



Description of graphic: RI State Seal an anchor in gold behind a blue wheelchair logo. Just below is a blue banner with the state motto "Hope". All are in the center of a ring of 8 blue stars, in groups of 2 separated by the logos for Braille, hearing aids, low vision and amplified phone.

# Governor's Commission on Disabilities Legislation Committee

**Monday August 30, 2010 3-4:30 PM**

John O. Pastore Center, 41 Cherry Dale Court,  
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 <b>Attendees:</b>	Linda Ward (Chair.); William R. Inlow (Vice Chair.); Jeanne Behie; Rosemary C. Carmody; Julie DeRosa; Jean Lawlor; Gwendolyn Reeve; Msgr. Gerard O. Sabourin; Sarah Everhart Skeels; & Theresa Thaelke
<b>Absent:</b>	Ray Bandusky; Rebecca Boss; Elaina Goldstein; Laura Jones; Sharon Brinkworth; Deborah Buffi; Linda Deschenes; Timothy Flynn; Maureen Maigret; Kate McCarthy-Barnett; Paula Parker; & Arthur M. Plitt
<b>Staff:</b>	Bob Cooper

	Agenda Topics	Moderator/Leader	Time
 <small>Clock graphic</small>	<b>Call to Order and Acceptance of the Minutes</b>	<b>Linda Ward, Chairperson</b>	<b>3:00</b>
Chair calls the meeting to order at 3:08 PM Introductions of Commissioners and guests			
<b>MOTION: To accept the minutes of the previous meeting as presented          JB/RC passed unanimously</b>			



Action Items:			
 <small>meeting graphic</small>	<b>Public Forums</b>	<b>Linda Ward</b>	<b>3:05</b>
<p>Purpose/Goal: To identify procedures that need to be improved and those that worked well.</p> <p>Discussion: A lot of concerns regard to Medicaid services for children with autism. Out of district transportation limit rides to under an hour. Transportation in general and lack of rural transportation. Lack of affordable housing. Chemical Sensitivity – notice prior to lawn spraying, as in other states. Small turn out at many locations. Could use “trained facilitators” to moderate. Large panel scares some from testifying. Have a form that attendees could fill out if they don’t want</p>			

	Agenda Topics	Moderator/Leader	Time
to speak. Post the locations earlier in May. Could a survey and alternatives to holding a forum every other year.			
	<b>Commission's 2009 &amp; 2010 General Assembly Sessions John E. Fogarty &amp; Joseph Vanni Awards</b>	<b>Bob Cooper, Executive Secretary</b>	<b>3:30</b>
<b>Purpose/Goal:</b> To decide which legislators should receive the John E. Fogarty Award for the 2009 & 2010 General Assembly sessions.			
<p><b>John E. Fogarty Memorial Award</b>          The Governor's Commission on Disabilities created the John E. Fogarty Memorial Award to recognize the efforts of members of the RI General Assembly in enacting laws to improve the quality of life of the 172,000 Rhode Islanders with Disabilities. The Commission has been awarding its John E. Fogarty Memorial Award, since 1987.</p> <p>John E. Fogarty, the US House of Representative member from the 2nd Congressional District of Rhode Island (1940 -1967) was a strong advocate for the rights of individuals with disabilities. Congressman Fogarty was a leader, nationally and in Rhode Island to bring individuals with disabilities residing in large impersonal institutions (such as Ladd Center) to the community. Congressman Fogarty, although originally elected as a "labor" candidate, following his appointment to chair the House Appropriations Committee's Subcommittee on Labor - Health, Education, and Welfare in 1949, became the nation's leading advocate for children with mental retardation, mental health, health care financing, and international/national health care research.</p> <p><b>Discussion:</b> Legislation supported by the Commission that was enacted into law include:</p> <p>10 - H 7498 Sub A as Amended &amp; 10 - S 2674 Sub A ACTS RELATING TO PUBLIC UTILITIES AND CARRIERS - WHEELCHAIR ACCESSIBLE TRANSPORTATION, Sen. Walaska &amp; Rep. Coderre</p> <p>10 - S 2133 Sub A as Amended &amp; 10 - H 7300 Sub A ACTS RELATING TO HIGHWAYS-ACCESSIBLE CROSSWALKS, Sen. Tassoni &amp; Rep. Kennedy</p> <p>09 - H 5949 Sub A &amp; 09 - S 0783 Sub A as Amended ACTS RELATING TO CRIMINAL OFFENSES - PERSONS WITH DISABILITIES Rep Lally &amp; Sen. McCaffrey</p> <p>09 - H 5112 Sub C AN ACT RELATING TO CENTERS FOR MEDICARE AND MEDICAID SERVICES WAIVER AND EXPENDITURE AUTHORITY Rep. Costantino (09 - S 0053 Sub A as Amended Sen. DaPonte identical but not transferred from House to Governor)</p>			
	<p><b>MOTION:</b> To recommend the Commission award its John E. Fogarty Award to:</p> <p>Sen. Walaska &amp; Rep. Coderre (re. 10-H-7498 &amp; 10-S-2674)</p> <p>Sen. Tassoni &amp; Rep. Kennedy (re. 10-S-2133 &amp; H-7300)</p> <p>Rep. Lally &amp; Sen. McCaffrey (re. 09-H-5949 &amp; 09-S-0783)</p> <p>Rep. Costantino &amp; Sen. DaPonte (re. 09-H-5112 &amp; 09-S-0053) RC/GR passed unanimously</p>		

