



Maine  
Children's  
Growth  
Council

*The Voice for Early Childhood*

Maine Early Childhood Comprehensive Systems Initiative  
DHHS, State House Station #11  
2 Anthony Avenue  
Augusta, ME 04333-0011  
[www.maine-eccs.org](http://www.maine-eccs.org)

*First Lady Karen Baldacci  
Superintendent William P. Braun  
Co-Chairs*

## MEETING SUMMARY (APPROVED BY COUNCIL on 3-8-10)

FEBRUARY 1, 2010

Columbus Hall, Hill Mansion, 136 State Street, Augusta

### 1. Purpose

*As a Council that coordinates state, local and community partners, seek to achieve sustainable social and financial investment in the healthy development of Maine's young children and their families. Review and address recommendations of legislative studies, advisory committees and the Children's Cabinet and implement the long-term plan for a unified, statewide early childhood services system, *Invest Early in Maine*.*

### 2. Introductions (9:30a)

- Present: First Lady Karen Baldacci, Bill Braun, Karen Heck, Meredith Strang Burgess, Peter Mills, Judy Reidt Parker, Peter Lindsay, Jan Clarkin, Seth Berry, Todd Brackett, Kathy Colfer, Lori Freid Moses, Patti Woolley, Alan Cobo Lewis, Jonathan Leach, Jaci Holmes (for Debra Hannigan), Angela Faherty (for Susan Gendron), Sarah Forster, Lucky Hollander (for Brenda Harvey), Jane Weil, Sheryl Peavey
- Unable to attend: Dana Connors, Laurie LaChance, Eloise Vitelli, Joe Perry, Heidi Hart, Becky Brown, Susan Andrews, Steve Meister
- Guests: Allyson Dean, Dewey Meteer, Jude Thomas, Gail Donahue, Janine Blatt, Jessica Kundrata, Kim Gore, John Hennessey, Bryan Clark, Donna Overcash

### 3. Council Record

#### Item 1. Announcements

- CGC Presentation to Joint Standing Committee on Health and Human Services (February 4, 2010, 2pm)
- Family Literacy Connections Conference (March 12, 2010) FMI: [www.mainefamilyliteracy.com](http://www.mainefamilyliteracy.com)
- Jaci: Secretary Duncan indicated that there will \$9.3M available for the Early Learning Challenge Grants. Jaci to look at the data grant. This grant requires leadership approval of the State ECAC. Chair commented that the Senator Collins' office had concerns about the spending on early childhood--ACTION: Jaci will call Senator's office.

#### Item 2. Approval of 1/11/10 Meeting Summary

Motion made: Consensus approval.

### 4. Follow up Business

#### Item 1. ECE Accountability Team Report on LD 1654: Lori Freid Moses HANDOUT

Team met January 22 to deliberate LD 1654. It was noted that there were committed people on both sides of the issue, but the group had a very focused discussion for its two hour meeting:

- Heard presentations from four guests (Dewey Meteer, Steve Meister, Alan Cobo-Lewis, Deb Hannigan)
- Reviewed the Subcommittee work of 2006-2007
- Highlighted progress made on the MOU between the two departments (DHHS and DOE) and discussed decision making tool to help determine more appropriate referrals to CDS, particularly when medical conditions do not indicate risk of delay

- Reviewed LD in detail
- Discussed deadlines missed regarding the MOU, extended school year limitations, developmental therapy, Part C option, description of work done by two departments and expected ready date of Feb 2010, funding of services with ARRA money, and description of the monitoring team with reporting to the commissioners and to the Children's Growth Council.

At the 1/22 meeting, Ellie Mulcahey (Family Health/DHHS) shared that some of the medical condition reporting from hospitals should be done collaboratively, not by legislative mandate; the departments have done significant work with specificity about reporting requirements and expectations for children with special health care needs. Considering that the interagency agreement is just about ready and much more complicated than initially expected, it was suggested to let the monitoring team do the work without the legislation.

**Group agreed collectively that there is a significant risk factor about prematurity and this should be one of the conditions for reporting or referring to CDS**

Question was posed that if there is an interagency agreement but no legislation, then what happens if there is a problem and there is a change in administration? Response was that the current agreement has been in place since 1994, so it would stand the test of time, but it admittedly was very much in need of being updated.

