



March 2020 Newsletter



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Human Services accepting public comments on draft Medicaid 1915(i) state plan amendment to expand behavioral health services coverage, hosts webinar to give overview of amendment

BISMARCK, N.D. – The North Dakota Department of Human Services is accepting public comments on its draft Medicaid 1915(i) state plan amendment to expand Medicaid coverage for in-home and community-based behavioral health services for children and adults. Comments will be accepted until March 19, 2020 at 5 p.m. Central Time.

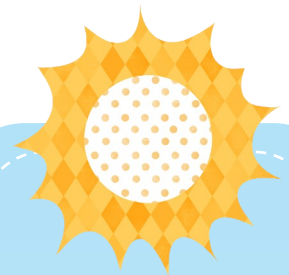
The draft Medicaid 1915(i) state plan amendment allows North Dakota Medicaid to pay for additional in-home and community-based services for individuals with mental health conditions, substance use disorders and/or brain injuries. These services include housing, educational and employment supports; community transition services; peer support; care coordination; respite care and other supportive services.

“In recent years, stakeholders in North Dakota have increasingly called for improvements in the state’s behavioral health system. This state plan amendment will increase access to vital services and supports for adults and children with behavioral health needs in the state,” said Pamela Sagness, Behavioral Health Division director. “More than 200 stakeholders provided comments this past fall, which were helpful in crafting the draft plan.”

The draft Medicaid 1915(i) state plan amendment can be found online at www.behavioralhealth.nd.gov/1915i. Copies are also available upon request.

Individuals can submit comments online at www.behavioralhealth.nd.gov/1915i. Comments will also be accepted by emailing bhbell@nd.gov, or calling toll-free 800-755-2719, 701-328-8958 or 711 (TTY), or by fax at 701-328-8979. Interested individual can also submit comments by mail to the North Dakota Department of Human Services, Behavioral Health Division, Attn: Bianca Bell, 1237 W. Divide Ave., Ste. 1C, Bismarck, ND 58505-1208.

The ND Department of Human Services will be hosting a webinar on the Medicaid 1915(i) amendment on Thursday, March 4th from 10:00 a.m. to 11:00 a.m. Central time to provide a brief overview of the amendment and to answer questions related to the public comment process. Those who would like to participate in the webinar can register online at www.behavioralhealth.nd.gov/1915i.



1915(i)? What is it?

There have been a lot of conversations going on about the Medicaid 1915(i) state plan amendment to expand behavioral health services coverage. But what do you really know about this amendment? What does it mean for you and your family? It can all be very confusing.

Here is your chance to learn more about the ND Medicaid 1915(i) State Plan Amendment and what it can mean for your family.

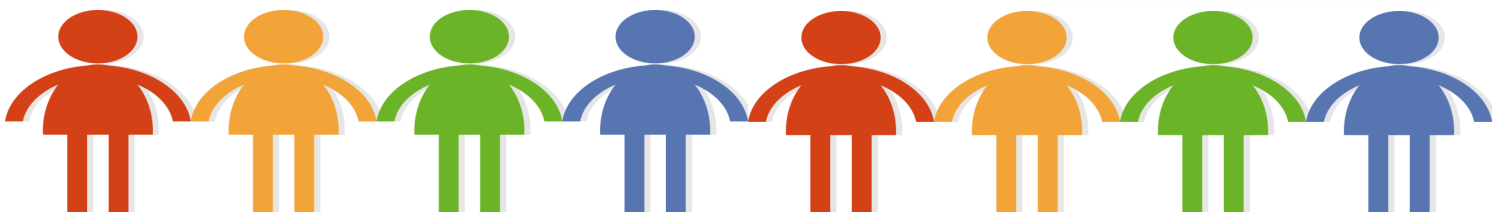
Please take some time to look it over and if you can join in on the Webinar on March 4th.

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Important Dates

- May 3-9 Children’s Mental Health Awareness Week
- August 9-10 NDDFCMH Youth Conference



The Work Behind ND Supported Decision Making

A few years ago, a group of stakeholders started working to bring Supported Decision Making to North Dakota. Many states already have Supported Decision making in their laws. Matthew McCleary of NDFFCMH was one of those people.

This group spent time researching the laws in other states that have Supported Decision Making. With the information they collected, they wrote the bill to introduce to the Legislators.

