

# Support Planning Professionals Learning Community (SPP LC)

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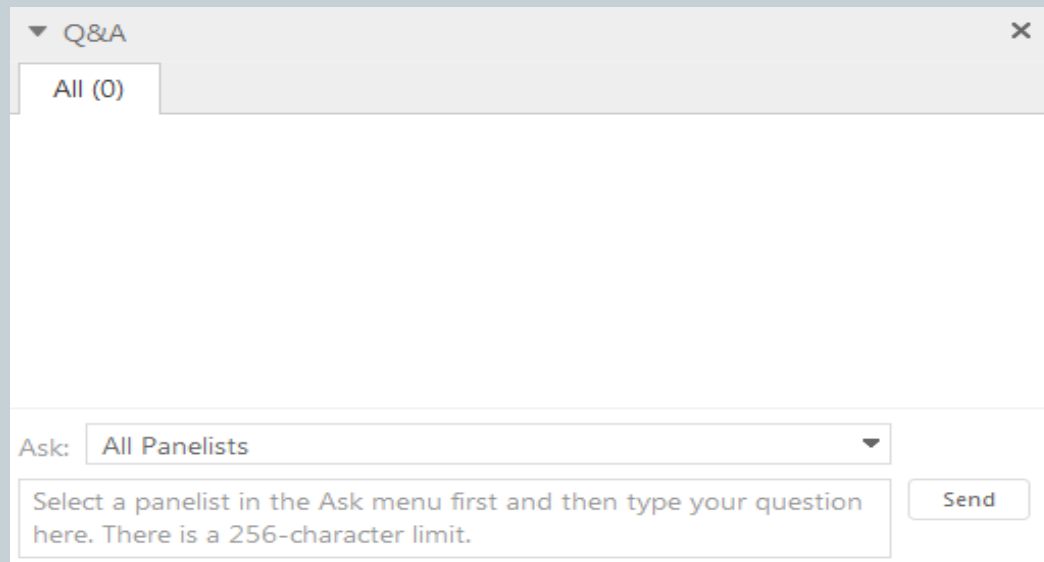
JULY 27, 2016

MINNESOTA DEPARTMENT OF HUMAN SERVICES

# Welcome

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To ask a question during the presentation use the Q&A Panel in WebEx



The screenshot shows a window titled "Q&A" with a close button (X) in the top right corner. Below the title bar is a tab labeled "All (0)". The main area of the window is empty. At the bottom, there is a section labeled "Ask:" with a dropdown menu currently set to "All Panelists". Below the dropdown is a text input field with the placeholder text: "Select a panelist in the Ask menu first and then type your question here. There is a 256-character limit." To the right of the text input field is a "Send" button.

Select “All Panelists”, type your question, and click Send.

# Agenda

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- Person Centered, Informed Choice and Transition Protocol
- Guardianship and the Person Centered Protocol

# Person Centered, Informed Choice and Transition Protocol

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**Diane Marshall**  
**Aron Buchannan**

# Who is Olmstead? Lois Curtis and Elaine Wilson

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Questions: Use Q&A Panel and send to "All Panelists"

# Person – Centered, Informed Choice and Transition Protocol

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Part One: Person – Centered & Informed Choice Protocol

Part Two: Transition Protocol

Living document

# Who Are the Responsible Parties?

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**Table 1: Support Planners**

1. Relocation Services Coordinator	2. Minnesota Security Hospital (MSH) staff
3. MnCHOICES Certified Assessor	4. Life Bridge staff
5. Waiver case manager	6. Rule 185 case manager
7. Targeted case manager	8. Developmental Disability-Vulnerable Adult case manager
9. Assertive Community Team (ACT)	10. Nursing Facility discharge planner
11. Intermediate Care Facility for People with Developmental Disability (ICF-DD) Facility staff	12. Moving Home Minnesota case manager
13. Nursing Facility social worker	14. Minnesota Department of Corrections discharge planner
15. Anoka Metro Regional Treatment Center (AMRTC) staff	16. Others, such as staff from grant-funded transition programs

# An Important Distinction

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## **“Formal” Person Centered Plan vs. a Plan that is person – centered**

