

Frequently Asked Questions: Ligas ICF/DD Outreach to Guardians of Potential Class Members

Updated: October 2013

Questions about CQL

1. *Do you work for the Illinois Division of Developmental Disabilities?*

No, I work for an organization called The Council on Quality and Leadership – or CQL for short.

2. *Who is CQL? How is CQL affiliated with DDD?*

CQL is a not-for-profit organization that works with organizations all over the country, to assure that they are providing safe and quality supports to people with disabilities. Our office is in Maryland, but people who work for CQL live in many different states. Some live here in Illinois. Information about CQL can be found at the website: www.thecouncil.org.

CQL has been contracted (hired) by Illinois' Division of Developmental Disabilities (DDD) to do this work. It is our job to talk with people affected by the Ligas Decree (that is, those who live in ICFs/DD), to see if they want to learn more about living options (places to live) available to them.

3. *Do CQL interviewers work for provider organizations in Illinois?*

Most CQL interviewers (people who will meet with you) live in a nearby state, but not in Illinois. We think this is important, so you can feel assured that any information you share, or decisions you make, are kept private and confidential. There are a few interviewers who live here in Illinois, but they do not work for a provider organization, and they too, are committed to keep any information you share confidential.

4. *How can I verify that you are affiliated with DDD?*

If you'd like to make sure we are who we say we are, you can call (or we can ask him to call you, if that's what you prefer):

- Jim Eddings at DDD. His phone number is: (217) 557-6335.

5. *I have some questions about my family member's current services, who do I talk to?*

That depends on your question. It's usually best to start with the organization that provides support to your family member, perhaps a staff person or supervisor.

If you'd like to talk with someone at DDD about your family member's current services, Jim Eddings can help you, or direct you to the right person. His number is (217) 557-6335.

Questions about the Meeting/Interview Process

6. *If we meet, where will the meeting take place?*

We can meet at your home, at your family member's home, or at another local place (e.g., a coffee shop, restaurant, library). You and your family member can choose which works best. If you'd like, we could bring or buy breakfast or lunch for [individual].

7. *How long will the meeting take?*

Most meetings will last 1 to 1½ hours. We are happy to spend more time, if needed. And it's possible that it could take less time, if you'd like to review some of the materials ahead of time.

8. *Who from CQL or DDD will be meeting with us?*

No one from DDD will be present at the meeting. I [or name other person] will be the person from CQL meeting with you. If needed, we might also bring an interpreter.

9. *Who should/can come to the meeting?*

We would definitely like you (as guardian) and your family member to attend. If there is another close family member or advocate who you would like to attend, they are also welcome. We are happy to give you extra copies of the materials, if there are others you'd like to involve in your decisions.

10. *I/my family member needs an interpreter (non-English, sign language, etc.) or need materials in an accessible format. Will these be available?*

Yes. We have interviewers on staff who speak English and Spanish. If another language is required, we will have an interpreter available at the meeting. Interpreters will also be available for individuals who use sign language or oral interpretation.

Our written materials will be available in several languages, large print, and Braille (if necessary). Our video will be close-captioned.

11. *What happens during the meeting?*

The interview, or meeting, will likely last between 60 – 90 minutes. It will include:

Introductions & Initial Questions – We'll start out with introductions, and then we have a few simple questions to get us started. This is also a good time for you and your family member to ask any questions.

Personal Outcomes Screening Tool (POST)[®] - Next, we have a brief interview tool that helps your family member identify the things that are important to him/her right now, and how these things are going right now.

Living Options Materials & Video/Q & A – Next, we will review different brochures, fact sheets, a presentation and/or video about different living options. This is another opportunity for you to ask questions. This may take more or less time, depending on the number of questions you have, and whether you have reviewed any of the materials prior to our meeting.

Form 1238A (revised) – This form will be completed if you and your family member decide, at the meeting that your family member definitely wants to: 1) continue living in an ICF/DD; or 2) move to another living option, using HCBS waiver funding.

PUNS (Prioritization of Urgency of Need for Services) – This form will be completed if you and your family member decide you want a different living option, or if you decide you want to meet with a service coordinator to look at specific options available to you.

12. What happens after the meeting?

If you decide you want to stay where you're at – You will complete a form (Form 1238A), indicating that you/your family member want to continue living in the ICF/DD where s/he currently resides. This form will be submitted to DDD, and no further action is required. However, if you and/or your family member change your mind, you are free to re-start the process of exploring other living options. In that case, you should contact Jim Eddings at DDD at (217) 557-6335.

If you're unsure – You may take all the time you need to make a decision. In the meantime, your family member will continue living in the ICF/DD where s/he currently resides.

If you decide you'd like to look at other living options – You will complete the PUNS, and then be connected with a service coordinator, who will support you with specific information and visits to living options (or ones similar to those) available to your family member.

If you are certain that you'd like your family member to move to another living option – You will complete the PUNS and Form 1238A. You will be connected with a service coordinator who will support you with specific information, visits to living options available to you, and assist you by developing a service plan to meet the needs of your family member.

