

Minutes



GOVERNOR'S COMMISSION ON DISABILITIES BUSINESS MEETING

Monday November 1, 2004 5:00 – 7:00 PM John O.

Pastore Center (Formerly the Howard Center)

- 41 Cherry Dale Court,

Cranston, RI 02920-3049

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Secretary:

Bob Cooper

Attendees:

Paul Choquette (Chair); John McDonald (Vice Chair); Frederick Burke; Rosemary Carmody; Regina Connor; Joseph Corrente; Binyamin Efreom; Joseph Guay; Dr. Kate McCarthy-Barnett; Ronald McMinn; Bill Nieranowski; James Pitassi; Arthur Plitt; Patricia Ryherd; Rev. Gerard Sabourin; Lou Salerno; & Dr. Victoria Wilcox

Excused:

Victoria Ferrara; Scott Greco; Mitchell Henderson; Dr. Orestes Monteracy

Minutes

5:00 PM Call to Order, Introductions and Acceptance of Minutes Paul Choquette, Chair.

Discussion Chair called the meeting to order at 5:00 PM.

Members, staff and guests introduce themselves

MOTION: To accept the minutes of the previous meeting as mailed RMcM/AP passed unanimously

5:05 PM Action Items

1. Public Hearing – Amendments to the Rules and Regulations Relating to the Physical Inaccessibility of Buildings and Structures John MacDonald, Chair Hearing Board

Testimony: No comments

MOTION: To Adopt the proposed Amendments to the Rules and Regulations Relating to the Physical Inaccessibility of Buildings and Structures, as presented AP/BN passed unanimously

2. Adoption of 2005 Legislative Package Dr. Victoria Wilcox, Chair Legislation Committee

**Legislation Committee's Recommendations for the
2005 GCD Legislative Package**

- **Access to Comprehensive Health Care** for people with disabilities through:
 1. Expand Home Care Services, so people can remain living in their community;
 2. Adjust state's income eligibility level for Medicaid for persons with disabilities to match the Family Independence Program level and then adjust annually by the cost of living;
 3. Increase the number of Medicaid Personal Care Attendants slots to 150 and add rehabilitation services;
 4. Expand the Medicaid formulary to include the American Hospital Formulary Service pharmacological-therapeutic classifications categories that have not been determined by the federal "Drug Efficacy and Safety Implementation (DESI) Commission" to lack substantial evidence of effectiveness;
 5. Provide state funded health insurance coverage (including prescription drug coverage) during the 2-year wait for SSDI recipients to be covered by Medicare.
 6. Establish of program to provide appropriate in-state services for people with traumatic brain injury, probably via the TBI Trust Fund legislation.
 7. Amend the State Medicaid Plan to include physical therapy, occupational therapy, speech/language therapy, psychological therapy and the second hearing aid.
- **Expand Employment Opportunities** for adults with disabilities through the creation/maintenance of work-related infrastructure:
 8. Fully fund RIDE & RIPTA as recommended by RIPEC in its Rhode Island at the Crossroads – A RIPEC Public Policy Issues Brief
 9. Fully fund Medicaid Buy In, for personal care services, job coaches, and other support services available for people with disabilities who are working;
- **Affordable and Accessible Housing** including:
 10. Fully Fund modifications to homes/apartments owned or rented by families with disabled members (expand to include Medicare only recipients) and create flexible funding plan such as cash and counseling for families to modify home or yard, and
 11. Fully Fund the Neighborhood Opportunities Program to expand the public and private market of affordable/adaptable housing.

MOTION: To adopt the 2005 Legislative Package as revised to include a cost of living adjustment for Personal Care Assistants AP/RMcM passed PR abstained

6:00 PM

RECESS FOR DINNER

3. Commission Personnel:

John MacDonald, Vice Chair

a) **Accreted Employees' Pay Schedule**

Discussion: The Department of Administration has directed the Commission to transfer the two accreted employees to the union pay schedule. They also want the change made retroactively to February 8th, which would mean the Communications and Training Coordinator would owe the state around \$400.

The Executive Committee unanimously recommends the Commission authorize:

- the reduction in pay of the Communications and Training Coordinator from pay grade 826A \$51,622 to pay grade 326 A \$51,066;
- change the Administrative Aide from pay grade 805 A \$15,679 to 305 A \$15,679;
- both to be effective 11/07/04;
- with an invitation to the effected employees to attend and express their concern at the Commission meeting November 1st.

MOTION: To change the Communications and Training Coordinator from pay grade 826A \$51,622 to pay grade 326 A \$51,066; change the Administrative Aide from pay grade 805 A \$15,679 to 305 A \$15,679; both to be effective 11-14-04 RMcM/LS passed, JP abstained.