- **How do I know when to use a formal Person-Centered Planning process?**
- **How do I get a formal Person-Centered Plan covered for the person I am working with?**

**Important – All planning and practice should have a Person Centered approach!**

# Three Main Tenets of MN's Olmstead Plan

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- Informed Choice
- Person – Centered
- The Right Services



# Transitions Requirements

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- TR1.A. Planning begins at admission into a segregated setting
- TR1.B. Maximize natural relationships and community connections
- TR1.C. Plans include sufficient proactive support to reduce likelihood of disruption
- TR2.A. People understand they have choice
- TR2.B. People are provided w/sufficient information, support and experiences
- TR2.C. It must not be assumed that the 1<sup>st</sup> move will be the “ultimate” transition

# Summary of Key Elements of Move & Supports

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- Where the person is moving
- Date and time move will occur
- Who will help the person prepare for the move
- Who will help with adjustment during and after the move
- Who will take the person to new residence
- How the person will get his or her belongings
- Medications and medication schedule
- Upcoming appointments
- Who will be providing support after the move
- Back-up plans



# My Move Plan Summary – When Required?

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People who are moving under the following circumstances:

- Change in waiver residential provider (unless it is only a change in ownership)
- From waiver residential to waiver non-residential
- From waiver non-residential to waiver residential
- From waiver residential to waiver residential- change in address of residence
- From a parent home to their own home -change in address of residence
- Moves from ICFs to waivers—Individuals in ICFs do have a DD case manager from the lead agency

# My Move Plan Summary

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Clear Form



Minnesota Department of **Human Services**



DHS-3936-ENG

6-16

*Long-term services and supports*

## My Move Plan Summary

Print Blank Form

**IMPORTANT:** If you are not able to complete this form online, click Print Blank Form to print the form and complete it by hand.

# My Move Plan Summary

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## **Instructions**

The case manager or support planner and the person who is moving complete the My Move Plan Summary together.

When completing the form, follow these required steps:

1. Complete all the required fields (noted by the asterisks)
2. Include the person's signature at the end
3. Include case manager/support planner's signature and other members of the support team involved in planning.
4. Attach a copy of the person's medication schedule
5. Attach a copy of the person's back-up or crisis plan
6. Provide a copy to the person and his/her service providers
7. Keep a copy in the person's case file.

# My Move Plan Summary

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## **Case manager/support planner responsibilities**

The case manager or support planner is responsible to evaluate the person's needs, update the support plan as needed and communicate information to others involved.

If the My Move Plan Summary was not completed, the case manager/support planner should indicate why:

- Case manager/support planner was not aware of the move.
- The person declined to complete a move plan summary.
- Other

# My Move Plan Summary

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## My information

FIRST NAME	MI	LAST NAME
<input type="text"/>	<input type="text"/>	<input type="text"/>

## My goals

The place I want to live is:

The address I'm moving to:

STREET ADDRESS*	CITY*	STATE*	ZIP CODE*	MOVE DATE*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

These are the important things I want the people who support me to know:

These are the people who are important to me:

Name	Relationship to me	Contact information (email or phone)
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Add person**

# My Move Plan Summary

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## My supports

This is how I will get to my new place. And this is the person(s) who will take me there:\*

|

This is what I will need to set up my new place:\*

The person(s) who will help me with this:\*

This is where my belongings are now:

Date and time my belongings will arrive:

DATE\*

TIME\*

This is how my belongings will get to my new place:\*

The person(s) who will deliver my belongings:\*

This is who I will call if my belongings don't arrive:

If I take medications, this is who will help me make sure my medications get to my new place and who will help me get them organized:\*

Pharmacy name	Pharmacy address	Phone number
<b>Add pharmacy</b>		

# My Move Plan Summary

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## My follow-up supports

Date and time someone will check with me to see if I am okay after I get to my new place:

DATE*	TIME*
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This is who will check in with me as I settle into my new place:\*

This is how I contact this person, if I need something:\*

I have upcoming appointments:\*  Yes  No

These people are on my support team:\*

Name	Relationship to me	Contact information (email or phone)

