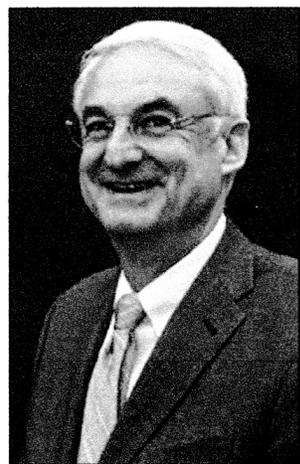


Interview with NH Commissioner of Health and Human Services, Jeffery Meyers

A New Hampshire Challenge Exclusive

By John M. Krumm (Jack), Editor, *The New Hampshire Challenge*



The New Hampshire Challenge and the vision of our founder Janet Krumm, Commissioner Jeffery Meyers launched into two areas I had sent him earlier in the week as background concerns of our Challenge readership.

The Commissioner men-

tioned how he had met just the day before, with the Area Agencies (AAs) and Community Services Network Incorporated (CSNI). This in itself was a ground shift because the former Commissioner flatly refused to meet or take input concerns or

offers of help from our statewide network of AAs and CSNI. "I realize more communication is needed", the Commissioner outlined. He went on to observe that "a dialogue" is critical if we are going to successfully address the issues and challenges that

lay before us. It seems to this reporter, our new Commissioner will end the practice of silence and stonewalling. He seemed intent to garner the knowledge of the network that rose to pro-

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Classroom Behavior Management Presents New Challenges

By Alison Cohen, *Special to The New Hampshire Challenge*

On Friday the 19th of February, I had the honor and privilege to interview New Hampshire's new Commissioner of Health and Human Services, Jeffrey Meyers. Commissioner Meyers received his appointment from Governor Hassan, and was confirmed by the Executive Council in December.

Commissioner Meyers takes over Health and Human Services after a critical audit report by the Legislative Budget Assistant (LBA) of NH. This audit outlined an under-spend of authorized funding in the Bureau of Developmental Services (BDS). Our new Commissioner knows full well the impact of such negative findings, as he himself was a legislator representing Milton New Hampshire earlier in his professional career. During his tenure representing Milton, Meyers helped his town deal with hazardous waste management left by a bankrupt tannery businesses. Thousands of hides were left to rot in the open in Milton; he opened communication to his town and fixed it. The Commissioner is no stranger to walking into a mess, and cleaning it up.

After some introductory remarks, and listening intently to my explanation of the role of

Fear. Anger. Pain. Frustration.

We all experience these emotions. The extent to which we act upon them and the form our action takes depends on our level of self-awareness, self-control, maturity and our ability to both express and get our needs met. A sense of powerlessness can magnify the response. If we are fortunate, we can choose the environment in which we work, learn, live and recreate that best meets our needs. No one has fewer choices than a child, and a child with a disability that leaves them unable to clearly communicate what they feel and need—and to have those needs respected—is the most vulnerable person in any room.

It also goes without saying that there are people who are simply cruel, boorish or indifferent to the needs and desires of others.

At one time or another, every teacher will talk about the need for classroom management and the frustrations they experience dealing with a child with behavior problems who disrupts the classroom and negatively impacts the learning environment of his or her peers. It's understandable; we would not welcome a coworker or customer who yells, throws

things about and threatens us. The challenge in a school setting is to find effective ways to deal with negative behaviors.

One of the primary roles of parents and teachers is to help children learn to recognize their needs and emotions and to express them appropriately. Sometimes those in authority resort to coercion and control to satisfy their need for an orderly and compliant environment. This dynamic can result in an escalating power struggle or increased frustration on both sides as any parent who has experienced a child in full blown tantrum or an angry teenager can attest.

Too often the response to bad behavior is to punish, isolate, exclude or overpower the child who misbehaves or acts out. Once upon a time, the punishment of choice for all but the most egregious of offenses was after-school detention. Students so sanctioned would report to a supervised, silent study hall or the principal's office to reflect on the errors of their ways. Unlike today's in-school or out-of-school suspension, no instructional time was lost. With the rise of the Zero Tolerance approach, more and more students were removed from their classroom for even the most minor of offenses. Some were subjected to in-school suspensions, but

more and more schools resorted to out-of-school suspensions and expulsions.

