situations and support services for individuals moving from other residences into semi-independent living situations; provide follow-up training services to individuals living semi-independently and/or independently.

Duties:

1. Attend Inservice Training Sessions, pass Level I Certification and Medications Certification within one year.
2. Work at the Activities Center under the direction of the Training Supervisor.
3. Prepare Developmental Disabilities Division unit reports monthly.
4. Develop curricula modules, materials, and training programs for areas taught in the Semi-independent.
5. Maintain appropriate records and data for assigned clients and evaluate client programs and performance.
6. Write and implement individualized and group training programs for designated clients as per Habilitation Team goals and objectives.
7. Do client assessments and summaries (semi-independent criteria).
8. Participate in appropriate Habilitation Planning meetings and Staff meetings to provide input and establish goals and objectives (pre-IHP and IHP).
9. Provide transportation services when necessary.
10. Recognize and suggest referral services for clients as necessary.
11. Coordinate with a variety of agencies to insure clients receive support services such as housing, welfare, supplemental security income and/or social security income, adult education, etc.

Job Description/Position: Semi-Independent Trainer (cont.)

12. Assist with behavior interventions and emergencies.
13. Perform other duties as assigned.

DILLON SPECIAL RESOURCES, INC.

Job Description

Position: Group Home Trainer

Responsible to: Director and Training Supervisor

Qualifications: High School graduation or equivalent. 2 years experience working with developmentally disabled or handicapped persons.

1. Work under the direction of the Director and the Training Supervisor; communicate client observations to them.
2. Attend and participate in Inservice Training Sessions and Staff Meetings; become Level I DDD CPT certified.
3.
  - a. Assist the Training Supervisor with Habilitation Planning and with the preparation of monthly and quarterly reports to the DDD.
  - b. Attend meetings to provide input to establishing client goals and objectives.
4.
  - a. Write and conduct client residential skills training programs (IPPs) using data-based behavioral methods (including review of IPP data to maintain DDD-required graduation rates).
  - b. Review and evaluate IPPs for training effectiveness and client performance with the Training Supervisor and DDD and SS staff persons.
  - c. develop training modules library.
5.
  - a. Monitor and supervise delivery of client medications.
  - b. Become certified in Medications Delivery.
  - c. Coordinate appointments (medical, dental, etc.) with Activities Center staff to achieve maximum efficiency.
6. Monitor and maintain clients' records and documents of operations.
  - a. Supervise and record clients' clothing and personal articles.
  - b. Coordinate grooming and dressing programs.
7. Assist with behavior interventions and emergencies.
  - a. Conduct such interventions and emergencies with professional and ethical methods.
  - b. Review behavior problems with the Director and the Training Supervisor.
8. Provide transportation as necessary.



Job Description/Position: Group Home Trainer (cont.)

9. Provide an adult role model for clients.
10. Counsel clients as a family living advisor and advocate.
  - a. Conduct periodic client meetings to establish and modify Group Home house rules.
  - b. Coordinate and conduct client leisure time activities, weekdays and weekends.
  - c. Assist clients with chores as necessary.
11. Supervise Group Home Relief Trainers.
  - a. Schedule Relief Trainers and coordinate schedules and incidental duties.
  - b. Assign duties.
  - c. Assist with staff training.
  - d. Work with the Training Supervisor to set IPPs and other training needs.
  - e. Make necessary purchases and arrangements for weekends.
12. Maintain appearance, operation and safety of Group Home grounds and building.
  - a. Maintain a clean environment, meeting County Sanitarian and Social Services licensing requirements.
  - b. Do/arrange for repairs and maintenance as needed considering budget restrictions as indicated by Director and Bookkeeper.
  - c. Conduct monthly fire drills.
  - d. Maintain relevant records.
13. Coordinate purchases and budget management with other Group Home staff and with the Director and the Bookkeeper.
  - a. Recommend and requisition equipment and professional and educational supplies.
  - b. Manage client menu, food budgeting and purchasing.
    1. Develop and post monthly menus of three nutritionally balanced meals and extra snacks per day (avoidance of prepared foods, high cost items, etc. is expected).
    2. Coordinate lunch menus for Group Home clients.
  - c. Manage utilities (including: electric, water, gas, garbage disposal, etc.)
  - d. Control and coordinate client purchases to stay within checkbook and income limits and keep the record in the clients' checkbooks of those purchases. Also coordinate monthly statement reconciling with the Bookkeeper.
  - e. Maintain client records (e.g. attendance, employment, visitations, outings, etc.) and coordinate the data for Group Home units for monthly billing with the Bookkeeper.

Job Description/Position: Group Home Trainer (cont.)

14. Maintain a professional relationship with clients, staff, Board members, State employees and visitors.
15. Assist with corporate goals and objectives by giving input and feedback to the Director about corporate operations.

Outline of materials relevant to the S.R.S. Department/Provider Agencies  
Relationship Problems

Explanations  
Attached:

- A) Input to the Legislative Finance Committee
- B) Contracting
  - 1. FY '83 Contract sections
  - 2. Lack of response to reply #1
  - 3. Timeline crunch with revised draft #1
  - 4. S.R.S./D.D.D. refusal to negotiate with A.I.D.S. #1
  - 5. Lack of continuing resolution status #1
  - 6. Letters from Legislators and LaFaver #1
  - 7. Current Contract Compliance Monitoring Tool and Process
- C) Budgeting
  - 1. Lack of information dissemination #2
  - 2. Exploitive use of funds allocated #2
  - 3. Lack of response to Provider staffing needs - "O-based" (D.S.R., Inc. summary) #2
- D) Lack of response to expansion proposals
  - 1. Copies of 5 proposals #3
  - 2. Lack of response #3
  - 3. Update - current plan
- E) Lack of Technical Assistance
  - 1. Standards - no replies #4
  - 2. Staff Training curriculum non-functional #4
  - 3. Update - C.A.C. resolution
- F) Accountability interpretation differences
  - 1. Title 45, Sub-part F, C.F.R. and D.D.D. interpretation #5
  - 2. Lack of referral to and dissemination of "source documents" (Examples: 501(c)3 and T-45) #5
- G) Guidance and steering
  - 1. S.R.S. Director and D.D.P.A.C. Chairperson vote conflict #6
  - 2. One-way communication dominant (S.R.S. to D.D.D. to Providers to Clients, not S.R.S. from D.D.D. from Providers from Clients) #6
- H) Summary #7

B) 2. -

The 'process' of Contract negotiations was simply non-functional for the current Fiscal Year.

Two opportunities were presented to consider drafts. Our response to the first draft drew no reply, the response to the second draft drew the enclosed reply.

B) 3. -

We contend that Contract negotiations should be conducted on a pre-scheduled basis of communications allowing a sufficient, but fixed length of time for reply. We further contend that in the negotiations process both parties should be bound to respond to communications by the other party.

B) 4. -

We further contend that the utilization of the Association of Independent Delivery Systems (AIDS) as a medium for Contract negotiations by the Provider organizations is appropriate and does no damage to the SRS and DDD/Provider relationship and should be adopted as procedural policy for Contract negotiations.

B) 5. -

Many Providers were this year forced into signing a Contract that they did not like because the Board of Directors felt compelled to continue to service D.D. clients and to support them in their communities. It was personal commitments to clients, not satisfaction with the Contract, that led them to sign Contracts.

We contend that a "continuing resolution status" should be adopted as Policy by S.R.S. and the D.D. Division so that, in the event of lack of Contract-terms agreement, Companies providing services to clients would not be subject to financial inadequacies requiring closing of their operations.

## C) 1. -

One source of disgruntlement currently is that the Service Providers receive no information of a basis or source nature from the D. D. Division nor from S.R.S. The rules governing our modus operandi of service provisions are myriad. Various Federal and State Legislative and Departmental regulations must be complied with, but the bias evidenced by S.R.S. is that the Department only is responsible and knowledgeable and the Providers and Councils don't need the information. This also involves Section E - Technical Assistance.

We contend that the D. D. Division should act as a conduit for information to the Providers and that the Department should adopt as Policy the reference to the various regulations 'sources' and the dissemination of interpretations of these regulations in the creating or modifying of all Operating Policies.

## C) 2. -

A current example is the amount of funding and percentage of funding increase allocated by the State Legislature. In the process of budget-making we were told strictly no more than 7% increase. This does not jibe with the 12% we have since learned was allocated by the Legislature. To my knowledge the rest of the money has not been either allocated or spent. Where is it? What is to become of it? No one other than D.D.D. and S.R.S. Administration seem to have any familiarity with or control of these "extra" funds.

## C) 3. -

Compare this situation with the information attached of D. S. R., Inc.'s budget inadequacies and the cause of this lack of communication, a lack of concern, becomes apparent.

#3

D) 2. -

As the D. D. Division has notified us of expansion dollars availability, we have submitted proposals. Not once have we received more than a phone call from the Regional Supervisor saying that the funds are not going to be let at this time. We are now submitting our 5th proposal. We contend that the use of these funds should not be available to the whims or capriciousness of the SRS/DDD administration. Some third party steering committee should be assigned the judicious application of these funds. We propose that the State D.D. Planning and Advisory Council be in control of this application of funds based on information and recommendations from the Regional Councils.

## E) 1. -

I have done assessments of compliance to the Standards for Services for Developmentally Disabled Individuals twice now, first while at Glen-Wood, Inc. in Plentywood and, more recently, at D.S.R., Inc. in Dillon. Never have I received adequate information (technical assistance) to be able to attain reasonable reliability in the scoring of either Company on this tool. The adoption of these Standards seems in rude violation of ethical considerations necessary for true progress and improvement of services to developmentally disabled persons. Valid concerns and questions were raised at Regional D.D.P.A.C. meetings prior to the Rule adoption by S.R.S. The Department chose to ignore the input of practitioners and consumers and very artificially implant a non-progressive requirement.

We contend that the D.D. Division and S.R.S. should now be required to adopt the process of removal of these Standards and to re-open the communications pursuant to appropriate corporate Service Goals statements.

## E) 2. -

During the time of the creation of the D.D.D. Client Programming Technician curriculum I was a Regional Clinical Trainer employed by the Technical Assistance Section of the D.D. Division. There have been and continue to be problems with the lack of functionality of this staff training curriculum.

We contend that the D.D. Division should resume study and pursuit of modifications of this C.P.T. to render it flexible to meet the needs of staff directly involved with client training.

F) 1. -

Enclosed is a copy of Title 45 Subpart F of the Code of Federal Regulations of the Federal Health and Human Services Bureau. This was sent to me by Jack Ellery with the explanation that this is why the D.D. Division has control over production incomes of Provider agencies.

We contend that this, in particular, is an incorrect determination. We further contend that the D.D. Division and S.R.S. should be restrained from handing down single-party interpretations, but should, rather, be required to submit interpretations to the State D.D.P.A.C. for finalizing prior to dissemination to Provider agencies.

F) 2. -

Other "source document" interpretations such as the Internal Revenue Service 501(c)3 requirements should also be pursued and referred through the State and Regional D.D.P.A.C.'s prior to dissemination to all Provider agencies.



## G) 1. -

We contend that the functions of the State Administration of the D.D.P.A.C. and of S.R.S. are damaged when under the control of the same individual. The Planning and Advisory functions of the State D.D. Council should be restored by establishing autonomous function based on input from consumers and non-attached persons and freed of the conflict-of-interest position of the current Chairperson, the Director of S.R.S.

## G) 2. -

Under the current leadership structure there is no feedback mechanism available. The result is that communications of a directive nature emanate only from the same source (S.R.S.) and all other communications can be functionally ignored. This eliminates the "team involvement" so inherent to community-based services. We contend that the D.D. Division and S.R.S. should adopt as policy the responding to of all queries and comments from their participant agencies and individuals. We further contend that the D.D.P.A.C. should be granted control function over deciding or arbitrating all areas of non-agreement referred to the State Council.

H) 1. -

Community-based services to developmentally disabled clients requires sophistication and coordination not evident in today's operations. Basic or structural changes are required to alleviate current problems.

The changes recommended by us are:

- 1) Establish autonomous function of the D. D. Councils separate from S.R.S. and D.D.D., specifically the leadership of the Council,
- 2) Establish mediation function in a third party, here proposed to be the State D.D. Council, empowered to reconcile all disagreements or disputes in the D.D. system,
- 3) Establish as policy of the D. D. Division the acquisition, interpretation and dissemination of all the various "source documents" information having impact on services to developmentally disabled persons,
- 4) Restore the existence and function of the Technical Assistance Section of the D.D. Division and prioritize as 'high' the modification of the staff training (C.P.T.) curriculum to correct it for functionality,
- 5) Adopt a fixed schedule for contract negotiations to be adhered to and adopt the requirement of both parties to respond, in substantive fashion, to communications from the other in negotiations,
- 6) Adopt the policy of accepting "continuing resolution" status of services in the event of Contract non-closures, and
- 7) Place the control of expansion fund allocations with the D.D.P.A.C. system.

July 22, 1982

Section A

Dillon Special Resources, Inc.  
329 North Pacific.  
Dillon, Montana 59725

Office of the Legislative Fiscal Analyst  
State Capitol  
Helena, Montana

Verbal Testimony on DD Services \*

We of the Board of Directors of Dillon Special Resources, Inc., a private nonprofit provider agency, find ourselves in an adversarial relationship with the Developmental Disabilities Division. The written testimony which we have submitted may seem radical. Indeed, we are angry and disappointed. Beneath the grievances which we have aired and documented in our written testimony is our belief that there is a basic philosophical difference between our approach to the provision of client services and that of the DDD.

We contend that as a private provider corporation we should be responsible for our internal management, should control our independently-earned funds and have a substantial measure of autonomy in decision-making regarding corporate operations. We see ourselves as an independent corporation contracting with the DDD for funding to provide services to clients whose best interests should be both our and the DDD's primary concern. We certainly agree with the DDD that units of service and number of clients served are valid DDD concerns and we accept fully the obligation of Financial Reports and Monthly Invoices to justify expenditures of State monies. We are of the opinion that these concerns should be addressed in as simple, predictable and business-like a format as possible, as should the contracting process itself.

We believe that our attitude is justified by the legislative mandate for deinstitutionalization and community-based habilitation services. We wish to deal with the State on a basis of good faith, mutual respect and over-riding consideration of clients' needs.

\* This is the testimony which I included in writing with our package of written testimony and documentation. My verbal statements embellished somewhat on this basic statement.

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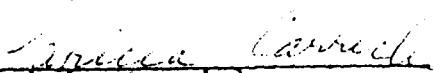
Verbal Testimony

DSR, INC.

We perceive the DDD's attitude in dealing with us to be very different and counter to our own goals. It seems to us that the DDD is operating in relation to us as though we were a subsidiary state agency staffed by not-very-intelligent, responsible or reliable children. Division requirements and policies attempt to control virtually every aspect of our corporate operations but have little relevance to the actual delivery of services except inasmuch as they hinder such delivery. We assume in good faith that the Division is attempting to protect the interests of the State and of developmentally disabled clients, but the effect of their efforts seems to have become counter-productive to that aim. Rather than being reassured by documentation of compliance with the policies, standards and regulations they adopt, these seem merely to suggest other realms in which we might not be in compliance. So more forms are generated to supply more reassurance. The fact is that dishonest, mis-guided or immoral providers may find ways to circumvent the rules, for a time at least, and no amount of paperwork can absolutely prevent that possibility. We realize that the State must protect its integrity and be accountable to the citizens from whom ultimately we receive our funding. We accept this responsibility. But we are neither dishonest, immoral nor stupid, and we are having a terrible struggle trying to keep up with the Division's regulations. And we believe that it's implicit estimation of our role is inaccurate and inefficient.

We would like to suspend the adversarial relationship and work together with the Division, perhaps with a mediating entity to ensure accountability on both sides, to find some mutually acceptable formats within which we could operate successfully and continuously as an Independent Provider Agency and the Division could reasonably guarantee quantity and quality of services and efficient use of their monies.

Respectfully submitted,

  
Patricia Carrick  
Board Member, DSR, Inc.

July 22, 1982

Dillon Special Resources, Inc.  
514 S. Pacific  
Dillon, Montana 59725

Office of the Legislative Fiscal Analyst  
State Capitol  
Helena, Montana

Re: Testimony on DD Services

To Whom It May Concern:

The following testimony is given on behalf of Dillon Special Resources, Inc., and its Board of Directors, in ultimate consideration of its clients.

In the past fourteen months Dillon Special Resources, Inc. has survived considerable catastrophe to provide group home services to eight clients. We serve these eight clients plus another five clients through our day services program. We maintain a semi-independent living situation which has been utilized by three clients, one of whom has now graduated to independent living status. We are moving our semi-independent living quarters and anticipate being able to serve up to five clients in the new building by fall, 1982.

#### NEED FOR DD SERVICES and COST OF SERVICES

The need for DD services in Montana is more than confirmed by the figures in the DD study \*(Enclosure # 1: Summary of the DD study, pg. 2, Need for DD Services). The cost figures for fiscal '81 contained in that same summary (Cost of Services, pgs. 2 and 3) would certainly seem to confirm the presumption that community-based services supplied by nonprofit corporations are substantially more cost-effective than institutionalization of DD clients. In addition we have, of course, the legal mandate to provide habilitation in the least restrictive environment possible. We of DSR have also a moral sense of ob-

ligation to help integrate our clients as fully as possible into a community setting. These factors commit us to our efforts to provide community-based services to developmentally disabled adults and to maintain our status as a private, nonprofit provider agency.

