

MISSOURI STATE REPORT

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Missouri continues to deny any new admissions to state run ICFs/IID (called habilitation centers in Missouri). This policy has been in effect since 2008.

There are families across the state waiting for residential placement but are not allowed to have the choice of a state run ICF/IID. Families do call habilitation centers for assistance with placement, but have to be directed to our Regional Office that only places persons in the community. Our Department of Mental Health (DMH) is under federal guidelines to place persons in homes of three to four persons.

DMH continues to implement the new final rule from Centers for Medicare and Medicaid Services (CMS). This CMS ruling on community living has some private providers considering all options.

Since 2010 the Nevada, Northwest and Marshall Habilitation centers have been closed.

During the 2017 legislative session the Budget Committee decided upon another closure by merging the South County and the St. Charles habilitation centers. This was done without public hearings and little notice to the families. It has not been determined which center will be closed. The families will be allowed to choose another habilitation center. At this time, the centers are: Bellefontaine, Higginsville, Southeast Missouri Residential Services/Poplar Bluff/Sikeston, and South County-St. Charles (to merge).

If this merger goes through, the Bellefontaine Habilitation Center (BHC) group homes will be renovated for families choosing to move to BHC. Homes that opened in 2012 can accommodate persons who are the most severely disabled.

Missouri House Bill 626 was introduced but did not pass. The bill proposed changes to Missouri's guardianship law compiled by the Missouri Working Interdisciplinary Network of Guardianship Stakeholders, or MO-WINGS (www.mo-wings.org) using the National Guardianship Summit Standards and Recommendations as a guideline to Missouri revisions. Supported decision making as an option or as a replacement of guardianship is part of these recommendations. www.naela.org/NGN

Some of the changes are reasonable. However, there are concerns:

CONCERN NUMBER 1: the new wording (page 22, line 39) that states:

(3) "The guardian shall give priority to home or community-based settings when not inconsistent with the ward's goals and preferences;"

COMMENT: A guardian should not be forced by law to give priority to home or community-based settings. This goes against federal and state laws protecting the right of the guardian to choose from all available living options, not giving preference to any of them. The guardian should not be limited in this way. The needs of the wards must be the priority in making decisions concerning their welfare.

CONCERN NUMBER 2: the repeated necessity of including the ward that has been determined by the courts to be "incapacitated" in the decision making process (page 22, lines 11-19)

3. "Before making decisions on behalf of the adult ward, the guardian shall, to the extent possible, ascertain the ward's goals, needs, and preferences..."

COMMENT: If one has been declared incapacitated, the reason for guardianship is to make decisions for the ward that are in the best interests of the ward.

Missouri Senate Bill 28 was introduced, but did not pass. This bill proposed a complete restructuring of the Missouri Medicaid Program – MO Health Net. It proposed block grants or per capita caps. Much information has been sent out to educate families what this might mean for their family members for whom they are advocating.