



# BHDDH Bulletin

## Featuring a Special Update on the Federal Consent Decree

### Consent Decree Update

#### What is the Consent Decree?

The State of Rhode Island entered into a Settlement Agreement and Consent Decree with the United States Department of Justice (DOJ) on June 12, 2013, and April 1, 2014, respectively. The agreements are intended to ensure compliance with the Americans with Disabilities Act, which the State violated by failing to serve individuals with developmental disabilities in the most integrated, appropriate setting, and by placing youth with a developmental disability at serious risk of segregation.

#### What Does the Consent Decree Require?

The Consent Decree offers Rhode Islanders with intellectual or developmental disabilities opportunities to work in real jobs at competitive wages, and supports for integrated activities for times when people are not at work. Achieving the goals of the Consent Decree is an important part of broader State efforts to provide higher-quality services for Rhode Islanders living with developmental disabilities. The State has pledged a sustained commitment to transform its service system over 10 years, providing integrated employment and day services to approximately 3,250 individuals with intellectual and developmental disabilities.

#### Who Does the Consent Decree Affect?

Under the terms of the Consent Decree, the State is working to improve services for the following groups:

- **Youth Transition Population** – Individuals with intellectual and developmental disabilities who are ages 14-21, in secondary school (private or public) who are eligible, or likely to be eligible for BHDDH services. These are students who have not entered the adult service system yet.
- **Youth Exit Population** – Individuals with intellectual and/or developmental disabilities identified by the Rhode Island Department of Education (RIDE) who have exited secondary school since 2013 and are eligible for BHDDH services. We are also tracking those students with a developmental disability who have exited school and are now in BHDDH but have not been identified by RIDE.
- **Sheltered Workshop Target Population** - Individuals with intellectual and/or developmental disabilities who received services in a sheltered workshop in 2013, the year before the Consent Decree took effect.
- **Segregated Day Target Population**- Individuals with intellectual and/or developmental disabilities who received services in a segregated day program in 2013, the year before the Consent Decree took effect.

#### What Are the Goals for These Groups?

The State is working to ensure access to meaningful employment and day services in integrated community settings for these groups. Employment, as defined for the Consent Decree, means:

- **Individual** (not group)
- **Integrated** (not in a segregated setting)
- **Employer Paid** (not paid for by a service provider)

#### What Actions Has the State Taken Towards These Goals?

- **Strengthened the leadership team** in the Division of Developmental Disabilities, supporting that team with additional resources from the Executive Office of Health and Human Services. (See below for an introduction to some of the new members of our team.)
- **BHDDH has revised its portion of the State's transition timeline.** We have partnered with RIPIN and look forward to working with schools, families, and students this upcoming school year.
- **Developed a Division Career Development Plan**, which will be rolled out September 1st by our Chief of Employment, Tracey Cunningham, and will provide technical assistance and information about person-centered employment goals and the array of options an individual has to ensure s/he has the opportunity to make an informed choice.
- **Developed a communications plan** to improve communication about the Consent Decree with Rhode Islanders living with developmental disabilities, their families, advocates, service providers, employers, and the general public.
- **Partnered with the Sherlock Center** to provide ongoing training and technical assistance to service providers.
- **Developed detailed transition work plans** with each sheltered workshop.
- **Expanded capacity and competency through the creation of communities-of-practice** in the areas of provider conversion, integrated employment and day services.
- **Formed the Employment First Task Force** to help connect state government officials, community agencies, individuals with intellectual and developmental disabilities, and their families.

#### What Can Individuals and Families Do?

- We strongly encourage transition age students to apply for eligibility well in advance of exiting high school, go to [www.bhddh.ri.gov/developmentaldisabilities/application\\_php](http://www.bhddh.ri.gov/developmentaldisabilities/application_php)
- Use your person-centered plan to identify your own employment goals-what are you interested in and/or good at?
- Participate in self-advocacy and family forums to learn about the many paths to employment and community participation. To learn more, contact Advocates in Action, [www.aina-ri.org](http://www.aina-ri.org), or the RI Parent Information Network, [www.ripin.org](http://www.ripin.org).
- Aim high and learn about the success of others who have achieved employment

#### Who Can I Contact if I Have Questions?

You can send feedback and questions to Mary Madden, Consent Decree Coordinator, at [mary.madden@ohhs.ri.gov](mailto:mary.madden@ohhs.ri.gov).

### Director's Corner

Hi folks,



The past few months have been a time of great transition at the Department of Behavioral Healthcare, Developmental Disabilities & Hospitals. Yet one thing that hasn't changed is our commitment to expanding opportunity for the individuals and families we serve, including Rhode Islanders living with developmental disabilities.

Last month, Health and Human Services Secretary Elizabeth Roberts asked me to serve as Acting Director of the Department following former Director Maria Montanaro's departure. Maria began a number of initiatives to support the Department's work to provide higher-quality, safer, more coordinated care and support for those we serve. I look forward to building on the strong foundations already in place to continue this important work.

Having served in this department for more than 12 years as the Director of the Behavioral Health Division, I also spent the last few years serving as the Deputy Director of the Department. As the Deputy, I became familiar with the Developmental Disabilities division and the successes and challenges it has encountered. I am excited to carry this knowledge and experience forward into my new role.

I am grateful to have strong champions for this work in Governor Raimondo and Secretary Roberts, who have made improving services for Rhode Islanders living with developmental disabilities a top priority. The ongoing commitment of the Governor to protect those living with a developmental disability has been evident in her increased funding to the DD budget the last two years, which has been unprecedented. The Governor recognizes that RI's economy is stronger when individuals have access to integrated jobs, at competitive wages, in employment and day services, rather than working in a sheltered workshop.

This Special Edition of the BHDDH Bulletin is dedicated to providing information about the Consent Decree process. We will continue to send out regular updates through the Bulletins that Maria started. I encourage you to provide your feedback on how we can improve our communications on this important topic.

If you have any questions or concerns, please do not hesitate to contact me, or any of the staff in our Division of Developmental Disabilities. I can be reached at 401.462.2339.

Sincerely,  
*Rebecca Boss*  
Acting Director

### Strengthening Our DD Leadership Team



Jane Gallivan will serve as Acting Director of the Division of Developmental Disabilities upon Charles Williams' retirement at the end of July. Jane brings deep knowledge in the developmental disabilities field to this role. She has more than 30 years of experience serving as the Director of DD services in Delaware and Maine. In Maine, she directed the implementation of a federal Consent Decree centered around de-institutionalization of services for individuals with intellectual and developmental disabilities. Jane also has experience helping states implement electronic records systems and supported employment services. She will participate in the search committee to select a new permanent developmental disabilities director. (Photo courtesy of Anne Peters)



The state official ensuring Rhode Island's compliance with the Consent Decree is Mary Madden. She has held the position of Consent Decree Coordinator since January 2016 and is charged with the oversight of the state's compliance. Mary has more than 35 years working in the DD field, as well as a great deal of experience in executive leadership in the non-profit sector. She was a registered lobbyist for 15 years serving DD providers. Prior to her appointment, Mary was a Policy Fellow at the Sherlock Center on Disability at RI College.



Tracey Cunningham has started in the newly created position of Chief Employment Specialist. Tracey has spent 25 years in the field of supported employment for individuals served by multiple state departments including Department of Transitional Assistance, Department of Veterans Affairs, state Vocational agencies and Ticket to Work. She has also served as Director of Employment and Community Based Day Services, successfully assisting organizations in transformation projects and building successful employment teams, in multiple states.