



Governor's Commission on Disabilities' Legislation Committee

Monday October 20, 2008 3 – 4:30 PM

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Attendees:	Timothy Flynn (Chair); Kate McCarthy-Barnett (Vice Chair); Jeanne Behie; Linda Deschenes; Liberty Goodwin; Paula Parker; Gwendolyn Reeve;& Linda Ward		
Absent:	Raymond Bandusky; Sharon Brinkworth; Rosemary C. Carmody; Paul Choquette; Deborah Garneau; Elaina Goldstein; Susan Hurd; William R. Inlow; Katherine Lowe; Arthur M. Plitt; Rev. Gerard O. Sabourin; Janet Spinelli; Michael Spoerri		
----- Minutes -----			
Call to Order and Acceptance of the Minutes	Tim Flynn Chairperson	5 min.	
Introductions: Chair called the meeting to order at 3:05 PM			
MOTION: To accept the minutes as presented, LD/AP passed unanimously.			
Action Items:	Discussion Leader:	Time:	
1. Concerns and Recommendations from the Public Forums on the Concerns of People with Disabilities and their Families	Committee Members		
Discussion:			
Concern	Recommendations	Testimony on:	
Accessibility Working Group			
Issues overlapped with other working groups			
Education Working Group			
Transitioning to independence questioned by several parents	GCD and RIDE should promote consolidation of districts to use scarce resources for better use and earlier transition plans for better success. New IEP forms should help access some of these goals. Division of Developmental Disabilities, the loss of personnel and the direction that the approval of services will entail without the social workers to do the work. Not sure there is a policy solution, but perhaps more	Pgs.12, 44	

Concern	Recommendations	Testimony on:
	advocacy and resource education of parents and individuals.	
Intellectual Resource Education (post high school “adult learning / personal development” that is not included in adult basic education or in community college) dropped for those with limited abilities?	RIDE and GCD should encourage all districts especially Bristol Warren to include programs with their ESL and GED and Adult Education programs to challenge all people in continuing education	Pg. 96
Resource Lists vary and sometimes unavailable to parents and students	Send a letter to Ed Commissioner, Transition Council urging dissemination of information about 211 should be included on websites and also noted for handouts to all people involved in education from students, parents and teachers and other staff	all
Employment Working Group		
ORS long waiting times for services, staff on leave not setting up call forwarding	Meet with ORS Administrator	
Social Security Administrations cuts people off benefits, once they have a job but were eligible for work incentives		
Health Care Working Group		
Infrastructure: Process at RIH (interns only), timeframe for appointments and lack of information	DOH and the Peer Assisted Health Initiative should focus on assisting with the process to make connections with other resources	Pg. 105-106
Infrastructure: SSDI and waiting time for benefits	GCD has addressed this concern in the past---suggest reexamining the role the Commission can take in making changes within the system	Pg. 53
Infrastructure: Global Waiver	GCD continue to follow-up on this issue as it impacts Rhode Islanders with disabilities	Pgs. 16, 27, 33, 34, 36, 55, 63, 64, 83
Infrastructure: Chemical Sensitivity	Identify next steps to address this issue	Pg. 101
Housing Working Group		
Post polio syndrome issue	<p>GCD should determine if:</p> <ul style="list-style-type: none"> • Data is being collected on number of people with post polio syndrome? • Their need for housing modifications is covered under any existing law, bind, statute etc.? <p>If not then the Health Department should collect data for future planning needs and</p>	p. 43

Concern	Recommendations	Testimony on:
	that legislation be sponsored to insure access to housing modifications.	
Shared living (also shows up on numerous pages throughout the document and at many of the forums that were held).	A variety of living options needs to remain available within the service system. The level of oversight of shared living arrangements must be heightened to insure health and safety, prevent victimization, abuse, mistreatment and neglect.	Pgs. 44-45
Home modifications	GCD should work to insure state budget includes money to address long wait for home modifications. Also formalize relationships with colleges and universities and maybe Habitat for Humanity to address need for home modifications if money is not available that is sufficient to address waiting list.	pg. 51
Smoke detectors (air quality), chemical sensitivity	Education around chemical sensitivity should be available to housing developers and property managers. New units should set aside units for those with chemical sensitivity – possible legislation on this.	pg. 79
Affordable housing	GCD should maintain relationship with RI Housing and development corporations to insure accessible housing are included in new housing stock as it is developed.	pg. 100
Home modification and adaptive equipment	Current program is working well, don't cut but rather expand program.	pg. 102
How to maintain your home when you own it and have limited resources and have a disability.	A pool of money should be set aside to maintain properties. Local entities (like a bank charitable trust) should be tapped to address this. Home modification money should be expanded to allow for routine maintenance like roofs, paint, etc.	pgs. 95-96
Support Services Working Group		
Information & Referral		
Difficulty finding information about services	Information & Referral, 211 & the Point need to be better publicized and assisted to make sure they refer to proper agencies	Pgs 45 & 90
	Improve information for kids transitioning to adult services	Pg. 70