Judy DeWitz of the ND Protection and Advocacy Project worked tirelessly to find a legislator to sponsor the bill. Representative Jeff Magrum agreed to sponsor it. From there the bill was presented and passed in both the Senate and the House.

An Alternative to Guardianship: Supported Decision-Making

Our lives are filled with decisions. Some decisions are quick, some decisions take a long time to make. Sometimes we make decisions without consulting people or other information. Other times we spend a great deal of time reflecting on the choices before us and/or seek advice from those we trust (including experts).

Even though we routinely utilize decision-making processes in our lives, people with disabilities often do not have the same opportunities to make decisions or develop the skills necessary to make decisions about their lives. Guardianship is often proposed during adolescence when a youth with a disability is going through the transition process in special education. The reasons why guardianship becomes a prominent focus in transition planning are varied. Families are often told that guardianship is necessary to maintain communication about educational decisions or parental control over educational decisions. Sometimes members of an IEP team discuss guardianship because it has become a routine solution proposed by educational professionals. As a result, these discussions can easily become disconnected from the transition processes' goal of assisting a person with a disability in forging their own path in life.

Depending on the type of guardianship, it can remove much or all decision-making power from the person with a disability, giving that power to the guardian. Guardianship is the most restrictive tool in the toolbox that comes with barriers for both the guardian and the "ward." Obtaining guardianship is a time-consuming, expensive process that involves hiring lawyers and seeking court approval. Maintaining a guardianship also requires the guardian to provide reports and establish a need for the guardianship continue. The guardianship process can also cause conflict between the ward and the guardian. Because many families become guardians for their adult children, tensions that arise from guardianships can lead to family conflict. For most people with disabilities, guardianship is not needed and unnecessarily remove their many or all their rights.

Supported Decision-Making

In 2019, the North Dakota enacted legislation for an alternative to guardianship called "Supported Decision-Making." Supported Decision-Making (SDM) is an alternative to guardianship that essentially formalizes a process we all use in our lives, for the benefit of persons with disabilities who may be at risk for guardianship. Supported decision-making is a practical way for a person with a disability to get the help they may need to make their own decisions and ensure that those decisions are heard by those around them. In supported decision-making, a person with a disability enters into a voluntary agreement with someone they trust to help them make decisions and communicate those decisions to others (called a "supporter"). That person or persons can be anyone that the individual with a disability wants, including family, friends, neighbors, other community members, or a service provider.

Because the agreement is voluntary, the supported decision-making agreement can be terminated by either party, at any time, for any reason. The individual with a disability



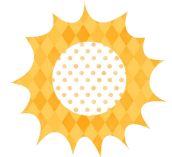
can terminate the agreement orally, in writing, through assistive technology devices, or by any other purposeful communicative method. A supporter terminating the agreement must provide written communication to the person with a disability. The supported decision-making agreement can also be used to add any additional methods by which either party could terminate the agreement.

In supported decision-making, the person with a disability is the sole decision-maker, but they are receiving assistance or advice from a trusted person (the supporter) to help make decisions about subjects the person with a disability outlines in the supported decision-making agreement. North Dakota Century

Code has identified that the supported decision-making agreement can include helping the person with a disability make informed, voluntary choices in health care, residence, finances, education, legal affairs, and vocation. North Dakota law specifies that the supported decision-making agreement and its contents cannot be used as evidence of incapacity or incompetence.

It is up to the person with a disability to identify who can help, in which specific avenues of life they want help, and how those individuals may or may not assist in the decision-making process. The supported decision-making agreement does not

"In 2019, the North Dakota enacted legislation for an alternative to Guardianship Supported Decision Making."



prevent a person with a disability from seeking assistance from someone who is not a supporter or making decisions without any assistance at all.

In supported decision-making, the supporter can help a person with a disability:

- Understand the options, responsibilities, and consequences of their decisions.

- Obtain and understand information relevant to their decisions (including medical, psychological, financial, residential, educational, treatment, and vocational records).

- Communicate their decisions to the appropriate people.

How to Get Supported Decision-Making Agreement

The North Dakota Protection & Advocacy Project (P&A) has created a template that can be used by persons with disabilities interested in creating a supported decision-making agreement. This template is useful for persons with disabilities, their families, professionals, or anyone else interested in supported decision-making. The use of this template is *not* required for

individuals seeking to use supported decision-making. The creation of any other supported decision-making agreement, however, must follow requirements found in North Dakota Century Code.

