



Governor's Commission on Disabilities

Monday April 20, 2015 5:00 PM - 6:30 PM

John O. Pastore Center, 43 Cherry Dale Court,
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Attendees: R. Timothy Flynn (Chair.); Andrew Argenbright; Frederick Burke; Judith Drew; Sarah Everhart Skeels; William Inlow; Arthur Plitt; Angelina Stabile; & Dawn Wardyga

Absentees: Rosemary Carmody (Vice Chair); Casey Gartland; Ronald McMinn; James Pitassi; Msgr. Gerard Sabourin; Linda Ward; & Gary Witman

Guests:

Staff: Bob Cooper, Executive Secretary & Alyssa Gleason, Public Education Coordinator



5:00 Call to Order and Acceptance of the Minutes, Timothy Flynn, Chair

Chair calls the meeting to order at 5:20 PM



MOTION: To accept the minutes of the previous meeting as presented
Motion moved by AA, seconded by SES, passed unanimously

Action Items:



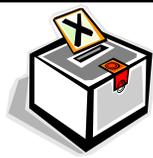
5:05 July 26, 2015 the 25th Anniversary of the Signing of the Americans with Disabilities Act, Timothy Flynn, Chair

Purpose/Goal: To plan the Rhode Island 25th Anniversary ADA Celebration

Discussion: Alyssa Examples of other state celebration plans:

Ideas for Rhode Island

- “Know your rights” trainings throughout the state
- ADA Trivia Night at local restaurants
- ADA Pledge Awareness (State House signing)
- Geocaching - leaving caches of ADA information throughout the state
- Scheduling the Public Forums for July 27th - 31st.
- Listing events on the ADA Legacy Project Website
- Employment Conference in October 23rd.



Motion: To celebrate the 25th Anniversary of the Signing of the Americans with Disabilities Act with the following activities between July 26, 2015 and July 25, 2016:

- “Know your rights” trainings
- ADA Trivia Night at local restaurants
- ADA Pledge Awareness (State House signing)
- Geocaching - leaving caches of ADA information throughout the state
- Scheduling the Public Forums for July 27th - 31st.
- Listing events on the ADA Legacy Project Website
- Employment Conference in October 23rd
- Governor signing ADA Anniversary Proclamation

Motion moved by JD, seconded by AP, passed unanimously

5:35 2016 Budget Articles, Timothy Flynn, Chair

Purpose/Goal: To Review the 2016 Budget Articles and their Impact on People with Disabilities and Determine the Commission’s Position on them.

Article 18 - Relating to Division of Advocacy

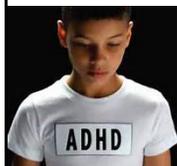
The Article would "for budgetary and administrative purposes only" create within the executive office of health and human services the division of advocacy, which would consist of the commission on the deaf and hard-of-hearing, the governor’s commission on disabilities, the office of the mental health advocate, and the child advocate office. The authority to hire, fire, and direct staff, to set priorities, conduct hearings, investigate complaints, etc. would appear to remain within the existing agencies. The budget authority would shift to the Secretary of Health and Human Services (EOHHS), who could shift staff and financial resources to other EOHHS entities.

Status: The Governor Withdrew the Article on March 31st

Article 19 Relating to Consolidation of Boards

This article would repeal in its entirety the Department of Health's “Division of Professional Regulation”, abolish 25 licensing boards and replace them with the division of professional regulation and licensing which would be the licensing and regulatory authority for the following arts, practices, sciences or callings:

- (1) Barbers, hairdressers, cosmeticians, manicurists, and estheticians in chapter 10 of title 5;
- (2) Chiropractic physicians in chapter 30 of title 5;
- (3) Electrolysis in chapter 32 of title 5;
- (4) Funeral director/embalmer in chapter 33.2 of title 5;
- (5) Opticians in chapter 35.2 in title 5;
- (6) Social workers in chapter 39.1 of title 5;
- (7) Physical therapists in chapter 40 in title 5;
- (8) Occupational therapy in chapter 40.1 in title 5;
- (9) Psychologists in chapter 44 of title 5;
- (10) Nursing home administrators 45 of title 5;
- (11) Speech pathology and audiology in chapter 48 of title 5;



