

Jerry A. Walz, Esq.

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\*Also Admitted  
in Texas & Colorado

# Walz and Associates

Attorneys at Law

*"Making Legal History"*

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Kathleen M. Kunkel, Esq.  
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July 21, 2014

**SENT VIA EMAIL**

John Block III, Executive Director  
NM Developmental Disabilities  
Planning Council  
625 Silver Ave, Suite 100  
Albuquerque, NM 87102  
John.Block@state.nm.us

Marina Cordova, Legal Counsel  
NM DDPC Guardianship Program  
NM Office of Guardianship  
625 Silver Ave, Suite 100  
Albuquerque, NM 87102  
marinaA.Cordova@state.nm.us

**Re: *JM. v. DOH et al*, Case. No. 07-CV-00604-RB-ACT  
Defendants' Response to Plaintiffs' Submission Fourth Annual Report**

Dear Mr. Block and Ms. Cordova:

The State Defendants rely on the accuracy and detail of their attached report, and will not respond further to unsubstantiated allegations made by Plaintiffs' counsel set forth in Plaintiffs' submission. The State Defendants have appropriated significant efforts and resources in accomplishing the terms and conditions of the Settlement Agreement signed January 8, 2010.

Respectfully Submitted,

WALZ AND ASSOCIATES, P.C.

*/s/ Jerry A. Walz*  
*/s/ Anne T. Alexander*

Jerry A. Walz  
Anne T. Alexander

JAW/ATA/scc

Attachment(s): as stated.

cc via email:

Peter Cubra, Esq.  
John Hall, Esq.  
Charles Peifer, Esq.  
Nancy Simmons, Esq.  
Rachel Higgins, Esq.  
Norm Weiss, Esq.  
Allison Marks, General Counsel NM ALTSD  
Sandy Skaar, Chair, DDPC  
Gabrielle Sanchez-Sandoval, DOH General Counsel  
Cathy Stevenson, Director DDSD

Jerry A. Walz, Esq.

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July 1, 2014

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John Block III, Executive Director  
NM Developmental Disabilities  
Planning Council  
625 Silver Ave, Suite 100  
Albuquerque, NM 87102  
John.Block@state.nm.us

Marina Cordova, Legal Counsel  
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NM Office of Guardianship  
625 Silver Ave, Suite 100  
Albuquerque, NM 87102  
marinaA.Cordova@state.nm.us

**Re: *JM. v. DOH et al*, Case. No. 07-CV-00604-RB-ACT  
Defendants' Fourth Annual Report**

Dear Mr. Block:

This report constitutes Defendants' obligation to report annually, for a period of five years, on the status of the individuals who may be eligible for the benefits of the Settlement Agreement signed January 8, 2010 and covers the period from August 15, 2013 to July 1, 2014. Defendants continue to meet with the individuals identified as eligible according to the terms of the Agreement and to facilitate referrals to appropriate programs as appropriate. (*See Attachment A, CSI Visitation Report dated June 2, 2014*)

During the past year the Plaintiffs and Defendants have exchanged significant amounts of information. Plaintiffs have filed a Sixth Arbitration Demand.

### **Fifth Arbitration Demand (continued)**

As reported by Defendants in the Third Annual Report, the Arbitrator set September 6, 2013, for a Sixth Arbitration to determine the scope of Paragraph 3d, and to make a final determination on how far the Defendants are required to go to meet the intent of Paragraph 3d. However, the Arbitrator held a status conference on September 6, 2013 and directed the parties to attempt to come to agreement on the definition of the disputed terms of Settlement Agreement Paragraph 3d, which states:

“Every former resident who is not receiving services through Waiver program will be offered assistance from the DOH Community Services Integration Project. If the result of the assessment and screening above identifies other services a former resident may need, they will be referred by CSI workers to the appropriate agency or program for processing in accordance with the program guidelines, eligibility, criteria and available funding, subject to the agency’s respective statutory and regulatory responsibilities. There shall be a minimum frequency of visits to each person served by CSI and a maximum caseload per CSI worker. The minimum visits shall be once every quarter for people receiving PCO or ICF/ MR services; for others, it shall be more frequently as needed. Maximum caseload shall be 40 individuals.” The parties were unable to reach agreement on what was meant by the term “services”.

In addition to the directive to attempt to define what is meant by “services”, the Arbitrator directed Defendants to provide Plaintiffs’ counsel with the Service Plans and contact notes for the 32 individuals for whom Plaintiffs had at one time held a current and valid authorization for a release of information. Following the production of these documents to the Plaintiffs’ counsel, the parties were directed to meet and attempt to resolve the concerns of the Plaintiffs. Those meetings were held September 16, September 23, and October 4, and October 14, 2013. Despite the diligent efforts of Defendants to provide Plaintiffs with detailed information in response to their concerns, Plaintiffs continued to be dissatisfied.

The parties held a telephonic conference with Arbitrator Gross on October 15, 2013, to discuss their progress following the September 6, 2013, status conference. The Arbitrator directed the Defendants to create a document for each individual outlining each Columbus recommendation and then to declare each parties respective response as to whether or not the recommended service had been provided.

### **November 6, 2013 Production**

On November 6, 2013, Defendants provided Plaintiffs with individual documents on all 32 individuals for whom Plaintiffs at one time held a current and valid authorization for the release of information. (*See Attachment B, letter dated November 6, 2013*) These documents listed the Columbus recommendations and specific responses to identified Plaintiff concerns.

Plaintiffs responded on November 18, 2013, continuing to allege that Defendants had violated the Settlement Agreement when services were declined or the individual was ineligible. Despite the diligent efforts of Defendants to provide Plaintiffs with detailed information in response to their concerns, Plaintiffs continued to be dissatisfied.

### **January 15, 2014 Production**

On December 5, 2013, the Arbitrator, having reviewed the parties' responses, requested that both sides meet and prepare a table so that the Arbitrator could efficiently assess whether the settlement agreement terms had been met. The parties did meet and create the tables requested by the Arbitrator. Defendants provided the agreed upon tables to Plaintiffs on December 31, 2013. Plaintiffs' inserted their contentions regarding Defendants' statements into the tables and these documents were provided to the Arbitrator January 15, 2014. Despite the diligent efforts of Defendants to provide Plaintiffs' with detailed information in response to their concerns, Plaintiffs continued to be dissatisfied.

### **Sixth Arbitration Demand**

On February 13, 2014, Plaintiffs filed their Sixth Arbitration Demand. Defendants filed their Response to Plaintiffs' Sixth Arbitration Demand on March 14, 2014. Section I of Defendants' Response is attached hereto, *See Attachment C*. The other sections of Defendants' response could not be included due to the inclusion of protected health information in the Plaintiffs' Sixth Arbitration Demand.

Arbitration is scheduled for July 29, 2014.

Respectfully Submitted,

WALZ AND ASSOCIATES, P.C.

