

Minutes



LEGISLATION COMMITTEE

Monday 3:00 PM to 4:30 PM

Governor's Commission on Disabilities

John O. Pastore Center (Formerly the Howard Center)

- 41 Cherry Dale Court

Cranston, RI 02920

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Secretary: Bob Cooper

Attendees: Tim Flynn (Vice Chair); Jeanne Behie; Sharon Brinkworth; Linda Deschenes; Liberty Goodwin; Bill Inlow; Kate McCarthy-Barnett, EdD; Kenneth Pariseau; Arthur M. Plitt; Gwen Reeve; Rev. Gerard O. Sabourin; Janet Spinelli; & Michael Spoerri

Excused: Paul Choquette (Chair); Raymond Bandusky; Rosemary C. Carmody; Joseph Corrente; Joan D'Agostino; Scott A. Greco; Karen O'Connell Lyons

Minutes

3:00 PM Call to Order and acceptance of minutes Tim Flynn, Vice Chair

Discussion: Chair calls the meeting to order at 3:20 PM.

Members and guests introduce themselves

MOTION: To accept the minutes as presented SB/AP passed unanimously

3:05 PM Status of GCD Legislative Package Bob Cooper

The Commission on November 21, 2005 added one issue and revised the wording on several others prior to adoption of the **RI Governor's Commission on Disabilities 2006 Legislative Package**

- (1) Designation of a state agency for:
 - (a.) providing protective services to abused of non-elderly adults (18-64) with severe impairments and
 - (b.) the designation of the Attorney General's Health Care Advocate's Office to advocate for persons with disabilities in areas such as health care insurance claims;
- (2) Establishment of minimum accessibility standards regarding fragrance-free, less-toxic cleaning product and pest control policies, for health care facilities, nursing homes, and schools to ensure persons who are chemically sensitive can access necessary services without being sickened by chemicals used at the facilities [by regulation or law];
- (3) Fully fund RIdE & RIPTA as recommended by RIPEC in its Rhode Island at the Crossroads – A RIPEC Public Policy Issues Brief;

- (4) To change the Open Meeting Law's ban on the use of telephones allow the use of telephones as a reasonable accommodations for members of boards who are unable to be physically present at the meeting because of a disability;
- (5) 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;
- (6) To advocate during the Medicaid Budget Hearing the following:
 - (a.) Expansion of Home Care Services so people can remain living in their community;
 - (b.) Adjustment of state's income eligibility level for Medicaid for persons with disabilities (100% of the federal poverty level) to match the Family Independence Program (180% of the federal poverty level)
 - (c.) Provide state funded health insurance coverage (including prescription drug coverage) during the 2-year wait for SSDI recipients to be covered by Medicare [by resolution or law];
 - (d.) Amendment of the State Medicaid Plan so "medically needy" persons with disabilities, receive the same benefits that are provided to "categorically needy" persons (outpatient hospital clinic and emergency room services; hearing aids and molded shoes; Podiatry Services; one pair of eyeglasses [frames, lenses, dispensing fees] every other year). The habilitation waiver should be expanded to include all eligible recipients who would benefit from physical therapy, occupational therapy, speech/language therapy, psychological therapy, rehabilitation services; and
 - (e.) Develop a Dental Benefit Management program for Medicaid beneficiaries (reimbursement rate).

3:20 PM Review Draft Legislation Bob Cooper & Attorney General invited to send a representative to discuss the draft bills

Discussion: Members discussed the draft:

1. Abuse of Non-Elderly Adults with Severe Impairments

Members, along with Leonard Lopes (Attorney General's Chief of Staff) and Paula Parker (DEA's Legislative Liaison) discussed the draft language, suggested changes and were impressed with the DEA's protective service law, which the Commission's bill should be modeled on.

MOTION: To table until the next meeting the Abuse of Non-Elderly Adults with Severe Impairments bill revised: to delete section 1; use the DEA elder abuse law's reporting, investigation & social services language; and increase penalties to a felony. Invite MHRH, DEA, DHS to attend the January 9th meeting and explain why they can't perform the reporting, investigation and social service tasks. AP/GW passed unanimously

2. Health Care Insurance Advocate

Leonard Lopes (Attorney General's Chief of Staff) asked the bill be tabled so he could check with the Health Care Advocate and the Insurance Commissioner to determine which is appropriate.

MOTION: To table the Health Care Insurance Advocate bill until the next meeting. KP/GW passed unanimously

3. Open Meeting Reasonable Accommodations

Members discussed the changes made last General Assembly session to ban the use of speaker telephones to allow members of boards to participate in meetings when they are unable to attend.

MOTION: To adopt the Open Meeting Reasonable Accommodation bill as proposed GW/ JB passed unanimously

4:00 PM Health Care Accessibility for People Affected by Household Chemicals Bob Cooper & Director of Health invited to send a representative to discuss the best and quickest way to proceed

Discussion: Members discuss options, LG provided copies of NY law and NY Executive Order.

MOTION:

1. To set up a subcommittee (MS, KMcC-B, & LG) to work with the Department of Health to draft regulations and/or protocols to ensure Health Care Accessibility for People Affected by Household Chemicals and
2. Draft legislation using NY model to ensure Day Care/Pre-school/Health Care/Schools & Government Agencies are Accessibility for People Affected by Household Chemicals, for consideration at the January meeting LG/KP passed unanimously

**4:25 PM Other Business: Election of Vice Chairperson Paul Choquette
Election of Vice Chairperson**

MOTION: To nominate Tim Flynn to be the Vice Chairperson SB/BI, passed unanimously

Meeting Schedule for 2006

3:00 PM Monday; 01/09, 02/13, 03/13, 4/10, 05/08, 06/12, 07/10, 09/11, 10/16 & 12/04
Public Forums in various locations throughout the state the week of: 07/24 - 07/28

Adjourned at: 4:45 PM

Resource Persons: Leonard Lopes (Attorney General’s Chief of Staff) and Paula Parker (DEA’s Legislative Liaison)