	<p>(12) Hearing aid dealers and fitters in chapter 49 of title 5; (13) Prosthetist in chapter 59 of title 5; (14) Athletic trainers in chapter 60 in title 5; (15) Mental health counselors and marriage and family therapists in chapter 63 of title 5; (16) Licensed dietician in chapter 64 of title 5; (17) Dietary manager in chapter 64.1 of title 5; (18) Radiologic technologists in chapter 68 of title 5; (19) Licensed chemical dependency professionals in chapter 69 of title 5; (20) Interpreters for the deaf in chapter 71 of title 5; (21) Applied behavior analysts in chapter 86 of title 5; (22) Clinical laboratory science practice in chapter 16.3 in title 23; (23) Assisted living residence administrators in chapter 17.4 of title 23; (24) Massage therapists in chapter 20.8 in title 23; and (25) Respiratory care in chapter 39 of title 23.</p> <p>A single 10 member health professions board of review would be established for the purpose of appeals, discipline and advisory functions for the arts, practices, sciences, or callings listed in § 5-26.1-2(a). This article would take effect upon passage.</p>
	<p>The Legislation Committee recommends the Commission oppose unless amended, 15 H 5900 Article 19 Relating To Consolidation Of Department Of Health Boards, to retain the following boards for the purpose of appeals, especially retaining the voice & vote of the consumer representative for unprofessional conduct hearings:</p> <ol style="list-style-type: none"> 1. The Board of Chiropractic Examiners (Sections 5 & 6, Chapter 5-30) 2. The Advisory Committee for Opticianry (Sections 10 & 11, Chapter 5-35.2). 3. The Board of Social Work Examiners (Sections 12 & 13, Chapter 5-39) 4. The Board of Physical Therapy (Sections 14 & 15, Chapter 5-40) 5. The Board of Occupational Therapy Sections 16 & 17, Chapter 5-40) 6. The Board of Psychology (Sections 18 & 19, Chapter 5-44) entitled "Psychologists" 7. The Board of Examiners of Speech Language Pathology and Audiology (Sections 22 & 23, Chapter 5-48) 8. The Board of Hearing Aid Dealers and Fitters (Sections 24 & 25, Chapter 5-49) 9. The Advisory Board of Orthotics and Prosthetics Practice (Sections 26 & 27, Chapter 5-59.1) 10. The Board of Mental Health Counselors (Sections 30 & 31, Chapter 5-63.2) 11. The Board of Radiologic Technology (Sections 35 & 36, Chapter 5-68.1) 12. The Board of Licensing for Chemical Dependency Professionals (Sections 37 & 38, Chapter 5-69) 13. The Board of Examiners of Interpreters for The Deaf (SECTION 39 & 40, Chapter 5-71) 14. The Clinical Laboratory Advisory Board (Sections 43 & 44, Chapter 23-16.3) and 15. The Board of Respiratory Care (Sections 48 & 49, Chapter 23-39)
	<p>MOTION: Commission oppose unless amended 15 H 5900 Article 19 Relating To Consolidation Of Department Of Health Boards, to retain the following boards, especially the voice/vote of the consumer unprofessional conduct hearings:</p>

- a. The Board of Chiropractic Examiners (Sections 5 & 6, Chapter 5-30)
- b. The Advisory Committee for Opticianry (Sections 10 & 11, Chapter 5-35.2).
- c. The Board of Social Work Examiners (Sections 12 & 13, Chapter 5-39)
- d. The Board of Physical Therapy (Sections 14 & 15, Chapter 5-40)
- e. The Board of Occupational Therapy Sections 16 & 17, Chapter 5-40)
- f. Nursing home administrators (Sections 20 & 21, Chapter 5-45);
- g. The Board of Psychology (Sections 18 & 19, Chapter 5-44) entitled "Psychologists"
- h. The Board of Examiners of Speech Language Pathology and Audiology (Sections 22 & 23, Chapter 5-48)
- i. The Board of Hearing Aid Dealers and Fitters (Sections 24 & 25, Chapter 5-49)
- j. The Advisory Board of Orthotics and Prosthetics Practice (Sections 26 & 27, Chapter 5-59.1)
- k. The Board of Mental Health Counselors (Sections 30 & 31, Chapter 5-63.2)
- l. The Board of Radiologic Technology (Sections 35 & 36, Chapter 5-68.1)
- m. The Board of Licensing for Chemical Dependency Professionals (Sections 37 & 38, Chapter 5-69)
- n. The Board of Examiners of Interpreters for The Deaf (Section 39 & 40, Chapter 5-71)
- o. Assisted living residence administrators in (Section 45, Chapter 23-17.4);
- p. The Clinical Laboratory Advisory Board (Sections 43 & 44, Chapter 23-16.3) and
- q. The Board of Respiratory Care (Sections 48 & 49, Chapter 23-39).