#### STATE ADMINISTRATIVE STRUCTURE

Of great concern to DSR, Inc. is the apparent lack of accountability of the DD Division. In the State Administrative Structure as it now stands, there appears to be no steering or control body to which the DD Division is accountable. There is no mechanism to minimize bureaucratic administrative growth or to guarantee opportunity for meaningful dialogue between the DDD and Independent Provider Agencies. Neither SRS nor the State DD Planning and Advisory Council (DDPAC) is functioning in this capacity. The growth of DD requirements has been and continues to be self-propelled and voluminous. The process of bureaucratic growth and ever-increasing requirements impinges substantially on our functions as a provider agency. It is DSR's opinion that this is not in keeping with the accountability requirements of the deinstitutionalization process mandated by the legislature.

## RELATIONSHIP OF NONPROFIT CORPORATIONS TO THE STATE

Dillon Special Resources, Inc. has had reason to be dissatisfied with its relationship with the DD Division on several counts:

## 1) lack of communication and feedback responsiveness

This is a general complaint which we have about the DD Division's dealings with us. It is difficult to get phone calls returned, letters replied to in a reasonable period of time, questions answered, etc. While we are under obligation by contract to fulfill requirements according to rigid time schedules, the DDD seems to accept no responsibility to reply to inquiries, assimilate feedback, or provide necessary information in reasonable time schemes. The ultimate result of this is, of course, loss of service improvements, increased frustration among staff and board members with working within the State system, and waste of staff time, thus salaries and ultimately State monies.

A "lack of communication" is pretty difficult to document. We hope that our comments in following sections, especially "Contracting", will prove relevant.

## 2) lack of technical assistance

In our contract \*(Enclosure #2: FY83 Contract, pg. 8, section 19.0) it is stated that "The Department will furnish necessary technical, administrative or program assistance to the Provider within a reasonable time upon written request from the Provider." We have found this to be simply untrue.

## a. Uniform Chart of Accounts

In a memo from Jack Ellery\*(Enclosure #3) regarding compliance with the Uniform Chart of Accounts he states that "the use of local accounting firms is considered invaluable in complying with the intent of the manual." We think it is not effective to spend the dollars of tax-payers and clients to hire outside assistance when the DDD has promised "technical assistance" in their contract with us.

## 2) lack of technical assistance (cont.)

## b. Set I Standards

Despite written questions regarding fulfillment of Set I Standards, we received no reply and yet are considered to be "not in compliance". \* See Enclosure #4.

## c. Medication Certification Renewal Policy

The DDD has established no training assistance for staff wishing or required to take this examination. We are, once again, essentially "on our own." \* See Enclosure #5.

## d. Training Proctor Policy

The purpose of this policy is "to allow for a system of proctors to provide DDD sponsored training to the staff of provider agencies." One of the DSR staff will be training the remaining staff to train clients, a service previously provided by DDD. The training proctor will contract with the DDD to do this. However, there is no mention of payment to the training proctor by the DDD. We can only assume that the DDD intends DSR to pay its staff proctor for training time, but we find no '83 budget allowance for this. There are extensive qualifications listed for the person to qualify; however, this person would not be qualified to "interpret DDD policy". Further training offered must be attended, but DDD will not pay expenses (rarely would a training workshop be held in Dillon to eliminate travel expenses!) We would still need a DDD staff person to 1) explain DDD policy. 2) administer and grade final exams. 3) possibly teach some of the training when DDD equipment (e.g. video tape) is needed and 4) semi-annually assess ability of proctor.

\* See Enclosure #6.



3) DDD's lack of understanding of practical service delivery by providers

The DDD does not seem to comprehend that our primary objective is client-training. Given the limitations of our budget, every hour spent filling out forms means an hour of service delivery lost. It is as simple as that. We believe that the DDD's ever-changing policies and ever-increasing paperwork requirements are exactly counter-productive to the aim of providing excellent, comprehensive services to our clients.

4) Our perception is that the DD Division is currently and continuously grasping for further controls over the provider agencies. As a private nonprofit corporation, Dillon Special Resources feels that this is inappropriate given the legislative mandate and destructive to the quantity and quality of client services delivered. Rather than assist the Provider Agencies with developing their operations, the Division instead tries to prevent local development and control of resources.

a. Selecting Residential Alternatives Policy  
\* Enclosure # 7

A June 7th memo from Jack Ellery states that this policy "requires providers to complete the appropriate form and receive approval for the purchase, lease or construction of a residential facility and/or prior to participation in any start up or operational costs associated with such facilities."

This puts selection and approval of residential property for the Provider Agency totally in the hands of the DDD. The form is extensive to complete and difficult to understand.

b. Group Home Purchases - \* Enclosure # 8

A May 12th memo regarding Group Home Purchases stated "Where there is a sale by conventional financing or transfer of mortgage, the State's interest is established by having title pass through by deed. The State then transfers the property to the Buyer-Provider by deed. In this deed to Buyer-Provider, the State reserves the right of re-entry upon a condition subsequent, which is the right to have the property revert to the state in the event the Provider fails to use the Property as specified in the deed, i.e. as a group home for developmentally disabled persons."

This regulation in its present form would be difficult to explain to potential sellers and lenders. The legal ramifications of such a binding statement have possibly not been fully explored. We submit that it is at times difficult enough to borrow money and purchase property without such a complicated rule imposed on provider agencies.

c. Client Confidentiality \* Enclosure #9

A memo dated June 2, 1982 from Jack Ellery re: Client Confidentiality states that "Any other use or release of information regarding any client must be authorized by the administrator of the Developmental Disabilities Division."

While we fully recognize the delicacy of the issue of confidentiality, can no one else make a decision regarding this? What do we do in a medical emergency when the administrator is unavailable to the phone? Can there be no provision for local, in-house release of information should circumstances so demand?

Our point is again, as it is all along, we must have some basis of trust and good faith with the DD Division, some basis for corporate responsibility, initiative and reasonable autonomy in order to function in the practical day-to-day delivery of care and services.

## SPECIAL SECTION ON CONTRACTING

The entire contracting procedure was manipulated by the DDD with what we at Dillon Special Resources, Inc. can only interpret as lack of good faith. The Developmental Disabilities Division sent us a first draft contract for FY83 in mid-March (\* Enclosure #10). We received no response to our director's extensive letter of comment and rejection of that contract (\* Enclosure #11). In fact, as far as we were concerned, contract negotiations were at a halt. Our director's calls received no replies, and we were stymied in every effort to develop a dialogue regarding the FY83 contract. Then suddenly in mid-June, we received another proposed contract essentially the same as the first (FY83 contract) (\* Enclosure #12). Apparently none of our comments or concerns were considered important enough to warrant contract modifications...or perhaps they were not considered, period. We returned our comments on modification of this second proposed contract (\* Enclosure #12). On June 30 we received a letter from Jack Ellery (\* Enclosure #13) in which he states, "At this late date it is important that we expedite the contracting process as outlined in the FY83 Contract Procedures Manual." Why was the contract left until such a "late date"? It seems that this is a very effective method of forcing DSR (and other Providers) to sign without further negotiation as we could not continue to operate without funding and would have had to jeopardize the stability of our clients' home, training program, etc. had we insisted at that point on pursuing our objections.

As we have discussed under the section on "State Administrative Structure", the DDD is effectively answerable to no agency or individual beneath the State Legislature. As an individual Provider Agency we feel helpless in dealing with them. We seek some form of accountability for the DDD and some predictable time scheme and channel of communication between the Independent Provider Agencies and the DDD. We should never again be in the position of accepting what we consider a lousy contract at the last minute in order to save our clients' services.

FY83 CONTRACT - Enclosure # 2

The FY83 Contract developed by the DDD was not considered satisfactory by some service providers. Dillon Special Resources has some particular points that we object to:

Section 8,1 and 11,2 - Financial Reports (Balance Sheets)

It is the contention of Dillon Special Resources that those monies independently earned/received by donation should not be subject to scrutinization by the DDD. The implication is that, should we be successful in generating funds aside from those awarded by the State, we would be penalized by a reduction in State funding. We believe that a healthy corporation requires fund balances of some size in order to maintain and improve facilities and services and develop new workshop projects. The CFR (Enclosure # 14), Title 45, Subpart F Section does not address independent funds because they are not "direct cost" or "counted as direct costs towards meeting a cost sharing or matching requirement of a grant".

Section 12,8 - Unspent Funds

It would seem that if provider agencies were not wasteful and could conserve their monies, they should be able to keep these unspent funds to apply where they are most needed by provider agencies.

Section 25,0 - Other Records

This seems to be an open-ended statement—how many other records? What kind of other records? Does the provider agency have any input on these records? As things stand now, our efforts to provide services for our clients are being drowned by the paperwork DDD requires for contract compliance. We need one full-time person to do nothing but fill out and return the forms the DDD generates daily. Of course, the DDD will not fund us to hire a staff person for this purpose. Instead, the precious time of our already hard-pressed and underpaid director and other employees is distracted from our original purpose: providing training to developmentally disabled adults, and is wasted pushing pencils through paper swamps. We do not think that this paperwork guarantees the excellence of our provision of services\*; if anything, it does the reverse.

limit on this function of DDD.

There has to be some

\*Apparently DDD does not either - see response to Section 36.0

## FY83 CONTRACT (Page 2)

Section 36.0 - Hold Harmless

This section gives the DDD absolute freedom from responsibility in all legal areas. The provider agency is obligated by contract with DDD to operate in accordance with procedures specified and required by DDD in all aspects of its existence: e.g. client training, staff training, bookkeeping, corporate functioning, etc. etc. If this infinity of rules and regulations does not in any way assure the DDD that we are in fact supplying services responsibly and reasonably faultlessly, and if it does not guarantee us as a provider agency any measure of support, protection or assistance from our contracting agency, then what on earth is the point for either of us?

Section 49.0 - Political Activity

This section is unnecessary as this is a provision of federal non-profit status.

Section 52.2 - Discrimination

Another duplication. As a non-profit organization, we include the Affirmative Action statement in our corporation by-laws and personnel policies.

Section 52.3 - Merit Qualification

We are not a state agency. The DDD should have no control over our hiring qualifications.

This Testimony is respectfully submitted to the  
Office of the Legislative Fiscal Analyst on  
July 22, 1982 by

Judy Niemi  
Judy Niemi, (Co-Chairperson, DSR, Inc.

Patricia Carrick  
Patricia Carrick, Board Member, DSR, Inc.

## 6.0 SERVICES PURCHASED

The provider shall provide the following minimum number of units of service during each quarter for each category of service specified in the table 6.1 below:

TABLE 6.1  
MINIMUM UNITS OF SERVICE

<u>SERVICE CATEGORY</u>	<u>QUARTER</u>	<u>QUARTER</u>	<u>QUARTER</u>	<u>QUARTER</u>	<u>TOTAL</u>	<u>CLIENTS</u>
	<u>ENDING</u>	<u>ENDING</u>	<u>ENDING</u>	<u>ENDING</u>		
	<u>9/30/82</u>	<u>12/31/82</u>	<u>3/31/83</u>	<u>6/30/83</u>	<u>UNIT</u>	<u>SERVED</u>
Adult Rehabilitation	749	702	737	737	2925	13
Adult Com. Home	662	662	648	656	2628	8
Semi-Independent Trng	8	8	8	8	32	3
Transportation	922	864	907	907	3600	8

## 7.0 MANNER OF PERFORMANCE

The services purchased shall be performed in such a manner as to achieve the Performance Requirements for each program of service rendered by the provider as specified in Appendices B, C and D.

## 8.0 FY 82 FINANCIAL REPORTS

Provider agrees to submit to the Department the following Financial Reports by September 30, 1982:

### 8.1 Balance Sheet

A Balance Sheet as of June 30, 1982, reflecting the financial position of the Provider which includes all assets, liabilities, and fund balances of the entire corporation.

### 8.2 Consolidated Income and Expense Statement

A Consolidated Income and Expense Statement for the period July 1, 1981 through June 30, 1982 which reflects all income received and all expenses incurred by the Provider.

### 8.3 Income and Expense Statement by Program of Service

An Income and Expense Statement for the period July 1, 1981 through June 30, 1982 for each Program of Service funded by the Developmental Disabilities Division including SSI benefits received on the behalf of developmentally disabled clients.



### 12.7 Accrual Accounting

Accrual accounting is preferred; however, Provider may use the cash method if the last month's transactions of the contract period are accrued.

### 12.8 Unspent Funds

All funds received from the Department under this contract and not spent or accrued by June 30, 1983, shall be returned to the Department by August 31, 1983.

## 13.0 CONTRACT RELATED INCOME

Any contract income received by the Provider, but excluding funds provided by the Department under this contract, may be retained by the Provider and expended for purposes which may be in addition to the allowable costs under this contract so long as such expenditures further the purposes of this contract.

### 13.1 Definition

Contract Related Income is program income as defined in 45 CFR 74.41.

### 13.2 Use of Contract Related Income

The Department has adopted the "Additional Cost Alternative" 45 CFR 74.42(e) as the manner in which the Provider as the grantee and subgrantee is to treat contract related income.

## 14.0 IMPOSITION OF FEES

No fees, other than those set and authorized in writing or Administrative Rule by the Department, may be imposed by the Provider on clients whose participation in Provider's programs of service is funded under this contract.

## 15.0 TRANSFER OF FUNDS - BETWEEN PROGRAMS OF SERVICE

No transfer of monies may be made between or among any of the programs of service covered by this contract and described in the Budget without an amendment as specified in Section 39.0 of this Contract.

## 16.0 TRANSFER OF FUNDS - WITHIN PROGRAMS OF SERVICE

Transfer of funds within programs of services shall be governed by the following requirements:

16.1 Budget Category I

No transfer of monies may be made into or out of Budget Category I (Personnel Services) without a Contract Amendment as provided in Section 39.0 of this Contract.

16.2 Contract Amendment - Not Required

A transfer of funds between or among budget categories, other than Category I, may be made without a contract amendment if the total amount so transferred during the term of this contract does not exceed 20% of the contract amount for the relevant program of service or \$10,000, whichever is less.

16.3 Contract Amendment - Required

Transfer of funds between or among Budget Categories in excess of 20 percent of the contract amount for the relevant program of service or \$10,000, whichever is less, will require a contract amendment.

16.4 Department Notification

Whenever a transfer of funds is made which does not require a contract amendment, the Provider will notify the Department in writing, describing the movement of funds that has occurred within thirty (30) calendar days.

17.0 LIMITS ON REASONABLE COSTS

The Provider's reasonable costs are limited as follows:

17.1 Travel Reimbursement

Staff mileage and per diem travel allowance paid by Provider in amounts which exceed the allowance made by statute and rule for employees of the State of Montana shall not be a "reasonable cost" for purposes of reimbursement under this contract. (2-18-501 et seq., MCA).

17.2 Gross Salaries

Gross salaries paid to employees in the form of cash, bonuses, fringe benefits, incentive payments, products, or services are allowable, providing the gross salary for any one position allocated directly or indirectly to Department funding sources does not exceed \$30,000 from funds provided under this contract during any 12 month period. These funds will be allocated based on the percentage of time spent on this contract as indicated in the attached budget sheets.

vider against losses resulting from the fraud or lack of integrity, honesty, or fidelity of one or more employees, officers or other persons who are responsible for Provider's funds or property.

### 33.0 INSURANCE

Provider will maintain insurance of the following types and minimum amounts:

Automobile liability:

\$100,000 per person, bodily injury  
\$300,000 per accident, bodily injury  
\$100,000 property damage, per accident

General liability:

\$300,000 per single occurrence

Provider will furnish the Department with written proof of the insurance required under this section.

### 34.0 ASSIGNMENT AND TRANSFER

The parties agree that this Contract may not be assigned or transferred except pursuant to a formal modification of this agreement executed as provided in Section 39.0.

### 35.0 INDEMNIFICATION

Provider will indemnify and reimburse the Department for any Financial Participation the Department is disallowed for monies expended under this contract because Provider fails to establish or maintain adequate records or otherwise fails to comply fully with all the terms of this contract.

### 36.0 HOLD HARMLESS

The Provider agrees to indemnify, defend, and hold harmless the Department and its officials, agents, and employees from any and all claims, losses, or suits accruing or resulting from any acts or omissions of Provider in connection with the performance of the contract or because of any breach of this contract by the Provider and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by the Provider in the performance of this contract.

### 37.0 SAFEGUARDING OF FEDERAL AND STATE MATCHING FUNDS

The parties agree that if anticipated federal or state public assistance funds are reduced or become unavailable at any time during the term of this contract, the Department is in no way obligated to continue performance of this agreement beyond the date the federal or state funds are reduced

or become unavailable, and the Department is absolutely not obligated to allocate state funds to meet the terms of this agreement, and the Department reserves the right to allocate a shortfall of federal funds towards one specific area rather than making across the board uniform reductions.

#### 38.0 COMPLIANCE WITH APPLICABLE LAWS, RULES AND POLICIES

##### 38.1 Laws

Provider will comply with all applicable state, federal, and local laws in performing this contract.

##### 38.2 Rules/Regulations

Provider will comply with all applicable state rules and federal regulations in performing this contract. In particular, Provider will comply with the requirements of 45 CFR, Part 96.30 and all regulations referenced therein.

##### 38.3 Department Policies

Provider will comply with all official Department Policies relating to Developmental Disabilities.

