

ARLINGTON COUNTY COMMUNITY SERVICES BOARD  
Developmental Disability Committee  
Monthly Meeting

**Date/Time:** July 11, 2023

**Location:** HYBRID: 2100 Washington Blvd, Conference Room A, Arlington, VA 22204 | Microsoft TEAMS

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**IN-PERSON MEMBERS:** Cherie Takemoto, Chair; Joe Albert, Donna Budway, and Lynne Kozma

**VIRTUAL MEMBERS:** Barbara Jones

**MEMBERS:** (absent or excused): Berta McGann

**IN-PERSON ATTENDEES:**

Tamera McGregor; Staff: La Voyce Reid, ADSD Clinical and Developmental Services Bureau (CDSB) Director, and Thomas "Tom" Daly, Administrative Outreach Support Specialist, ADSD-CSCB

**VIRTUAL ATTENDEES:**

Anthony Amankona-Diawuoh, Lucia Claster, Laura Edelbrook, Jeannie Rennie, Moira Saucedo, Carol Skelly, and Debi Alexander (Sparc); Arc of Northern Virginia: Lucy Beadnell; Arlington Public Schools: Patricia Braun and Joy Haley; Service Providers: Andrea Blackmon (ServiceSource) and Ivry Brooks (Melwood); Staff: Maimoona Bah-Duckenfield, Aging and Disability Services Division (ADSD) Director and Denise McDonald, Management Intern, ADSD-CSCB

**RECORDER:** Tom Daly

**THIS MEETING CAN BE VIEWED AT:** <https://youtu.be/XeqR-z5Za4>

**CALL TO ORDER:** C. Takemoto called the meeting to order at 4:05 p.m.

**PUBLIC COMMENTS:** None

**MINUTES:** The following corrections to the May 9, 2023 minutes were noted: 1. Under "Virtual Attendees" correct spelling for: Anthony Amankona-Diawuoh and Huong Pham; 2. Under Public Comments: revise to "Paul Osgood expressed support for the State Rental Assistance Program that helps him live independently in his apartment." 3. Under Chair's Report: Last sentence revised to: "On a motion made and seconded, the Committee asked the Community Services Board for acceptance of 10 State Rental Assistance Program (SRAP) slots from the DBHDS."

On a motion made and seconded, the May 9, 2023 minutes were approved, as amended above.

**THE ARC OF NORTHERN VIRGINIA LEGISLATIVE UPDATES:**

L. Beadnell presented the July 2023 legislative updates (see attached)

**Q1:** Will the DOJ Settlement Agreement rulings that are set to expire in December 2023 be extended?

**A1:** L. Beadnell communicated that it's possible that an extension will be granted but only be for another 6 months to a year. L Reid added that DBHDS is on track to exit the Agreement this December, and that all indicators will continue to be enforced once the state exits.

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**GUARDIANSHIP PROCESSES:**

M. Bah-Duckenfield introduced D. McDonald, ADSD’s Management Intern, who assists in staffing the Volunteer Guardianship Program, to present an overview on guardianship. Highlights of her presentation included:

- The Division currently has 449 active cases with 136 individuals Developmental Services (30%).
- ADSD staff focus on assisting clients by prioritizing health, safety, and financial and property management.
- State and local guidelines emphasize using the least restrictive means to assist clients, with alternatives such as Power of Attorney (POA) or Medical Power of Attorney implemented prior to obtaining a court-appointed guardian and/or Conservator.
- A six-step formal process is used and includes recent Virginia legislative revisions that commenced July 1, 2023. These new requirements include:
  - visiting a client 3 times per year,
  - reporting address changes, and
  - making decisions regarding health, safety, medical treatments and place of residence.

D. McDonald’s complete presentation is attached. For further information on becoming a Volunteer Guardian visit <https://tinyurl.com/ArlGuardianTraining>

**Q2:** Do you have data on the ages of the 136 DS individuals and their parents or caregivers that function as guardians?

**A2:** L. Reid commented that DS has the ages of DS individuals but it does not collect parent or caregiver ages.

**Q3:** When should a parent or caregiver start planning to provide a future Guardian for their loved one?

**A3:** Individuals must be 18 years of age to have a court-appointed Guardian. A “co-guardian” and a “stand-by guardian can also be appointed by the Court. Parents and caregivers may also include instructions on guardianship via a will. The proposed guardian may begin the process of seeking guardianship when the individual turns 17.5 years.

**Q4:** Can both co-guardians complete the same annual report or do they need to file separately?

**A4:** Only one annual report is required; both guardians may sign the report.

**Q5:** How long does the process to appoint a guardian or conservator take?

**A5:** On average, the process takes approximately six weeks depending.

**Q6:** What happens if the guardian cannot make contact with the individual for the minimum three visits a year?

**A6:** The guardian may appoint an alternate person to visit and in some cases virtual visits can be substituted for in-person visits.

**Q7:** Is there a list of attorneys that specialize in assisting parents and caregivers?

**A7:** ADSD has a list of Elder Law Attorneys familiar with the processes that can be provided to parents and caregivers; list is included in the PowerPoint presentation.