More Information about Supported Decision-Making

There are many resources available to persons seeking additional information about supported decision-making.

North Dakota Protection & Advocacy Project

400 East Broadway

Suite 409

Bismarck, ND 58501-4071

(701) 328-2950

P&A SDM Website: <http://www.ndpanda.org/>

[decide/](http://www.ndpanda.org/decide/)

National Resource Center for Supported Decision-Making

<http://www.supporteddecisionmaking.org/>



Meet our Staff



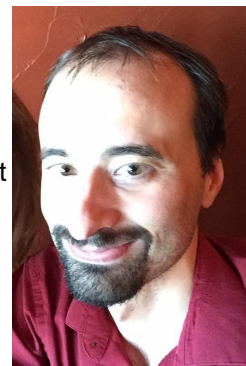
Carlotta McCleary has been a tireless mental health advocate since 1995. Her first 9 years was she was the Region VII Parent Coordinator for the North Dakota Federation of Families for Children's Mental Health before becoming the organization's Executive Director in 2003. Carlotta became the Executive Director of Mental Health America of North Dakota in 2014. Carlotta has served on numerous local, regional and state boards and committees, as well as testifying at the state legislature to improve mental health services in North Dakota. Carlotta serves on the State Hospital Governing Board, the North Dakota Olmstead Commission, the North Dakota Behavioral Health Planning Council, the PAIMI Council, and is a spokesperson for the Mental Health Advocacy Network – just to name a few. Carlotta and her husband, Mike, are parents to three adult children, Matt, Garrett and Katie and are also grandparents to three grandchildren, Tommy and Dillion and Lilly.

Renee Speidel-Wetzsteon and her husband Bill live in Hazelton. They have 4 adult children and 3 grandchildren. Renee has been with the ND Federation of Families since April of 2015 working as a parent coordinator. She provides services in Regions 1,2, 7 and 8, which is the western half of North Dakota. Renee is currently on the Region 7 and State Community of Practice working to provide services to families with youth in transition, the ND IDEA Advisory council, The Alliance for Children's Justice Task Force, The State Rehabilitation Council, and the ND Consumer Family Network Council. Prior to working for the Federation, Renee was a high school Mathematics teacher. Renee finds helping families through the Federation of Families to be very rewarding work.



Tanya RedRoad is a mother of 4, two boys two girls. Tanya has worked in various arenas which include mental health, recovery communities and public health platforms. Tanya joined the Federation just a little over a year ago as our Parent Coordinator for Region 3,4,5 and 6. Tanya is working towards reviving support groups, bringing awareness through local and statewide efforts and supporting families with challenging endeavors. Tanya is happy to be part of the team and looks forward to serving our families.

Matthew McCleary is a former special education student from Bismarck. As an undergraduate at UND, Matthew majored in History and minored in Special Education and Political Science, with a focus on American intellectual history. Matthew also earned his secondary education teaching license and student taught at Mandan High School. Currently a graduate student of American History at the University of North Dakota, his thesis, *'The Last Major Front': Special Education Transition and North Dakota*, will cover the historical development of transition policy in the United States and North Dakota. Matthew is also a Youth Coordinator for the ND Federation of Families and the founder of Youth M.O.V.E. Beyond.



Robin Hoyer is the Administrative Assistant for The ND Federation of Families and for Mental Health America of ND. She is originally from Fargo, ND. She has been working as an administrative assistant for over 10 years. She moved to Bismarck in 2014 with her husband, who is originally from Bismarck. She is a huge animal lover and tends to talk about her dog Lettie a lot. She looks forward to helping NDFFCMH in any way she can to better the company.





Legislative Working Committees

"Legislative Working Committees are "the Pipeline" for people with disabilities, family members and advocates to network and receive information about disabilities-related legislation. Each week, group facilitators will review new bills introduced, the status of pending bills and upcoming hearing schedules. Participants are encouraged to express their individual experiences and view to Legislators and will receive support and assistance, upon request, with contacting their individual Legislators or with preparing testimony."

"Legislative Working Committees are not "owned" by any one group but are supported by many individuals and organizations that care about people with disabilities. The goal of the Legislative Working committees is to educate people with disabilities, family members and advocates about the Legislative process, disability-related legislation, and the protocol for communicating with State Senators and Representatives."