##### 38.4 Changes in Laws, Regulations or Policies

This contract is subject to renegotiation at Providers request for the purpose of enabling Provider to comply with new laws, regulations, or Department Policies if changes/additions materially affect the ability of the Provider to perform the terms and conditions of this contract as written.

#### 39.0 MODIFICATIONS

This contract can only be modified by written amendment signed by an authorized representative of each party and attached to the original of this contract.

#### 40.0 SERVICE OF NOTICES

Except as otherwise provided in this contract, written notices, reports and other information required to be exchanged between the parties shall be directed to the parties at their addresses as set out in Section 1.0 of this contract.

#### 41.0 OTHER RIGHTS AND REMEDIES

The rights and remedies of the parties provided under this contract are not exclusive and are in addition to any other rights and remedies provided by law.

#### 42.0 WAIVER

Waiver of any default, breach, or failure of performance under this contract shall not be deemed to be a waiver of any subsequent default, breach, or failure of performance. In addition, waiver of any default, breach, or failure of performance shall not be construed to be a modification of the terms of this agreement unless reduced to writing as provided in Section 39.0.

#### 43.0 TERMINATION FOR CONVENIENCE

Either party may terminate this contract for convenience and without other cause on sixty (60) days written notice to the other party.

In the event of a termination for convenience, by the Department, settlement between the parties shall be governed by 45 CFR, Part 74.115 (c).

#### 44.0 TERMINATION UPON DEFAULT

The Department may, subject to these provisions by written notice of default to the Provider, terminate the whole or any part of the contract in any one of the following circumstances:

##### 44.1 Failure to Provide

If the Provider fails to perform the required services within the time specified herein or any extension thereof; or

If the Provider fails to perform any of the other provisions of this contract, or so fails to make progress as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances does not cure such failure within a period of thirty (30) days (or such longer period as the Department may authorize in writing) after receipt of notice from the Department specifying such failure.

##### 44.2 Provider Not in Default

If after the Department gives a notice of termination under this default subsection, it is determined for any reason that Provider was not in default, or that the default was excusable, the Department may terminate for convenience upon the giving of sixty (60) days notice as required by Section 43.0.

# DILLON SPECIAL RESOURCES

514 S. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

Jack Ellery, Administrator

D.D.Division

Box 4210

Helena, MT

59604

Dear Jack:

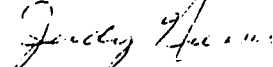
Enclosed is the response of the D.S.R.Inc. Board of Directors to the latest Service Contract proposal by the D.D.Division.

We would most certainly like to and do intend to continue to provide services to disabled persons. This document, however, contains some wordings that we would have problems operating under.

We ask, therefore, that you review this response and the included modifications to provide us with feedback as to the acceptability or lack thereof to your Division. We want to press forward with this with all due haste because of the shortness of time now remaining. We will continue to negotiate with you openly and honestly and we hope that you will deal with us in a similar fashion

Thank you for your efforts. We look forward to hearing from you.

Respectfully,



Judy Niemi, Co-Chairperson, D.S.R., Inc.

cc's: John Filz, A.I.D.S. President

111e

1.0 PARTIES

This contract is entered into by the Montana State Department of Social and Rehabilitation Services, (hereinafter referred to as the "Department"), whose address is 111 Sanders, P.O. Box 4210, Helena, MT 59604, and whose phone number is 406-449-2995, and ~~Dillon Special Resources, Inc.~~ (hereinafter referred to as the "Provider"), whose address is 329 N. Pacific, Dillon, MT 59725, and whose phone number is 406-683-5773.

2.0 AUTHORITY AND PURPOSE

The Department is mandated by state law to provide programs of service to Montana's developmentally disabled citizens, Section 53-20-201 and 53-20-301, MCA et seq.

To accomplish this mandate the Department wishes to purchase the following services from Provider:

- 2.1
- 2.2
- 2.3
- 2.4
- 2.5
- 2.6
- 2.7

The Provider is experienced in the delivery of the above listed service(s) and has operated a program in Dillon, Montana, for 1 year~~s~~. The Provider is ready, willing and able to provide services to the developmentally disabled individuals in accordance with this contract, State and Federal Laws and Regulations, and Department Policies governing services to Developmentally Disabled persons.

3.0 DEFINITION OF TERMS

For purposes of this contract the definition of terms specified in Appendix A shall apply.

4.0 TERM OF CONTRACT

This contract for the purpose of delivery of services will take effect on July 1, 1982, and continue in effect through June 30, 1983.

5.0 COMPLETION DATE

The completion date of this contract for the purpose of compensation shall be the date upon which the Provider submits to the Department it's Final Financial Report as specified in Section 11.2.

## 6.0 SERVICES PURCHASED

The provider shall provide the following minimum number of units of service during each quarter for each category of service specified in the table 6.1 below:

Table 6.1

### MINIMUM UNITS OF SERVICE

---

	QUARTER	QUARTER	QUARTER	QUARTER	TOTAL	CLIENTS
	ENDING	ENDING	ENDING	ENDING	UNITS	SERVED
<u>SERVICE CATEGORY</u>	<u>9/30/82</u>	<u>12/31/82</u>	<u>3/31/83</u>	<u>6/30/83</u>		
ADULT HABILITATION						
ADULT COMMUNITY HOME						
SUPERVISED						
SEMI-INDEPENDENT						
FAMILY TRAINING						

---

## 7.0 MANNER OF PERFORMANCE

The services purchased shall be performed in such a manner as to achieve the Performance Requirements for each program of service rendered by the provider as specified in Appendices B, C, D, E.

## 8.0 FY 82 FINANCIAL REPORTS

Provider agrees to have available the following Financial Reports by September 30, 1982:

### 8.1 BALANCE SHEET

A Balance Sheet as of June 30, 1982, reflecting the financial position of the Provider which includes all assets, liabilities, and fund balances of the entire corporation.

### 8.2 Consolidated Income and Expense Statement

A Consolidated Income and Expense Statement for the period July 1, 1981 through June 30, 1982 which reflects all income received and all expenses incurred by the Provider.

### 8.3 Income and Expense Statement by Program of Service

An Income and Expense Statement for the period July 1, 1981 through June 30, 1982 for each Program of Service funded by the Developmental Disabilities Division, and S.S.I. benefits received on the behalf of developmentally disabled clients.



Provider agrees to submit to the Department the following Financial Reports by September 30, 1982:

8.4 Balance Sheet

A Balance Sheet as of June 30, 1982, reflecting the financial position of the Provider which includes all assets, liabilities and fund balances of funds supplied by the Division.

8.5 Consolidated Income and Expense Statement

A Consolidated Income and Expense Statement for the period July 1, 1981 through June 30, 1982 which reflects all D.D.Division income received and expensed incurred by the Provider.

8.6 Income and Expense Statement by Program of Service

An Income and Expense Statement for the period July 1, 1981 through June 30, 1982 for each Program of Service funded by the Developmental Disabilities Division.

9.0 COMPENSATION

as previously written

10.0 INVOICING AND PAYMENT

Payment will be made to the Provider within 2 weeks following Department receipt of Provider invoice for services on Form SRS-AD-58 or the Provider will be notified within that time of some problem with the delivery of the payment due and the Provider will be notified of the estimated date of payment.

The Department reserves the right to withhold payments to the Provider if quarterly Financial Reports or Quarterly Progress Reports are in arrears.

11.0 FINANCIAL REPORTING

11.1 Quarterly Financial Reports

as written previously

11.2 Final Financial Reports

Within sixty (60) days of the end of the contract term or the date of termination or default, Provider will submit to the Department a Final Financial Report. This report shall conform to Generally Accepted Accounting Principles and shall include:

. Balance Sheet

A Balance Sheet as of June 30, 1983, reflecting the financial position of the provider which includes all assets, liabilities and fund balances of funds supplied by the Division to the corporation.

. Consolidated Income and Expense Statement

A Consolidated Income and Expense Statement for the period July 1, 1982 through June 30, 1983 which reflects all D.D.Division income received

and expenses incurred by the provider.

. Income and Expense Statement by Program of Service

An Income and Expense Statement for the period July 1, 1982 through June 30, 1983 for each Program of Service funded by the Developmental Disabilities Division.

11.3 Final Adjustments

as written previously

11.4 Accuracy of Reports

as written previously

12.0 ACCOUNTING

as written previously

12.1 Separate Funds

as written previously

12.2 Required Financial Records

as written previously

12.3 Commingled Funds

as written previously

12.4 Chart of Accounts

Classifications of Accounts in the Provider's accounting records shall conform to a Chart of Accounts as required to conform to Generally Accepted Accounting Principles.

12.5 Disbursements

as written previously

12.6 Source Documents

as written previously

12.7 Accrual Accounting

as written previously

12.8 Unspent Funds

as written previously

13 through 24 Client Attendance Records

as written previously

25 OTHER RECORDS

Provider will cooperate with the Department in developing and keeping such other records as may be necessary or useful in assuring quality performance of this contract. The Department will cooperate with the Provider in minimizing the necessary records as may be necessary or useful in assuring quality performance of this contract.

26 through 35 INDEMNIFICATION

as written previously

36 HOLD HARMLESS

The Provider agrees to indemnify and hold harmless the Department and its' officials, agents, and employees from any and all claims, losses, or suits accruing or resulting from any acts or omissions of Provider in connection with the performance of the contract or because of any breach of this contract by the Provider and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by the Provider in the performance of this contract.

37 SAFEGUARDING OF FEDERAL AND STATE MATCHING FUNDS

as written previously

38 COMPLIANCE WITH APPLICABLE LAWS, RULES AND POLICIES

38.1 Laws

as written previously

38.2 Rules/ Regulations

as written previously

38.3 Department Policies

Provider will comply with all official Department Policies relating to Developmental Disabilities in place at the time of contract signing and will negotiate mutually towards the development of such policies as may be necessary to insure the provision of quality services to clients.

38.4 Changes in Laws, Regulations or Policies

This contract is subject to renegotiation at Providers request for the purpose of enabling Provider to comply with new laws, regulations or Department Policies if the changes/additions materially affect the ability of the Provider to perform the terms and conditions of this contract as written. The Department agrees to negotiate "in good faith" with the Provider towards satisfactory conclusions of problems that may arise.

39 through 42 WAIVER

as written previously

43 TERMINATION FOR CONVENIENCE

Neither party may terminate this contract for convenience.

44 TERMINATION UPON DEFAULT

as written previously

44.1 Failure to Provide

as written previously

44.2 Provider Not in Default

If after the Department gives a notice of termination under this default subsection, it is determined for any reason that Provider was not in default, or that the default was excusable, the Department will reinstate the Service Contract as previously agreed to and signed.

45 through 50 PATENTS AND INVENTIONS

as written previously

51 COPYRIGHTS

The Department and the U.S. Department of Health and Human Services (HHS) shall have a royalty-free, non-exclusive, and irrevocable right to reproduce, publish or otherwise use and authorize others to use for Department purposes any material developed in the course of performance of this contract.

52 CIVIL RIGHTS

52.1 Civil Rights Act

as written previously

52.2 Discrimination

as written previously

52.3 Hiring Qualifications

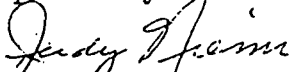
Provider agrees that all hiring done in connection with this contract shall be on the basis of qualifications genuinely related to competent performance of the particular occupational task.

53 through 56 INTEGRATION

as written previously

The Board of Directors of Dillon Special Resources, Inc. would be happy to sign a Service Agreement Contract with the Developmental Disabilities Division of S.R.S. of the State of Montana with these few specific adjustments made to the draft received. We understand that it was once agreed that fund transfers out of Category I were verbally agreed to and we feel that this would do no violence to the Departments service or accountability needs.

Respectfully submitted,

  
Judy Niemi, Co-Chairperson,

Dillon Special Resources, Inc.

cc's: John Filz, A.I.D.S. President

file

DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

June 30, 1982

Judy Niemi, Co-Chairperson  
Dillon Special Resources, Inc.  
514 South Pacific  
Dillon, Montana 59725

Dear Judy:

I have reviewed your suggested modifications to the FY83 Master Contract. As you know I have had numerous meetings over the past three months regarding the major concerns expressed by DD Service Providers. The Division has, in my opinion, addressed and reconciled those concerns in the final FY83 Master Contract which I mailed to you on June 8th. At this late date it is not feasible to make additional changes.

You can be assured that we will continue to discuss issues relating to funding and contract matters in the upcoming fiscal year. You will receive correspondence from John LaFaver in the next few days which outlines our intentions.

Sincerely,

A handwritten signature in cursive script that reads "Jack Ellery".

Jack Ellery, Administrator  
Developmental Disabilities Division

TO: AIDS General Membership  
FROM: John Filz, AIDS President *JF/mm*  
DATE: June 11, 1982  
RE: Draft Master Contract

This week you all received a draft master contract. That contract was mailed without the knowledge of myself, or other AIDS Board members. It was our understanding that there would be additional changes in the contract before it was sent out. The AIDS Board and our attorney, Dick Weber, met with Jack Ellery, Jim Meldrum, Mike Muszkiewitz and Dal Smilie from SRS Legal last Wednesday, and with Jack Ellery, Jim Meldrum and Mike Muszkiewitz, and briefly with John LaFaver on Friday. As a result of those meetings, it was our understanding that: providers would submit prior budgets and consolidated balance statements and in return the contract would include language stating that contract related income would not be considered in determining payment, and that changes would be made in the budget amendment process. The Department was to catalogue all policies in the contract. Unfortunately, the Department did not deal with us in good faith and none of those things were reflected in the contract which you have received.

As I said, the Board did agree that the providers would submit budgets for prior approval. So it is appropriate for providers to be drafting and submitting their budgets. However, I anticipate that there will be further changes in master contract language prior to contracts being signed.

There will be a general membership meeting on Tuesday, the 22nd, at 9:30 a.m., at the Valley Bank in Helena to discuss the status of the contract. I hope all of you can attend this very important meeting.

JF/mm

LAW OFFICES

LARRY PERSSON

220 MAIN STREET-P.O. BOX 111  
HAMILTON, MONTANA 59840TELEPHONE 363-2711  
AREA CODE 406LARRY PERSSON  
RICHARD A. WEBER, JR.

July 7, 1982

Membership of A.I.D.S.

RE: Contract Discussions with SRS/DDD

On June 2, 1982, members of A.I.D.S. and the A.I.D.S. Board of Directors met with Jack Ellery, Jim Meldrum, Dal Smiley (attorney) and Mike Muszkiewicz to discuss the 1982-1983 contract. A.I.D.S. had submitted a draft contract in rebuttal to the Department's proposed contract. A great deal of time was taken in discussing the basic philosophical differences between the Division's approach and that of the providers. The Department made a number of concessions from its initial position, however, the basic position of the Department that it wished to retain the maximum control possible over local corporations remained unchanged. The Department was unwilling to accept a fixed price concept. Similarly, the Department refused to accept A.I.D.S. proposal regarding goals and objectives of the contract and monitoring of local corporations' performances in terms of those goals and objectives.

Subsequently, on June 4, 1982, I and certain A.I.D.S. members met with Division staff and John LaFaver again. At that time Mr. LaFaver indicated he was willing to make a number of meaningful changes in the contract relationship. For example, Mr. LaFaver indicated that at that time he saw no need for the budget amendment process and the present restrictions on movement of funds between budget categories. He also indicated that the Department had no intention of using information regarding fund balances and contract related income in determining reimbursement or fees during this 1982-1983 contract year. At that time, however, he was unwilling to include any language in the contract to that effect. During the course of discussions with Mr. Ellery, he made several commitments regarding the Department's willingness to study alternative methods of payment for services rendered by local corporations. However, the Department was unwilling to make any commitment to change from the present method. Mr. Ellery also agreed to reduce frequency of required financial reporting, however, he was unwilling to accept the A.I.D.S. proposal regarding reporting and required audit. Mr. Ellery was unwilling to make any commitment to the A.I.D.S. proposals regarding program accountability and review by the Department. Mr. Ellery, in fact admitted the Department did not presently have an evaluation tool by

A.I.D.S. Membership

July 7, 1982

Page two

which it could measure actual client progress. I and most members of the discussion team left the meetings on July 4, 1982, feeling that we had made some headway.

Subsequently, on June 7, 1982, the Department mailed to providers its 1982-1983 master contract. That document prepared by the Department did not reflect any of the changes and commitments which we believed the Department to have made in our meeting of June 4, 1982.

Subsequently, I and some members of the Board of A.I.D.S. and board members met with Representative Anne Mary Dussault and determined it would be wise to inform the interested legislators of the course of negotiations.

On June 23, 1982, I and Mr. Filz and two other members of A.I.D.S. met again with Mr. LaFaver, prior to meeting with members of the legislature. This meeting was apparently mandated by the membership of A.I.D.S. at a general membership meeting which occurred during the week prior. At that meeting with Mr. LaFaver, he agreed to draft two memoranda of Agreement, outside the contract document, committing the Department not to unilaterally use information regarding contract related income or fund balances to reduce reimbursement to corporations. The Department could not do so unilaterally in the first place, the provider corporations gained very little. In addition, Mr. LaFaver agreed to issue a statement regarding the study of alternative methods of funding local corporations. Mr. LaFaver, however, adamantly refused to permit any language in the contract regarding the Department's intention to exercise minimal amount of control necessary to assure that goals and objectives of the contract were met. Instead, Mr. LaFaver indicated that, in terms of program and financial contract, the Department intended in the future to lessen its control, but that such was impossible at this time.