*/s/ Jerry A. Walz*

*/s/ Kathyleen M. Kunkel*

*/s/ Anne T. Alexander*

Jerry A. Walz

Kathyleen M. Kunkel

Anne T. Alexander

JAW/KMK/ATA/scc

Attachment(s): as noted.

cc via email:

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John Hall, Esq.  
Charles Peifer, Esq.  
Nancy Simmons, Esq.  
Rachel Higgins, Esq.  
Norm Weiss, Esq.  
Allison Marks, General Counsel NM ALTSD  
Sandy Skaar, Chair, DDPC  
Gabrielle Sanchez-Sandoval, DOH General Counsel  
Cathy Stevenson, Director DDSD

CSI Visitation Compliance  
June 2, 2014

ID	Date Seen 4th Qtr 2012	Date Seen 1st Qtr 2013	Date Seen 2nd Qtr 2013	Date Seen 3rd Qtr 2013	Date Seen 4th Qtr 2013	Date Seen 1st Qtr 2014	Date Seen 2st Qtr 2014
JxN016	JXN	JXN	JXN	JXN	JXN	JXN	JXN
210	Family has requested that CSI not initiate contact. They request that they be allowed to contact CSI if and when they need something.	Family has requested that CSI not initiate contact. They request that they be allowed to contact CSI if and when they need something.	Family has requested that CSI not initiate contact. They request that they be allowed to contact CSI if and when they need something.	Family has requested that CSI not initiate contact. They request that they be allowed to contact CSI if and when they need something.	Family has requested that CSI not initiate contact. They request that they be allowed to contact CSI if and when they need something.	Deceased 1/24/2014	Deceased
435 aka 435D	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
1000	10/31/2012	2/11/2013	Attempted home visit 4/12/13; 5/10/13	7/23/2013	10/1/2013	1/9/2014	4/2/2014
1009	10/15/2012	2/7/2013	4/17/2013	7/17/2013	10/8/2013	1/8/2014	4/14/2014
1024	12/10/2012	3/27/2013	6/27/2013	9/11/2013	12/10/2013	3/6/2014	2nd Qtr
1030	Guardian has requested phone contact only unless otherwise requested. Phone contact on 9/18/12.	Guardian has requested phone contact only unless otherwise requested. Phone contact on 12/20/12.	Guardian has requested phone contact only unless otherwise requested. Phone contact on 5/24/2013.	Guardian has requested phone contact only unless otherwise requested. Phone contact on 8/21/2013.	Guardian has requested phone contact only unless otherwise requested. Phone contact on 11/19/2013.	Guardian has requested phone contact only unless otherwise requested. Phone contact on 2/20/2013. Home Visit: 3/20/2014	Guardian has requested phone contact only unless otherwise requested. Allocated to DDW
1046	12/7/2012	Attempted home visit 3/19/13; 3/25/13	5/10/2013	8/22/2013	11/26/2013	3/24/2014	2nd Qtr
1068	12/20/2012	3/28/2013	6/5/2013	9/4/2013	12/10/2013	3/7/2014	2nd Qtr

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1133	12/6/2012	3/11/2013	6/6/2013	9/5/2013	12/27/2013	3/20/2014	2nd Qtr
1153	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal	Individual signed DNC on 1/19/2011. No guardianship referral-tribal
1167	10/3/2012	1/8/2013	4/12/2013	7/9/2013; 8/21/2013	10/22/2013	1/9/2014	4/8/2014
1206	11/24/2012	1/25/2013; 2/15/2013	4/18/2013	8/14/2013	Attempted home visit: 11/05/2013; Face to Face: 11/13/2013	2/19/2014	5/8/2014
1234	11/7/2012	2/18/2013	5/2/2013	8/20/2013	11/4/2013	2/17/2014	5/1/2014
1234DE	D & E has Guardian	D & E has Guardian	D & E has Guardian	D & E has Guardian	D & E has Guardian	D & E has Guardian	D & E has Guardian
1235	12/6/2012	3/8/2013	6/18/2013	9/18/2013	12/19/2013	3/26/2014	2nd Qtr
1240	12/7/2012	3/7/2013	5/30/2013	8/27/2013	12/5/2013	1/27/2014	4/4/2014
1267	12/13/2012	2/6/2013	5/3/2013	8/23/2013	11/4/2013	2/17/2014	5/7/2014
1381	12/11/2012-guardian requested visit to occur next quarter.	2/19/2013	6/12/2013	9/27/2013	12/27/2013	3/18/2014	2nd Qtr
1422	12/11/2012	3/13/2013	6/25/2013	Phone Contact: 9/9/2013; 9/13/2013 Attempted Phone: 9/17/2013 Attempted home visit: 9/20/2013 Face to face visit: 9/23/2013	12/23/2013	3/4/2014	2nd Qtr



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1498	10/25/2012; 11/19/2012	3/8/2013	4/10/2013	7/22/2013; 8/01/2013	10/9/2013	1/13/2014; 2/24/2014;	4/7/2014
1620	12/20/2012	3/19/2013	6/19/2013	9/17/2013	12/10/2013	3/18/2014	2nd Qtr
1625	10/11/2012	10/11/12-individual requested phone contact only. Phone contact 1/15/13	Attempted phone contact 4/11/13 and 5/6/13. Attempted home visit 5/22/2013; 6/3/2013	Attempted Phone: 7/23/2013 Phone contact 7/24/2013; 8/19/2013; 8/20/2013; Attempted Face to Face: 8/20/2013 Phone Contact: 9/11/2013 Attempted Home Visit: 9/12/2013	Attempted Phone Contact: 10/08/2013; 10/22/2013; 11/04/2013 Attempted home visit: 10/16/2013;	Attempted Phone Contact: 1/02/2014; 01/06/2014; 01/13/2014; 01/22/2014	Attempted Phone Contact: 4/08/2014; 4/18/2014; 4/29/2014 Unable to Locate
1664	OOS	OOS	OOS	OOS	OOS	OOS	OOS
1689	10/30/2012	2/12/2013	5/14/2013	8/12/2013	11/12/2013	2/13/2014	5/14/2014
1723	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral	Individual signed DNC on 3/7/2011. No guardianship referral
1774	11/8/2012	2/19/2013	5/2/2013	8/20/2013	11/21/2013	2/6/2014	5/13/2014
1870	10/11/2012	2/6/2013	4/15/2013	7/15/2013	10/8/2013	1/9/2014	4/2/2014
1920	12/7/2012	3/18/2013	6/20/2013	9/11/2013	12/16/2013	3/20/2014	2nd Qtr
1925	10/24/2012	2/7/2013	4/11/2013 6/12/2013	7/25/2013	10/10/2013	1/14/2014	4/10/2014
1948	10/23/2012	1/2/2013	4/3/2013	7/22/2013	10/3/2013	1/14/2014	4/9/2014
1955	11/26/2012	1/15/2013; 2/7/2013	5/21/2013	8/26/2013	11/14/2013	2/17/2014	5/15/2014

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1961	Phone contact 12/14/12. Visit scheduled for 1/4/2013	Attempted home visit 1/4/13 and 2/20/2013	6/19/2013	9/17/2013	10/1/2013; 11/20/2013; 12/10/2013	3/18/2014	2nd Qtr
1986	12/3/2012	3/12/2013	6/13/2013	9/11/2013	12/16/2013	3/18/2014	2nd Qtr
2001	12/3/2012	2/20/2013	5/21/2013	8/14/2013	11/21/2013	2/17/2014	5/14/2014
2020	Unable to locate	3/21/2013	6/13/2013	9/9/2013	12/16/2013	3/18/2014	2nd Qtr
2056	Individual deceased 9/15/2012	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
2059	11/30/2012	Phone contact 2/22/13. Family requested CSI call back in March to schedule appt. Visit occurred 3/7/13.	5/6/2013	Attempted Phone: 7/24/2013 Phone Contact: 8/22/2013 Attempted home visit: 8/28/2013 Face to face visit: 9/6/2013	Phone Contact: 11/04/2013; 11/25/2013; 12/17/2013 Attempted Phone Contact: 11/18/2013 Attempted Home Visit: 11/06/2013; 11/12/2013 Face to Face visit: 12/26/2013	Attempted Phone: 2/14/2014; 2/17/2014; 2/21/2014 Attempted Home Visit: 2/11/2014; 2/18/2014 Phone Contact: 2/14/2014 - Will be seen in March Face to Face Visit: 3/10/2014	Attempted Phone: 4/30/2014 Phone Contact: 5/01/2014 Attempted Home Visit: 5/05/2014; 5/08/2014 Face to Face: 5/19/2014
2118	10/29/2012	Individual now on DDW	Individual now on DDW	Individual now on DDW	DDW	DDW	DDW
2168	10/12/2012	1/11/2013	4/10/2013	Deceased	Deceased	Deceased	Deceased
2212	11/21/2012	2/22/2013	5/22/2013	7/30/2013	10/23/2013	2/25/2014	4/17/2014
2260	10/17/2012	1/22/2013	4/10/2013	7/16/2013	10/22/2013	1/14/2014	4/8/2014
2269	10/3/2012	1/30/2013; 2/7/2013; 2/15/2013	4/26/2013	8/13/2013	10/17/2013	1/6/2014	4/8/2014; 4/14/2014

