

# TBI Advisory Board Meeting Minutes

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## Call to Order

A TBI Advisory Board Meeting was held on Tuesday, August 13, 2019 at the Telcoe/University Tower, 1<sup>st</sup> Floor Conference Room. Terri Imus called the meeting to order at 10:00 A.M. and began introductions.

## Guest Presenter

Kevin DeLiban (Economic Justice Workgroup Leader & Staff Attorney, Legal Aid)

## Attendees

Terri Imus, RN, BSN (Director of Operations, Trauma Telemedicine Coordinator, IDHI, UAMS)

Kim Lamb, MS (Assistant Director of Programs, TBI State Partnership Program, UAMS)

Renee Joiner (Director of Operations, Stroke and Trauma Programs, IDHI, UAMS)

Daniel Bercher, PhD, NRP (Assistant Director, ATRP, UAMS)

Kristen Alexander, MPH, MPS (Health Educator, ATRP, UAMS)

Edward Williams, BSN, CBIS (Nurse Educator, ATRP, UAMS)

Amber Watson, MBA (Administrative Coordinator, ATRP, UAMS)

Marzella Backus, RN-BSN (Assistant Director of Programs, IDHI Stroke-ED, UAMS)

Shiela Beck, CBIS (Therapy Coordinator, Easter Seals Arkansas Children's Rehab)

Stacy Gravett, MA, CRC (Vocational Rehab Counselor, Arkansas Rehabilitation Services)

Sara Hodge, MCD, CCC-SLP, CBIS (Clinical Evaluator, NeuroRestorative Timber Ridge)

Kelsey Ingle, MS, CCC-SLP, CBIS (Speech Pathologist IV, BHRI)

Steven Long (Program Coordinator, ICAN)

Tom Masseau (Executive Director, Disability Rights Arkansas)

Dan Parker (Retired RN, Caregiver of person living with TBI)

Gigi Parker (Retired SLP, Caregiver of person living with TBI)

Susan Pierce (Director of Policy and Planning, Disability Rights Arkansas)

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Kerrie Snyder (person living with TBI)

Jon Wilkerson (Chair, TAC Rehab Committee; TBI Researcher, Univ. of Arkansas)\*attended via teleconference

## Arkansas Trauma Rehabilitation Program Update

Dr. Daniel Bercher gave an ATRP update.

- **Traumatic Brain Injury (TBI) Registry**  
Kristen Alexander works closely with the TBI Registry to make sure that it functions well and to ensure all trauma hospitals are reporting and in compliance.
- **Outreach**  
Edward Williams has been doing outreach by contacting and visiting rehabilitation facilities, TBI patients, and PCPs. Mr. Edwards recently went on a Southwest Arkansas tour to visit facilities and spread the word about ATRP and the TRIUMPH Call Center.
- **Research Project**  
ATRP is working with a UAMS graduate student to put together an assessment for the TBI Community.
- **All-Payer Claims Database (APCD)**  
ATRP is currently in the process to get access to the All-Payer Claims Database that UAMS holds in the hopes that the data can be pulled for research and reporting purposes.

## TBI SPP Update

Kim Lamb gave the TBI SPP Update.

- **Regional Brain Injury Workshops**  
There have been two Regional Brain Injury Workshops held. These were held in Springdale and Batesville. These events are a great way to connect and share resources to the TBI population in other regions of the state. TBI SPP is currently working with UAMS Regional Programs for these events. These facilities provide the space and audio/visual needs. The next regional event is on October 28, 2019 in Helena, Arkansas.
- **Formal Acknowledgement of the Workgroup**  
The TBI SPP is seeking formal acknowledgement through the Trauma Advisory Council Rehabilitation Committee. The current chair of this committee is Jon Wilkerson. A letter was prepared that shows the accomplishments of the grant over the last year. Members were asked to review and sign the letter. The letter will then be given to Mr. Wilkerson and then be reported through the TAC Rehabilitation Committee. One issue the TBI SPP has encountered is getting recognition through an official advisory group/board. Jon Wilkerson added that he will report back to the TAC committee to formalize the group through the appropriate channels so that the TBI SPP will benefit from this change in status. Terri Imus asked that if anyone knows any survivors to participate in the TBI Advisory Board to let her know. Kim Lamb announced a press release that UAMS is announcing soon regarding the TBI SPP and building the state plan.
- **Respite Waiver**  
Choices in Living was awarded a grant through ACL to cover respite care. TBI is not currently part of the respite waiver but there may be options. Specifics are still being worked out.
- **NASHIA Presentation**  
Kim Lamb and Terri Imus will be attending the NASHIA conference in September and doing a presentation on telemedicine. This will provide the opportunity to be able to highlight what is being done in Arkansas with the TBI SPP grant and how they are able to help persons living with TBI across the state.