In the 2007–2008 school year, New Hampshire schools suspended or expelled students at every grade level although most occurred at the high school level. New Hampshire schools had a higher rate of out-of-school suspensions than the national rate and almost one-half of the suspensions reported in elementary schools were out-of-school suspensions. According to a Carsey Institute report on school discipline done on that year's record, almost 60% of the suspensions and expulsions reported were for "other" reasons rather drug or weapon use or another serious offense. A not insignificant number of students are also suspended for truancy or skipping class, a situation Irwin Hyman, Professor of School Psychology at Temple University, called "patently absurd" as it requires children to do the very thing they are being punished for already doing.

The Carsey study found the actual breakdown for that school year was 31% of the suspensions were for "verbal behavior and violence," 7% were related to the possession or use of tobacco, alcohol or drugs and a whopping 59% for the unspecified "other" offenses. Their report

states that there is no way to determine from the data the nature and seriousness of these "other" offenses, however state law permits schools to suspend or expel students for "gross misconduct or for neglect or refusal to conform to the reasonable rules of the school." Refusal to conform to the rules gives school officials a great deal of latitude and superintendents and school boards tend to defer to the judgement of classroom teachers and principals.

The problem with suspension is that it is a moderate to strong predictor that the student will drop out of school. Students who are suspended or expelled often receive a grade of zero for every day they miss and fall hopelessly behind as a result of loss instructional time. They may feel that there is no way they recover academically and give up. A 2000 report by The Advancement Project and The Civil Rights Project found that more than 30% of sophomores who drop out had been suspended prior to the decision to quit school. Adults who dismiss this as a "they get what they deserve" scenario might want to consider the amount of mischief unsupervised teenagers can get into and the long term conse-

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Funds Audit

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either provide services directly or subcontract with other service providers throughout the state. Practices vary statewide and require varied coordinating layers for successful service delivery.

BDS typically approved individual client budgets before AAs provided services. AAs charged the Medicaid program directly after providing the services. Some families opted to self-manage their own budgets and hire service providers directly. Delays or conflicting decisions in any of these tiers of management can affect timely service provision, leading to unspent funds. Under Eras's leadership, this was kept to a minimum.

Starting in 2014, client illnesses, vacations, individual preferences, inclement weather, and difficulty hiring or retaining service staff contributed to delays or gaps in service delivery. This is because AAs client services are billed to BDS by the

AAs based on a daily charge per client. If normal "life" circumstances occur which preclude the clients to participate in AA programs, the AA's may not bill for the time the client is not in attendance. Sickness, or clients not attending day service programs because they need to attend family events such as marriages, funerals or vacations will remove days charged by AAs per client. This will result in cut

backs to the AAs and unspent funds in client individual budgets. Until the Eras retirement in 2014, the funds that were not spent due to vacations, sickness or snow day closures were allowed to be re-allocated within the Area Agency with BDS approval. This was to benefit the DD population as a whole. This allowed the Area Agency the ability to maximize the impact of legislatively authorized fund-

ing on the local level to others who may not have been served at all.

The new restrictions imposed by the former commissioner's staff—after BDS was dismantled—since 2014 have stopped this practice and resulted in cut back of services to people already within the DD service delivery system.

As previously reported by *The Challenge*, other motiva-

tions to squeeze savings out of the legislative budget seemed to take hold around the year 2014 and the former commissioner's rush to turn over service delivery of DD and ABD clients to insurance companies. There are many competing agendas that appear at that time. Among these pressures was that insurance companies who might

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How?

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vacant mid-level management positions. Again, The New Hampshire Challenge has covered in past issues the almost systematic dismantling of BDS under former Commissioner Toumpas. This removal of experienced personnel such as Eras and many others in BDS had a clear and negative cause and effect.