	Agenda Topics	Moderator/Leader	Time
<p>Purpose/Goal: To decide which non-professionals should receive the Joseph Vanni Award for the 2009 &amp; 2010 General Assembly sessions.</p>			
<p><b>Joseph Vanni Memorial Award</b>            In 1993 the Governor’s Commission on Commission created the Joseph Vanni Memorial Award to recognize the role of the average citizen in the enactment and implementation of laws to improve the quality of life of the children and adults with disabilities.</p> <p>Joseph Vanni was the founding director of the RI Handicapped Action Committee, a social advocacy organization. Mr. Vanni was also a member of the RI Governor’s Committee on Employment of the Handicapped, the predecessor agency to the Governor’s Commission on Disabilities, in the late '70s. Mr. Vanni taught individuals with disabilities how to advocate for themselves, through group and individual action. Mr. Vanni was the first client of the state’s Office of Rehabilitation Service to be trained as a community organizer. Individuals awarded the Joseph Vanni Memorial Award demonstrate his commitment to social change through individual involvement, the hallmark of a democratic society.</p>			
<p><b>MOTION: To recommend the Commission award its Joseph Vanni Memorial Award to:</b></p> <p>Anna Liebenow for her testimony on accessible taxi and curb cuts, GR/BI passed unanimously</p> <p>Arthur Plitt for his efforts on behalf of RIPIN, the Commission and other organization JB/GR passed unanimously</p> <p>Richard Gaffney, President of the National Federation for the Blind of RI GS/RC passed unanimously</p>			
	<p>Committee’s Annual Report and Operational Plans for FY 11 &amp; 12</p>	<p>Bob Cooper</p>	<p>3:45</p>
<p>Purpose/Goal: To Complete the Committee’s FY 2010 Annual Report and Set Goals and resources for FY 2011 &amp; 2012</p>			
<p style="text-align: center;"><b>Committee Annual Planning Instructions</b></p> <ol style="list-style-type: none"> <li>1. Review the list of Program Explanation and Objectives Chart           <ol style="list-style-type: none"> <li>a. In the FY 10 Actual indicate whether the objective has been:               <ol style="list-style-type: none"> <li>i. Completed;</li> <li>ii. Is ongoing; or</li> <li>iii. Was not Accomplished</li> </ol> </li> <li>b. Do not change the FY 11 Plan (this column indicates the plan submitted to the Governor/General Assembly with the FY 11 Budget Request</li> <li>c. In the FY 11 Revised indicate any changes from the FY 11 Plan:               <ol style="list-style-type: none"> <li>i. Continue</li> <li>ii. Not continue (add footnote explaining why – such as completed/accomplished in FY 10)</li> <li>iii. Other reason - specify</li> <li>iv. Add additional rows for new objectives</li> </ol> </li> <li>d. In the FY 12 Request indicate:               <ol style="list-style-type: none"> <li>i. Continue</li> <li>ii. Other reason - specify</li> </ol> </li> </ol> </li> </ol>			