Later, on June 23, 1982, Mr. Filz and I met with a number of legislators and briefed them on the course of the discussions. My general sense of that briefing was that the legislators present were not supportive of the Department's position, and were willing to advise Mr. LaFaver that degree and type of control the Department was attempting to exercise was not necessary.

Subsequently, a number of legislators signed a letter to Mr. LaFaver indicating that they, and presumably other legislators, favored locally controlled problems and were not interested in a



A.I.D.S. Membership  
July 7, 1982  
Page three

state run DD program. Copies of that letter have been distributed to the membership.

In the meeting with Mr. LaFaver on June 23, 1982, Mr. LaFaver asked Mr. Filz to recommend to the membership of A.I.D.S. that provider corporations execute the contract mailed out by the Department on June 6th or 7th and that in return a written memoranda would be forthcoming from the Department.

As you all know, A.I.D.S. cannot make any suggestion that members acting as a group refuse to provide services to the Department. It would certainly constitute a violation of the Anti-trust laws. I can, however, suggest that corporations that are dissatisfied with the contract proposed by the Department, should make their own decision regarding execution of those contracts. It is possible to modify those contracts by deleting those portions which are unacceptable and adding material which a local corporation sees as desirable. Those types of alterations, once signed by the local corporation and mailed to the Department, would constitute a counter-offer.

For those corporations who are interested, I have prepared a short list of areas in which the Department's position varies substantially from the A.I.D.S. proposal. I have also stated what the A.I.D.S. proposal was.

Any questions or comments you have regarding the Department's proposed contract or possible alterations of the same may be directed either to Mr. Filz or myself. Mr. Filz' phone number is 63-5400. My phone number is 363-2711. My mailing address is P. O. Box 111, Hamilton, Montana 59840.

I am hopeful that the Department has received and understood the message that providers are no longer satisfied to operate under the State's thumb. I believe the support shown by key members of the legislature will be of great assistance to us in future discussions with the Department.

I cannot stress strongly enough that the continued interest and commitment to action on the part of A.I.D.S. members is essential. Further progress is to be made with the Department. If I can be of any assistance to you please feel free to call me.

Sincerely,

  
Richard A. Weber, Jr.

W/sb

## CONTRACT RELATED INCOME AND FUND BALANCES

RE: Page 6 Paragraph 13.3 of State Contract.

It was the A.I.D.S. position that the Department shall not, during the term of the contract, consider contract related income or fund balances of a provider in determining reimbursement to the provider during the contract term. That provision is not included on page 6 nor anywhere in the state contract, but certainly could be if the provider decided to make that counter-offer.

## BUDGET AMENDMENT

RE: Page 7 Paragraph 16.1 of State Contract

It was the A.I.D.S. position that category 1, Personnel Services Funds should be freely transferable. This could be accomplished by deleting Paragraph 16.1 of the State Contract. It would also be necessary to delete the phrase "other than category 1" from the second line of Paragraph 16.2. Provider could, if it wished, alter the percentage and gross dollar amounts used in Paragraph 16.2 and 16.3.

## ACCOUNTABILITY

RE: Page 10 Paragraph 22.0 of State Contract

It was the A.I.D.S. position that providers would submit semi-annual progress reports. The Department has specified quarterly reports but that could be altered if the provider wished to make that counter-offer.

RE: Page 12 Paragraph 29.0 of State Contract

It was the A.I.D.S. position that the Department should not be reviewing the management functions of local corporations. Nonetheless the Department included Program Management as one of the subjects of its periodic reviews. That phrase "Program Management" could be deleted from that paragraph if the provider wished to make that counter-offer.

More importantly, it was the A.I.D.S. position that the Department should develop and implement a uniform method of evaluating client skills and progress, and that such evaluation tool be made available to the providers. The Department has not included anything in the contract to that effect, however, a local corporation could insert such a requirement if it so desired.

## POLICY

RE: Page 14 Paragraph 38.3 and 38.4 of State Contract

It was the A.I.D.S. position that provider corporations should be bound to observe only those policies in effect on the date the contract was actually executed. Language to that effect could be added to Paragraph 38.3 and the reference to Department policies deleted from Paragraph 38.4.

## TERMINATION

RE: Page 15 Paragraph 43 and 44.2 of State Contract

It was the A.I.D.S. position that there should be no termination for convenience and that all terminations should be for cause. If a provider feels strongly about this principal it could accomplish that aim by deleting Paragraph 43 in its entirety and Paragraph 44.2. The provider could substitute a new Paragraph 44.2 granting to the provider the right to terminate the contract if the Department fails to meet the terms and obligations of the contract.

## STAFFING

RE: Page 17 Paragraph 52.3 of State Contract

It was the A.I.D.S. position that hiring and firing of staff was a management prerogative of the local corporation. The corporation could, if it wished, delete Paragraph 52.3 requiring merit qualification as a requirement of the contract.

## VENUE AND LEGAL FEES

RE: Page 17 Paragraph 55 of State Contract

It was the position of A.I.D.S. that any litigation concerning the contract should occur in the county in which the local corporation operates. That could be accomplished by substituting the name of the county where the state has mandated Lewis and Clark County.

It was also the position of A.I.D.S. that the prevailing party in any litigation should be entitled to reasonable attorney's fees. That could be accomplished by simply adding language to that effect to Paragraph 55, if a corporation wished to make that counter-offer.

NOTE: Individual providers may wish to consider alterations of the policies which the Department has adopted or intends to adopt and enforce through the contract. I have made no attempt to review those other than in most general terms.

The combination of

- 1) Lateness of Contract closure (due to "out of time" rather than agreement)
- 2) Procedural SNAFU (getting the right copy mutually signed)- State/Regional Office
- 3) Document turnaround times ("Must be lost in the mail!")
- 4) Changover to new computer printing with accompanying SNAFU(s) (Incorrect amounts, duplications, and more)

led to

- 1) Period of near insolvency and inability to pay bills by Corporations which indicates a series of negative conditions.
- 2) Services to clients on a continuous basis requires healthy Corporations, S.R.S. and D.D.D. have demonstrated their inability and/or unwillingness to be accountable to clients for anything more than singular number of clients served. Continuations of services from FY '82 to FY '83 occurred because Corporations had reserves with which to pay employee wages and facilities costs. The Board of Directors chose to do this due largely to their personal commitments to meeting clients' needs. S.R.S. and D.D.D. should, therefore, be accountable to the Provider Agencies.
- 3) S.R.S. and/or D.D.D. are apparently unable and/or unwilling to work with the D.D. System Service Providers and communicate in an open and honest ("good faith") fashion. Refused to negotiate with the Association of Independent Delivery Systems and their elected delegates are only the tip of this communications iceberg. The problem also involves lack of organizational framework within which to delegate activities and responsibilities to State and Regional Office staff.

- and
- 4) Lack of a schedule around or into which activities can be scheduled. This is a problem similar and/or related to the problem addressed in #3, but results in different negative occurrences (e.g.: missed opportunities). The S.R.S./D.D.D. administration of funding and services should be accountable for a variety of activities occurring in a timely fashion. This is not currently the case.



# MONTANA STATE HOUSE OF REPRESENTATIVES

June 26, 1982

Mr. John LaFaver  
Director  
Dept. of Social &  
Rehabilitation Services  
Capitol Station 59620

Dear John:

We had hoped to meet with you during our stay in Helena, but the difficulty of coordinating schedules made that impossible.

We did have the opportunity to meet as a group, however, and would like to express our concerns regarding current contract negotiations between the Department and providers of service or programs for the developmentally disabled.

As a group we concur on the following:

1. Community based programs were established by the legislature under the organizational structure of non-profit corporations. We support that organizational structure and would resist any attempts by the Department, through contract provisions, to undermine the independent status of these corporations.
2. We support immediate efforts by the Department, in coordination with the providers, to explore and move forward a flat fee reimbursement system for unit of service provided.
3. We support immediate efforts by the Department, in coordination with the providers, to implement a program accountability system which audits and verifies contracted program objectives rather than each individual program's process. We are interested in knowing the programs have fulfilled their objectives with <sup>clients</sup> ~~enact~~...monitoring day to day paperwork is a waste of everyone's time.
4. We would resist any attempt by the Department to control non-departmental monies under the control of these non-profit corporations. We further resist any attempt by the Department to reduce Departmental monies into programs based on non-departmental funds in these programs.

June 26, 1982

John, we recognize the Department's responsibility in these matters. But we want to emphasize that our support is for community run and community based programs. We are not interested in state run programs, and our concern is that contract provisions are becoming so narrowly construed that all local control and local incentive is being removed.

And finally, should you move in the directions requested in this letter, you will have our full support.

We would be happy to discuss these matters with you at any time.

Sincerely,

Signed:

DUSSAULT

Holliday

Rousch

Kennerly

Schoetz

Kemmis

Winslow

Bengtson

Bertelsen

Hannah

Quilici

Curtis

Van Valkenburg

Mazurek

Keating

DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES

BJ  
Cowan  
2  
+77



TED SCHWINDEN, GOVERNOR

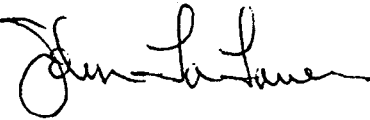
P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

November 12, 1982

TO: Legislative Finance Committee

FROM: John D. LaFaver  
Director 

SUBJECT: Progress Report and Budget Request,  
Department of Social and Rehabilitation  
Services

I am pleased to submit this progress report to you. Since the last legislature, we have attempted to keep basic human services in place while dealing with the reality of massive federal reductions.

The report details several of the management strategies utilized in wringing more service value from each taxpayer dollar. In this regard I would direct your attention particularly to the sections dealing with Medicaid, Developmental Disabilities, and Audit and Program Compliance.

Our budget request for the next biennium is basically a status-quo proposal. We anticipate continuing our successful cost control strategies. As federal participation rates fall or remain constant, however, the state necessarily will pay a greater share of program expenses. In addition we present four requests to expand and enhance services to senior citizens, emotionally disturbed children and the developmentally disabled.

I hope you find the report useful in your deliberations.

cc Governor Ted Schwinden

2. Implementation of Augmented Services to the Developmentally Disabled

The last regular session of the legislature appropriated \$1,883,300 so that SRS could provide services to 95 unserved developmentally disabled persons on waiting lists.

The implementation of the waiting list plan has gone very well. Significantly more clients have been served than expected for the same money. Several factors have contributed to serving 346 individuals instead of the 95 anticipated.

- A. Clients have moved into less restrictive settings such as semi-independent living which has provided openings for unserved people to move into.
- B. The Parkside Nursing Home closure allowed the DD Division to utilize Medicaid dollars for the first time in community-based group home care. An improved service was provided at a cost savings.
- C. DD service providers have been innovative in expanding services while finding operational economies.
- D. The staff of the DD Division have been very creative in getting the most from very limited dollars.

The bottom line is that through this cooperative effort on the part of department staff, DD providers, and certainly persons interested in the delivery of services to DD individuals, we have developed a strong program which has proved its cost effectiveness. It is not very often that you can present to the legislature a proposal of \$1.88 million to serve approximately 95 individuals at an annualized cost of \$1.4 million and return two years later with a program serving 346 individuals at the same cost. It would be hard to imagine anyone asking more of a program than that which has been accomplished by the DD program in the past two years.

3. Audit and Program Compliance Division

Last legislature's human services appropriations subcommittee expressed serious reservations about the operation of the audit and program compliance division. The subcommittee felt that previous work objectives had not been met. The legislative auditor questioned whether the staff could produce an acceptable audit product.



SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

June 29, 1982

TO: Providers of Services to the  
Developmentally Disabled

FROM: John D. LaFaver  
Director

SUBJECT: New Contract

A handwritten signature in cursive script that reads "John D. LaFaver".

I want to express my thanks and appreciation to those of you who have participated in developing the contract language for fiscal 1983. That it may not be a perfect document should be no surprise. I could imagine a few improvements as could each of you. But we arrived at a series of reasoned compromises that assures maximum provider flexibility consonant with state needs for program and fiscal accountability.?

In addition to the contract provisions, I thought it would be constructive to address a couple of points that are of concern to many of you.

First, the comprehensive reporting of financial activity and resources has led some to believe the department might move unilaterally to reduce fees and use up accumulated balances. I want to assure you that the department will move very cautiously in this area and will make no recommendations to spend balances without giving the corporation adequate time to justify existing balances.

Second, I hope we will all agree to continue our discussions toward a fixed fee reimbursement structure. We need to encourage provider organizations to develop their management strengths and we seldom do that with cookbook approaches from Helena. At the same time we all need to appreciate the importance of maintaining strict fiscal and program accountability to the state program's board of directors, the legislature.

Thanks again for your participation and assistance.

Problems with the Review Process:

- 1) Document out now for review, intended for use this Year -- over 1/2 year late so far
- 2) Review and return by February 28, 1983 -- not sufficient time to modify this year, input will be disregarded
- 3) Page 2, bottom - 4 steps #2 - no timeline for Report but has Provider timeline, #4 specifically gives Provider 2 weeks. Division will avoid any attempts to specify due dates on their part.
- 4) Page 4 - #1.3 - determination made erroneously, conclusion previous is non-sequitur
- 5) Page 5 - #3.1 - uncalled-for limit on Provider's reimbursement rate - "must comply" - why? State employees?
- 6) Page 8 - #9 - too late for that.
- 7) Page 9 - #9.4 - D.D. funds or all?

DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

January 10, 1983

TO: All Developmental Disabilities Providers, Division Central and Regional Staff

FROM: James R. Meldrum, Assistant Administrator  
Developmental Disabilities Division *JRM*

RE: CONTRACT COMPLIANCE MONITORING PROCESS

For your review and comment, I am sending the Division's draft of a proposed contract compliance monitoring tool. The purpose of this tool is to provide a standardized method of monitoring and validating contract compliance.

Considerable effort has been made to design a process which stresses compliance to current contract provisions.

The contract compliance is separate from the quarterly review process which validates the contract performance requirements which are reported quarterly by the service providers. The quarterly review process has been implemented.

The contract compliance will be done at least annually. A copy of the tool and detailed instructions are attached for your review. I would appreciate any comments, questions or suggestions that you may have on this tool by February 1, 1983. Revisions will be made by February 28, 1983. We appreciate your taking time to review this tool and providing input.

F2/d

each requirement is reviewed, place an "x" in the appropriate column. If the response is one which is not in compliance with the contract or is unsure, then a comment is required. The comment should briefly explain why or how the noncompliance is occurring or why the reviewer is unsure of the providers compliance.

The purpose is to evaluate for compliance each requirement listed on the tool.

Consistency is critical in performing this review. If the provider is in complete compliance with the tested item (based upon sample size reviewed), then the provider should be given the proper credit. If provider is not in complete or total compliance, then the no or unsure box should be marked, and comments made. Use the unsure column only when there is a question of compliance. Make your responses based upon the actual data that is present, not upon what a provider says they are doing, or are planning to do. These responses could be discussed in the comment portion of the review.

No percentage scores are given. however, the evaluator may state that the provider is in compliance on x number of contract requirements and in noncompliance on x number of contract requirements.

The method used to summarize the results of the review with the provider is very important. The summary should emphasize what changes need to be made for the provider and/or the Department to come into compliance with the contract.

The following steps should be implemented in assisting both parties in complying with the provisions of the contract.

1. When the on-site review has been completed, an exit interview with the executive director, and any other staff whom the director wishes to invite. The purpose of this meeting is to verbally review the review. This is an opportunity to cover the provider's strong areas as well as those areas that need improvement.
2. Follow up the review with a written report which outlines the strengths and weaknesses with a time line for the provider's response. The provider's response could include a time line to correct areas of noncompliance as well as any disagreement they may have with the final results of the review and their justification or rationale.  
*Two weeks should be enough time for Division to report.*
3. The report is submitted to the executive director and the board chairman.
4. Two weeks should be enough time for the provider to respond.

NOT necessarily

- 1.3 Commingled Funds - Commingling of funds will generally occur when a provider will report the expenditure of more contract funds than they have received. [This can be determined by comparing the amount received (for any service) with the amount spent.] If the provider has commingled funds, mark the "yes" box and explain. NO
- 1.4 The contract requires that the provider have a chart of accounts which conform to the Department's Uniform Chart of Accounts. Compare the provider's chart of accounts to determine if they are using the system published by the Department. If they are not using the Department's system, is their chart of accounts compatible with the Department's? Mark the appropriate box and comment.
- 1.5 Disbursements must be made by check. This can be determined by comparing entries in the disbursement journal with checks that are written. Compare 5 randomly selected disbursement entries for each month of the fiscal year and compare to the checkbook. There should be a check for each disbursement entry. If not, mark the "no" box and explain.
- 1.6 All checks or disbursements must be supported by source documentation. This is generally a paid bill, invoice, or payroll journal. While determining if all disbursements are made by check, ask to see the supporting documentation requiring the check to be written. If such documentation is not available, please mark the "no" box and explain.
- 1.7 To determine if all unspent funds from previous years have been returned to the Department as required. The ending or final financial reports for all previous grants and all service areas listed in the previous years contract. If the report shows that more money was received than spent, then a refund was due. That refund should have been submitted with the final report. If a refund was due, ask the provider to show you in the disbursement journal, for the year ending and in the checkbook, the entries showing the Department being sent those funds. If the funds have not been returned, mark the "no" box and explain.

