



Update on the Ligas Consent Decree

Presentation to the Ligas 9th Annual
Informational Seminar

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Issues discussed at this forum previously

- Ongoing low wages and rates as well as problems with the State's funding methodology
 - Lack of a robust quality monitoring system to insure the State's compliance with the Consent Decree
 - Lack of customized employment and other day activities
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- Lack of customized employment and other day activities
 - Fewer community opportunities for people with the most significant medical and behavioral needs
 - Definition of “Reasonable Pace”
 - Waiver service transitions - policies and process

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- Federal Court Judge Sharon Coleman directed the State to develop a compliance plan, to form an Oversight Committee and to develop an improved quality monitoring process with an independent component
 - The work of the Oversight Committee and Consultants to address the issues of interest to the Court
 - Compliance monitoring- process and progress
 - Person Centered Planning
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The Update

- Approximately 10,000 Class members have received community-based services through the end of 2020.
- The Consent Decree requires that after the first 6 years of the Consent Decree, the State must continue to provide services at a “Reasonable Pace” for three consecutive years.
- During Fiscal Year 2020, 602 Class Members entered services and during the first half of Fiscal Year 2021, 339 Class Members entered services.

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- By Fiscal Year 2025, community services will be provided within 60 months of being on the PUNS list. For example, a person who is on the PUNS list and seeking services at age 18 would be selected within one year of leaving high school at 22 years old.

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- It is important to remember that once a person is on the PUNS list at age 18, consideration of status on PUNS may need to be reviewed if it was previously “planning” and should then be “seeking services”.
 - The State, Plaintiffs Counsel and Monitor have reached an agreement that people who request a change in the Waiver services they receive can do so based upon their needs or preferences.

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- In 2019, Compliance Measures completed by three teams assembled by the Monitor found several areas of non-compliance.
 - Overall findings were shared via the Monitor's Seventh Annual Report in March of 2020.
 - At this time, Scorecards have been shared with both ISCs and Providers who participated in the reviews. The Monitor and the manager of this project are now reviewing Plans of Corrective Action received from those involved.

Areas of Most Significant Non-Compliance

- Person Centered Planning & Achieving Outcomes
 - Independent Service Coordination
 - Employment/Day Activities/Community Integration
- Leisure/Recreation/Relationships
 - Transportation

- Vision/Hearing/Sensory Supports and Services
 - PT/OT/Speech Services
- Adaptive Equipment/Assistive Technology
- Behavioral Supports & Services
 - Mental Health Supports & Services
 - Rights and Autonomy

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- The independent consulting group, Guidehouse, hired by the State to develop rate restructuring recommendations has completed their work and their final report was completed on November 30, 2020.
 - Plaintiffs' Counsel, the Intervenors, the Monitor and the State are now collaborating on a Status Report which, in part, will inform the Court of the consultants' findings and plans for implementation.

- The Plaintiffs' Counsel, Intervenors, Monitor and the State continue to engage in Parties' Meetings and to provide status reports to the Court. In-person conferences with the Judge have been suspended since March of 2020 due to the COVID-19 pandemic.
- The Plaintiffs, Intervenors, Monitor and the State are currently working to address the remaining issues in the Fiscal Year 2021 Revision of the annual Ligas Implementation Plan while preparing to embark upon the Fiscal Year 2022 revision.