	Agenda Topics	Moderator/Leader	Time		
<p>iii. Add additional rows for new objectives.</p> <p>2. FY 10 Achievements: Add or delete from the list of achievements prepared by the staff</p> <p>3. FY 10 Barriers: Add or delete from the list of barriers prepared by the staff</p> <p>4. Review the Outcome Measurements</p> <p>a. In the FY 10 Actual insert the number accomplished.</p> <p>b. Do not change the FY 11 Plan (this column indicates the plan submitted to the Governor/General Assembly with the FY 11 Budget Request</p> <p>c. In the FY 11 Revised indicate any changes from the FY 11 Plan and.</p> <p>i. Add additional rows for new outcome measurements</p> <p>d. In the FY 12 Request indicate the potential outcome</p> <p>5. Review the Output Measurements:</p> <p>a. In the FY 10 Actual insert the number accomplished.</p> <p>b. Do not change the FY 11 Plan (this column indicates the plan submitted to the Governor/General Assembly with the FY 11 Budget Request</p> <p>c. In the FY 11 Revised indicate any changes from the FY 11 Plan and.</p> <p>i. Add additional rows for new output measurements</p> <p>d. In the FY 12 Request indicate the potential outputs</p> <p>6. Review the Resource Chart</p> <p>a. Indicate the level of staff resources (hours annually or portion of a FTE) for FY 11 Revised and FY 12 Request – the dollar amount will be inserted by staff later).</p> <p>b. Below the chart list the:</p> <p>i. Contract Professional Services (i.e. interpreters for the deaf, real-time captioning, architectural and engineering; rather than cost estimates – frequency of need or type of service needed)</p> <p>ii. Indicate any special supplies or material needed (not cost by list items)</p> <p>iii. Assistance and Grants (fellowships, grants to non-profits organizations) needed.</p> <p>iv. Capital (construction, renovation or purchase of equipment)</p>					
Statutory Authority	1. Program Explanation and Objective:	FY 10 Actual	FY 11 Plan	FY 11 Revised	FY 12 Request
<p>42-51-6. Governor's Commission on Disabilities - Duties. "It shall be the duty of the commission to work in cooperation with the National Council on Disability and other interested federal, state, and local agencies, organizations, and employers in:</p> <p>(1) Promoting on behalf of the people with disabilities and assuring, on behalf of the state, that people with disabilities are afforded the opportunities to exercise all of the rights and responsibilities accorded to citizens of this state"</p>	<p>Preparing a legislative package for each General Assembly session</p>	Ongoing	Continue	Continue	Continue
	<p>Advocating for passage of the legislative package</p>	Ongoing	Continue	Continue	Continue
	<p>Reviewing legislation to determine its impact on people with disabilities and their families and submitting legislative impact statements to the General Assembly committees and the Governor</p>	Ongoing	Continue	Continue	Continue
	<p>Testifying on legislation, and/or assisting in the preparation of testimony</p>	Ongoing	Continue	Continue	Continue
<p>42-51-6. Governor's Commission on Disabilities - Duties. "(2) Arousing community interest in the concerns of people with disabilities through the</p>	<p>Conducting a series of Public Forums on the Concerns of People with Disabilities and their Families</p>	Ongoing	Continue	Explore using surveys, even years & forums on odd	

	Agenda Topics		Moderator/Leader		Time
utilization of whatever community and state resources the commission may deem necessary to accomplish the maximum in independent living and human development"	Distributing disability related information via a list-serve and legislative newsletter	Ongoing	Continue	years. Need to avoid duplication of emailed information to multiple list-serve	
<u>42-66.3-8. Home and Community Care Services to the Elderly – Home and community care advisory committee.</u> "(a) There is established a permanent state committee to be known as the home and community care services advisory committee established for the purpose of advising the director of elderly affairs relative to the needs and concerns of home and community care services care recipients."	Advising the director of elderly affairs relative to the needs and concerns of home and community care services care recipients, through the Home and Community Care Advisory Committee.	Ongoing	Continue	Continue	Continue

**2. FY 10 Achievements:**

The Enactment of laws that the Commission supported, including:

- o Requiring all future pedestrian crosswalks to have curb cuts on both sides;
- o Establishing the John J. MacDonald Transportation Initiative to purchase wheelchair accessible taxicabs;
- o Expanding the Children’s Health Account law to include
- o Expanding the Hate Crimes law to include person who are homeless;
- o Enhancing the penalties for driving drunk while license is suspended;
- o Changing the Department of Mental Health, Retardation, and Hospital’s name to the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals;
- o Retaining parity of fees for Non-driver Photo IDs