2. Transfer of Funds -

- 2.1 Determine if there is the movement of funds from one program of service to another program of service by verifying the Quarterly Financial statement with the original or amended budget. If the budget column on the Quarterly Financial Statement does not correspond with the budget in the Contract, then mark the "no" box and explain. An amended budget is defined as a budget

which has been altered from the original budget and signed by the provider and the Division Administrator.

2.2 The contract does allow for the movement of funds within a program of services under certain conditions:

2.2.1 The movement of any contract funds into or out of Category I (personnel services) is not allowed by the contract unless an amendment has been signed by both parties. If funds have been moved without amendment, please mark appropriate box and comment.

2.2.2 Is the provider moving funds among and between the remaining categories, as defined in the Contract, not to exceed 20% of total contract or \$10,000.00, whichever is the least. If the provider needs to move more, then a contract amendment will be required.

2.2.3 If a Provider has exceeded the allowable amount and does not have a signed budget amendment. If not, mark the "no" box and explain.

2.2.4 If an amendment is not required, verify the providers written documentation describing the movement of funds. This documentation is in letter form which explains which category the funds were taken from and where they were transferred to. If the documentation has not been received within 30 days, then mark the "no" box and explain.

3. Limits on Reasonable Costs -

3.1 The reimbursement for provider <sup>not justifiable</sup> staff must comply with the State statute which governs the reimbursement for the travel of state employees. To verify provider employee travel reimbursement; sample: 15% of all provider travel. Does the provider have documentation of travel paid - i.e. travel voucher - and does the travel comply with the State statute on travel and are appropriate receipts attached to the voucher to document actual costs of lodging, if not, mark the "no" box and explain.

3.2 Review the payroll journal to determine if any employee is receiving a salary which is charging the Department more than \$30,000.00 annually. Then mark the "yes" box and explain.

4. Quarterly Units - Add the number of units invoiced each month of the quarter and compare to the minimum required by the contract. If the number of units provided is equal to or more than the minimum number required by the contract,

8.2 Provider determined eligibility requires the provider to determine eligibility of clients who receive family training and support services and Respite.

8.2.1 Sample 15% of individuals receiving family training and support services verify that the provider has determined eligibility using the following criteria.

8.2.1.1 Has the child been determined to be developmentally disabled by a licensed physician or psychologist?

8.2.1.2 Is the child between birth and five years of age and is "at risk" for developmental delays - as determined by the physician or psychologist?

8.2.1.3 Is there documentation in the record that the Department has determined the child to be eligible?

8.2.1.4 Developmentally disabled adults are eligible if they are receiving community-based services and who is residing in a natural or foster home. If a person resides in a group home, nursing home or hospital, they are not eligible for Respite. If an adult is receiving Respite services who do not meet this criteria, then mark the "no" box and explain.

9. Financial Reports - The contract requires that each provider "submit to the Department" certain fiscal year 1982 "financial reports by September 30, 1982" (the contract which was just completed June 30, 1982).

The Regional Office must receive these reports no later than September 30, 1982. If these reports have been received, and contain the required information, then mark the "yes" box. If the reports have not been received or have been received and do not contain required information then mark the "no" box. Then explain.

The following financial reports are required.

9.1 balance sheet statement;

9.2 consolidated income and expense statement by program of service;

- 9.3 on income and expense statement by program of service;  
and
- 9.4 cash balance statement which is authorized by the board of directors (have the provider show you the minutes of the board meeting which authorized the cash balance), and a letter attached to the statement which explains the intended use of the cash balance, and any change in cash balance.

Definitions and samples of these financial reports are given in the Divisions Uniform Chart of Accounts, Sections 3 through 6.

10. Client Assessments - This contract provision requires the provider to adopt a formal client assessment tool(s) to identify individual client skill strengths and deficits. The assessment tool(s) shall be reviewed by the regional office prior to the new contract being signed.

Review the regional I.H.P. checklist to see what assessment tool(s) is being used. Review the regional office files to determine if the regional office has reviewed that tool(s). If a different tool(s) is being used, then place a mark in the "no" box and explain.

11. Provider Training -

11.1 Determine if the Division staff is currently providing or coordinating the training for provider staff by reviewing the monthly training activities records (SRS-DDD-34). If training is not occurring, then mark the "no" box and explain.

11.2 Determine if a list of training needs has been identified by provider and Department. See the documentation; if the training needs have not been determined, then mark the "no" and explain.

11.3 Determine if the Department has identified additional training needs. If so, are they being addressed?

12. Record Retention - The contract requires that all financial records, supporting documents, statistical records and all other records supporting the services provided shall be retained for a three year period from the completion of contracts.

Ask the provider if the records are being retained as required. Ask the provider to validate his/her response by signing beside the response for this question. If the records are not being kept, please have the provider justify and submit with this evaluation.



# DILLON SPECIAL RESOURCES

514 S. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

D.S.R., Inc. FY 83 proposed budget leaves the following deficits, following 10 % inflation rate:

	deficits:	total should have been:
Category I:		
Director	\$1653.50	\$21653.50
Bookkeeper/Secretary	337	10912
Training Supervisor	-234	13431
Trainer 1	250	10945
" 2	-683.40	9741.60
" 3 (1/2 time)	193.10	5633.10
" 4 (1/2 time)	193.10	5633.10
Gr. Home Trainer A1	1474.30	9474.30
" " " A2	1474.30	9474.30
" " relief	2000.	6000.
" " Trainer B1		8000.
" " " B2		8000.
S.I. relief	500	1000
D.S. "		500

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Total Category I	\$7157.90	\$120,397.90
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## Category II:

D.S. duplicator replacement	\$400
Trans. C.B. radio	150
" Rep. & Maint.	200
Gr. H. " & "	100
S.S.I. " & "	200
" pots & pans- D.S.	200
" " & " - G.H.	200

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Total Category II	\$14.50	\$4562.00
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## Category III:

D.S. Rep. & Maint.	\$200
" Utilities	740
S.S.I. "	-500

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Total Category III	\$440	\$15086.00
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## Category IV:

D.S. supplies	\$445
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Total Category IV	\$445	\$1745.00
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## Category V:

D.S. travel	\$754
G.H. "	200

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Total Category V	\$954	\$2854.00
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## Category VI:

D.S. telephone	\$224
" P. & E.	400
" advertising	300
" linen & towels	10
G.H. dues & subscriptions	120
S.I. " & "	70

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Total Category VI	\$1124	\$20574.00
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Total all Categories	\$11870.90	\$165518.90
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compared to the proposed FY 83 budget of \$153,648, \$165518.90 = \$11870.0

= 107.7 %

# DILLON SPECIAL RESOURCES

514 S. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

Sue Jackson, Regional Supervisor  
Developmental Disabilities Division  
25 South Ewing  
Helena, MT  
59601

Re: Expansion proposals

Dear Sue:

Dillon Special Resources, Inc., in order to solidify our units of clients being served, proposes the following projects for expansion:

1) a Personal Care Home to house 4 clients. We currently have 2 Group Home clients that this residence would be appropriate for and 1 semi-independent client that it would be similarly appropriate for. These three clients are currently in slots that could be more appropriately filled by clients with higher needs for training. Moving these people would open 2 Group Home slots and 1 semi-independent slot for client placements from the waiting list and would leave 1 more Personal Care slot which could be filled from the waiting list. We have a tentative property located which we could purchase for about \$25,000 and which we could suitably adapt for about \$5,000. We would expect to procure financing from FHA for the mortgage of this property if funding from the D.D. Division would not cover the project. A Personal Care Home is proposed in lieu of a Group Home because of the diversity it would give to D.S.R., Inc's services and because of the expected lower cost.

2) an Activity Center to provide Day Services to 15 clients, which we are currently serving in an inappropriate facility. The currently facility is in-appropriate both because it is in a residential-zoned spot and because the structure is a two-story residential building. We are prevented, therefore, from doing meaningful work activities (by the zoning) and from utilizing the whole space for our wheelchair-bound clients (by the stairs). The D.D. Division is currently providing \$250 per month for rent-of-space for training. We have located a single-floor building for sale that would meet our needs beautifully. It is currently for sale for \$45,000. We would expect to procure a Small Business Administration loan to cover the balance of the mortgage if provided a down payment. We could then reduce the rent-of-space cost to the Division by


an amount D.S.R, Inc. could pay from production activities such as recycling and woodworking. If this alternative is not deemed acceptable we will be compelled to include an increase in the cost-of-space rental to the Division beginning the next fiscal year to relocate to an acceptable Day Services facility.

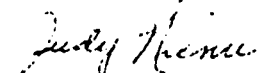
3) a semi-independent apartment to house 3 or 4 clients during the period of training to finish their residential preparedness. We currently have no specific property in mind for this proposal, but a reasonable cost for this facility would be \$30,000 to \$40,000. We list this proposal in third position not because it is unimportant, it is important for D.S.R.Inc. to have this available, but rather because of the uncertain situation we're in with respect to the current semi-independent facility that Chance, Inc. has apparently succeeded in giving to Western Montana College and D.D.P.A.C's letter(s) stating an apparently supportable right-to-reentry on the property that they may be intending to exercise. We just don't know if D.D.P.A.C. will be assertive in regaining any capital from this facility or if it will be lost as an asset to the operation of Dillon Special Resources, Inc.

Because Dillon Special Resources, Inc. is a small Corporation with a low client-unit count it is important, perhaps crucial, to our continued funding, that we take steps to provide adequate facilities for our clients.

I look forward to your reply and to continued communications on this and all other issues with you.

Respectfully yours,

  
Marti Oram, Co-Chairperson

  
Judy Niemi, Co-Chairperson

cc's:

D.S.R.Inc. Board of Directors

" Director, file

## Dillon Special Resources, Inc. Expansion Proposal FY 82

- A. Dillon Special Resources, Inc.
- B. Semi-Independent Living and Training for two (2) more persons - currently serving 3  
Day Services for two (2) additional clients
- C. By providing Residential Services based on IHP-team decisions  
No individuals' information received to plan for particular individuals.  
  
By providing Vocational Habilitation Services based upon IHP-team decisions. No individuals' information received.
- D. Has operated Semi-Independent Services for three (3) persons for one year, graduating one (1) person to Independent living.  
D.S.R., Inc. has provided Adult Habilitation (Day) Services to thirteen (13) clients for one year, graduating one client into full-time independent employment and one to part-time.
- E. Date: July 15, 1982  
Plan: 1) Add 1/2-time Semi-Independent Trainer with funding by the D.D.Division  
2) Move to new leased facility - furniture, supplies, and personal belongings  
3) Screen in new clients  
  
Date: July 15, 1982  
Plan: 1) Add 1/2-time Day Services Trainer with funding by the D.D.Division  
2) Screen in new clients
- F. Proposed service expansion will be administered and coordinated with the other services D.S.R., Inc. offers: Semi-Independent, Transportation, and Day Services.
- G. This proposal would allow for increased capacity and movement capability of clients through D.S.R., Inc. Residential and Day Services as client abilities determine.
- H. It will not alleviate gaps, but would allow a more adequate Semi-Independent capability at D.S.R., Inc. and an expanded Day Service capacity.
- I. 1) The cost would be for a 1/2-time Semi-Independent Trainer, 1/2-time Day Services Trainer, extra Semi-Independent relief, more Semi-Independent Equipment Purchase and Repair and Maintenance, Transportation, Staff Time, Office Supplies, and Postage.  
2) Will not increase other D.S.R., Inc. Administrative costs (Travel, Building expenses, Insurance and other Category VI expenses.  
3) Will reduce cost per client rates D.S. from \$21.02 to

Section I, cont.

\$19.77 per unit (day).

Will reduce cost per client rates S.I. from \$327 to \$301 per unit (month).

- J. 1) a. Semi-Independent Staff to Client ratio - currently .5/3 = 1 to 6  
" " " " " w/expansion: 1/5 = 1 to 5
- 2) b. Day Services - currently 2.5/13 = 1 to 5.2  
" " w/expansion 3/15 = 1 to 5
- 3) Job description attached.
- K. None attached: to do
- L. Proposal alters regular proposed FY '83 budget as follows:

Day Services:

- I. +\$5700  
VI. P & E +\$100

Transportation:

- I. +\$300 +\$800

Semi-Independent:

- I. +\$5200 +\$500 Relief  
II. Purchase +\$200  
III. R & M +\$300, assistance with new facility  
IV. Office Supplies +\$100, Postage +\$20  
VI. D & S +\$50

Budget copy attached.

M.

Judy Niemi  
Judy Niemi,  
Co-Chairperson  
Board of Directors of D.S.R., Inc.

N.

20 Sac & J. H. H. H.  
5-12-82

# DILLON SPECIAL RESOURCES

514 S. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

D.S.R., Inc. expansion proposal for FY 83 operation:

## I. Client placement

(& movement)-

Activity Center- 3 new clients

Semi-independent- 3 new clients + 1 existing vacancy

(we have 1 or 2 candidates in our Group Home)

## II. Budget-

Activity Center lease, 1 year-	\$2400
" " " deposit	500
" " finishing/improvements & removable equipment	7000

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facilities costs-	\$9900	\$9900
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Activity Center utilities	\$740
" " phone	600
" " equipment	200

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equipment costs	\$1540	\$1540
Activity Center Trainer, 1/2 time	\$6000	
Semi-independent Supervisor, 1/2 time	6000	
" " relief	3000	

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staff costs	\$15000	\$15000
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Total expansion costs		\$26440
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One time only costs-	Activity Center deposit-	\$500
	" " finishing & equipment	7000
	" " phone inst.	200
	" " equipment	200

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Total one time only costs	\$7900
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Total ongoing costs	\$18540
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## APPLICATION

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
 Developmental Disabilities Division  
 Special Fund

## SUBMIT TO:

Developmental Disabilities Division  
 PO Box 4210  
 Helena, MT 59604

## A. INFORMATION ABOUT THE PROJECT SPONSOR:

1. Dillon Special Resources, Inc.  
 (Sponsoring Organization)
- Supervised Semi- Independent Home  
 (Name of Project)
- |                                  |              |                 |
|----------------------------------|--------------|-----------------|
| <u>514 S. Pacific Dillon, MT</u> | <u>59725</u> | <u>683-5773</u> |
| (Address)                        | (ZIP Code)   | (Phone #)       |
- Kevin Johnson, Director  
 (Contact Person)

## 2. Status of Project Sponsor:

- XX Private Non-Profit  
 \_\_\_\_\_ Public (Governmental)  
 \_\_\_\_\_ Other (Specify)

## B. INFORMATION ABOUT THE PROJECT:

1. Goals and Objectives:

What are the goals of this proposal? What are the objectives which will lead to the accomplishment of the goals?



2. Target Population:

Who will this project serve? Is there an age range?  
What is the geographic area to be served?

3. Proposal Justification:

How will this proposal meet the criteria governing expenditures of these special funds?

4. Budget Figures:

What is the estimated total cost of the project?

\$ 55,000

5. Budget Page:

Itemize and justify each line item on the attached budget sheet.

\*Attach additional sheets if necessary.

# DILLON SPECIAL RESOURCES

514 S. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

## Information on Supervised Semi-Independent Home:

1. Goals: A) to establish a Supervised Semi-Independent facility to serve 4 to 6 developmentally disabled adults,
  - B) to continue to provide semi-independent living services to three clients currently housed in a rented facility,
  - C) to accept 2 to 4 more clients for semi-independent services
  - D) to provide space for semi-independent training services.

- Objectives: A) submit proposal for funding,
  - B) establish proposal acceptable for funding,
  - C) secure other funding as necessary to complement funding,
  - D) close purchase, obtain title,
  - E) move current clients,
  - F) screen in and move new clients.

2. Target Population: A) 2 clients currently serving in rented facility,
  - B) 2 potential clients living in Group Home,
  - C) 2 placements from waiting list,
  - D) 2 placements into Group Home from waiting list.

Age range: adults, 18- 65

Area to be served: Dillon and Beaverhead & Madison Counties, the State.

3. Justification: A) The project will maintain 2 current placements, allow opportunity for movement of 2 clients to less restrictive residence and allow for 2 placements into semi-independent residence and 2 placements into Group Home residence.

B) Acquisition of this property will be a one-time-only purchase, self-supporting with the one exception of a Semi-Independent Trainer currently funded.

C) The clients to be served are all developmentally disabled and receiving Work Activity Center habilitation services funded by the Developmental Disabilities Division.

D) No other funds are currently available to establish this facility.