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2276	10/9/2012	2/7/2013	4/26/2013	7/23/2013	10/21/2013	1/3/2014	4/8/2014
2288	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
2315	12/7/2012	3/18/2013	6/19/2013	9/11/2013	12/16/2013	Death in household - will be seen in April	Individual has moved and left no forwarding address; Unable to locate at this time
2337	12/11/2012	3/7/2013	6/6/2013	9/16/2013	12/17/2013	3/4/2014	2nd Qtr
2345	12/6/2012	3/22/2013	6/7/2013	9/5/2013	12/11/2013	3/21/2014	2nd Qtr
2358	12/11/2012	3/7/2013	6/6/2013	9/16/2013	12/17/2013	3/4/2014	2nd Qtr
2396	11/7/2012	2/18/2013	5/2/2013	8/20/2013	Attempted home visit: 11/04/2013; Attempted phone call: 11/13/2013; Face to Face: 11/18/2013	2/17/2013	5/1/2014
2398	Scheduled to be seen in January 2013	1/17/2013	Scheduled to be seen in January 2014	Scheduled to be seen in January 2014	Scheduled to be seen in January 2014	1/7/2014	Scheduled to be seen in January 2015
2416	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate	Investigators and CSI Unable to locate
2444W	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian
2451	12/20/2012	1/30/13; 3/25/2013	6/27/2013	9/26/2013	12/31/2013	3/19/2014	2nd Qtr
2474	DNC	DNC	DNC	DNC	DNC	DNC	DNC
2481 AKA 2481D	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
2501	12/17/2012	3/14/2013	6/26/2013	9/9/2013	12/11/2013	3/13/2014	2nd Qtr

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2503	11/1/2012	1/18/2013	4/3/2013	8/15/2013	10/9/2013	1/7/2014	4/3/2014
2525	10/11/2012	2/6/2013	4/15/2013	7/15/2013	10/8/2013	Attempted home Visit: 1/9/2014; Face to Face Visit: 1/31/2014	4/2/2014
2543	11/2/2012	3/6/2013	5/30/2013	8/21/2013	Attempted Phone: 11/18/2013; 11/20/2103 Face to Face Visit: 12/06/2013	Attempted home Visit: 2/20/2014; Home Visit: 2/25/2014	5/14/2014
2567	11/30/2012	2/15/2013; 3/8/2013	5/6/2013	8/21/2013	11/20/2013; 12/17/2013	3/26/2014	2nd Qtr
2579	10/17/2012	1/22/2013	4/10/2013	7/16/2013	10/22/2013	1/14/2014	4/8/2014
2610	12/3/2012	3/12/2013	6/13/2013	9/11/2013	12/16/2013	3/20/2014	2nd Qtr
2618	Attempted home visit 12/3/2012; 11/1/12; 11/28/12	Attempted home visit 1/8/13; 1/17/13; 1/18/13; 2/21/13; 3/12/13	Attempted home visit 4/3/13; 4/25/13; 5/14/13	Attempted home visit 7/11/2013; 8/15/2013 Attempted phone 7/26/2013; 8/08/2013; 8/12/2013 Face to Face: 8/21/2012	10/09/2013; 10/16/2013; 12/02/2013	Attempted Phone Contact: 1/02/2014; 01/16/2014; 1/27/2014 Attempted Home Visit: 1/07/2014 Phone Contact: 1/10/2014; 1/10/2014; 1/24/2014 Face to Face Visit: 2/13/2014	4/3/2014
2654	12/3/2012	2/21/2013	5/24/2013	8/15/2013	11/7/2013	2/18/2014	Home Visit: 5/14/2014 - Guardian requested yearly visits in February
2658	11/7/2012	2/7/2013; 2/15/2013	5/21/2013	8/13/2013	11/5/2013	2/19/2014	5/8/2014

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2666 aka 036jxn	JXN	JXN	JXN	JXN	JXN	JXN	JXN
2678	10/24/2012	1/4/2013	4/3/2013	7/5/2013	10/3/2013	1/14/2014	4/9/2014
2700	11/29/2012	2/21/2013	5/7/2013; 4/9/2013	8/14/2013	11/12/2013	2/17/2014	5/15/2014
2774	12/17/2012; 12/13/2012; 12/5/2012; 11/21/2012	1/3/2013; 2/12/2013; 3/20/2013	6/21/2013; 5/23/2013; 4/22/2013; 4/18/2013; 4/11/2013	7/17/2013; 7/25/2013; 8/15/2013	10/8/2013; 10/08/2013; 10/23/2013; 11/15/2013; 11/19/2013	1/09/2014; 2/12/2014; 3/06/2014; 3/14/2014	4/17/2014; 4/29/2014; 5/15/2014
2785	12/19/2012	3/4/2013	6/5/2013	9/12/2013	12/3/2013	3/10/2014	2nd Qtr
2813	11/14/2012	2/12/2013	5/1/2013	8/23/2013	11/6/2013; 12/16/2013	3/12/2014	2nd Qtr
2842	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.	Individual signed DNC on 3/1/2011. Individual declined Columbus assessments.
2882	Individual has been allocated to DDW. Case Manager has been assigned. Initial evaluations taking place.	SIS evaluation took place on 12/12/12. Individual on DDW	SIS evaluation took place on 12/12/12. Individual on DDW	Individual on DDW	DDW	DDW	DDW
2980	10/10/2012; 11/6/2012	1/8/2013; 2/15/2013	4/4/2013	7/9/2013	10/9/2013	1/2/2014	4/14/2014
2994	Attempted home visit 12/21/2012; 11/29/2012	1/17/2013	4/19/2013; 5/30/2013	Attempted phone: 8/27/2013, 8/28/2013 Attempted Home Visit: 8/27/2013 Face to Face Visit: 9/04/2013	Attempted Phone: 11/18/2013; 11/20/2013; 12/04/2013 Attempted Home Visit: 12/06/2013	Attempted Home Visit: 1/07/2014; 2/19/2014 To be seen in April	4/4/2014

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3005	10/2/2012	1/14/2013	4/2/2013	7/2/2013	10/16/2013	1/7/2014	4/3/2014
3012	11/16/2012	3/5/2013	5/20/2013	8/23/2013	11/22/2013	2/25/2014	5/27/2014
3018	10/30/2012	2/8/2013	4/16/2013	7/18/2013	10/2/2013	1/6/2014; 2/13/2014	5/15/2014
3052	10/18/2012	1/15/2013	4/4/2013	7/15/2013	10/8/2013	1/7/2014	4/17/2014
3113	Unable to locate	3/26/2013	4/3/2013	Attempted home visit: 8/02/2013; 8/05/2013 As of 8/26/2013 - Unable to Locate	Still Unable to Locate: 10/29/2013 Face to Face: 12/04/2013	Phone Contact: 3/11/2014 Face to Face: 1/08/2014; 1/09/2014;	Attempted Home Visit: 4/8/2014 Attempted Phone: 4/10/2014 - Phone Disconnected Unable to Locate
3115	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.	Individual signed DNC on 6/28/2011. No guardianship referral from Columbus.
3121W aka 3121	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.	Individual has been reallocated to DDW.
3160	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.
3204	10/10/2012	1/8/2013	4/4/2013	7/9/2013	10/9/2013	1/2/2014	4/14/2014
3222	12/6/2012	3/22/2013	6/7/2013	9/5/2013	12/11/2013	3/21/2014	2nd Qtr
3276	10/3/2012; 10/25/2012; 10/29/2012; 11/5/2012; 11/19/2012	Phone contact 1/10/13. Individual refuses to speak to CSI.	Visit occurred on 4/26/2013- Individual signed DNC	DNC	DNC	DNC	DNC