The blocking of legislation the Commission opposed, including:

- o Government Restructuring - Merging of RIPBS & Higher Education; RIDOT & RIPTA;
- o Moratorium on Licensing of New Hospice Providers, Home Nursing Care Providers Home Health Care Agencies;
- o Increased Co-pay Rite Care Program

**3. FY 10 Barriers:**

The Commission was unsuccessful in:

- o Enacting the Commission'2 GCD Adult Crisis Intervention Program bills;
- o Enacting the Hate Crime bills to use the same definitions of disability, sexual orientation, gender identity and expression in other civil rights laws.
- o Amending the Medicaid Reform Budget Article, that authorized the:
  - o Expansion and integration of care management strategies;
  - o Re-procurement of Medicaid managed care;
  - o Refining payment system for multi-disciplinary treatment planning;
  - o Establishing behavioral health community safety net; Restructuring of the network of providers serving persons with developmental disabilities;
  - o Transferring of state funded methadone maintenance and treatment to costs not otherwise matchable;
  - o Pharmacy – SMAC Program for fee for service; and
  - o Personal Choice and Habilitation Services Reform

- o Amending a Minority Business Enterprise bill to include Parity for Disability Business Enterprises

<b>4. Outcome Measurement:</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2010 Unaudited</b>	<b>FY 2011 Enacted</b>	<b>FY 2011 Revised</b>	<b>FY 2012 Request</b>
% of bills the Commission supported that became law and opposed that were not enacted into law	42%	100%	71%	100%	100%	100%
The # of favorable outcomes	37	61	39	62	38	38
<b>5. Output Measurement:</b>						
The # of bills the Legislation Committee review	215	177	363	177	289	289
The # Legislation Committee issued a legislative impact statement on	89	61	60	62	75	75
<b>6. Resources</b>	<b>FY 2009 Actual</b>	<b>FY 2010 Plan</b>	<b>FY 2010 Unaudited</b>	<b>FY 2011 Enacted</b>	<b>FY 2011 Revised</b>	<b>FY 2012 Request</b>
FTE (Full Time Equivalent) Positions	0.46	0.60	0.50	0.60		
Annual Staff Hours	698	911	788	920		
Wages and Benefits	\$50,945	\$65,599	\$48,026	\$68,313		
Contracted Professional Services	\$428	\$1,845	\$70	\$1,677		
Operating Supplies and Expenses	\$1,546	\$510	\$270	\$1,829		
Assistance and Grants	\$0	\$0	\$0	\$0		
General Revenue	52,920	69,007	\$48,366	71,819		
Assistance and Grants	\$10,350	\$10,350	\$10,350	\$10,350		
Mary Brennan Fellowship	\$10,350	\$10,350	\$10,350	\$10,350		
Contracted Professional Services	(\$330)	\$2,034	\$1,960	\$2,125		
Operating Supplies and Expenses	\$7,941	\$11,165	\$5,571	\$11,500		
Assistance and Grants	\$0	\$0	\$0	\$0		
Public Forums: Restricted Receipts	\$8,432	\$13,559	\$7,531	\$13,626		
<b>Grand Total</b>	<b>\$71,702</b>	<b>\$92,916</b>	<b>\$66,247</b>	<b>\$95,794</b>		



voting check off graphic

**MOTION: To Adopt the Committee's FY 2010 Annual Report and Operational Plan for FY 2011 & 2012 BI/JL passed unanimously**



Announcer graphic

**Announcements**

**Linda Ward**

**4:20**

Women's Fund of RI – seeking resumes for presentation to the next Governor-Elect's Transition Team to increase the level of female gubernatorial appointees as department directors, policy advisors and to boards and commissions. Contact information is at [www.wfri/rigap](http://www.wfri/rigap)

 <small>calendar graphic</small>	<b>Agenda and Scheduling the Next Meeting</b>	<b>Linda Ward</b>	<b>4:25</b>
Items to be placed on the next meeting's agenda: Setting up Working Groups to Review the Public Forum Testimony			
Next meeting will be on: Monday September 20 <sup>th</sup> at 3 PM.			
 <small>alarm clock graphic</small>	<b>Adjournment</b>	<b>Linda Ward</b>	<b>4:30</b>
 <small>voting check off graphic</small>	<b>MOTION: To adjourn at 4:35 PM JL/JB passed unanimously</b>		