4. Budget: A) total cost- \$55,000

B) purchase- \$50,000 + finishing- \$5,000

5. Budget breakdown: A) purchase price- \$50,000 (4 bedrooms, 2 bathrooms- current market price)

B) finish 1 more

bedroom- 5,000 (partition, floor, walls  
and ceiling- materials & labor)

total- \$ 55,000

# DILLON SPECIAL RESOURCES

329 N. 3<sup>RD</sup>. PACIFIC / PHONE 406-683-5773

DILLON, MONTANA 59725

## Semi-Independent/Day Services Client Services Expansion

Proposal from Dillon Special Resources, Inc. - Sep tember 15, 1982

Dillon Special Resources, Inc. is currently able and willing to serve up to three more Semi-Independent and Day Services clients. The breakdown of enabling costs is:

### A. Day Services

Category I	\$6,500	1/2 time D.S. Trainer (time)
Category II	100	\$50 Purchase, \$50 Repair and Maintenance
Category III	800	\$600 proportional cost of rent plus \$100 Utilities and \$100 Repair and Maintenance
Category IV	60	\$50 Office Supplies plus \$10 Postage
Category V	50	Proportional allotment of costs
Category VI	<u>180</u>	Proportional allotment of costs
DAY SERVICES		
TOTAL	\$7,690	

### B. Semi-Independent

Category I	\$6,500	1/2 time S.I. Trainer (time)
Category II	150	\$100 Purchase plus \$50 Repair and Maintenance
Category III	0	
Category IV	60	\$50 Office Supplies plus \$10 Postage
Category V	100	Proportional allotment of costs
Category VI	<u>400</u>	Proportional allotment of costs
SEMI-INDEPENDENT		
TOTAL	\$7,210	

TOTAL COST \$14,900

DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES

Developmental Disabilities Division  
Region IV District Office  
25 South Ewing, Helena, MT 59620

TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

Phone: 449-5674

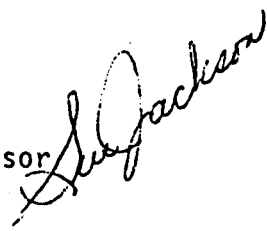
December 15, 1982

MEMORANDUM

TO: Regional Council Members and  
Region IV Providers

FROM: Sue Jackson, Regional Supervisor  
Region IV

RE: Expansion Plans



When the Expansion Advisory Committee met November 29, it recommended that remaining expansion dollars for this fiscal year be used to support vocational projects in the Billings area. There were far more proposals than there were dollars available.

Although the Governor's budget request for the next biennium (see attached) is limited to foster care, salary upgrades and deinstitutionalization of eight Boulder River School and Hospital residents and eight East-Mont children, it is always possible that the legislature will decide to support the continuation of expansion. Therefore, we must have a plan ready. I am including herewith my draft plan. It is not complete. I have already heard that Dillon wants to expand their semi-independent training capability, Butte would like to be considered along with Anaconda as a location for the new group home to serve the people from Institutions.

Jack Ellery is requiring Regional Council recommendations, in priority order, so please be prepared to satisfy that request when we meet on January 4, 1983.

cc: Jack Ellery  
Jim Meldrum  
Enclosures  
SJ:lsc

REGION IV  
EXPANSION PLAN FOR 84-85 BIENNIIUM

*Draft*

A. Statewide need for residential and vocational services for people with intense training needs from institution or community.

1. AWARE in Anaconda proposes to open an additional group home to meet the needs of community waiting list people, or for people with intense training or supervision needs:

- i) Individuals with prader willi syndrome, or
- ii) High functioning aggressive young men

Most of these individuals are currently residing in Boulder River School and Hospital (BRS&H). The advantage to creating additional residential services in Anaconda is that the program has a strong vocational program that higher functioning people could benefit from.

AWARE has 8 clients at their Day Center - \$24,421.00 (inc. rumored 4% increase) \$19.51

B. Regional need for additional services for children.

1. There are currently 23 children on the waiting list for family training.
2. There is also a need for residential services for children that we propose to meet through specialized foster care

C. Community needs:

1. Livingston - The need for vocational training and placement for higher functioning individuals on the waiting list for services and for independent living training services at an annual cost of approximately \$40,000 with \$1,775.00 start-up costs.
2. Bozeman - Within the next two years, three to five severely involved individuals will be graduating from special ed. If Reach Day Program is to serve these people they will require additional staff, materials, and space. Based on the current average cost of \$4,898.00, expansion will require \$24,490.00 for the day program and \$875.00 for transportation, annually.

There is also a waiting list of eight people needing Outreach services. At \$2,853.00 annually, the cost would be \$22,824.00.

3. Butte - Special Ed will graduate approximately ten individuals over the next biennium who will need services from the sheltered workshop, five (24,490) during the first year and five the second (\$48,980), plus additional transportation costs.
4. Helena - The priority need in Helena is for an intermediate step between group home and semi-independent living. The number currently served in group homes who need supervised semi-independent living is 12. This move would free up 12 places in group homes for clients from outside Helena in need of services from Progress or Helena Rehabilitation Industries.

4. Helena (continued)

The possibility exists that one of the current group homes will be reduced in number of clients or will be staffed at a higher level to better serve Progress-level clients.

Based on the current November, 1982 waiting list, it is estimated that HRI will need to increase by        clients, or a new vocationally-oriented service model should be developed for these clients being referred from Rehab. and special education.

Estimated increase for Progress is

The number of clients reaching retirement age during the biennium is approximately        . These clients will enter CAP freeing slots at Progress        , and HRI,        .

## GLEN-WOOD, INC.

## Training for the Developmentally Disabled

Activity Center  
Phone: (406) 765-2040

202 East First Ave.  
Plentywood, Montana 59254

Group Home  
(406) 765-2580  
Jackson St. Ho  
(406) 765-1780

November 10, 1981

Jan Frisch  
D.D. Division  
Box 4210  
Helena, MT  
59601

RE: Assessment of compliance to ACMRDD Standards

Dear Jan:

As you are undoubtedly aware, I have not been and am not a supporter of the plan to adopt mandatory compliance with the ACMRDD Standards. I have, though, completed the initial assessment of Glen-Wood, Inc.'s compliance to these Standards. In doing this assessment I have made efforts to be as reasonable and straightforward as I possibly could in making replies to each of the requirements. In concluding my part of this step of the plan to adopt these Standards I would like to give you a little more information about the problems I encountered in doing this review. I give these points to you not by way of being critical but rather to be helpful towards the future efforts and considerations of the Standards adoption. Here, then, are some points that did strike me as significant.

- I - Basically I'm unprepared to do this Standards review. What is asked for is a Services Audit, which would require a licensed professional person or persons. This is evidenced by the questions I've asked you over the phone relevant to the subjectivity of many of the Standards requirements and in many places the only honest and true reply I can make as to the extra resources needed to comply with a requirement is "don't know", in that the extra time or money required is beyond my ability to assess realistically.
- II - I tried to give accurate statements of assessment without taking all of the Standards statements literally. If I had assumed a literal interpretation some scores would have been different and some cost and time estimates would have been higher, perhaps much higher.



III - Compliance with these Standards would require virtually scrapping the I.H.P. system and operation that we have now. The ACMRDD - wording of the IPP-IHP process is entirely different.

IV - Here's a list of Standards that referred to other sets of Standards which I have had no experience with and know nothing about:

1.4.1.1.1	4.6.7.2	5.1
1.4.1.3.1	4.6.15.14.1	5.4.7
1.4.1.3.2	4.7.15.1.1	5.6.1
1.4.1.2.2	4.9.3.2	
1.4.2.3	4.10.1.15	
	4.10.4.7.2	
	4.10.4.7.3	
	4.10.4.7.10	

V - Standards 2.5.2.10 through 2.5.2.12.3 I cannot assess within the terms required in the letter from Mr. Meldrum (i.e.: only hours to do, not staff positions specified).

VI - I would call the way these Standards were forced in a violation of Standards 4.6.2 through 4.6.2.1.1.

Perhaps you could look it up and see what you think.

Respectfully



Kevin R. Johnson, Director

DEPARTMENT OF  
SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

November 12, 1982

TO: All Interested Parties  
FROM: Developmental Disabilities Contract Advisory Council  
RE: UPDATE ON COUNCIL ACTIVITIES

The Developmental Disabilities Contract Advisory Council (DDCAC) met in Helena on October 28 and 29, 1982.

Members present were: Peter Blouke (Department of Institutions), Darvin Brockway (Malta Opportunities, Inc.), Jack Ellery, (DDD), Larry Fasbender (Chair), Gary Marbut (DDPAC), Wally Melcher (Region II Child and Family Services), Jim Meldrum (DDD), Mike Muszkiewicz (DDD), Gary Pagnotta (Reach, Inc.), Rob Tallion (Choteau Activities, Inc.).

Chuck Super (Regional Services for the Disabled), the remaining member, was not present at this meeting.

Bill Emge, Ted Maloney and Joe Roberts also attended and participated in discussions.

#### RESOLUTIONS

As a result of the DDCAC discussions, the following resolutions were unanimously passed:

##### Resolution 1 - Standards

In recognition of the need to establish uniform standards for the delivery of services to developmentally disabled citizens of Montana, the Developmental Disabilities Contracting Advisory Council resolves that:

1. The Department of SRS and DD service providers jointly develop mandatory program standards for each Program of Service funded by the Department and that these mandatory standards be based upon Standards For Services for Developmentally Disabled Individuals developed by the Accreditation Council For Services for Mentally Retarded and Other Developmentally Disabled Persons (ACMRDD).

2. The Department of SRS and DD Service Providers jointly develop uniform outcome measures for each Program of Service funded by the Department.
3. The development of these mandatory standards and outcome measures will form the major basis for the contractual relationship between the Department and DD Service Providers.
4. Development of these standards and outcome measures will be completed ~~by~~ January 31, 1983.

#### Resolution 2 - Policies

In recognition of the benefits incurred by providing for input by interested parties in Department policies, the Developmental Disabilities Contracting Advisory Council resolves that the Developmental Disabilities Division incorporate the intent of the following statement into policy:

"That all individuals affected by Division policies or procedures have a formal opportunity to review proposed policies and/or policy changes for a period of fifteen (15) working days. Interested parties will have an opportunity to formally provide input in the form of suggestions and recommendations which may influence the final outcome of proposed Division policies. In any event, whether or not recommended changes are made, the Division will publish these suggestions made by interested parties. The Division will comment on each suggestion or recommendation provided by interested parties and explain the rationale for incorporation or non-incorporation into the policy. The Division will make every effort to promulgate policies immediately prior to contract negotiation periods".

#### Resolution 3 - System Planning

Given the development and maturation of the developmental disabilities service system since 1975, the Developmental Disabilities Contracting and Advisory Council recognizes the need for effective long range planning which includes a review of the roles, responsibilities, and function of the State and Regional Developmental Disabilities offices, Non-Profit Provider organizations, and the Regional Councils. It is recommended that the State DD Planning and Advisory Council or another appropriate group, conduct the review and make recommendations to the DD Contracting and Advisory Council by May 31, 1982.

#### Resolution 4 - Planning Process

The DDCAC recognizes the need for planning as well as the fact that the primary responsibility for planning rests with the Developmental Disabilities Division. In order to formally describe the process of planning which should occur whenever possible, however, the DDCAC resolves that the following planning

guidelines be established within the DDD policies and that a Master Schedule of events be published:

1. The DDD and its staff will act as the primary facilitator of the planning process.
2. The DDD, with the assistance of DD Service Providers, shall, at least annually, provide input on service needs for each city/town, within a region. This input will include the following:
  - A. Both short and long term service needs which must be supported by either documented waiting lists, or requests for maintenance of current services, or upgrading of existing services for each identified service need.
  - B. Estimated costs, leadtimes for implementation, number of clients served will be developed by DDD regional staff with the assistance of DD providers.
  - C. All new service models (ones not currently defined) or services which are hybrids of existing services must be explained conceptually in terms of benefits, costs, waiting list impact, etc.
  - D. The end process of these activities will result in a prioritized plan which will be submitted to regional councils for review, comment, and recommendation.
3. DDD staff, upon receipt of the five regional plans, will consolidate and publish a statewide Developmental Disabilities Plan for public comment. Comment will include distribution to Regional Councils, the State Council, Social Workers, Interagency Planning Committee, Providers, and other interested parties.
4. Following receipt of written input from the public comment process, the comments will be published and returned to Regional Councils for possible inclusion and/or modification of previous regional plans.
5. Upon consolidation and publication of five regional plans, the statewide plan will be presented to the State Planning and Advisory Council for approval.

#### Other Issues

Other issues which the DDCAC has identified but has not yet fully studied or resolved are:

1. contract related income, ✓
2. biennial contracting,

3. uniform funding,
4. definitions of services to be purchased, and
5. general contract language.

As these issues will be addressed in future DDCAC meetings, the Council invites you to contact a DDCAC member with your input or attend one of the public meetings described below.

### Public Meetings

Two public meetings have been scheduled to solicit comments by interested parties on the DDCAC's activities and recommendations. The meetings are scheduled to take place in Billings and Missoula as follows:

November 19, 1982  
1:00 p.m. - 5:00 p.m.  
Library, Room 152  
Eastern Montana College  
Billings, Montana

December 3, 1982  
9:00 a.m. - 3:00 p.m.  
Missoula Chamber of Commerce  
Bldg. (lower level)  
Van Buren & Front Street  
Missoula, Montana

Public meetings will afford all interested persons the opportunity to comment on the above resolutions, identified topics for future discussion, and other topics relevant to the scope and assignment of the DDCAC. It is anticipated that all DDCAC members will be present to actively engage in a constructive discussion of contracting issues with the public.

F1/a

under HHS's "Freedom of Information" regulation (Part 5 of this section). This section does not require records to permit public access to records.

FR 22576, Apr. 3, 1980, as amended at 45 CFR 37667, June 3, 1980

**Subpart E—Waiver of Single State Agency Requirements**

1.30 Policy. Requests to HHS from Governors, or other duly constituted State authorities, for waiver of single State agency requirements in accordance with section 204 of the Intergovernmental Cooperation Act of 1968 will be given expeditious handling. Whenever possible, such requests will be granted.

**Subpart F—Grant-Related Income**

4.40 Scope of subpart. This subpart contains policies and requirements relating to (a) program income and (b) interest and other investment income earned on advances grant funds.

4.41 Meaning of program income.

(a) Except as explained in paragraphs (b) and (c) of this section, program income means gross income earned by a recipient from activities in or all of the cost of which is borne as a direct cost by a grant recipient as a direct cost towards meeting a cost-sharing or matching requirement of a grant. It includes but is not limited to such income in the form of fees for services performed during the grant or subgrant period, proceeds from sale of tangible personal or real property, usage or rental fees, and patent or copyright royalties. If income meets this definition, it shall be considered program income regardless of the method used to calculate the amount paid to the recipient—whether, for example, by a cost-reimbursement method or fixed price arrangement. Nor will the fact that the income is earned by the recipient from Federal procurement contract or from a procurement contract under a Federal grant awarded to another

party affect the income's classification as program income.

(b) For research grants that are subject to an institutional cost-sharing agreement, income shall be considered program income only if it is earned from an activity part or all of the cost of which is borne as a direct cost by the Federal grant funds. An institutional cost-sharing agreement is one entered into between HHS and a grantee covering all of HHS's research project grants to the grantee in the aggregate.

(c) The following shall not be considered program income:

(1) Revenues raised by a government recipient under its governing powers, such as taxes, special assessments, levies, and fines. (However, the receipt and expenditure of such revenues shall be recorded as a part of grant or subgrant project transactions when such revenues are specifically earmarked for the project in accordance with the terms of the grant or subgrant.)

(2) Tuition and related fees received by an institution of higher education for a regularly offered course taught by an employee performing under a grant or subgrant.

(d) For the purposes of this subpart, program income is divided into several categories. Each category is treated in a separate section of this subpart.

**§ 74.42 General program income.**

(a) *Definition.* General program income means all program income accruing to a grantee during the period of grant support or to a subgrantee during the period of subgrant support, other than the special categories of such income treated in §§ 74.43 through 74.45.

(b) *Use.* (1) General program income shall be retained by the recipient and used in accordance with one or a combination of the alternatives in paragraphs (c), (d), and (e) of this section, as follows: The alternative in paragraph (c) may always be used by recipients and must be used if neither of the other two alternatives is permitted by the terms of the grant. The alternatives in paragraphs (d) or (e) may be used only if expressly permitted by

the terms of the grant. An special alternative that may be used, the terms of the grant may distinguish between income earned by the grantee and income earned by subgrantees and amounts of income.

(2) The terms of a subgrant may restrict the use of general program income earned by the subgrantee to only one or some of the alternatives permitted by the terms of the grant, but the alternative in paragraph (c) of this section shall always be permitted.

(c) *Deduction alternative.* (1) Under this alternative, the income is used for allowable costs of the project or program. If there is a cost-sharing or matching requirement, costs borne by the income may not count toward satisfying that requirement. Therefore, the maximum percentage of Federal participation is applied to the net amount determined by deducting the income from total allowable costs and third-party in-kind contributions. The income shall be used for current costs unless the granting agency authorizes deferral to a later period.

(2) To illustrate this alternative, assume a project in which the grantee incurs \$100,000 of allowable costs and receives no third-party in-kind contributions. If the grantee earns \$10,000 in general program income and this alternative applies, that \$10,000 must be deducted from the \$100,000 before applying the maximum percentage of Federal participation. If that percentage is 90 percent, the most that could be paid to the grantee would therefore be \$81,000 (90 percent times \$90,000).

(d) *Cost-sharing or matching alternative.* (1) Under this alternative, the income is used for allowable costs of the project or program but, in this case, the costs borne by the income may count toward satisfying a cost-sharing or matching requirement. Therefore, the maximum percentage of Federal participation is applied to total allowable costs and third-party in-kind contributions. The income shall be used for current costs unless the granting agency authorizes deferral to a later period.

(2) To illustrate this alternative, assume the same situation as in paragraph (c)(2) of this section. Under this

percentage of participation would be \$90,000 could therefore be paid to the grantee. (It should be noted that if \$20,000 of general program income is earned, only \$80,000 could be paid, since a grant cannot pay for costs which have been borne by general program income.)