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3288	12/13/2012; 11/20/2012	1/11/2013; 2/11/2013	5/16/2013	8/13/2013	11/7/2013	2/19/2014	5/20/2014
3357	10/10/2012	1/25/2013; 2/15/2013	4/18/2013	8/14/2013	10/17/2013; Deceased 11/09/2013	Deceased	Deceased
3366	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date as of 12/2012. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.	Phone contact individual states they no longer want quarterly visits from CSI. DNC was mailed to them on 9/12/11 . No response to date. DCA completed 6/10/10. No guardianship referral.
3375	11/14/2012	2/11/2013	5/23/2013	8/1/2013	11/6/2013	2/12/2014	5/19/2014
3449	10/3/2012; 10/15/2012	Individual now on DDW	Individual now on DDW	Individual now on DDW	DDW	DDW	DDW
3475	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
3509	11/5/2012; 11/20/2012	3/20/2013	Visit to occur in 2nd Quarter	Attempted Phone: 7/5/2013; Phone Contact: 7/9/2013; 7/24/2013 Attempted Home Visit: 7/19/2013; Face to Face Visit: 7/25/2013	Phone Contact: 10/15/2013; Attempted Home Visit: 10/18/2013; Face to Face: 10/23/2013	1/3/2014	Face to Face: 4/2/2014 Phone Contact: 4/8/2014; 4/11/2014; 4/17/2014
3594	Visit to Occur in January 2013	1/18/2013	Guardian requested twice a year visits in January and July	Attempted Phone: 7/24/2013 Face to Face Visit: 8/21/2013	Guardian requested twice a year visits in January and July	Face to Face: 2/13/2014; Will be see in February and August per guardian request	Will be seen in February and August per guardian request

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3606	11/15/2012	2/14/2013	5/7/2013	8/15/2013	11/5/2013	2/4/2014	5/7/2014
3655	12/13/2012	3/21/2013	6/11/2013	9/11/2013	12/4/2013	3/12/2014	2nd Qtr
3666	Phone contact with guardian on 10/9/12; 10/24/12 and 11/14/12 regarding DDW application. Guardian pursuing DDW and only wants to be contacted for assistance with DDW.	2/11/2013-Phone contact with guardian.	Individual's guardian signed DNC on 3/21/2011. Guardian placed DDW application hold.	Individual's guardian signed DNC on 3/21/2011. Guardian placed DDW application hold.	Individual's guardian signed DNC on 3/21/2011. Guardian placed DDW application hold.	Individual's guardian signed DNC on 3/21/2011. Guardian placed DDW application hold.	Individual's guardian signed DNC on 3/21/2011. Guardian placed DDW application hold.
3867	11/14/2012	2/27/2013	5/16/2013	8/21/2013	11/26/2013	2/20/2014	5/15/2014
3873	Incarcerated	3/20/2013	Phone Contact: 4/22/2013	7/10/2013; 9/09/2013	12/10/2013	3/3/2014	2nd Qtr
3904	10/19/2012	1/10/2013	4/3/2013	7/3/2013	10/2/2013	1/2/2014	4/4/2014
3905	11/30/2012; 11/6/2012;	2/15/2013; 3/8/2013	5/6/2013	8/13/2013	11/18/2013	2/19/2014	4/08/2014; 5/07/2014
3982	11/1/2012	1/8/2013	4/5/2013	Phone Contact: 7/25/2013 Face to Face: 8/15/2013	10/9/2013	1/7/2014	4/3/2014
4259	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.	Individual signed DNC on 3/26/12. DCA Completed 3/15/12 with no guardianship referral.



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4321	Individual has been allocated to DDW. Case Manager has been assigned. Initial evaluations taking place.	DDW	DDW	DDW	DDW	DDW	DDW
4352	10/19/2012	1/15/2013	4/4/2013	7/15/2013	Attempted phone: 10/07/2013 Attempted home visit: 10/08/2013, 11/14/2013; Phone Contact: 11/18/2013 Face to Face visit: 11/21/2013	1/8/2014	4/17/2014
4416	12/18/2012	3/13/2013	6/12/2013	8/28/2013	12/3/2013	3/25/2014	2nd Qtr
4426	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus	5/26/2011 DNC. No guardianship referral from Columbus
4427	10/2/2012; 11/8/2012	2/7/2013; 3/21/2013	In November 2012, Mother requested home visits in March and September.	In November 2012, Mother requested home visits in March and September. Phone Contact: 7/24/2013. Face to face visit: 9/18/2013	12/23/2013	3/4/2014	2nd Qtr
4502	10/11/2012	1/8/2013	4/9/2013, 6/19/2013	7/17/2013	Deceased	Deceased	Deceased
4587	11/29/2012	2/20/2013	5/21/2013	8/14/2013	11/21/2013	2/19/2014	5/14/2014
4590	11/30/2012	2/15/2013; 3/11/2013	5/21/2013	8/21/2013	11/20/2013; 12/17/2013	3/26/2014	2nd Qtr
4650	10/17/2012	1/22/2013	4/10/2013	7/16/2013	10/22/2013	1/14/2014	4/8/2014

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4666	Unable to locate	Unable to locate	Unable to locate	Unable to locate	Unable to locate	Unable to locate	UTL
4689	Attempted home visit 12/13/2012	1/7/2013	4/26/2013	8/27/2013	11/4/2013	1/8/2014	Phone Contact: 4/7/2014 Attempted Phone: 4/8/2014 Attempted Home Visit: 4/9/2014 Face to Face: 4/24/2014
4703	12/13/2012	3/18/13 family requested visit to occur later in month. Attempted phone contact on 3/25/13.	4/8/2013; 6/13/2013	9/12/2013	Attempted Phone: 12/03/2013; 12/10/2013; 12/30/2013 Attempted Home Visit: 12/17/2013; 12/30/2013	3/24/2014	2nd Qtr
4739	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.	Individual's guardian signed DNC on 4/4/2011.
4772	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus	Individual signed DNC on 2/24/2011. No guardianship referral from Columbus
4785	10/10/2012	2/15/2013; 3/8/2013	5/6/2013	8/21/2013	11/20/2013; 12/17/2013	3/26/2014	2nd Qtr
4977	12/17/2012	2/5/2013	5/14/2013	8/21/2013	11/7/2013	2/13/2014	5/14/2014
4985	10/29/2012; 11/20/2012	2/21/2013	5/9/2013	8/21/2013	Attempted Phone Contact: 11/18/2013; Face to Face visit: 11/19/2013	Attempted Home Visit: 2/25/2014 - Visit will be made in April	4/10/2014
5006	OOS	OOS	OOS	OOS	OOS	OOS	OOS
5017	11/1/2012	3/13/2013	6/12/2013	9/9/2013	12/3/2013	3/25/2014	2nd Qtr

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5024	Individual and supports requested to be seen in January.	2/14/2013	5/28/2013	8/22/2013	11-26-2013: Family requests that visit be scheduled for 1st qtr of 2014.	1/27/2014	4/24/2014
5043	11/29/2012; 12/7/2013	Attempted home visit 3/6/13.	Individual has moved and CSI is unable to determine individual's whereabouts based on information at last attempted home visit. CSI will continue to attempt to locate.	Individual has moved and CSI is unable to determine individual's whereabouts based on information at last attempted home visit. CSI will continue to attempt to locate.	Individual has moved and CSI is unable to determine individual's whereabouts based on information at last attempted home visit. CSI will continue to attempt to locate.	Attempted Home Visit: 1/07/2014; 2/19/2014 Face to Face visit: 2/25/2014	4/4/2014
5066	11/7/2012	2/4/2013	5/1/2013	7/18/2013	10/8/2013	1/13/2014	4/9/2014
5119	11/1/2012; 12/21/2012	Individual moved out of state	OOS	OOS	OOS	OOS	OOS
5177	11/8/2012	2/14/2013	5/8/2013	8/6/2013	11/13/2013	2/12/2014	5/15/2014
5301	11/5/2012	2/11/2013	5/15/2013	8/19/2013	11/7/2013	2/5/2014	5/6/2014
5344	12/17/2012	3/14/2013	6/26/2013	9/9/2013	12/11/2013	3/13/2014	2nd Qtr
5421	12/17/2012	3/14/2013	6/26/2013	9/9/2013	12/11/2013	3/13/2014	2nd Qtr
5538	11/13/2012	2/4/2013	5/15/2013	8/19/2013	Attempted Home Visit: 11/07/2013; Face to Face: 11/18/2013	2/5/2014	5/6/2014