Motion moved by SES, seconded by AP, passed, WI abstained

Article 20 Relating to Professional Licenses

This Article would abolish the license, certification, or registration for:

- (1) Sanitation line cleaners in section 3-7-25 Sanitary conditions for dispensing of malt beverages or wine, (abolish the license fee and \$50);
- (2) Apprentice barbers, instructors, or demonstrators in chapter 5-10 Barbers, Hairdressers, Cosmeticians, Manicurists (and repeal of the section 5-10-13 Demonstrator's permit);
- (3) Apprentice electrologists and instructions in chapter 5-32 Electrolysis (the department of health could issue regulations on the course of training);

	<p>(4) Acupuncture assistants in chapter 5-37.2 Healing Art of Acupuncture;</p> <p>(5) Physical therapist assistants in chapter 5-40 Physical Therapists (and repeal sections 5-40-6.1. Qualifications of physical therapist assistants; 5-40-7.1. Licensing of physical therapist assistants, and 5-40-8.1. Application fee for physical therapists assistants);</p> <p>(6) Occupational therapy aides and occupational therapy assistants in chapter 5-40.1 Occupational Therapy (the department of health could issue regulations concerning other personnel in the occupational therapy field, including occupational therapist assistant” and “occupational therapy aide);</p> <p>(7) Audiology support personnel and speech language support personnel in chapter 5-48 Speech Pathology and Audiology;</p> <p>(8) Chapter 5-58 Auctioneers would be repealed in its entirety;</p> <p>(9) Chapter 5-59.1 Rhode Island Orthotics and Prosthetics Practices would be repealed in its entirety;</p> <p>(10) Chapter 5-60 Athletic Trainers would be repealed in its entirety;</p> <p>(11) Radiologist assistants in chapter 5-68.1 Radiologic Technologists (and repeal in its entirety 5-68.1-9. Special requirements pertaining to licensure of radiologist assistants);</p> <p>(12) Athletic Coaches in chapter 16-11.1 Athletic Coaches (The department of elementary and secondary education would issue regulations requiring first aid certification for any person who coaches in any athletic program in any school);</p> <p>(13) Fur buyers in section 20-2-30. Fur trapping and buying licenses;</p> <p>(14) Chapter 23-16.3 Clinical Laboratory Science Practice would be repealed in its entirety;</p> <p>(15) Chapter 23-19.3 Sanitarians” would be repealed in its entirety;</p> <p>(16) Chapter 23-20.8.1 Registration of Music Therapists would be repealed in its entirety;</p> <p>(17) Lifeguard certification in chapter 23-22.5 Drowning Prevention and Lifesaving (repeal of the annual \$10 certification fee for lifeguards)</p> <p>(18) Kickboxing in chapter 41-5 Boxing and Wrestling (deleting all references to kickboxing;</p> <p>This article would take effect upon passage.</p>
	<p>The Legislation Committee recommends the Commission oppose unless amended, 15 H 5900 Article 20 Relating To Professional Licenses, to retain and not repeal the minimum professional standards in:</p> <ol style="list-style-type: none"> 1. Chapter 5-59.1 entitled “Rhode Island Orthotics and Prosthetics Practices” (Section 15) 2. Chapter 5-68.1 entitled “Radiologic Technologists” (Section 17) and 3. Chapter 23-16.3 entitled “Clinical Laboratory Science Practice” (Section 20).
	<p>MOTION: Commission oppose unless amended 15 H 5900 Article 20 Relating To Professional Licenses , to</p> <ol style="list-style-type: none"> 1) Not repeal the minimum professional standards: <ol style="list-style-type: none"> a) Chapter 5-59.1 entitled “Rhode Island Orthotics and Prosthetics Practices” (Section 15) b) Chapter 5-68.1 entitled “Radiologic Technologists” (Section 17) and c) Chapter 23-16.3 entitled “Clinical Laboratory Science Practice” (Section 20)