**Q8:** What is the County’s role in providing a volunteer guardian for individuals with developmental disabilities?

**A8:** ADSD individuals are routinely assessed by staff to determine if they can benefit from a legal guardian and/or Conservator. The first persons to be considered are immediate and extended family members. Staff are trained to use the least restrictive solutions to assist individuals.

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**Additional Participant Comments:** C. Takemoto: One of the purposes of the meeting was to listen to input from members about aging parents. Below are comments:

J. Albert spoke about his own aging parents and parents who are aging, in general. He wondered what Arlington is doing to care for the caregivers.

D. Budway spoke about more people at Our Stomping Ground (OSG) who are there with limited parent involvement. The Arc of Northern Virginia – offered a tour of OSG properties – 2 weeks ago and 104 people responded that they wanted to attend. Families moving out of the county and leaving their adult child here. Becomes a problem when the parent moves away and assumes that the County will become the guardian and caregiver.

L. Reid commented that parents should feel confident that the Department will ultimately address unmet needs of each person supported by Developmental Services but stressed that it is neither the County's role nor responsibility to function as the legal guardian and that parents should plan for their children to ensure their wishes are in place when they are no longer around or able to be the primary decision maker.

L. Kozma– some parents become isolated over time. For a long time, they avoid making plans because it is hard to do.

M. Saucedo said that they became guardians when they created a trust. "If you are putting off doing a will and trust you are also putting off guardianships," she said.

L. Reid added that if finances are a barrier to applying for guardianship there are instances where the County may be able to assist with filing. Families should first explore legal aid services.

L. Cluster identified an issue because there have been many Family and Individual Support (FIS) Waivers and not Community Living (CL) Waivers, so individuals may not qualify for group home or sponsored residential. She wondered about when the aging parent goes to the hospital. How do we plan for these people? It may take time to qualify for CL Waiver. Who will be the backup? L. Reid commented that this is an example of why it is important for parents to plan in an effort to minimize the risk of someone other than themselves making such important decisions. L. Reid also advised that many individuals can live in independent housing, with supports, and a group home or sponsored residential is not always necessary.

Guardians must visit individual 3x/year – VA law. What happens when move away? What if they don't visit 3x/yr. One can be in person, one can be virtual, and the third can be with a guardian representative.

J. Haley, APS – schools start talking to parents about guardianships and supported decision making very early. Many families have not started the process, sometimes it is not financial. Each year, APS holds a transition fair and usually invites attorneys who discuss the process.

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C. Skelly asked “What is the county’s role in trying to find guardians for clients who need them? people “orphaned” in the system? How proactive is the county in helping with guardianships for incapacitated or dead parents?” L. Reid commented that Support Coordinators continuously make this inquiry at the time of annual planning meetings. She further commented that it does not happen often that parents pass away without a plan in place for their children.

**STAFF UPDATES:** L. Reid reviewed the following:

1. Melissa Jesurum has joined the staff as Developmental Services’ Supported Employment, Habitation and Transportation Services Contracts Manager replacing Elizabeth Cannon who resigned the position in October 2022. The second of two Developmental Serviced Program Manager positions is vacant and currently being filled.
2. The new County-owned group home located at 1212 Irving Street is near final completion. Selection of a vendor to operate the home is still in process. A grand open house event is being planned for late September.
3. A temporary Certificate of Occupancy (CoO) for the Developmental Services Employment Readiness program located at Sequoia 1 is pending. An RFP to identify a vendor to operate the program is in process.

**Q9:** Will there be a nurse on staff at the 1212 Irving Street Group Home?

**A9:** Yes, the RFP included staffing requirements for an on-site nurse at 40 hours per week.

**CHAIR REPORTS:** C. Takemoto noted that the DD Committee will not meet in August. The next business meeting is scheduled for Tuesday September 5<sup>th</sup>.

**VENDOR REPORTS:**

A. Blackmon (ServiceSource) shared that ArlingtonWeaves, Etc. will again have a display exhibit at the upcoming Arlington County Fair (August 17-20).

I. Brooks noted that Melwood’s Arlington-based day programing has available vacancies.

**NEW BUSINESS/ANNOUNCEMENTS:**

L. Reid provided follow-up to the May 9<sup>th</sup> public comment questions posed by C. Skelly on planning for future programs.

**Q10:** What methods is the county using to project a target capacity that will meet future needs for day support and employment?

**A10:** Data has been generated from the electronic health record (i.e., dates of birth/ages) to project students aging out of Arlington Public Schools over the next five years. A survey is also in process to gauge interest for individuals attending programs outside of the County.

**Q11:** What factors are being considered in identifying a permanent location for the new programs?

**A11:** County-owned facilities over privately owned commercial space.

**ADJOURNMENT:** The Meeting was adjourned at 6:05 PM.

Next DD Committee Meeting :  
Tuesday, September 12, 2023- 4:00 pm. – Hybrid - 2100 Washington Blvd, Lower-Level Auditorium