Add person

## My Move Plan Summary

My full plan is kept in this location:

These are the other people who have a copy of my plan:

# My Move Plan Summary

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## Signatures

MY NAME	SIGNATURE 	DATE
---------	--	------

Check here if this planning session happened over the phone (and therefore will not have my signature)

PARENT/LEGAL GUARDIAN NAME	SIGNATURE 	DATE
----------------------------	--	------

CURRENT CASE MANAGER NAME	SIGNATURE 	DATE
---------------------------	--	------

NEW CASE MANAGER NAME	SIGNATURE 	DATE
-----------------------	--	------

SUPPORT PLANNER NAME (if different than the case manager)	SIGNATURE 	DATE
---	--	------

CURRENT PROVIDER NAME	SIGNATURE 	DATE
-----------------------	--	------

NEW PROVIDER NAME (if applicable)	SIGNATURE 	DATE
-----------------------------------	--	------

RELOCATION SERVICES COORDINATOR NAME	SIGNATURE 	DATE
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OTHER NAME	ROLE	SIGNATURE 	DATE
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OTHER NAME	ROLE	SIGNATURE 	DATE
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# Person-Centered, Informed Choice and Transition Protocol

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# Questions?

# Engaging Guardians in Supported Decision Making & Person-Centered Practices

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July 27, 2016

Barbara Kleist, M.Ed. J.D.  
University of Minnesota  
Institute on Community Integration  
Research and Training Center on Community Living



# Law & Policy Influencing Our Right to Make Choices

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## **Federal Level**

- Constitution
- Bill of Rights
- Civil Rights
- ADA
- Uniform Guardianship Act
- Case Law

## **State Level**

- Guardianship statutes and regulations
- Vulnerable Adult Act
- Adult Protection statutes and regulations
- Case Law

# Questions to Run On

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How do we move from our current practice of substitute decision making through guardianship to supported decision making?

- What needs to change?
- What needs to stay the same?

What can you do in your role as a support planner to explore supported decision-making as an alternative to guardianship?

How can you use person-centered skills and tools to engage guardians in supported decision making?

# Guardianship Refresher

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**MINNESOTA STATUTE § 524.5 -301-317**

# What is guardianship?

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- Its founded on the principle of “*parens patriae*” – parent of the state
- Its a legal process that requires a court order
- It requires proof that a person lacks sufficient understanding or capacity to:
  - make or communicate responsible decisions concerning their own person, and
  - demonstrates an inability to meet their needs for medical care, nutrition, clothing, shelter and/or safety
- And no alternative less restrictive alternatives for substitute decision making exist including use of appropriate technology

MN Stat § 524.5-301

# Who can be a guardian?

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The law says...the most suitable and best qualified among those available and willing to act as guardian.

- Parents
- Adult children
- Siblings
- Other relatives
- Friends
- Professionals
- Health care agent
- Others

MN Stat § 524.5-309

# How much power does a guardian have?

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## Scope of Powers:

- general care and needs, and where to live,
- care, comfort and maintenance (food, clothing, shelter, health care, social and
- recreational, training, education, habilitation or rehabilitation),
- taking reasonable care of personal effects,
- giving necessary consent for medical or other professional care, counsel, treatment, or service,
- approving or withholding approval of contracts, except for necessities, (this power is only given if there is no conservator of the estate) and
- exercising supervisory authority which limits civil rights and restricts personal freedom only to the extent necessary to provide needed care and service

MN Stat § 524.5-313

# Guardianship Duties & Responsibilities

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Core Responsibilities	Use Creativity & Judgment	Not Our Usual Responsibility

Questions: Use Q&A Panel and send to "All Panelists"

# Supported Decision Making

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# What is supported decision making?