	<p>2) Not deregulation in:</p> <p>a) Chapter 5-40, Physical therapist assistants; and</p> <p>b) Chapter 5-40.1, Occupational therapy aides and occupational therapy assistants.</p> <p>Motion moved by AP, seconded by AA, passed unanimously</p>
	<p>Article 01 FY 2016 Appropriations</p> <p>In keeping with Article 18, the FY 2016 Budget Act (Article 01) does not including any identified funding for each of the 4 advocacy agencies. Now that Article 18 has been withdrawn, the FY 2016 appropriations will need to be amended. The chart below contains the Governor's original recommendations.</p>

Funding Source	FY 2015 Recommendation	FY 2016 Pre Consolidation	FY 2016 Post Consolidation	FY 2016 Consolidation Savings
General Revenue	\$357,895	\$383,056	\$381,426	(\$1,630) ¹
Federal Funds	\$305,524	\$35,459	\$8,125	(\$27,334) ²
Restricted Receipts	\$9,931	\$10,009	\$37,343	\$27,334
Operating Transfers	\$1,075,680	\$1,500,000	\$0	(\$1,500,000) ³
Total	\$1,749,030	\$1,928,524	\$426,894	(\$1,501,630)

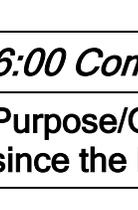
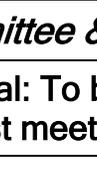
	<p>MOTION: To Oppose unless amended in Budget Article I:</p> <p>1) The merging of the Commission's general revenue Operations and Mary Brennan Fellowship accounts;</p> <p>2) The restoration of the Commission's Budget line items; and</p> <p>3) General revenue funding for the:</p> <p>a) Wheelchair lift service contract \$1,038;</p> <p>b) Shredding/recycling \$384;</p> <p>c) Toilet paper, paper towels, & garbage bags \$75; and</p> <p>d) Drinking water \$52.</p> <p>Motion moved by AS, seconded by AP, passed unanimously</p>
	<p>MOTION: To support the Governor's proposal to transfer of the RICAP Accessibility Renovation Account and project management to the Department of Administration, if a memorandum of agreement is signed between the Commission and the Department of Administration regarding the Commission's statutory responsibilities for the accessibility renovation priorities.</p>

¹ Operating Savings due to Consolidation, eliminate: the wheelchair lift service contract \$1,038; shredding/recycling \$384; toilet paper, paper towels, & garbage bags \$75; and drinking water \$52. Commission General Revenue the budget mergers the three general revenue accounts: Operations; Disability Business Enterprises; and Mary Brennan Fellowship.

The Mary Brennan Fellowship account was created by statute (RIGL 42-51-10). The Governor cannot merge that account with the other 2 general revenue accounts without amending the statute.

² New England ADA Center Grant will be set up as restricted receipt account rather than a federal funds account.

³ Other Operating Transfers: Capital Project Consolidation, transferring the responsibility to manage the accessibility renovation projects back to the Department of Administration. The Commission retaining its authority under RIGL 42-51-6 to coordinate compliance with federal and state laws protecting the rights of individuals with disabilities by state agencies, to "(iv) Develop, make periodic revisions to, and oversee the implementation of a transition plan for the removal of environmental and communication barriers in state-owned facilities".

	Motion moved by WI, seconded by AP, passed unanimously
Status Reports:	
	<i>6:00 Committee & Staff Reports</i>
	Purpose/Goal: To brief the commission on activities and accomplishments since the last meeting
	Employment Committee, Sarah Everhart Skeels, Chair
	The April 7, 2015 college and university seminar on accessible on-line courses featured presentations by Ohio State University _____ and attorney _____, was attended by 50 college/university disability services and information technology professionals. Friday October 23 rd Employment Business to Business Conference, with small business presenters.
	<i>6:25 Agenda for the Next Meeting, Tim Flynn, Chair</i>
	Purpose/Goal: To set the agenda for the next meeting.
	Discussion: The Commission meets 3 rd Mondays 5 - 6:30 PM: 07/13 th ; Thursday 09/10 th ; and 11/30 th .
	<i>6:30 Adjournment, Tim Flynn, Chair</i>
	MOTION: To adjourn at 6:19 PM Motion moved by AA, seconded by AP, passed unanimously