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5579	11/28/2012	2/19/2013	5/14/2013	8/20/2013	11/7/2013	2/13/2014	Phone Contact: 5/13/2014; 5/14/2014; 5/20/2014 Individual requested to be seen in 3 months time.
5583	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
5599	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC	On 2/28/11 individual's guardian signed the DNC
5601	Supports requested visit to occur in Jan. 2013	3/8/2013	Guardian requested visit to occur in August 2013	8/26/2013	11-19-2013 - Conversation with guardian - She would like to wait until after the first of the year for a face to face visit.	1/27/2014	4/28/2014
5669	12/6/2012	3/11/2013	6/6/2013	9/5/2013	12/27/2013	3/20/2014	2nd Qtr
5682	10/12/2012	1/16/2013	4/30/2013	7/15/2013	10/24/2013	1/31/2014	4/8/2014
5763	11/7/2012	1/9/2013	4/4/2013	7/18/2013	10/8/2013	1/6/2014	Attempted Phone Contact: 4/07/2014; 4/08/2014; 4/17/2014 Phone Contact: 4/15/2014; 4/21/2014 Face to Face: 4/24/2014

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5837	Attempted phone contact on 12/11/12. Attempted home visit on 12/19/12. Phone contact on 12/31/12 Individual requested to seen in January	2/13/2013	6/12/2013	9/5/2013	12/26/2013	3/24/2014	2nd Qtr
5916	11/8/2012	2/13/2013	5/8/2013	8/1/2013	11/5/2013	2/20/2014	5/6/2014
5956	11/21/2012	2/14/2013	5/15/2013	8/12/2013	11/7/2013	Individual is in hospital - will be seen in March 3/11/2014 - Conversation with supports - will be seen in April	4/11/2014
5999	12/21/12-guardian requested visit to occur on 1/4/13.	Attempted visit on 1/4/13. Met with guardian. Guardian requested visit to occur later in month. Attempted phone contact 1/29/13 Spoke with guardian on 1/31. Visit Occurred on 2/20/13.	5/31/2013	Allocated to DDW	DDW	DDW	DDW
6009	12/31/2012; 12/20/2012; 12/19/2012; 12/14/2012; 12/10/2012; 11/9/2012; 11/7/2012	2/12/2013	5/13/2013; 4/12/2013	7/8/2013; 8/09/2013; 8/20/2013	10/01/2013; 10/07/2013; 10/28/2013; 11/06/2013; 12/05/2013; 12/06/2013; 12/19/2013	1/3/2014; 1/23/2014; 2/12/2014; 3/17/2014; 3/24/2014; 3/31/2014	4/14/2014; 4/23/2014; 5/08/2014; 5/12/2014

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6029	10/12/2012	1/16/2013	4/30/2013	7/15/2013 7/23/2013	10/24/2013	1/31/2014	4/8/2014
6107	12/4/2012	3/14/2013	6/24/2013	9/16/2013	12/11/2013	3/6/2014	2nd Qtr
6132	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations	Individual signed DNC on 11/26/2010. Individual seen by Columbus in March 2012-no recommendations
6178	11/28/2012	2/11/2013	5/16/2013	8/13/2013	11/19/2013	2/19/2014	5/20/2014
6209	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
6215	OOS	OOS	OOS	OOS	OOS	OOS	OOS
6228	11/14/2012	2/11/2013	5/23/2013	8/1/2013	11/1/2013	2/12/2014	5/19/2014
6229	11/14/2012	2/11/2013	5/23/2013	8/1/2013	11/1/2013	2/12/2014	5/19/2014
6252	12/20/2012	2/14/2013	5/29/2013	8/15/2013	11/20/2013	2/18/2014	5/7/2014
6311	11/26/2012	Attempted home visit 3/21/13. Attempted phone contact on 3/25/13.	4/10/2013; 6/25/2013	9/6/2013	11/12/2013	2/18/2014	5/8/2014
6338	11/7/2012	2/7/2013; 2/15/2013	5/21/2013	8/14/2013	11/5/2013	2/19/2014	5/8/2014
6359	11/29/2012	3/5/2013	Signed DNC on 3/8/13	DNC	DNC	DNC	DNC
6372	12/17/2012	2/11/2013	5/8/2013	8/21/2013	11/18/2013	2/19/2014	5/7/2014

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6407	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/22/2011. No guardianship referral from Columbus.
6425	11/27/2012	2/5/2013	5/7/2013	8/15/2013	10/1/2013; 11/06/2013	2/4/2014	5/6/2014
6498	Attempted phone contact 8/24/12; 10/23/12; 10/30/12. 12/13/12 Attempted home visits 11/2/2012; 11/29/2012	Sent letter to individual to reingage. Return receipt received 1/23/13. No response as of 3/28/13.	Sent letter to individual to reingage. Return receipt received 1/23/13. No response as of 4/30/13.	Deceased	Deceased	Deceased	Deceased
6509	11/16/2012	2/7/2013	5/28/2013	7/12/2013	10/10/2013	1/8/2014	4/10/2014
6533	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.	Individual signed DNC on 2/28/11. Individual declined Columbus on 11/3/10.
6580	10/19/2012	1/25/2013	4/12/2013	7/22/2013	10/8/2013	1/8/2014	4/14/2014
6590	11/7/2012	2/12/2013	5/14/2013; 6/10/2013	7/23/2013; Deceased	Deceased	Deceased	Deceased
6598	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH	Individual refused Columbus in March 2012 and requested no further contact from CSI or DOH
6626	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.	Individual signed DNC on 3/23/3011. No guardianship referral from Columbus DCA.

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6627	11/28/2012	1/9/2013; 2/22/2013	Phone contact 4/3/13; 4/5/13; 4/23/13; 5/10/13; Face to face: 6/12/2013	8/29/2013	11/14/2013	Phone Contact: 2/13/2014 Individual stated he would be OOT until the end of the month. CSI will set up a visit in March. Face to Face Visit: 3/05/2014	5/6/2014
6655	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 2/24/2011. Re- referred to Columbus 3/2012. Individual refused assessments and requested DNC.
6657	11/16/2012	2/7/2013	5/21/2013	8/13/2013; 8/21/2013	11/13/2013	2/19/2014	5/07/2014; 5/08/2014
6677	10/29/2012	1/23/2013	4/11/2013	7/8/2013	10/17/2013	1/9/2014	4/10/2014
6719	Individual requests that CSI visit only 1 time per year.	Individual requests that CSI visit only 1 time per year.	Individual requests that CSI visit only 1 time per year.	9/12/2013	Individual requests that CSI visit only 1 time per year.	Individual requests that CSI visit only 1 time per year.	Individual requests that CSI visit only 1 time per year.
6730	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
6768	11/30/2012; 11/6/2012; 10/10/2012; 10/11/2012;	2/15/2013; 3/8/2013	5/21/2013	8/13/2013	11/18/2013	2/19/2014	4/08/2014; 5/08/2014
6876	11/29/2012	2/22/2013	5/14/2013	8/14/2013	11/21/2013	2/17/2014	5/7/2014
6885	12/20/2012	3/28/2013	6/5/2013	9/4/2013	12/10/2013	3/7/2014	2nd Qtr
6943	11/30/2012	2/22/2013	5/20/2013	8/15/2013	10/28/2013	1/27/2014	4/4/2014