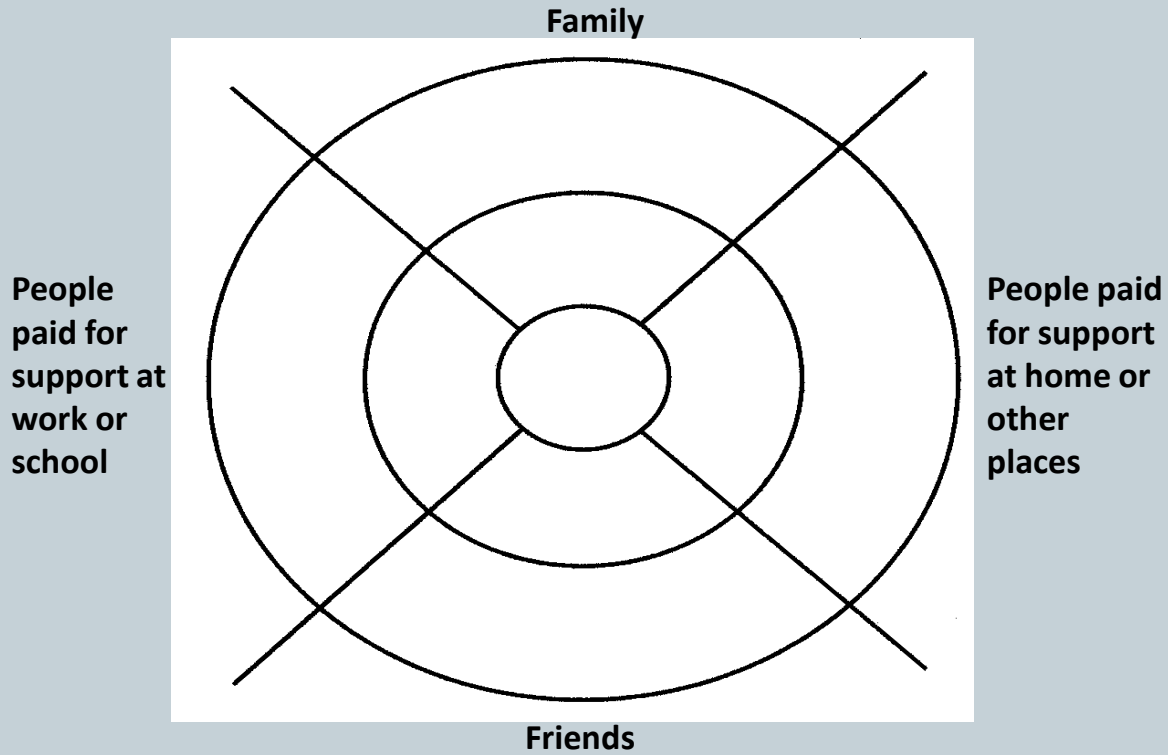
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## Supported Decision-Making is..

- a method of developing decision-making skills by relying on Supporters to assist you in collecting information, processing information, and coming to a reasoned decision.
- an alternative to guardianship in that it provides a trusted environment for individuals who are seeking assistance with decision-making while still promoting self-determination.
- flexible and can change with the needs of the individual to provide more opportunities for independence and autonomy.

Source: <http://supportmydecision.org/>

# Using relationship maps to find Supporters



Source: TLC-PCP 2012 [www.learningcommunity.us](http://www.learningcommunity.us)

# Person-Centered Practices

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**USING PERSON-CENTERED SKILLS AND TOOLS TO  
ENGAGE GUARDIANS IN SUPPORTED DECISION MAKING**

# Balancing Important To and For

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- Health & Safety
- Self-Determination & Choice

# Choice has Boundaries

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- There is no “unfettered choice,” for any of us
- The question is always: where should the boundaries be drawn?
  - The answer is impacted by many factors
    - Laws
    - Values
    - Resources
    - Ripple Effect (how choices impact others, such as partners, roommates, coworkers, etc.)
    - Personal Safety
    - Public Safety

Source: TLC-PCP 2012 [www.learningcommunity.us](http://www.learningcommunity.us)

# Using Person-Centered Skills to Find Balance

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- What's working/Not working
- 4+1
- Communication Chart
- Matching Profile