Several questions arose about the role of the Children's Growth Council in the draft agreement. There is a section on monitoring to have CDS, Head Start, and department staff meet annually and review information about MOU compliance and then share with CGC and Commissioners.

Group expressed the need to review the MOU to ensure that it addresses the issues cited in the LD.

ACTION: Janna Gregory (DOE) will send that draft to Sheryl to send out to Council.

Question: Where is the sponsor on this?

- We know that there was a hearing that referred the bill to joint jurisdiction of HHS and ED/Cultural Affairs committees, but we have no further information at this time.
- 1654 was submitted in as concept draft bill. One member noted that two years ago, there were changes in CDS and discussions at that time about need to track, find, and improve our child find activities. Initial concern was that we weren't working as well as we could and kids were falling through the cracks. This concept came up because it was a conversation that needed to happen. If nothing else, having the bill has caused people to start to talk—sometimes that is truly the power of the legislation. Alford's intent is to make sure that we are taking care of the kids that we needed to find. This was an opportunity for legislators to support getting something done (as opposed to always saying no).
- Next: Council legislators to meet with Sen. Alford and bill sponsors. If there is some pre-education that can be done—if this truly doesn't need to happen, then it would save time and money to go not have to go through the public hearing process.

Other member comments included:

- Desire to see the parallels of the MOU and the requested changes outlined in the legislation.
- The hope to have the two committees to hear the bill, because there has been little communication and transparency in the past. Concern that it will take a great deal to improve CDS in her part of the state and legislative process could help make that change. MOUs need updating regularly.
- Feeling conflicted about the legislation. Would like to have the # of children B-3 who are screened and getting services to be increased. Sees CDS as lead, but it is not the single entity responsible for these kids. How about letting the CGC dig in to the MOU? Would also like to see constant addressing of CDS
- Express concern about the health of the youngest children and screening outs of medically eligible children.
- Research studies nationwide show that pediatricians are overly cautious about screening. While CDS is the provider of Early Intervention services, they are not the sole entity responsible (which includes pediatricians,

etc—and all of the people who touch children’s lives). There are multiple layers. This legislation tries to get at some of it, but it doesn’t get at the core of what we all want, which is identifying more children.

Cochair suggested ECE Accountability team to regroup and review the MOU and summarize. The draft MOU is still in process by the internal working group, and requires legal review and Commissioner review.

Legislator noted that this group needs to diagnose the problem, which is that four and five year olds are showing up in Kindergarten with delays. Might not be an issue of where it sits (in which department), but more of an issue of the administration and disconnect among CDS sites. This group should understand what the failure rate is (how many kids are found at age five that should have been found at age one). Then, steps can be taken to explore what avenues we can take to find these kids earlier in the field.

Member made comment about seeking to have a system that is braided. One string to a family can hold it, but cabling it with multiple strings can make that outcome for a child much stronger over the lifetime. System should be sustainable---so any legislation that moves to system sustainability is something DOE can support. Can’t find new, but should find collaborative resources. Other member felt the chain metaphor (rather than braiding) was stronger: every link is important and the whole chain is only as strong as its weakest link. Worries if responsibilities are so divided up that the buck stops nowhere.

Guest comment: history—came from LD 1776 that formed the Subcommittee to Study Early Childhood Special Education. The issue then was that CDS was overidentifying. The only indicator where CDS was below the national norm was identification of newborns. The recommendation then was to improve the referrals from the Newborn Screening Program. Problem because of privacy issues, groups cannot report back about the result of the referrals (conflict between HIPPA and FRPA). CDS has no institutional access to infants. It is the medical community that has that information. We are now building relationships among those, especially following the Jan 22 meeting.

Still need protocol for referral regardless of which department that Part C sits in. rely on referrals from the community and then filter through eligibility regulations. This legislation doesn’t do that.