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7060	11/14/2012	2/25/2013	5/16/2013	8/21/2013	10/16/2013	1/9/2014	4/15/2014
7090	12/7/2012	3/6/2013	5/28/2013	8/27/2013	11/18/2013	2/18/2014; 3/14/2014	2nd Qtr
7234	Email on 10/11/12 from family states individual has met with CM. Individual is now on DDW.	DDW	DDW	DDW	DDW	DDW	DDW
7312	10/11/2012	2/14/2013	4/9/2013	7/31/2013	Attempted phone: 9/22/2013; 10/22/2013 Attempted Phone: 10/21/2013 Attempted Home visit: 10/23/2013; Attempted Phone: 11/04/2013; Face to Face visit: 11/05/2013	1/22/2014	4/22/2014
7315	Home visit 11/2/12- individual did not want to meet with CSI. Phone contact on 11/6/12, 11/7/12, 11/19/12.	2/18/2013	5/20/2013	8/27/2013	11/1/2013	2/20/2014	5/14/2014
7374	Attempted home visit 12/20/12; 12/7/12; 12/4/12	1/16/2013	5/10/2013	7/23/2013	10/17/2013; 11/01/2013	1/9/2014	4/11/2014
7433	10/10/2012	1/30/2013; 2/15/2013	4/26/2013	8/14/2013	10/17/2013	1/6/2014; 2/19/2014; 2/24/2014; 3/26/2014;	4/8/2014
7442	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased

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7455	11/28/2012	2/14/2013	5/30/2013	8/15/2013	11/12/2013	2/18/2014	5/14/2014
7495	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.	Individual signed DNC on 3/14/2011. Re-referred to Columbus 3/2012. Individual refused assessments and requested DNC.
7509	11/6/2012	1/8/2013	4/4/2013	7/9/2013	10/9/2013	1/2/2014	4/14/2014
7536	11/15/2012	2/14/2013	5/29/2013	8/15/2013	Attempted Home Visit: 11/05/2013; Phone Contact: 11/18/2013; Face to Face Visit: 11/20/2013	2/4/2014	5/7/2014
7590	10/3/2012	1/8/2013	4/12/2013	7/9/2013; 8/21/2013	10/22/2013	1/9/2014	4/15/2014
7658	10/26/2012	1/14/2013	4/2/2013	7/2/2013	10/16/2013	1/7/2014	4/3/2014
7676	10/29/2012	1/23/2013	4/11/2013	7/9/2013	10/17/2013	1/9/2014	4/10/2014
7777	12/7/2012	3/19/2013	6/6/2013	9/5/2013	12/27/2013	3/20/2014	2nd Qtr
7784	Do Not Contact	Do Not Contact	Do Not Contact	Do Not Contact	DNC	DNC	DNC
7882	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.	Individual signed DNC on 10/24/2011. Individual refused Columbus March 2012.
7907	10/12/2012	1/16/2013	4/30/2013	7/15/2013	10/24/2013	1/31/2014	4/8/2014
8000	DNC	DNC	DNC	DNC	DNC	DNC	DNC

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8012	Family continues to request email contact until they request visit from CSI. Last email sent to family on 9/13/12. No response to date.	Family continues to request email contact until they request visit from CSI. Last email sent to family on 9/13/12. No response to date.	Family continues to request email contact until they request visit from CSI. Last email sent to family on 9/13/12. No response to date.	Family continues to request email contact until they request visit from CSI. Last email sent to family on 9/13/12. No response to date. Email contact attempted by CSI on 8/29/2013; Phone contact: 9/9/2013	Phone Contact: 12/23/2013 Family requested home visit in January 2014	Attempted Phone Contact: 1/3/2014 Phone Contact: 1/6/2014 - Guardian requested phone contact only; Received signed DNC 3/24/2014	Guardian signed DNC - 3/24/2014
8017	12/3/2012	3/12/2013	6/17/2013	9/9/2013	12/16/2013	3/18/2014	2nd Qtr
8093	Attempted phone contact and home visit 12/20/12	Attempted home visit 2/12/13, 2/13/13; 3/19/13	Attempted phone contact 5/1/13, Attempted home visit 5/2/13.	Attempted home visits 8/22/2013; 8/26/2013	Attempted Home Visit: 11/15/2013; 11/20/2013	1/3/2014; 2/10/2014	Attempted home visit: 4/17/2014; Face to Face: 4/28/2014
8226	10/29/2012	1/23/2013	4/11/2013	7/11/2013	10/17/2013	1/9/2014	4/10/2014
8249	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.	Individual signed DNC on 3/30/2011. No guardianship referral from Columbus.
8276	12/11/2012	Individual deceased 2/8/13.	Deceased	Deceased	Deceased	Deceased	Deceased
8355	11/7/2012	2/15/2013	5/21/2013	8/14/2013	11/5/2013	2/24/2014	5/8/2014
8442	12/11/2012	2/11/2013	5/8/2013	8/21/2013	11/18/2013	2/19/2014	5/7/2014
8509 aka 8509D	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased

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8523	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.	9/21/12 phone contact with individual's guardian. Requested to no longer be contacted by CSI. Guardian will initiate contact with CSI.
8624	Phone contact- 12/20/12; 10/19/12; 11/8/2012	Phone contact 2/21/13; 2/8/13; 1/10/13	Phone contact 5/15/13	Phone contact 8/08/2013 Attempted face to face 8/15/2013 Attempted Phone: 8/22/2013	Phone Contact: 10/10/2013; Attempted Face to Face: 10/15/2013; Attempted Phone Contact: 10/24/2013; 10/28/2013; 10/29/2013; Phone Contact: 10/30/2013 - Individual requested face to face meeting in January 2014	1/14/2014	Phone Contact: 4/7/2014 DNC: 4/15/2014
8776	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated
8787	12/21/12-guardian requested visit to occur on 1/4/13.	Attempted visit on 1/4/13. Met with guardian. Guardian requested visit to occur later in month. Attempted phone contact 1/29/13 Spoke with guardian on 1/31. Visit occurred on 2/20/13.	5/31/2013.	8/29/2013	11/19/2013	2/19/2014	5/9/2014

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8832	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated	Incarcerated
8839	12/3/2012	3/12/2013	6/13/2013	9/9/2013	12/16/2013	3/20/2014	2nd Qtr
8851	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
8853	10/11/2012; 11/6/2012	2/15/2013	5/6/2013	8/21/2013	11/13/2013	2/19/2014	5/07/2014; 5/08/2014
8860	DNC	DNC	DNC	DNC	DNC	DNC	DNC
8885	11/20/2012	2/21/2013	5/9/2013	8/21/2013	Phone Contact: 11/18/2013; Face to Face visit: 11/19/2013	2/25/2014	5/8/2014
8907	11/14/2012	2/11/2013	5/23/2013	8/1/2013	11/1/2013	2/17/2014	5/19/2014
8943	10/3/2012	1/8/2013	4/12/2013	7/9/2013; 8/21/2013	10/22/2013	1/9/2014	4/15/2014
8974	12/13/2012	3/13/2013	Attempted phone call: 6/10/13 Attempted home visit: 6/11/2013	Attempted home visit: 7/24/2013 UTL	UTL	UTL	UTL
8994	Attempted home visit on 12/20/12. Conversation with supports on 12/19/12, 12/20/12, and 1/3/2013	1/22/2013; 3/28/2013	6/5/2013	Deceased 9/02/2013	Deceased	Deceased	Deceased
8998	11/15/2012	2/11/2013	Individual deceased 4/1/2013	Deceased	Deceased	Deceased	Deceased
9007	12/11/2012	3/7/2013	6/6/2013	9/16/2013	12/17/2013	3/4/2014	2nd Qtr