# Creating an agenda for change

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	What works/makes sense	What doesn't work/make sense
Person Perspective	<p>Spending time with her boyfriend</p> <p>Eating what she want, when she wants it</p>	<p>Not being able to have boyfriend stay overnight</p> <p>Not being allowed to have pizza whenever she wants</p> <p>Counting calories</p>
Guardian Perspective	<p>Safe relationships</p> <p>Choices in what she eats</p> <p>Healthy weight</p>	<p>Having boyfriend stay overnight</p> <p>Not having access to healthy food choices</p> <p>Being taken advantage of by boyfriend</p>
Staff Perspective	<p>Relationship with boyfriend</p> <p>Making sure she has access to healthy food that she likes</p> <p>Having a healthy eating plan to manage weight</p>	<p>Boyfriend staying overnight not okay with roommates</p> <p>Having pizza more than once a week</p>
Others Perspective		

Questions: Use Q&A Panel and send to "All Panelists"

# Using the 4+1 in support planning with guardians

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## What can we do to increase decision making support for person using services?

What have we tried?	What did you do? When did you do it?
What have we learned?	
What are we pleased about?	What went well? What worked for you?
What are we concerned about?	What challenges were encountered? What didn't you like about what you tried? What didn't work for you?
Given your learning what will you do next?	

# Using a communication chart to help guardians listen to behavior

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What is happening	_____ does	We think it means	And we should



# Working with guardianship to figure out how best to support a person

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Using a matching profile with guardians in support planning can help identify:

- What supports are wanted and needed
- What skills are needed
- What personality characteristics are needed
- What shared common interests would be nice to have



# Resources

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Its My Choice , William T. Allen, Reprinted 2014

<http://mn.gov/mnddc/extra/publications.htm>

Working Interdisciplinary Network of Guardianship Stakeholders (WINGS-MN)

<http://www.mncourts.gov/Help-Topics/Guardianship-and-Conservatorship/WINGS.aspx>

National Resource Center for Supported Decision-Making

<http://supporteddecisionmaking.org>

Minnesota Bill of Rights for Wards and Protected Persons (2009)

<http://www.minnesotaguardianship.org/education/bill-of-rights/>

# Resources

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Minnesota Association of Guardianship and Conservatorship (MAGiC)

<http://www.minnesotaguardianship.org>

Conservatorship and Guardianship in Minnesota

[http://www.mncourts.gov/forms/public/forms/Guardianship  
Conservatorship/Guardianship\\_Manual/GAC101.pdf](http://www.mncourts.gov/forms/public/forms/Guardianship_Conservatorship/Guardianship_Manual/GAC101.pdf)

Minnesota Courts Self-Help Center-Guardianship & Conservatorship

<http://www.mncourts.gov/selfhelp/?page=1207>

# Revisiting our questions to run on

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How do we move from our current practice of substitute decision making through guardianship to supported decision making?

- What needs to change?
- What needs to stay the same?

What can you do in your role as a support planner to explore supported decision-making as an alternative to guardianship?

How can you use person-centered skills and tools to engage guardians in supported decision making?

# Leaving In Action

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How can you apply what was shared today to your work?

# Contact Information

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Research and Training Center on  
Community Living  
Institute on Community Integration  
(UCEDD)  
University of Minnesota, Twin Cities

# Where to Find Help Now?

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- Bulletins

- [http://www.dhs.state.mn.us/main/id\\_000305](http://www.dhs.state.mn.us/main/id_000305)

- Lead Agency Review Website

- <http://www.minnesotahcbs.info/>

- E-List Announcements

- [http://www.dhs.state.mn.us/main/id\\_000677#](http://www.dhs.state.mn.us/main/id_000677#)

- CBSM Main Page

- [http://www.dhs.state.mn.us/main/id\\_000402](http://www.dhs.state.mn.us/main/id_000402)

# Survey

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Please take a moment to let us know your thoughts.

- Take our [Survey](http://surveys.dhs.state.mn.us/snapwebhost/s.asp?k=146956634564):  
<http://surveys.dhs.state.mn.us/snapwebhost/s.asp?k=146956634564>

# Meeting Wrap

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Audio from today's session will be available beginning tomorrow morning by dialing:

855-859-2056

Conference ID:

53404782

If you have questions following the session, email to [DSD.responsecenter@state.mn.us](mailto:DSD.responsecenter@state.mn.us)

# Meeting Wrap

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**Thank you for attending!**