**b) FY 05 Supplemental & FY 06 Budget and
FTE Requests**

**John MacDonald &
Bob Cooper, Executive Secretary**

Discussion: The Budget Office insists the Commission reduce the number of employees at the Commission from 7.6 FTEs to 6.6 FTEs to bring us in line with the State Budget as Enacted into law. The Commission's (former) budget analyst did not inform anyone at the Budget Office that we needed an adjustment to the Commission's FTE cap, before the Budget Office authorized the creation of a new position. Unless the Governor, Speaker of the House and President of the Senate jointly agree to an adjustment of the FTE cap, then the Commission is in violation of state law.

The Department of Administration's proposal is to transfer the Assistant Administrative Officer to Department of Administration's Business Office and have all our financial & personnel documents processed over there. The Budget Office would take from the Commission's General Revenue Account, the Assistant Administrative Office's salary and benefits. The Commission would also "purchase" services to cover grant related activities. DOA's Business Office and not the Assistant Administrative Officer specifically, would be responsible for all Commission fiscal, purchasing, payroll, personnel work.

The Executive Committee unanimously voted to direct the Chairperson and Executive Secretary to send a letter to the Governor, Speaker of the House and President of the Senate requesting an adjustment in the FTE Cap from 6. 6 to 7.6 in FY 2005.

The Budget Office has sent its recommendations, modifying the Commission's budget requests for FY 05 & 06 (attached). The Budget Office proposes the following:

For the FY 2005 Budget

1. Rejected the request for the 1 FTE and immediately transfer our Assistant Administrative Officer to the Department of Administration's Central Business Office, along with state funds to cover her salary & benefits (\$31,000)
2. Deleting funds to replace the current copy machine with a multi-function printer/copier (\$3,300) and a personal computer (\$500).
3. Deleting funds for mileage reimbursement (\$1,200), and a subscription to Capitol Publishing's Disability Reporter (\$620) and
4. Adding funds for general insurance (\$290).

For the FY 2006 Budget

1. Transfer \$41,360 to the Department of Administration's Central Business Office to cover the Assistant Administrative Officer's salary & benefits
2. Cutting funds to maintain the "old" copy machine (\$100) and deleting funds to replace a personal computer (\$500)
3. Deleting funds for mileage reimbursement (\$1,260), and a subscription to Capitol Publishing's Disability Reporter (\$665) and
4. Adding funds for general insurance (\$290).

MOTION: To Authorize the Chairperson to negotiate a Memorandum of Agreement with the Department of Administration, to provide financial, purchasing, payroll, and personnel service while the Commission will retain the responsibility to approve all fiscal and purchasing documents, if the FTE cap is not raised prior to 11/12/04 then the Chairperson is authorized to sign the transfer of the AAO to DOA. AP/BN passed, JP abstained.

MOTION: To Direct the Chair and Executive Secretary to present a response to the Budget Office's Recommendations that:

- Retains the full salary/benefits of the Assistant Administrative Officer, with Commission purchasing services from DOA, rather than transferring salary/benefits
- Restores funding to replace copy machine, computers and
- Authorizes a FTE for the Assistant Administrative Officer, contingent on prior motion. RMcM/JC passed unanimously

4. Adoption of Schedule of Meetings for 2005

Bob Cooper

Commission

Responsible for: Setting policy for the commission, recommending the Commission's budget, and adopting an operational plan, connecting the different elements within the Commission.

Meets: Mondays @ 5:00 PM
Business Meetings: 02/07, 04/04, 06/24, & 11/07
Annual Meeting: Saturday 09/10 @ 9:00 - 1:30 PM

Accessibility Committee

Responsible for: Increasing access to government provided (or funded) services by people with disabilities, through the removal of environmental and /or communication barriers.

Meets: 3rd Mondays of every other month @ 2:30 PM

01/24, 03/21, 05/16, 06/20, 09/19 & 11/14

Disability Business Enterprise Committee

Responsible for: Enhancing the competitiveness of businesses owned by people with disabilities, rehabilitation agencies, and businesses where people with disabilities provide 60 % of the labor.

Meets: 2nd Wednesdays @ 9:00 AM
01/12, 02/09, 03/09, 06/08, 10/12
At the Department of Labor and Training, Building 73, 2nd Fl. Front Conf. Rm.

Disability Parking Committee

Responsible for: Improving the enforcement of disability parking laws through monitoring of state/local enforcement efforts.