**(e) Additional costs alternative.**

Under this alternative, the income is used for costs which are in addition to the allowable costs of the project or program but which nevertheless further the objectives of the Federal statute under which the grant was made. Provided that the costs borne by the income further the broad objectives of that statute, they need not be of a kind that would be permissible as charges to Federal funds.

Examples of purposes for which the income may be used are:

- (1) Expanding the project or program.
- (2) Continuing the project or program after grant or subgrant support ends.
- (3) Supporting other projects or programs that further the broad objectives of the statute.
- (4) Obtaining equipment or other assets needed for the project or program or for other activities that further the statute's objectives.

**§ 74.43 Program income—proceeds from sale of real property and from sale of equipment and supplies acquired for use.**

The following kinds of program income shall be governed by subpart O of this part:

- (a) Proceeds from the sale of real property purchased or constructed under a grant or subgrant.
- (b) Proceeds from the sale of equipment and supplies fabricated or purchased under a grant or subgrant and intended primarily for use in the grant- or subgrant-supported project or program rather than for sale or rental.

Program income—royalties and other income earned from a copyrighted work.

(a) This section applies to royalties, license fees, and other income earned by a recipient from a copyrighted work developed under the grant or subgrant. Income of that kind is covered by this section whether a third party or the recipient itself acts as the publisher, seller, exhibitor, or performer of the copyrighted work. In some cases the recipient incurs costs to earn the income but does not charge these costs to HHS grant funds, to required cost-sharing or matching funds, or to other program income. Costs of that kind may be deducted from the gross income in order to determine how much must be treated as program income.

(b) The terms of the grant govern the disposition of income subject to this section. If the terms do not treat this kind of income, there are no HHS requirements governing the disposition. A grantee is not prohibited from imposing requirements of its own on the disposition of this kind of income which is earned by its subgrantees provided those requirements are in addition to and not inconsistent with any requirements imposed by the terms of the grant.

§ 74.45 Program income—royalties or equivalent income earned from patents or from inventions.

Disposition of royalties or equivalent income earned on patents or inventions arising out of activities assisted by a grant or subgrant shall be governed by determinations made or agreements entered into under HHS's patent regulations. (See parts 6 and 8 of this title.) If the determination or agreement does not provide for the disposition of the royalties or equivalent income, the disposition shall be in accordance with the recipient's own policies.

§ 74.46 Program income—income after grant or subgrant support not otherwise treated.

(a) This section applies to program income not treated elsewhere in this part which arises from or is attributable to an activity while supported by a

grant or subgrant but which does not accrue until after the period of grant or subgrant support. An example is proceeds from the sale or rental of a residual inventory of merchandise fabricated and purchased by a grant-supported workshop during the period of support.

(b) The terms of the grant govern the disposition of income subject to this section. If the terms do not treat this kind of income, there are no HHS requirements governing the disposition. A grantee is not prohibited from imposing requirements of its own on the disposition of this kind of income which is earned by its subgrantees provided those requirements are in addition to and not inconsistent with any requirements imposed by the terms of the grant.

§ 74.47 Interest earned on advances of grant funds.

(a) Except when exempted by Federal statute (see paragraph (b) of this section for the principal exemption), grantees shall remit to the Federal Government any interest or other investment income earned on advances of HHS grant funds. This includes any interest or investment income earned by subgrantees and cost-type contractors on advances to them that are attributable to advances of HHS grant funds to the grantee. Unless the grantee receives other instructions from the responsible HHS official, the grantee shall remit the amount due by check or money order payable to the Department of Health and Human Services.

(b) In accordance with the Intergovernmental Cooperation Act of 1968 (Pub. L. 90-577), States, as defined in the act, shall not be accountable to the Federal Government for interest or investment income earned by the State itself, or by its subgrantees, where this income is attributable to grants-in-aid, as defined in the act (42 U.S.C. 4213).

"State" is defined in the act to include any agency or instrumentality of a State, and the definition does not exclude a hospital or institution of higher education which is such an agency or instrumentality. "Grant-in-aid" is defined in the act to exclude... Continued

are subject to the provisions in § 74.61(e) for minimizing the time between the transfer of advances and their disbursement. Those provisions apply even if there is no accountability to the Federal Government for interest or other investment income earned on the advances.

Subpart G—Cost Sharing or Matching

§ 74.50 Scope of subpart.

(a) This subpart contains rules for satisfying Federal requirements for cost sharing or matching. These rules apply whether the cost sharing or matching is required by Federal statute or by other terms of the grant.

(b) HHS and a grantee may enter into an institutional cost-sharing agreement covering all of HHS's research project grants to that grantee in the aggregate. Except as provided by the institutional cost-sharing agreement, this subpart applies to the satisfaction of the grantee's obligation under the agreement, as well as to the satisfaction of cost-sharing or matching requirements that apply only to a single grant.

§ 74.51 Definitions.

For purposes of this subpart: "Cost sharing or matching" means the value of third-party in-kind contributions and that portion of the costs of a grant-supported project or program not borne by the Federal Government.

"Equipment" has the same meaning given to that term in § 74.132, except that instead of "acquisition cost," the words "market value at the time of donation" shall be substituted.

"Supplies" means all tangible personal property other than "equipment" as defined in this section.

"Third-party in-kind contributions" means property or services which benefit a grant-supported project or program and which are contributed by non-Federal third parties without

Footnote continued

include "payments under research and development contracts or grants which are awarded directly and on similar terms to all qualifying organizations, whether public or private." (42 U.S.C. 4201)

charge to the grantee, the subgrantee, or a cost-type contractor, by grant or subgrant.

§ 74.52 Basic rule: Costs and contributions acceptable.

With the qualifications and exceptions listed in § 74.53, a cost-sharing or matching requirement may be satisfied by either or both of the following:

(a) Allowable costs incurred by the grantee, the subgrantee, or a cost-type contractor under the grant or subgrant. This includes allowable costs borne by non-Federal grants or by other cash donations from non-Federal third parties.

(b) The value of third-party in-kind contributions applicable to the period to which the cost-sharing or matching requirement applies.

§ 74.53 Qualifications and exceptions.

(a) Costs borne by other Federal grants. (1) Except as provided by Federal statute, a cost-sharing or matching requirement may not be met by costs borne by another Federal grant. This prohibition does not apply to costs borne by general program income earned from a contract awarded under another Federal grant.

(2) For the purposes of this part, general revenue sharing funds under 31 U.S.C. 1221 are not considered a Federal grant. Therefore, in the absence of any provision of Federal statute to the contrary, allowable costs borne by these funds may count towards satisfying a cost-sharing or matching requirement.

(b) Costs of contributions counted towards other Federal cost-sharing requirements. Neither costs nor the values of third-party in-kind contributions may count towards satisfying a cost-sharing or matching requirement of an HHS grant if they have been or will be counted towards satisfying a cost-sharing or matching requirement of another Federal grant, a Federal procurement contract, or any other award of Federal funds.

(c) Costs financed by general program income. Costs financed by general program income, as defined in § 74.42, shall not count towards satisfying a cost-sharing or matching require-

WITNESS STATEMENT

NAME Jeanne Jensen BILL No. \_\_\_\_\_

ADDRESS 330 Crest Dr. DATE 2-4-83

WHOM DO YOU REPRESENT Charles S. Smith Jr.

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: 7 und for additional Group Room.



WITNESS STATEMENT

NAME Jan Rasmussen BILL No. \_\_\_\_\_  
ADDRESS 1000 Poplar DATE 2-4-82  
WHOM DO YOU REPRESENT DD Consumer  
SUPPORT X gov's budget OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman, Members of the Committee

I am Peyton Perry from Glasgow. I have stood before you in the past to express my support of the Developmental Disabilities system of community-based services, and I regret that I could not be here to do so today.

I am a businessman, a conservative, a taxpayer, and the father of a young developmentally disabled woman; and I can attest to the effectiveness of the network of services you have funded across the state.

I greatly appreciate the support that the Legislature has given to the DD system in the past, and I again ask for your favorable consideration of the DD Division's requested budget.

Delivered by Brenda Schye  
928 Logan  
Helena

February 3, 1983

My name is Hollyann Frisch. I have been involved with developmentally disabled persons for 10 years, both professionally and as a foster parent. I would like to address the need for intensive training residential services.

There traditionally has been an idea that certain persons with severe behavior problems or severe handicaps can't be treated in the community. Well, I disagree. I have had two such people live with me and both are now living in Helena group homes.

When I was no longer able to care for the first child, my greatest fear was his problem behaviors would cause him to be institutionalized. In the 2 years he lived with me, I saw this child respond dramatically to intensive training. He changed from a child who did not interact at all and who had virtually no functional skills into a child who was talking, caring for himself and learning academic skills. I knew he would return to his old self in an institution. Fortunately, an intensive training group home for autistic children was opened in Helena and he now lives there. While his adjustment has not been easy, the intensive training has succeeded in managing his problem behaviors. More importantly, this group home has allowed him to continue learning new skills, to live in a home-like environment and to continue in public school and community activities.

The other foster child is now an adult. He spent his childhood in an institution. He was terribly unhappy there. He did not learn new skills. He showed impressive progress once he came to the community and for the first time in his life, had a full-day educational program. He now lives in another intensive training group home in Helena. Due to the severity of his mental handicap, a regular group home would not be able to meet his needs. He needs intensive training and intensive care. He is getting this and he is making progress. He also is happy. Seeing him now is a stark contrast to the child I remember in the institution who hid himself away from others and who had thick callouses on his hands from biting himself frequently.

I am proud of Montana's community services. We have done a good job of getting the mildly handicapped out of institutions. A child or adult with a severe handicap has the same right to live in the community. They have the same right to the best living environment and training. But in order to meet their needs, there has to be intensive training residential services.

It makes the most sense to provide intensive services to the child when he is young. Early intervention prevents many future behavior problems and allows that child to grow into a less handicapped adult. Many of the adults now being served would not be nearly so handicapped or difficult to manage if they had received early services.

Children's services have often been neglected. It is easier to ignore those children because their problems are not yet so severe and because often they are still cared for by their parents. Unfortunately, this approach only causes us to continually have to deal with adults with severe handicaps and behavior problems. If effective children's services were available, we could break this cycle. We could significantly reduce the number of adults needed intensive training and care. And that would save money in the long run.

- I see four crucial needs for Montana's children's services.
1. We need more intensive support services for natural and foster homes.
  2. We need specialized intensive training foster homes for those children who can't effectively be served in their own homes or regular foster homes.
  3. We need more preschool and summer day training programs.
  4. We need intensive training group homes.

Currently, we have a population of severely handicapped adults or adults with severe problem behaviors. And realistically, there will always be some adults with such handicaps. In order to meet their needs, we need intensive training group homes and intensive training foster homes for adults. And that means we need more funding.

Now I know intensive services cost money. But I wouldn't say they are expensive. I see those dollars as buying something of quality. The results are worth the cost. As a taxpayer, I would much rather see my money spent to give these individuals a decent home and the training they need than see it spent on institutions or wasted administratively as a client is bounced from home to home because regular services are not sufficient. I would rather spend more tax dollars and get something to show for it than to spend less (but still a large amount) and have nothing to show for it.

Funding community intensive training residential services makes sense financially and it is the most effective way to treat these individuals.

*Hollyann Fossil*

*Bx 32*

*Clancy MT 59634*

WITNESS STATEMENT

NAME Julia Hoffman BILL No. \_\_\_\_\_  
ADDRESS 605 Standard, Missoula DATE 2/4/83  
WHOM DO YOU REPRESENT consumer/factor-parent  
SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

*Written testimony only*

To Whom It May Concern;

As foster mother of a developmentally disabled teenager I have come into contact with a lot of parents of disabled children. There is no person as exhausted, completely and continuously, as the mother who has spent 19 years with her brain-damaged or retarded child. She has had no "spare" time, from the day her child was born. Nap-time for the child is nap-time for her -- if she can take the time for a nap. School is a relief, not only because of her hopes for the future of her child, but also because it's the only time she has to wash dishes, do laundry, shop, clean house, go to the bathroom (I am completely serious). Maybe, if she works really fast, she'll have time for a bath. A "vacation" from school is a curse to her, though she loves her child, loves spending time with him. When you have to spend every second watching your child, anything else is impossible.

Most mothers can take time to wash dishes, vacuum, take a bath while their kids watch TV, play with their toys, play outside. It's expected that once a child reaches a certain age, he doesn't have to be watched constantly. This is not true of most d.d. children. They learn so slowly (this, to me, is what "developmental" and "retarded" imply; not inability to learn, but slower learning) that they may never, in all their lives, have time to learn good judgement. It would be a terrible thing to turn your back on your child for 2 seconds and discover, later, hopefully not too much later, that he's blown out the pilots on the gas stove or heater.

Do you see my point? When that child's at home, the parent who is there is always on the alert, like a soldier in a war zone. I do not think this analogy is too strong. Some of the kids I've met are truly that unpredictable. Their parents badly need respite.

For many of us, Respite is the only way we can find experienced, reliable people who are willing to care for our children. People who aren't too squeamish to play with a child who drools, wets his bed, still wears diapers, looks different. Without Respite, many mothers would never leave their houses except to shop. No furlough. Can you imagine a soldier who's been in a war zone for 16 years with no leave?

For those of us who are poor, Respite provides the only means we have to pay a care provider. I recently recieved a questionnaire from D.D.D. asking me how much I'd be able to pay so I can continue to get Respite services for my son. I can't pay anything at all. I know very few people who can. If we have to pay, we won't have the services; only the rich will. It doesn't matter whether we're rich or poor, though. If we have disabled children, we need Respite.

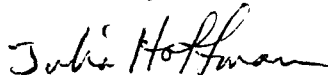
My own family has a particular need, which Respite has filled for us. Our son gets bored easily. Weekends are a supreme drag for him, because he doesn't get to go to school and learn new things. Summer would be unmentionable if it weren't for Camp

Horizons, a day-camp/learning experience which the Campus Rec. department at the University of Montana makes available to handicapped children. Three two-week sessions costs \$210, and would be completely out of reach for us if Respite didn't pay for it. This camp is a lot more than just fun for Scotty; it's an educational experience. He learned new things every day, and therefore was more prepared to learn more the next day. By the time school started in the fall, he had made a lot of progress in a lot of little ways, which contributed greatly to his ability to learn in school.

We have not used any of the other programs available to us through the state of Montana because we don't feel we need them. It would be stupid of us to waste our time and their money without need. The people I know who do use C.D.C. really need it. They wouldn't take the extra time to get it if they didn't. When you have a disabled child you don't do anything unnecessary.

Thank you for your time. I wish I could be there today to answer any questions you might want to ask me. If you do wish any more information, you may call me or write me at home.

Sincerely,



Julia Hoffman  
605 Stoddard  
Missoula, MT 59802



Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Robert Bannard*  
*School Psychologist*  
*Dist. 9*  
*Browning, Montana*

**Section 4**  
 e under EHS's Freedom of Information Act regulation (Part 5 of this section) If the records had belonged to S. This section does not require recipients to permit public access to their records.  
 FR 22570, Apr. 3, 1980, as amended at 45 CFR 22570, June 3, 1980

**Subpart E - Waiver of Single State Agency Requirements**  
 1.30 Policy.  
 requests to HHS from Governors, or other duly constituted State authorities, for waiver of single State agency requirements in accordance with section 204 of the Intergovernmental Cooperation Act of 1968 will be given expeditious handling. Whenever possible, such requests will be granted.

**Subpart F - Grant-Related Income**  
 4.40 Scope of subpart.  
 This subpart contains policies and requirements relating to (a) program income and (b) interest and other investment income earned on advances grant funds.

4.41 Meaning of program income.  
 (a) Except as explained in paragraphs (b) and (c) of this section, program income means gross income earned by a recipient from activities or all of the cost of which is borne as a direct cost by a grant recipient as a direct cost towards the grant. It includes but is not limited to such income in the form of fees for services performed during the grant or subgrant period, proceeds from sale of tangible personal or real property, usage or rental fees, and patent or copyright royalties. If the recipient meets this definition, it shall be considered program income regardless of the method used to calculate the amount paid to the recipient—whether, for example, by a cost-reimbursement method or fixed price arrangement. Nor will the fact that the income is earned by the recipient from a Federal procurement contract or a Federal grant awarded to another

party affect the income's classification as program income.  
 (b) For research grants that are subject to an institutional cost-sharing agreement, income shall be considered program income only if it is earned from an activity part or all of the cost of which is borne as a direct cost by the Federal grant funds. An institutional cost-sharing agreement is one entered into between HHS and a grantee covering all of HHS's research project grants to the grantee in the aggregate.

(c) The following shall not be considered program income:  
 (1) Revenues raised by a government recipient under its governing powers, such as taxes, special assessments, levies, and fines. (However, the receipt and expenditure of such revenues shall be recorded as a part of grant or subgrant project transactions when such revenues are specifically earmarked for the project in accordance with the terms of the grant or subgrant.)  
 (2) Tuition and related fees received by an institution of higher education for a regularly offered course taught by an employee performing under a grant or subgrant.