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9047 aka 9074	11/16/2012	1/31/2013	4/26/2013	7/18/2013	10/16/2013	1/13/2014	Attempted Phone: 4/8/2014; 4/9/2014 Attempted Home Visit: 4/14/2014 Phone Contact: 4/15/2014 Face to Face: 4/21/2014
9058	11/13/2012	2/15/2013	5/10/2013	8/5/2013	11/14/2013	2/10/2014	5/15/2014
9205	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
9255	Individual deceased 11/4/2012	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
9367	11/30/2012	2/27/2013	5/17/2013	8/12/2013	11/19/2013	2/24/2014	5/16/2014
9390	Incarcerated	Incarcerated	Incarcerated	Deceased	Deceased	Deceased	Deceased
9433	11/1/2012	1/8/2013	4/3/2013	Phone contact: 7/25/2013 Face to Face: 8/15/2013	10/9/2013	1/7/2014	4/3/2014
9440	11/5/2012	1/16/2013	4/18/2013	Attempted Visit: 7/18/2013; 7/22/2013 Face to Face Visit: 8/22/2012	10/9/2013	2/4/2014	Attempted Phone: 3/06/2014; 3/10/2014; 4/09/2014; 4/23/2014; 5/05/2014; 5/14/2014; 5/19/2014 Phone Contact: 4/23/2014

CSI Visitation Compliance  
June 2, 2014

9446	12/20/2012	2/12/2013	Attempted Phone: 6/27/2013 Attempted Home Visit: 6/3/2013, 6/21/2013 Phone Contact: 6/03/2013	7/23/2013	10/1/2013	1/2/2014	Attempted Home Visit: 4/1/2014; Attempted Phone: 4/4/2014 Face to Face: 4/10/2014
9553W	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian	DDW / has Guardian
9734	11/28/2012	3/7/2013	6/3/2013	8/29/2013	12/9/2013	3/5/2014	2nd Qtr
9774	10/18/2012	1/16/2013	4/30/2013	7/15/2013	10/24/2013	1/31/2014	4/8/2014
9797	12/12/2012	2/20/2013	5/31/2013	Scheduled to be seen 8/29/2013; Guardian cancelled visit and requested it be rescheduled in Sept. Face to face visit: 9/25/2013	11/19/2013	2/19/2014	5/9/2014
9815	10/3/2012	1/17/2013	4/4/2013	7/15/2013	10/8/2013	1/27/2014; 3/17/2014	Phone Contact: 4/2/2014; 4/14/2014
9886	10/16/2012	1/22/2013	5/29/2013	7/31/2013	10/23/2013	Attempted Phone Contact: 2/3/2014 Attempted Home Visit: 1/22/2014; 2/18/2014; Will see in April	4/22/2014
9906	11/7/2012	2/12/2013	5/14/2013	8/12/2013	11/12/2013	2/13/2014	5/14/2014
9922	10/23/2012	2/6/2013	4/12/2013	7/19/2013	10/4/2013	1/14/2014	4/10/2014
9926	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
9961 aka 9961D	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased

CSI Visitation Compliance  
June 2, 2014

9967	11/8/2012	2/13/2013	5/8/2013	8/2/2013	11/5/2013	2/20/2014	5/13/2014
9984 aka 9984D	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased	Deceased
9999	Incarcerated	Incarcerated	4/11/2013	7/8/2013	Incarcerated	Incarcerated	Incarcerated



Jerry A. Walz, Esq.

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November 6, 2013

**SENT VIA EMAIL**

Peter Cubra, Esq.  
3500 Comanche NE, Suite H  
Albuquerque, NM 87107

**Re: *Foley v. DOH, et al.*, Case No. 07-CV-00604-RB-ACT**

Dear Peter and John,

Attached are documents for the 32 former residents for whom Plaintiffs raised questions related to the service plans provided at the September 6 status conference. At that meeting, Arbitrator Gross directed Defendants to meet with Plaintiffs' counsel and answer the remaining questions regarding the extent of the assistance provided or not provided to the 32 former residents under Paragraph 3d of the Settlement Agreement. Those meetings were held September 6, September 16, September 23, and October 16, 2013.

In addition to the documents included in this communication, Defendants underscore that significant amounts of information on the assistance provided by CSI workers under the Settlement Agreement has already been provided to Plaintiffs' counsel. Following the August 2012 Arbitration, Defendants provided Plaintiffs' counsel with a grid containing all information requested by plaintiffs on notice, dates of assessments, referrals to the DD waiver, referrals for guardianship or Power of Attorney, and Personal Care Option. The grid was accompanied by a CD containing narrative documentation of all "other recommendations" made by the Columbus Organization reviewers and recorded in the "Recommendations" field of the Columbus Assessment tools. The information available to Plaintiffs' counsel on the grid, as well as the narrative information on the "Other Recommendations" may be reviewed with the documents included in this transmission for a more complete representation of the assistance provided by CSI workers, and the formal recommendations of the Columbus reviews.

At the September 6, 2013 status conference with Michael Gross, the parties were asked to come to agreement on what services are provided by CSI, in addition to the services detailed in the grid and "Other Recommendations". The parties agreed that the job duties as listed by then

Attachment B

Peter Cubra, Esq.  
John Hall, Esq.  
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CSI worker Shadee Brown (attached) describe a spectrum of assistance that may be provided if requested by the individual or suggested by CSI. Other than the specific settlement agreement languages to visit at least quarterly, facilitate the application to the DD waiver, PCO or surrogate decision maker, CSI duties are dependent on the needs and requests of each individual.

Also at the September 6, 2013, status conference, Defendants explained that the formal Columbus recommendations as recorded in the Recommendations field of the assessment document are recorded in the "Other Recommendations" document created by counsel. Columbus occasionally made statements in the summary of the assessment document that could be construed as "recommendations." The follow up on these "recommendations" has been recorded in the Service Plans created by CSI.

The dates above reflect the meetings with Plaintiffs to address any additional questions regarding the service plans. Those answers are recorded in the documents attached, titled "Follow up to September 6, 2013 status conference". Occasionally, Plaintiffs raised questions unrelated to any formal or embedded recommendation. Those additional questions are also included in the attached September 6 follow up document.

We look forward to your response, due November 16, 2013. The parties have already agreed to a telephonic status conference on Friday November 15, 2013, with Michael Gross. Since the due date for Plaintiffs' response falls on a date following the scheduled status conference, Defendants will contact Michael to see if he prefers to reschedule the status conference.

Sincerely,

WALZ AND ASSOCIATES

*/s/ Kathyleen M. Kunkel*

*/s/ Anne T. Alexander*

Kathyleen M. Kunkel  
Anne T. Alexander

KMK/ATA/scc

Enclosure(s): as stated

Peter Cubra, Esq.  
John Hall, Esq.  
November 6, 2013  
Page 3 of 3

cc via email w/out enclosures:

Cathy Stevenson, DDS Director DOH  
Wendy Corry, DOH/DDS Director of Systems Improvement  
Kathy Baker, DOH  
Jerry Walz, Esq.

Jerry A. Walz, Esq.  
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March 14, 2014

Michael Gross, Arbitrator  
Michael A. Gross Law LLC  
1911 Serpentine Circle S  
Saint Petersburg, Florida 33712  
via email: mike@mikegrosslaw.com

***Re: Foley v. DOH, Defendants' Response to Plaintiffs' Sixth Arbitration Demand***

Dear Arbitrator Gross:

Below please find Defendants' response to Plaintiffs' Sixth Arbitration Demand. Plaintiffs' narrative, history and overview are factually inaccurate and based on unfounded assumptions. Defendants will address those assumptions and factual errors. Defendants will then address the allegations made by Plaintiffs in their arbitration demand. Defendants are prepared to present documentary and testimonial evidence to support their responses.