Meets: 2nd Thursdays @ 11:00 AM
02/10, 03/10, 04/14, & 05/12

Hearing Board

Responsible for: Conducting hearings and: issuing findings and corrective action orders regarding disability discrimination pursuant to RIGL 42-87-5(b); granting leased facility accessibility waivers pursuant to RIGL 37-8-15.1(b); and accepting open meeting transition plans pursuant to RIGL 42-46-13(f).

Meets: As needed, upon the receipt of: disability discrimination complaints; leased facility accessibility waiver requests; or open meeting transition plans.

Election Assistance Committee

Responsible for: for overseeing the Election Assistance for Individuals with Disabilities: develop training modules to be used by election officials and poll place workers to better prepare them to meet a variety of voter needs; recruit people with disabilities to serve as trained poll workers; and/or serve, on an as-needed basis, as advisors to the Commission, the RI Disability Law Center, Secretary of State's Election Division, and the State Board of Elections' ongoing attempts to ensure polling site accessibility and greater participation by people with disabilities in the electoral process.

Meets: 4th Wednesdays of every other month @ 9:00 AM
01/28, 03/24, 05/26, 07/28, 09/22, & 11/24

Employment / Economic Opportunities Committee

Responsible for: for overseeing implementation of the Human Resource Investment Council's Promoting Work Grant and the provision of training and technical assistance regarding the employment provisions of the ADA.

Meets: last Thursdays of every other month @ 9 AM
01/27, 03/31, 05/26, 7/28, 9/29, & 11/17

Information and Assistive Technology Committee

Responsible for: Promoting the design and use of accessible information technology and providing assistive technology to people with disabilities who are: employees of state agencies; students enrolled at state operated schools and colleges; or clients/residents of state operated programs/services.

Meets: 3rd Wednesdays of every other month @ 2:30 PM
01/26, 03/16, 05/18, 07/20, 09/21, & 11/16

Legislation Committee

Responsible for: Developing legislation that improves the quality of life of people with disabilities, getting enacted into law that legislation and ensuring that legislation that is harmful to people with disabilities is not enacted into law.

Meets: Mondays @ 3:00 PM
01/10, 02/14, 03/14, 4/11, 05/09, 06/06, 07/11, & 12/05
Public Forums in various locations throughout the state the week of: 07/25th
Review of Public Forum Testimony @ 3 PM 09/07, 09/26, & 10/06

State Coordinating Committee on Disability Rights

Responsible for: Coordinating compliance with disability rights laws throughout state government.

Meets: Quarterly 4th Tuesday @ 9:00 AM
02/24, 05/25, 09/27 & 11/22

Executive Committee

Responsible for: Managing the Commission's operations, preparing budget, selecting fellows, and addressing personnel issues.

Meets: Wednesdays @ 4:00 PM
01/19, 06/08, 08/24 & 09/14

Discussion: Members discussed the starting times for a couple committees.

MOTION: To adopt the Schedule of Meetings for 2005 above, revised to include: the Employment / Economic Opportunities Committee schedule of the last Thursdays of every other month @ 9 AM: 01/27, 03/31, 05/26, 7/28, 9/29, & 11/17; and move the State Coordinating Committee on Disability Rights meetings to 4 PM AP/VW passed unanimously

6:45 PM Other Business

5. Adoption of 2004/5 Contract with NE ADA & Accessible IT Center Bob Cooper

Discussion: The New England ADA & Accessible IT Center / Commission contract for the 4th year (Oct. 04 – Sept. 05) maintains funding for the general ADA awareness, training, and technical assistance, at \$22,000. The Center proposes a cut in funding of the Accessible Information Technology to \$4,450 (from the original projected funding of \$10,511). The decreased funding relates to this year's IT focus on Community College website access. The regional Center is using CCRI as the model project.

MOTION: To adopt the 2004 / 2005 Contract with the New England ADA & Accessible IT Center, as presented PR/RC passed BE Abstain

6. Assistive Technology Conference – Financial Support Bob Cooper

Discussion: Oct. 20th Letter for Executive Director of TechACCESS distributed.

MOTION: To authorize up to \$350 to support the Assistive Technology Conference, from ADA IT Grant funds. JC/JG passed RC abstain

7. Upcoming events John J. MacDonald

Transportation Improvement Plan - Distributed the Oct. 25th Letter from Chief of Statewide Planning distributed. JMacD explained the process and urged organizations to get involved.

Distributed the Notice of Upcoming National ADA Audio Conferences	
Adjourned at:	6:58 PM
Resource People:	Teresa Carr-Hopkins; Cynthia Furtado; Mary McMahon; Christine Rancourt; & Albert Tardie (GCD)
Observer:	Jeanne Behie