## Legal Aid: Presentation

Kim Introduced Kevin DeLiban with Legal Aid of Arkansas. Mr. DeLiban shared information about Legal Aid of Arkansas.

- Legal Aid provides free legal service to low income individuals in need.
- Legal Aid is catered to individuals who need help with disability benefits, health insurance, trouble with landlords, facing foreclosure, debt collection scams, fleeing domestic violence, disability discrimination in the workplace, FMLA help, fair housing for people with disabilities, etc.
- Legal Aid of Arkansas and Center for Arkansas Legal Services are the two legal aid providers in the state. They have different service regions.
- For every one attorney at legal aid, there are 18,000 eligible clients. They are not able to provide an attorney to everyone who seeks it but they will at least receive advice tailored to their situation.
- Full representation is provided for approximately 1/3 of clients.
- Legal Aid has served some clients with TBI
- Recently, Medicaid expansion implemented work requirements. In the history of Medicaid, there have been no work requirements to maintain benefits. This takes away coverage from individuals, including those that have been told by the state that they would be exempt. Arkansas is the only state in the country to have implemented work requirements, which has resulted in 18,000 people losing coverage over the last 4-5 months. Legal Aid is involved in the process to get this requirement removed. The case is currently in appeal in the DC Circuit Court of Appeals and should have an update soon.

- AR Choices is a Medicaid program that will pay a caregiver to come in and take care of the activities of daily living of a loved one if they have a physical disability or are over 65 years of age. Before 2016, a nurse would visit each individual and give an assessment of need. Post 2016, this assessment was an algorithm, which has caused some issues with people in need getting the number of hours of care they require. This can lead to a variety of health complications. Legal Aid was an advocate to get this algorithm removed. DHS says that an individual is not eligible for home-based care if that person is receiving daily physical or occupational therapy for more than three consecutive weeks. This causes issues with individuals who are well enough to be home but still have daily physical and occupational therapy. DHS also reduced the number of hours that an individual is eligible for if they are living in a family environment or if they receive voluntary care. The new Optum based assessment system still has some issues with hours. The best-case scenario is that they receive about 5 hours per day. DHS has implemented tight budget caps even though institutionalization of the individual would cost more. Since this new system has been implemented, Legal Aid has taken on 80+ cases.
- Mr. DeLiban encourages everyone to collect and share stories that show how these DHS policies affect individuals. It may not make an overnight difference but could change policy making in the future.

### Legal Aid: Questions & Answers

- *If someone has an upcoming assessment, do they call the 800 number if they want to speak to someone beforehand?* Yes, they can call the (800) 952-9243 number and they will be routed to either Legal Aid or Arkansas Legal Services.
- *Does Legal Aid help with appeals?* Yes. This is something that they do frequently. They have also filed several lawsuits to try to change the way DHS deals with these issues.
- *It seems that now everyone is expected to use a nursing home rather than home care. Is one of the lawsuits about this issue?* They will take on individual cases to try to keep people out of institutions. These types of lawsuits have become harder over the years.
- *How is Legal Aid funded?* They receive funds from federal and state government, grants, foundations, and individual donors.
- *Is Legal Aid still collecting the stories about individuals needing resources but have fallen through the cracks?* You can send the story if the reason they have fallen through the cracks is a legal one that Legal Aid covers.
- *Does Legal Aid have a Facebook page?* Yes, it is Legal Aid of Arkansas and currently has around 3,000 followers.
- *What kind of services do you provide for acute inpatient, such as applying for disability?* Little Rock would be covered by Arkansas Legal Services so he cannot speak for them. Legal Aid does help however but usually not until it goes before a judge.
- *What is someone is on Medicaid Expansion and insurance denies them services?* The beneficiary has a right to fight the denial. Legal Aid has helped fight denials.

### Arkansas Sub-Workgroup Breakout/Updates

Breakout session began at 11:10 A.M. Updates began at 11:32 A.M.

- **Arkansas State Plan**
  - Dr. Sha Anderson is currently at the capital talking about the state plan and could not join the meeting.
  - Kerrie Snyder will be joining the Arkansas State Plan Sub-Workgroup.

- **Underserved Populations**
  - Would like to have someone from Optum come and speak and possibly someone from Medicaid Waiver. Families do not know they need a waiver in order to get certain services. This would be helpful knowledge to pass along to families.
  - The Nurse Educator, Edward Williams, when traveling to facilities is also meeting with individuals in the area who may need information on what services are available to them.
- **Trust Fund/Waiver/Financial Strategies**
  - Staying focused on trust funds and looking for better arguments for why state should establish a trust fund. It needs to make monetary sense to the legislatures.
  - Have to be open to different points of emphasis when choosing a proponent to be able to find the best advocate.

## **Adjournment**

Next TBI Advisory Board Meeting to be held on November 12, 2019. Meeting adjourned at 11:43 A.M.