Concern	Recommendations	Testimony on:
Difficulty providing input to policy makers	Public Forums should be conducted in the evening, 6 – 8	Pg. 76
Quality Control and Quality of Life		
Need for the habilitation waiver services so people can stay in “community” rather than at the Adult Correctional Institution	Retain habilitation waiver services, as part of any Medicaid Reform	Pg. 12
Services need to match needs of Individuals (with disabilities)	The Medicaid system must include various levels of care that coincide with the varying levels of disability	Pgs. 45 – 90
Lack of training, licensure, quality of home health care staff	Improve licensure, quality control, national BCI check of health care services	
Transportation Working Group		
Cuts to RIPTA (and Ride ADA paratransit) services	Support increase \$0.03/gallon adequate funding of public and paratransit services	
Lack of accessible taxis	Require taxis companies to purchase accessible vehicles	
2. Status of Commission’s 2008 Legislative Package		Bob Cooper, Executive Secretary
Item		Status
1. Extend governmental tort liability and legal representation to volunteer members of state boards and commissions when acting in their official capacity (reintroduction of 2007 H 5290 & 2007 S 0330 Acts Relating to Courts and Civil Procedure - Procedure Generally Governmental Tort Liability - Department Of Attorney General);		Not Enacted
2. Ensure families of children with severe impairments who have coverage from both Medicaid & commercial health care insurance, get quick resolution of their claims, rather than be bounced back and forth between Medicaid and the insurer (Public Law 2006 Chapter 246 Article 34 Section 5 Insurance -- Mandated Benefits / Children's health account);		Accomplished
3. Ensure implementation of the crisis intervention services for abused non-elderly adults (18-64) with severe impaired (Public Law 2006 Chapter 275 Assault on persons with severe impairments or mentally disabled - penalties - services for adult victims with severe impairments of abuse, neglect and/or exploitation);		Not Accomplished
4. Refocus Medicaid from institutional care to home & community based services so people can remain living in their community (Public Law 2006, Chapter 263 / RIGL 40-8.9 Medical Assistance - Long-Term Care Service And Finance Reform);		Enacted
5. Permit an accessory family dwelling within a single family residence for the sole use of one or more members of the family of the occupant who is a person with a disability or is over the age of sixty-five (revised version of 2007 S 0266 An Act Relating to Towns and Cities -- Zoning Ordinances);		Enacted
6. Restoration of DCYF services to children:		Enacted

a. 18-21 and		
b. housing adolescents 17-21 at the youth correctional facility not in ACI (partially accomplished by 2007 S-1141 Sub B An Act Relating To Family Court – Jurisdiction, and 2008 H 7023 An Act Relating To Family Court – Jurisdiction)		Not Enacted
3. Recommendations for the Commission’s 2009 Legislative Package	Bob Cooper	
<p>MOTION: To retain for the 2009 Legislative Package:</p> <ol style="list-style-type: none"> 1. Ensure implementation of the crisis intervention services for abused non-elderly adults (18-64) with severe impaired, GW/AP passed unanimously 		
<p>MOTION: To add to the 2009 Legislative Package the following items:</p> <ol style="list-style-type: none"> 2. Mandate accessible taxicabs 3. RIPTA/RIde service reductions 4. Monitor and respond to Medicaid Reform proposals to ensure maintenance of services to individuals with severe disabilities 5. Consolidation of school districts, to improve special education & transportation services AP/JB passed, Nay - LG 		
Announcements and Scheduling of Meetings	Chairperson	5 min.
The December meeting will focus on drafting legislation for the 2009 General Assembly Session.		
Next meeting will be on:	Monday December 8, 2008	Starting at: 3 PM
Adjournment:	Chairperson adjourned the meeting at 5:10 PM	
Observers:	Kathleen Fresher-Samways	
Resource persons:	Bob Cooper, Committee Staff	