The Area Agencies were also challenged by increased tightening and restricting of

their ability to move funding to cover shortfalls. As outlined in the audit, the daily charge rate for DD and ABD clients was deducted from AAs if the client took a vacation to visit far-away family, was sick, or if hazardous conditions on the road caused a snow day to be taken for client safety. Previously, this funding was allowed to be made visible at the AA level, and could be used to provide other services to include transport of clients to and from the service they receive each day, physical improvements to homes to assist people with accessibility

issues, respite, speech or other augmentative therapy, or even provide the resource necessary to remove people from wait-list status and start to provide them services.

This funding remained hidden, and at the end of the two-year fiscal reporting period New Hampshire follows, became visible as "unspent" funds.

The unspent funds appear in an unfavorable light to families who have members with disabilities, people with DD and ABD. It means service was not delivered.

Unspent funding appears at-

tractive to insurance companies who can turn it into profit for their corporate stockholders.

Also removed in 2014, was the permission Eras extended to Area Agencies to start service once a client reaches eligibility, and back bill BDS to reclaim expenses spent on these new clients. Without this ability, even more funding backed up and became unspent. This again, was cited by the audit as not supported by statute and resulted once again in the "inflexible" method of moving money to where it is needed. ■

Jeffery Meyers

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vide community-based service to our citizens with Acquired Brain Damage (ABD) and Developmental Disabilities (DD) these past 33 years. "We may not agree on everything, but we will communicate and hear each other." For the first time in over 8 years, I felt hope and encouragement originating from the office of the Commissioner of Health and Human Services.

"We need to work closely now," the Commissioner stated especially in light of the struc-

tural flaws outlined in the Legislative Budget Assistant (LBA) audit. The Commissioner stated that it would take all parties involved to correct these shortcomings, and make sure that all the legislatively authorized funding reaches the DD and ABD population. "This department always wanted that." The Commissioner realizes he needs to look at how the money should flow, wants the blockages quantified and measured so they may be quickly corrected.

The Commissioner also mentioned how he realizes reimbursement rates have not kept

pace, so high quality care can be delivered to the people he is entrusted to serve. He mentioned how he just studied Pediatric Nursing rates and found he had to raise them to assure quality service to NH's children. He voiced that to keep these rates so low, it would have the effect of driving quality care gives away from our children who need them.

Concerning medical "managed care" the Commissioner observed how "duel eligible" clients now are mandatory to be enrolled. In order to protect complex situations that already

exist in this pool of clients, the Commissioner made sure a 60-day timeframe for protection was built into the implementation plan. During this time, all complex medical cases and prescriptions will be looked at to assure continuity of care.

Concerning "managed care" and long term services to the DD-ABD communities, the Commissioner said, "This has to work with the involvement of all." The Commissioner observed that success was not possible if he failed to listen to the families involved, clients, AAs and others who provide such service today. "I want a plan made, process flows depicted *before* the next phase of implementation. We have a lot of work to do to reach that point. We have no chance of reaching it without input and communication from the families." The Commissioner observed that the waiver work is not yet accomplished to implement the next phase, and the next phase can not move forward unless the implementation plan is complete.

Once the developing plan

reaches a point the Commissioner is comfortable sharing it, he realizes it has to go out for public input and feedback. "We are not there yet." He mentioned. When the plan takes suitable shape it will be publicly shared and input/feedback will be solicited. "The community has to support this, it can not be successful if families resist it."

We had spoken for over double the amount of time the demanding schedule of Commissioner Meyers had allocated, and he was being called away. Before we ended our discussion the Commissioner asked for ten copies of *The Challenge* to be delivered to his office from this point on. "I realize the value of the 4th estate," he observed. He let release from deep within him a healthy laugh when I observed that I thought *The Challenge* was burnt over the last 8 years in his office. I told Commissioner Meyers I welcomed the change, and would make sure he is put on our mailing list.

The sun is shining a bit brighter in NH again. ■

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