

CROSS-DISABILITY ADVISORY COUNCIL

RESPONSIBILITIES AND PURPOSE

Authority

NDCC 50-06-46

Statutory Purpose

“The cross-disability advisory council shall participate with and provide feedback to the department regarding the implementation, planning, and design of the cross-disability children's waiver, level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver, and a service option that will allow payment to a legally responsible individual who provides extraordinary care to an eligible individual through the Medicaid 1915(c) waivers. This subsection does not apply to the Medicaid 1915(c) home and community-based services aged and disabled waivers.”

NDCC 50-06-46

Type of Engagement

Advisory - Offering advice, recommendations, opinions, or feedback

As an “advisory” body, the Cross-Disability Advisory Council (CDAC) members will:

- Serve as an advisory resource providing feedback to HHS regarding the
 - “implementation, planning, and design of the cross-disability children's waiver”
 - “level of care reform for the comprehensive developmental disabilities Medicaid home and community-based waiver”
 - “service option that will allow payment to a legally responsible individual who provides extraordinary care to an eligible individual through the Medicaid 1915(c) waivers”
- NDCC 50-06-46 (1)*
- Serve as a forum for discussion about lived experiences with the current waiver programs.
 - Provide a venue for members to offer feedback on the areas that are well-functioning, need improvement, and existing gaps with current waiver access or services.
 - Offer ideas or suggestions for improvement on waivers or services.
 - Review and offer feedback regarding proposed changes to the waiver: design, access, goods or service that are included, and support from case management.
 - Channel information, needs, and concerns to HHS related to children’s waivers.

Core Functions Defined

“The cross-disability advisory council shall:

- Discuss strategies to address gaps or needs regarding individuals with disabilities and Medicaid home and community-based services, including eligibility of legally responsible individuals;
- Provide for the active participation of stakeholders, including consumers and providers; and
- Receive information from the department and its consultants.”

NDCC 50-06-46 (5)

COMMITTEE STRUCTURE AND OPERATIONS

Method of Appointment

The contracted facilitator shall appoint the cross-disability advisory council members in accordance with subsection 3 (of NDCC 50-06-46) and establish the length of member terms and the structure of the cross-disability advisory council.

Term of Appointment

Due to the fact that CDAC is primarily a working council and required to be completing specific tasks as assigned by the North Dakota State Legislature, it will be a tasked based council membership.

- Members will be appointed for a term in accordance with the North Dakota legislative biennium.
- Appointments are based primarily upon the council's assigned task for that biennium.
- Appointments will begin July 1 and will end on June 30.
- Appointments will be staggered (when applicable to the assigned task) to ensure consistency of membership.
- Members may be appointed to serve 2 consecutive bienniums; the term limit for voting members is 3 bienniums.
- Members who are either unable or unwilling to actively participate in the work of the council may be asked to step down at the discretion of the contracted facilitator to help ensure productive discussion.

Size of Council

"The cross-disability advisory council consists of up to fifteen voting members. Upon request of the department, state agency representatives shall participate with the cross-disability advisory council in a nonvoting role."

NDCC 50-06-46 (3)

Subcommittees

"The cross-disability advisory council may appoint subcommittees to address specific topics or disabilities, which may include autism spectrum disorder, traumatic brain injury, and fetal alcohol spectrum disorder."

NDCC 50-06-46 (4)

Compensation

"The cross-disability advisory council members, excluding the contracted facilitator, are entitled to reimbursement from the department for travel and lodging at the same rate as provided for state officers and employees."

NDCC 50-06-46 (6)

Decision Making Model

Most of the Committee's work will not require formal voting as the primary work is consultative and advisory. However, when Council work does require a vote (i.e., a formal recommendation), the majority vote of the voting members present will constitute the Council's recommendation.

Votes may only be taken when a quorum (51%) of voting members are present. A majority of the voting members of the Council constitutes a quorum. "Present" can include either in person or virtual participation, provided the voting member is able to participate in a synchronous (i.e., live) manner. The meeting host will make remote access available but the burden of maintaining synchronous communication lies with the remote member.

As a general principle, the Council will place a high priority on gathering perspective from all voices at the table.

Coordination of Advisory Council Work

A qualified, independent third-party facilitator will provide support services to the council by posting meeting notices, coordinating meeting schedules, agendas, and provide meeting notes. They will facilitate meetings and serve as the presiding officer of the advisory council.

Advisory Council Membership as Defined in Authorizing Language

"The cross-disability advisory council consists of

- A majority of the members of the council must be family members of individuals with a disability, or must be individuals with a disability, who receive Medicaid home and community-based services.
- Remaining members of the council must be appointed based on their professional subject matter expertise in or knowledge of the needs and interests of individuals with disabilities.
- Must represent different regions of the state and a broad range of disabilities that pertain to the Medicaid home and community-based services."

NDCC 50-06-46 (3)

Membership Qualifications for Cross-Disabilities Advisory Council

Committee members will be selected based on their ability and willingness to contribute to conversations about issues that affect how HCBS services are accessed, provided and compensated in the State's system.

Committee members should be able to:

- Share insights and information about their experiences in ways that allow others to learn from them.
- See beyond their own personal experiences or situation.
- Show concern for more than one issue or agenda.
- Listen well.
- Offer balanced feedback that helps lead conversations toward solution.
- Respect the perspectives of others.
- Speak comfortably in a group with sincerity and openness.
- Interact well with many different kinds of people.
- Work in partnership with others.

Council Roster – North Dakota Cross-Disability Advisory Council – as of January 2024

Cross-Disability Advisory Council

Last	First	Member	Representing
Adusumilli	Jackie	Non-Voting	HHS - Early Intervention
Barchenger	Kathy	Non-Voting	HHS - Medical Services
Fender	Kayla	Non-Voting	HHS - Developmental Disabilities
Fleck	Colette	Voting	Fort Yates
Hruby	Kim	Non-Voting	HHS - Special Health Services
Karpyak	Susan	Voting	Dickinson
Larson	Heather	Voting	Portland
Lunstad	Toby	Voting	Mandan
McCarvel-O'Connor	Mary	Non-Voting	DPI - Early Intervention
Miiller	Kevin	Non-Voting	Presiding Officer
Morrisette	Katynka	Voting	Bismarck
Nelson	Stephanie	Voting	Jamestown
Paulson	Magan	Voting	Taylor
Peterson	Vicki	Voting	Bismarck
Peterson	Erin	Voting	Grand Forks
Sande	Megan	Voting	Fargo
Swanson	Moe	Voting	Valley City
Troutman	Carmen	Voting	Williston
Vannett	Trevor	Voting	Bismarck
Vieweg	Emily	Voting	Fargo
Wilhelm	Heidi	Voting	Minot

CALENDAR

“The cross-disability advisory council shall meet at least quarterly.”

NDCC 50-06-46 (4)

Scheduled and special meetings will be held in accordance with the current workload and objectives as established by legislative directives in the current biennium. The contracted Facilitator, Subject Matter Expert, or Department of Health and Human Services will determine this need.