During the regular Legislative sessions, ND Legislative Working Committees meet weekly to discuss what is going on in the legislature. There is a statewide meeting that meets on Friday afternoons in several locations around the state connected by the IVAN System. There is also a group that meets in Bismarck on Saturday Mornings, weekly during the session and occasionally during the interim. These meetings are open to the public and you are encouraged to attend if you would like to learn more about disability related legislation.

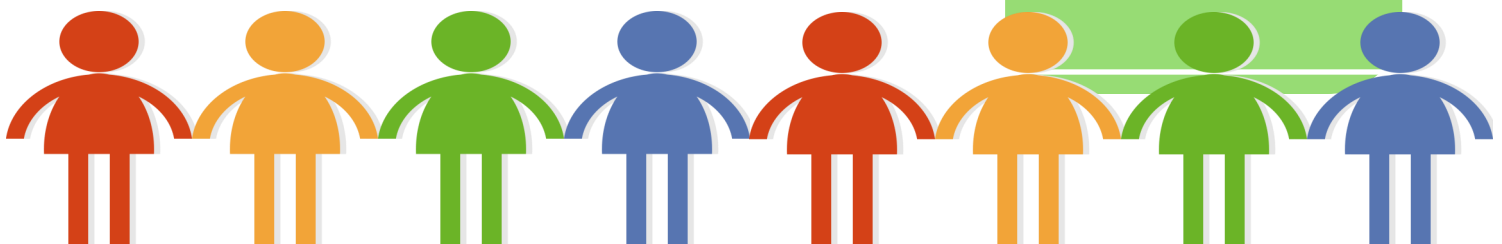
To learn more about Legislative Working Committees, contact the Protection & Advocacy Project at 701-328-2950 or Toll free at 1-800-472-2670. You can also email them at panda@state.nd.us.

Children's Mental Health Awareness Week

Bringing Children's Mental Health into Focus

Perfect Vision in 20/20

National Children's Mental Health Awareness Week takes place during the first full week in May. This year we celebrate May 3rd through the 9th. As we celebrate National Children's Mental Health Awareness Week, the National Federation and our ND Federation reach out to you, in our shared vision for our nation's children, youth and families. It is through our combined efforts that growth, renewal and the promotion of positive mental health will impact the well-being of our children. Our voices carry volumes in bringing about change. Speak out and be heard. Let our message ring in.



What's Going On?

Do you have an event that you would like to share? Please let us know and we would be happy to share it on our calendar.

If you would like more information on these events you can call us at 701-222-3310.

3/4/2020	NDHS Money Follows the Person Program	State Capital Pioneer Room	Bismarck, ND
3/4/2020	ND Human Services Webinar on 1915i	Statewide	
3/5/2020	Spring Used Book Sale	Bismarck Public Library	Bismarck, ND
3/10/2020	Community Wellness Event	Hit Inc	Mandan, ND
3/11/2020	1 Million Cups Fargo: Behaviorl Health Day	Sanctuary Events Center	Fargo, ND
3/13/2020	Adolescent Work Group's Lunch Box	Dakota Medical Foundation	Fargo, ND
3/16/2020	Peer Support Specialist Training	Homewood Suites by Hilton	West Fargo, ND
3/17/2020	Unmasking Brain Injury	Community Options	Bismarck, ND
3/19/2020	Crisis Prevention in the Classroom		Fargo, ND
3/31/2020	North Dakota Family Based Conference	Holiday Inn	Fargo, ND
4/2/2020	Fair Housing in ND Conference	ND Heritage Center	Bismarck, ND
4/4/2020	Light It Up Blue 2020	Horizon Middle School	Bismarck, ND
4/29-30/2020	ND Autism Spectrum Disorders Conference	Ramkota Inn	Bismarck, ND
5/3-9/2020	Children's Mental Health Awareness Week	Statewide	
5/15-17/2020	Parent Leadership Institute		Edgely, ND
8/9-10/20	NDFFCMH Youth Conference	Radison Inn	Bismarck, ND
10/28-30/20	ND Behavioral Health Conference	Bismarck Event Center	Bismarck, ND

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To submit something for the
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rwetzsteon@ndffcmh.com

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