## **I. Introduction**

Plaintiffs' Introductory paragraphs contain numerous misleading statements. For example, Plaintiffs' state that "five (5) of the 32 did not get specific recommendations," or, for those individuals who did receive specific recommendations, that "a majority of those people have still not received the benefit of one or more specific recommendations made by Columbus,

Attachment C

although years has [sic] gone by since those recommendations were made.” [Pltfs.’ Sixth Arbitration Demand p. 1]

Actually, the five individuals referenced in Plaintiffs Introductory paragraph did not receive *any* recommendations from Columbus following their Decisional Capacity Assessments, and the majority of individuals who “have not received the benefit of one or more specific recommendations” declined, had a guardian or substitute decision-maker decline, or were ineligible for a program due to other reasons. To portray the Defendants as noncompliant when a program or service is declined or the individual is ineligible, particularly when Plaintiffs are in possession of the facts, goes beyond advocacy to unacceptable.

Plaintiffs’ Introductory paragraphs allege that CSI workers have failed to fulfill the requirements of the Settlement Agreement in two ways. First, by not effecting each and every recommendation of the Columbus reviewer for every former resident, and second, that most of those individuals also have not received the assistance from the CSI project that they were promised. [Pltfs.’ Sixth Arbitration Demand p. 1] Although this information is not new, Defendants will review here the scope of the Settlement Agreement, the CSI “project”, and the CSI workers’ authority, resources, and practice.

**A. The Settlement Agreement**

The Settlement Agreement provided that the Columbus Organization would perform two assessments, a Needs Assessment and a Decisional Capacity Assessment to former residents of the state’s institutions for the developmentally disabled. Both assessments were optional and offered to the former residents, their guardians or Power of Attorney. The Needs Assessment did

not make determinations of eligibility for any program nor did the Decisional Capacity Assessment determine an individual's competence. The resulting recommendations were suggestions, not mandates, and did not necessarily reflect the individual's or family's cultural values, preferences or interests. At times the recommendations were based on information that was later determined to be inaccurate. Where relevant, Defendants will identify the cases where these situations arose.

The Settlement Agreement was structured to provide former residents with an opportunity to meet with the Columbus representatives, to be assessed for possible referral to the DD waiver, the Personal Care Program or other appropriate programs if the results of the screenings and assessments identify services the former resident may need, to receive a Decisional Capacity Assessment for possible referral to the Office of Guardianship where the individual's capacity would be determined as defined by law, and to be visited at least quarterly by a member of CSI.

Specific language in the agreement made it clear that former residents would be assisted by CSI in their applications for any program; however, each individual would be considered for eligibility in accordance with program guidelines, eligibility, criteria and available funding subject to the agencies respective statutory and regulatory responsibilities. Both parties were aware that the waiting list for services under the DD Waiver was approximately eight (8) years at

the time of the settlement. To support those who needed more assistance in their daily activities, Defendants agreed to offer each person on the waiting list the Personal Care Option.<sup>1</sup>

**B. CSI Project**

Plaintiffs allege that Defendants have not complied with the Settlement Agreement as they have failed to provide the assistance from the CSI project. Plaintiffs provide no specific complaints and state that they are reserving this argument for a future date. In this response, Defendants will include their efforts to provide answers to the questions posed by Plaintiffs regarding issues outside the Columbus recommendations, as those questions took up much of the meetings and communications with Plaintiffs' counsel in September, October, and November 2013, and were part of the Tables provided to Plaintiffs in January 2014.

The CSI project is a term describing state efforts to identify, organize, contact, conduct outreach, provide education, facilitate applications and provide a community based state employee as liaison to those former residents of the state's three institutions for the developmentally disabled who fall within the terms of the Settlement Agreement. The CSI project preceded the Settlement Agreement, and some of the current CSI workers assisted in the efforts to locate the former residents. Those CSI workers also performed face to face visits and facilitated applications to public programs years before the formal agreement.

The CSI unit is a part of the Developmental Disabilities Supports Division. CSI workers have access to experts in the field of developmental disability. There are no specific services

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<sup>1</sup> The Medicaid PCO program is designed to permit a person to live in his or her home rather than a nursing facility, and to maintain or increase personal independence. Personal Care attendants provide a range of services to individuals who need help with activities of daily living because of a disability or functional limitations. [www.nmbiac.com/PDF/Final\\_PCO\\_tip\\_sheet\\_012810.pdf](http://www.nmbiac.com/PDF/Final_PCO_tip_sheet_012810.pdf)

provided by CSI other than those described in the Settlement Agreement; to visit as needed and to assist with referrals to other programs as requested by the individual. As has been discussed with Plaintiffs on multiple occasions, the assistance provided by CSI is individual specific. Not every former resident is interested in the assistance offered by CSI. Plaintiffs' allege that there is highly variable performance among CSI workers. Defendants dispute this and assert that it is the variable nature of each individual and their circumstances that result in highly variable outcomes.

**C. The DD Waiver**

The services offered by the DD Waiver are an important backdrop to understanding the construction of the Settlement Agreement. Information regarding the scope of the services available, the number of individuals surrounding the individual on the waiver, and the role of the case manager are essential background to understanding the scope of the January 8, 2010, Settlement Agreement. As stated in the first sentence of paragraph 3(a) of the Settlement Outline, Columbus was to presumptively “*exclude* all individuals who are currently receiving services under the DD waiver, the D&E waiver, and the medically fragile waiver.” [Settlement Agreement ¶3 (a)] This was because Defendants administered the waivers referred to in ¶3 (a) of the Settlement Agreement and understood the breadth of services already provided to the individuals who were served by the waivers. Greater detail regarding the services provided under the DD waiver will be described as appropriate in the response below.

**D. Plaintiffs' Overview**

Defendants object to Plaintiffs' allegation that “it seems certain that, due to the advocacy and monitoring Plaintiffs' counsel have provided those twenty-seven people, they have gotten



superior attention from CSI and Defendant, compared to the hundreds of other people who are also entitled to the benefits of the Settlement Agreement, with whom we are not in contact”. [Pltfs.’ Sixth Arbitration Demand, p. 2]

For most of the 32 individuals, the information provided to Plaintiffs since January 2013 has not changed. Defendants reported monthly through the service status reports on CSI efforts to meet the terms of the Settlement Agreement regarding all individuals who were eligible for the benefits of the Settlement Agreement. In addition, the grid provided in January 2013, documented the dates of notice, the date of each Needs Assessment, the date of each Decisional Capacity Assessment and whether or not there were recommendations related to those assessments. Plaintiffs have the dates that any individual was referred to the Office of Guardianship and the outcome of those referrals. Plaintiffs have the information on anyone referred for a POA or Health Care Decision maker and the outcome of those referrals. Plaintiffs have the dates of each individual’s referral to PCO and the outcome of those referrals, as well as the reason any individual was not receiving PCO. In January 2013, Defendants also provided narrative reports on every individual’s Other Recommendations. Defendants continue to provide Plaintiffs with monthly visitation reports on all individuals eligible for this benefit under the Settlement Agreement.

Defendants have been producing the same information to Plaintiffs regarding the status of completion of the Columbus recommendations since the grid was produced in January 2013. This information was repeated in the Follow up to Status Conference Held September 6, 2013, the informal discussions held with Plaintiffs in September and October 2013, and in the Tables

provided in January 2014. Individual lives are dynamic, and there may be amendments to the information occasionally as the individual's circumstances change, however, as the documents demonstrate, the majority of the follow up information has not changed.

As noted above, CSI cannot impose the Columbus recommendations on individuals with capacity, or on guardians. In every case where a recommendation has not been effected, CSI has provided the explanation. Defendants strongly object to Plaintiffs' repeated representation that individual or family decisions represent CSI failure to implement Columbus recommendations, and further suggest that Plaintiffs make such repeated representations to create the appearance of noncompliance where in fact it does not exist.

[REDACTED]