Member noted that Attorney General’s Office does have time to look at the rules and regulations. In short, IDEA part C requires every state to appoint a lead agency and requires that the lead agency reach out to all other agencies that are involved with young children to create agreements about how to serve families. There is an incredible passion around/at/by CDS. Governor appoints lead agency, here in Maine, which is DOE. Other member response was that this is best practices bumping up against federal regulations (sort of like child care licensing isn’t Quality).

**ACTION: ECE Team will review the MOU and address: are we looking at the problem correctly and are there several solutions? Are we confident that there are braiding of systems going on? All are invited to participate.**

## **5. New Business**

Item 1. Presentation of the Child Care Advisory Council Report to the Legislature: Allyson Dean and Dewey Meteer in conjunction with Data Committee Report presentation: Judy Reidt Parker

HANDOUT: Children’s Growth Council School Readiness Report has been printed. Press release going out tomorrow.

This is an overview of the system, not an in-depth report (like the CCAC report). Please read cover to cover.

Highlights: places that need immediate attention, such as behavioral and developmental screening and need for quality

See pages 16-17 for list of data gaps. There is some action in place in case we get the Longitudinal Data systems grant submitted by DOE to begin to address some of these recommendations. Regardless, the Educare site will begin to track this and there is hope that Educare can be a launching pad.

Peter hopes that as a Council, we can delve into the data gaps. As a council, our work is to make the case about the information and then measure that we are doing better and having improved outcomes over time. Goes back to the continual question about school readiness and perhaps a common assessment tool. Considering the limited resources, what can we do? Need to do something, because this keeps coming up.

Indepth report from the Child Care Advisory Council (CCAC):

This report first started in 2002 as a response to the need to track data over time with trend analysis. In 2003, CCAC did work on Early childhood education system (what was in it and what wasn't). By June 2008, group had opportunity to work on data. Developed framework (child, provider, parent) and looked at supporting structures and what we wanted to know about them with a multiyear span.

This report was finally released last month. CCAC had no dedicated resources to get this report done. There were lots of data elements that the CCAC wanted to include, but there is very little data about children under five. We don't test them, we have no safety data, no data on expulsion, provider turnover, those eligible for but don't get subsidy, etc.

Then trace trends over time back to causes (such as funding restriction or policy or licensing change). Hope is that the report is a model for those making policy decisions to understand the effect of making decisions.

Consolidate this kind of data so it is easier to access, so folks can get information without having to launch a major initiative. There is also the Maine Marks (Children's Cabinet) and KIDS Count as other data places. How do we tie this into work that is ongoing, especially since we have no assurance there will be a Children's Cabinet with the next administration. Note that Maine Marks data has been woven into School Readiness Report.

CCAC is indepth report into one aspect of the multiple system components. And Educare should also provide some further info.

Peter Lindsay: appreciates the observations at the end of the report. Who takes this info and says "based on this data, here are the recommendations we should move forward"

**ACTION:** Both reports can inform the writing of the Sate ECAC grant application due in August. Jane noted vacancies listed on CCAC report and has suggestion for Native American seat.

Item 2. Update on the Report from the LD 1069 Working Group: Alan Cobo-Lewis

No hearing yet scheduled.

## **6. Committee Reports (Discussion/Action Requested of Council)**

Item 1. Legislative/Policy Committee Update (Bills/Hearings/Worksessions and Requested Endorsements)

Status of Bills of Interest:

- 425: has been voted in committee with divided report, which could mean a floor debate. Ultimately come down to requiring new insurance company funding. Suspect that insurance companies are opposed.
- 1198: this has not been voted. Committee is looking for more info on the general fund impact on bringing autism under covered services. Worksession on Feb 4.
- 1408: HHS committee has requested extension to think about how to fund the Vaccine Advisory Council. Worksession on Feb 4. Governor has voiced support. Primary Care Association is driver of this bill. Motion was made by Council member to support the Bill. Consensus vote to support. **ACTION:** Send letter to HHS Committee chairs expressing MCGC support.
- 1497: was voted out. Ought to pass as amended.
- 1511: voted out as ought to pass as amended. Note this is a bill driven by the YOUTH COUNCIL. The young people who crafted the bill are working to resolve with the committee the judicial language in the bill.
- 1542: no public hearing yet scheduled.
- 1599: Regarding the Maternal and Infant Mortality Review Panel. Scheduled for hearing on Feb 3 at 1p. Unanimous vote to support. **ACTION:** Send letter to HHS Committee chairs expressing MCGC support.
- 1602: Is a bill clarifying language only. Action: Monitor the bill.
- 1616: Public Hearing on Feb 3. This is a DHHS bill to move the department to the federal standard/ good practice. Unanimous vote to support.
- 1623: Another Youth Council bill. Aimed at older youth, not B-5 population. No MCGC action warranted.
- 1624: dead bill. Voted unanimous ought not to pass
- 1654: see previous discussion in Council meeting.
- 1665: lengthy public hearing. Committee is saturated with info (a "top email contender"). Not optimistic sense of bill being passed.