13. Do I have to make a decision right away? How long do I have to make a decision?

No, you may take time to think about it. Please refer to the timelines in Question 21 for guidance.

14. What happens if I don't meet with you?

If you choose not to meet with us, we will simply notify the State DDD that, at this time, you are not interested in pursuing other living options. At any time, you may choose to change your mind – or declare your preference for your family member to remain in his or her ICF/DD.

Questions about Living Options

15. What do you mean when you say "other living options"?

In Illinois, individuals with developmental disabilities who live in ICFs/DD and meet certain eligibility criteria, have the option to remain in their current ICF/DD, transition to another ICF/DD, or receive residential and other services (e.g., employment, day services, transportation) through Home and Community-Based Waiver (HCBS) funding. Under the HCBS Waiver, DDD offers a variety of living options. As an example, there are four types of CILAs (Community Integrated Living Arrangements) that would be considered "other living options", or alternatives to ICFs/DD. They include 24-hour CILAs, Host Family CILAs, Intermittent CILAs, and Family CILAs. We have detailed information about these and other living options in our

brochures, written materials, and video. Please let us know if you'd like us to send these materials to you.

Questions about Ligas

16. What is Ligas?

"Ligas" started as a lawsuit filed in 2005. The Ligas lawsuit was filed on behalf of adults with developmental disabilities who live in ICFs/DD (with 9 or more people) and choose to move to community-based settings; and on behalf of those who live at home with their families and are seeking community-based living options and services.

Then, in June of 2011, the Court approved a Consent Decree settling the Ligas v. Hamos lawsuit. The Consent Decree identifies two groups of Class Members:

1. Adults with DD who qualify for Medicaid Waiver services, who reside in ICFs/DD with nine or more residents, and who affirmatively request to receive Community-Based Services or placement in a Community-Based Setting.
2. Adult with DD who qualify for Medicaid Waiver services, who reside in a Family Home, who are in need of Community-Based Services or placement in a Community-Based Setting, and who affirmatively request Community-Based Services or placement in a Community-Based Setting.

The Decree does not force individuals who do not want community-based services or placement to move. Nor does it force providers to close beds or enter into downsizing agreements with the State against their will.

17. What are the principles of Ligas?

- People with disabilities will have a say and a choice about how and where services and supports will be provided.
- People who want to stay in their ICF/DD will be able to do so
- People who want services in the community will have that option
- Person-centered planning will be used as the cornerstone in documenting individual needs and preferences.
- Services will not be limited to those which are currently available

18. Who are Ligas Class Members?

- A member must be 18 or older with intellectual or developmental disability and Medicaid eligible; and
- A member must live in a private ICF/DD with 9 or more residents or live in the family home seeking services; and
- The State of Illinois has a "current record" of the person seeking Community-Based Services or placement in a Community-Based Setting.

19. What are the requirements around a Class Member List?

- The State will develop and maintain a list of all class members

- People who request community services or placement in a community setting will be added as class members.
- People who do not wish to move from their ICF/DD will be removed from the list

20. What should I know about Transition Service Plans?

- The State shall develop a transition plan for all class members who have a documented request for community services.
- The transition plan will describe the services needed.
- The transition plan shall be developed by a Qualified Professional with the class member and their guardian or family.
- The process for developing the transition plan shall be person-centered.
- Services in the transition plan will be offered in a manner which is the most integrated, consistent with individual choice.
- Services in transition plan will not be limited to those currently available.
- The process for developing a Transition Service Plan shall focus on the Class Member's personal vision, preferences, strengths and needs in home, community and work environments and shall reflect the value of supporting the Class Member with relationships, productive work, participation in community life, and personal decision-making.

21. What is the timeline for Class Members living in ICFs/DD to transition to other settings?

- By December 15, 2013, one third of class members in ICFs/DD who request community services will move.
- By December 15, 2015, an additional one third of class members in ICFs/DD who request community services will move.
- By June 15, 2017, all class members who live in ICFs/DD who request community services will transition to community settings.

These above benchmarks apply only to those class members living in an ICF/DD of 9 or more residents on June 15, 2011.

22. Where can I find out more information about the Ligas Decree and Implementation Plan?

Information can be found on the DDD website at: <http://www.dhs.state.il.us/page.aspx?item=40989>

You may also contact:

- Jim Eddings, DDD
(217) 557-6335 / Jim.Eddings@illinois.gov
- Tony Records, Court Monitor
(301) 529-9510 / traconsult@mindspring.com
- Barry Taylor, Class Counsel
(312) 895-7317 / barryt@equipforequality.org

23. Who do I call if I have a complaint about this process, or about services in general?

Please contact Troy Markert, Manager of Program Development at DDD. His phone number is (217) 785-6171, and his e-mail is Troy.Markert@illinois.gov.

Troy maintains a log of such complaints so the DDD can ensure each issue is addressed appropriately and any trends are identified and addressed.

You may also contact the Court Monitor, Tony Records. His phone number is (301) 529-9510, and his e-mail is traconsult@mindspring.com.