(d) For the purposes of this subpart, program income is divided into several categories. Each category is treated in a separate section of this subpart.  
 § 74.42 General program income.  
 (a) Definition. General program income means all program income accruing to a grantee during the period of grant support or to a subgrantee other than the special categories of such income treated in §§ 74.43 through 74.45.  
 (b) Use. (1) General program income shall be retained by the recipient and used in accordance with one or a combination of the alternatives in paragraphs (c), (d), and (e) of this section, as follows: The alternative in paragraph (c) may always be used by recipients and must be used if neither of the other two alternatives is permitted by the terms of the grant. The alternatives in paragraphs (d) or (e) may be used only if expressly permitted by

the terms of the grant. In specifying alternatives that may be used, the terms of the grant may distinguish between income earned by the grantee and income earned by subgrantees and between the sources, kinds, or amounts of income.  
 (2) The terms of a subgrant may restrict the use of general program income earned by the subgrantee to only one or some of the alternatives permitted by the terms of the grant, but the alternative in paragraph (c) of this section shall always be permitted.

(c) Deduction alternative. (1) Under this alternative, the income is used for allowable costs of the project or program. If there is a cost-sharing or matching requirement, costs borne by the income may not count toward satisfying that requirement. Therefore, the maximum percentage of Federal participation is applied to the net amount determined by deducting the income from total allowable costs and third-party in-kind contributions. The income shall be used for current costs unless the granting agency authorizes deferral to a later period.

(2) To illustrate this alternative, assume a project in which the grantee incurs \$100,000 of allowable costs and receives no third-party in-kind contributions. If the grantee earns \$10,000 in general program income and this alternative applies, that \$10,000 must be deducted from the \$100,000 before applying the maximum percentage of Federal participation. If that percentage is 90 percent, the most that could be paid to the grantee would therefore be \$81,000 (90 percent times \$90,000).

(d) Cost-sharing or matching alternative. (1) Under this alternative, the income is used for allowable costs of the project or program but, in this case, the costs borne by the income may count toward satisfying a cost-sharing or matching requirement. Therefore, the maximum percentage of Federal participation is applied to total allowable costs and third-party in-kind contributions. The income shall be used for current costs unless the granting agency authorizes deferral to a later period.  
 (2) To illustrate this alternative, assume the same situation as in paragraph (c)(2) of this section. Under this

alternative, the 90 percent maximum percentage of participation could be applied to the full \$100,000, and \$90,000 could therefore be paid to the grantee. (It should be noted that if \$20,000 of general program income is earned, only \$80,000 could be paid, since a grant cannot pay for costs which have been borne by general program income.)

(e) Additional costs alternative. Under this alternative, the income is used for costs which are in addition to the allowable costs of the project or program but which nevertheless further the objectives of the Federal statute under which the grant was made. Provided that the costs borne by the income further the broad objectives of that statute, they need not be of a kind that would be permissible as charges to Federal funds.

Examples of purposes for which the income may be used are:  
 (1) Expanding the project or program.  
 (2) Continuing the project or program after grant or subgrant support ends.  
 (3) Supporting other projects or programs that further the broad objectives of the statute.  
 (4) Obtaining equipment or other assets needed for the project or program or for other activities that further the statute's objectives.

§ 74.43 Program income—proceeds from sale of real property and from sale of equipment and supplies acquired for use.  
 The following kinds of program income shall be governed by subpart O of this part:  
 (a) Proceeds from the sale of real property purchased or constructed under a grant or subgrant.  
 (b) Proceeds from the sale of equipment and supplies fabricated or purchased under a grant or subgrant and intended primarily for use in the grant- or subgrant-supported project or program rather than for sale or rental.

Program income—royalties and other income earned from a copyrighted work.

(a) This section applies to royalties, resale fees, and other income earned by a recipient from a copyrighted work developed under the grant or subgrant. Income of that kind is covered by this section whether a third party or the recipient itself acts as the publisher, seller, exhibitor, or performer of the copyrighted work. In some cases the recipient incurs costs to earn the income but does not charge these costs to HHS grant funds, to required cost-sharing or matching funds, or to other program income. Costs of that kind may be deducted from the gross income in order to determine how much must be treated as program income.

(b) The terms of the grant govern the disposition of income subject to this section. If the terms do not treat this kind of income, there are no HHS requirements governing the disposition. A grantee is not prohibited from imposing requirements of its own on the disposition of this kind of income which is earned by its subgrantees provided those requirements are in addition to and not inconsistent with any requirements imposed by the terms of the grant.

§ 74.45 Program income—royalties or equivalent income earned from patents or from inventions.

Disposition of royalties or equivalent income earned on patents or inventions arising out of activities assisted by a grant or subgrant shall be governed by determinations made or agreements entered into under HHS's patent regulations. (See parts 6 and 8 of this title.) If the determination or agreement does not provide for the disposition of the royalties or equivalent income, the disposition shall be in accordance with the recipient's own policies.

§ 74.46 Program income—income after grant or subgrant support not otherwise treated.

(a) This section applies to program income not treated elsewhere in this part which arises from or is attributable to an activity while supported by a

grant or subgrant but which does not accrue until after the period of grant or subgrant support. An example is proceeds from the sale or rental of a residual inventory of merchandise fabricated or purchased by a grant-supported workshop during the period of support.

(b) The terms of the grant govern the disposition of income subject to this section. If the terms do not treat this kind of income, there are no HHS requirements governing the disposition. A grantee is not prohibited from imposing requirements of its own on the disposition of this kind of income which is earned by its subgrantees provided those requirements are in addition to and not inconsistent with any requirements imposed by the terms of the grant.

§ 74.47 Interest earned on advances of grant funds.

(a) Except when exempted by Federal statute (see paragraph (b) of this section for the principal exemption), grantees shall remit to the Federal Government any interest or other investment income earned on advances of HHS grant funds. This includes any interest or investment income earned by subgrantees and cost-type contractors on advances to them that are attributable to advances of HHS grant funds to the grantee. Unless the grantee receives other instructions from the responsible HHS official, the grantee shall remit the amount due by check or money order payable to the Department of Health and Human Services.

(b) In accordance with the Intergovernmental Cooperation Act of 1968 (Pub. L. 90-577), States, as defined in the act, shall not be accountable to the Federal Government for interest or investment income earned by the State itself, or by its subgrantees, where this income is attributable to grants-in-aid, as defined in the act (42 U.S.C. 4213).<sup>1</sup>

<sup>1</sup>"State" is defined in the act to include any agency or instrumentality of a State, and the definition does not exclude a hospital or institution of higher education which is such an agency or instrumentality. "Grant-in-aid" is defined in the act to exclude.

Continued

they are subject to the provisions in § 74.61(e) for minimizing the time between the transfer of advances and their disbursement. Those provisions apply even if there is no accountability to the Federal Government for interest or other investment income earned on the advances.

Subpart G—Cost Sharing or Matching

§ 74.50 Scope of subpart.

(a) This subpart contains rules for satisfying Federal requirements for cost sharing or matching. These rules apply whether the cost sharing or matching is required by Federal statute or by other terms of the grant.

(b) HHS and a grantee may enter into an institutional cost-sharing agreement covering all of HHS's research project grants to that grantee in the aggregate. Except as provided by the institutional cost-sharing agreement, this subpart applies to the satisfaction of the grantee's obligation under the agreement, as well as to the satisfaction of cost-sharing or matching requirements that apply only to a single grant.

§ 74.51 Definitions.

For purposes of this subpart: "Cost sharing or matching" means the value of third-party in-kind contributions and that portion of the costs of a grant-supported project or program not borne by the Federal Government.

"Equipment" has the same meaning given to that term in § 74.132, except that instead of "acquisition cost," the words "market value at the time of donation" shall be substituted.

"Supplies" means all tangible personal property other than "equipment" as defined in this section.

"Third-party in-kind contributions" means property or services which benefit a grant-supported project or program and which are contributed by non-Federal third parties without

Footnote continued

include "payments under research and development contracts or grants which are awarded directly or on similar terms to all qualifying organizations, whether public or private." (42 U.S.C. 4201)

charge to the grantee, the subgrantee, or a cost-type contractor, for grant or subgrant.

§ 74.52 Basic rule: Costs and contributions acceptable.

With the qualifications and exceptions listed in § 74.53, a cost-sharing or matching requirement may be satisfied by either or both of the following:

(a) Allowable costs incurred by the grantee, the subgrantee, or a cost-type contractor under the grant or subgrant. This includes allowable costs borne by non-Federal grants or by other cash donations from non-Federal third parties.

(b) The value of third-party in-kind contributions applicable to the period to which the cost-sharing or matching requirement applies.

§ 74.53 Qualifications and exceptions.

(a) Costs borne by other Federal grants. (1) Except as provided by Federal statute, a cost-sharing or matching requirement may not be met by costs borne by another Federal grant. This prohibition does not apply to costs borne by general program income earned from a contract awarded under another Federal grant.

(2) For the purposes of this part, general revenue sharing funds under 31 U.S.C. 1221 are not considered a Federal grant. Therefore, in the absence of any provision of Federal statute to the contrary, allowable costs borne by these funds may count towards satisfying a cost-sharing or matching requirement.

(b) Costs of contributions counted towards other Federal cost-sharing requirements. Neither costs nor the values of third-party in-kind contributions may count towards satisfying a cost-sharing or matching requirement of an HHS grant if they have been or will be counted towards satisfying a cost-sharing or matching requirement of another Federal grant, a Federal procurement contract, or any other award of Federal funds.

(c) Costs financed by general program income. Costs financed by general program income, as defined in § 74.42, shall not count towards satisfying a cost-sharing or matching require-

WITNESS STATEMENT

NAME Jean Jensen BILL No. \_\_\_\_\_

ADDRESS 330 Crest Dr. DATE 2-4-83

WHOM DO YOU REPRESENT Charles S. Smith Jr.

SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: 7 und for additional Group Room.

WITNESS STATEMENT

NAME Jan Rasmussen BILL No. \_\_\_\_\_  
ADDRESS 1000 Poplar DATE 2-4-82  
WHOM DO YOU REPRESENT DD Consumer  
SUPPORT X gov's budget OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman, Members of the Committee

I am Peyton Perry from Glasgow. I have stood before you in the past to express my support of the Developmental Disabilities system of community-based services, and I regret that I could not be here to do so today.

I am a businessman, a conservative, a taxpayer, and the father of a young developmentally disabled woman; and I can attest to the effectiveness of the network of services you have funded across the state.

I greatly appreciate the support that the Legislature has given to the DD system in the past, and I again ask for your favorable consideration of the DD Division's requested budget.

Delivered by Brenda Schyke  
928 Logan  
Helena

February 3, 1983

My name is Hollyann Frisch. I have been involved with developmentally disabled persons for 10 years, both professionally and as a foster parent. I would like to address the need for intensive training residential services.

There traditionally has been an idea that certain persons with severe behavior problems or severe handicaps can't be treated in the community. Well, I disagree. I have had two such people live with me and both are now living in Helena group homes.

When I was no longer able to care for the first child, my greatest fear was his problem behaviors would cause him to be institutionalized. In the 2 years he lived with me, I saw this child respond dramatically to intensive training. He changed from a child who did not interact at all and who had virtually no functional skills into a child who was talking, caring for himself and learning academic skills. I knew he would return to his old self in an institution. Fortunately, an intensive training group home for autistic children was opened in Helena and he now lives there. While his adjustment has not been easy, the intensive training has succeeded in managing his problem behaviors. More importantly, this group home has allowed him to continue learning new skills, to live in a home-like environment and to continue in public school and community activities.

The other foster child is now an adult. He spent his childhood in an institution. He was terribly unhappy there. He did not learn new skills. He showed impressive progress once he came to the community and for the first time in his life, had a full-day educational program. He now lives in another intensive training group home in Helena. Due to the severity of his mental handicap, a regular group home would not be able to meet his needs. He needs intensive training and intensive care. He is getting this and he is making progress. He also is happy. Seeing him now is a stark contrast to the child I remember in the institution who hid himself away from others and who had thick callouses on his hands from biting himself frequently.

I am proud of Montana's community services. We have done a good job of getting the mildly handicapped out of institutions. A child or adult with a severe handicap has the same right to live in the community. They have the same right to the best living environment and training. But in order to meet their needs, there has to be intensive training residential services.

It makes the most sense to provide intensive services to the child when he is young. Early intervention prevents many future behavior problems and allows that child to grow into a less handicapped adult. Many of the adults now being served would not be nearly so handicapped or difficult to manage if they had received early services.

Children's services have often been neglected. It is easier to ignore those children because their problems are not yet so severe and because often they are still cared for by their parents. Unfortunately, this approach only causes us to continually have to deal with adults with severe handicaps and behavior problems. If effective children's services were available, we could break this cycle. We could significantly reduce the number of adults needed intensive training and care. And that would save money in the long run.

I see four crucial needs for Montana's children's services.

1. We need more intensive support services for natural and foster homes.
2. We need specialized intensive training foster homes for those children who can't effectively be served in their own homes or regular foster homes.
3. We need more preschool and summer day training programs.
4. We need intensive training group homes.

Currently, we have a population of severely handicapped adults or adults with severe problem behaviors. And realistically, there will always be some adults with such handicaps. In order to meet their needs, we need intensive training group homes and intensive training foster homes for adults. And that means we need more funding.

Now I know intensive services cost money. But I wouldn't say they are expensive. I see those dollars as buying something of quality. The results are worth the cost. As a taxpayer, I would much rather see my money spent to give these individuals a decent home and the training they need than see it spent on institutions or wasted administratively as a client is bounced from home to home because regular services are not sufficient. I would rather spend more tax dollars and get something to show for it than to spend less (but still a large amount) and have nothing to show for it.

Funding community intensive training residential services makes sense financially and it is the most effective way to treat these individuals.

*Robyn Fossil*

Bx 32

Clancy MT 59634



WITNESS STATEMENT

NAME Julia Hoffman BILL No. \_\_\_\_\_  
ADDRESS 605 Standard, Muskegon DATE 2/4/83  
WHOM DO YOU REPRESENT consumer/factor-parent  
SUPPORT  OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

*Written testimony only*

To Whom It May Concern;

As foster mother of a developmentally disabled teenager I have come into contact with a lot of parents of disabled children. There is no person as exhausted, completely and continuously, as the mother who has spent 19 years with her brain-damaged or retarded child. She has had no "spare" time, from the day her child was born. Nap-time for the child is nap-time for her -- if she can take the time for a nap. School is a relief, not only because of her hopes for the future of her child, but also because it's the only time she has to wash dishes, do laundry, shop, clean house, go to the bathroom (I am completely serious). Maybe, if she works really fast, she'll have time for a bath. A "vacation" from school is a curse to her, though she loves her child, loves spending time with him. When you have to spend every second watching your child, anything else is impossible.

Most mothers can take time to wash dishes, vacuum, take a bath while their kids watch TV, play with their toys, play outside. It's expected that once a child reaches a certain age, he doesn't have to be watched constantly. This is not true of most d.d. children. They learn so slowly (this, to me, is what "developmental" and "retarded" imply; not inability to learn, but slower learning) that they may never, in all their lives, have time to learn good judgement. It would be a terrible thing to turn your back on your child for 2 seconds and discover, later, hopefully not too much later, that he's blown out the pilots on the gas stove or heater.

Do you see my point? When that child's at home, the parent who is there is always on the alert, like a soldier in a war zone. I do not think this analogy is too strong. Some of the kids I've met are truly that unpredictable. Their parents badly need respite.

For many of us, Respite is the only way we can find experienced, reliable people who are willing to care for our children. People who aren't too squeamish to play with a child who drools, wets his bed, still wears diapers, looks different. Without Respite, many mothers would never leave their houses except to shop. No furlough. Can you imagine a soldier who's been in a war zone for 16 years with no leave?

For those of us who are poor, Respite provides the only means we have to pay a care provider. I recently recieved a questionnaire from D.D.D. asking me how much I'd be able to pay so I can continue to get Respite services for my son. I can't pay anything at all. I know very few people who can. If we have to pay, we won't have the services; only the rich will. It doesn't matter whether we're rich or poor, though. If we have disabled children, we need Respite.

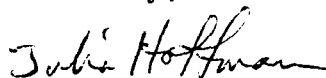
My own family has a particular need, which Respite has filled for us. Our son gets bored easily. Weekends are a supreme drag for him, because he doesn't get to go to school and learn new things. Summer would be unmentionable if it weren't for Camp

Horizons, a day-camp/learning experience which the Campus Rec. department at the University of Montana makes available to handicapped children. Three two-week sessions costs \$210, and would be completely out of reach for us if Respite didn't pay for it. This camp is a lot more than just fun for Scotty; it's an educational experience. He learned new things every day, and therefore was more prepared to learn more the next day. By the time school started in the fall, he had made a lot of progress in a lot of little ways, which contributed greatly to his ability to learn in school.

We have not used any of the other programs available to us through the state of Montana because we don't feel we need them. It would be stupid of us to waste our time and their money without need. The people I know who do use C.D.C. really need it. They wouldn't take the extra time to get it if they didn't. When you have a disabled child you don't do anything unnecessary.

Thank you for your time. I wish I could be there today to answer any questions you might want to ask me. If you do wish any more information, you may call me or write me at home.

Sincerely,



Julia Hoffman  
605 Stoddard  
Missoula, mt 59802

Browning, Montana 59417

Human Services Sub-Committee  
Capitol Station  
Helena, Montana 59620

Gentlemen;

I support the Governor's budget over the Legislative Fiscal Analyst's budget for the Developmentally Disabled Programs, especially in group home operating services.

*Grant Bannard*  
*School Psychologist*  
*Dist. 9*  
*Browning, Montana*