- 1658: Public Hearing was Jan 20. Worksession in February. This came out of Juvenile Justice Workgroup and has more to do with older children. MONITOR, but no position. Comment was made that at the hearing, someone did make point about graduation rates and how it all comes back to early childhood.
- 1671: Governor's budget. Seth asked for concerns.
  - CAN Councils—recommended cut was result of needing to identify reductions and prioritizing to basic needs services. Cut has not been voted out yet, still have worksessions. HHS Committee has heard the voice of the MCGC.
    - Legislator expressed confusion about the funding for councils. ACTION: Jan Clarkin will provide a one page summary of Council funding and how state dollars are leveraged.
    - Council members encouraged to communicate with Committee members.
  - Sect 27 of Maine Care—this is cost neutral to the budget, as the rule change is to remove repetitive references, not eliminate services. Member expressed concern that \$11M for CDS appears to be going away because of rule changes.
    - Appears to be initiative to comply with federal rules. Comments are due mid-February.
    - Complicated issue stems from unbundling rates to meet the requirement to prove medical necessity (which is billable) and whether service is rehabilitation or habilitation. Analysis is not yet complete.
    - Interwoven into current discussion because of the timing with the state budget crisis. If resources existed, we would find another funding stream; but because of the budget crisis, this is not a simple process.
    - Member expressed concern that developmental therapy (for Part C of IDEA) will no longer be covered.
    - Member noted that the ultimate concern for this Council is the potential loss of funding for CDS. Felt that we should encourage departments to preserve federal funds.
    - ACTION: Request was made to have Kathy Bubar, DHHS lead on this effort, to come in March to speak to CGC.
  - Dropping of the requirement of subsidized child care to rise to the 75<sup>th</sup> percentile. Page 40 of supplemental budget. If passed, it doesn't allow it to sunrise.
    - Member explained that child care community agreed to subsidy reduction for two years while it was studied, not to have reduction be permanent. ACTION: Council to write letter requesting that Committee honor legislation passed last year. Unanimous vote (abstention: MSB, state employees)
- LD 1705: ought to pass unanimous.
- LD 1771: Rep. Eves bill made it through Legislative Council (this bill originated with the Children's Growth Council). This would add Early Childhood to the Conditions of Education report and would add member of the Council to the oversight committee for that report. ACTION: Get letter ready for hearing not yet scheduled.

Karen H shared report from Pew on the cost of Disinvestment. Child care workers are spending their money locally.

Item 2. Communications Committee Update on "Strong Foundations for a Prosperous Maine Future...*Public Policy Campaign*"

*ACTION: post online. Post-meeting NOTE: available now at <http://www.maine-eccs.org/reports.html> along with the School readiness Report and the Report to the Legislature.*

Karen H asked if the Council co-sponsor the visit this summer from Dr. Felitti to Augusta, Bangor and Portland. Unanimous vote by Council to cosponsor the visits. Two folks interested in helping Karen: Karen B and JRP

## **7. Review of Action Items and Persons Responsible/Set Next Agenda/Adjourn Meeting at Noon**

- Update from ECE Accountability Team on the Review of the DOE DHHS MOU
- Presentation by Commissioner Harvey and Kathy Bubar on Maine Care Rule Changes

Next Meeting Date: **MARCH 8, 2010**, The Parlor Room, Hill Mansion, Augusta