



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 Minutes

Monday November 1, 2010 3-4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,
Cranston, RI 02920-3049

(voice) 401-462-0100 (fax) 462-0106 (tty) via RI Relay 711

(e-mail) disabilities@gcd.ri.gov

(website) www.disabilities.ri.gov

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

	Agenda Topics	Moderator/Leader	Time
	Call to Order and Acceptance of the Minutes	Linda Ward, Chairperson	3:00
<p>Chair calls the meeting to order at 3:04 PM Introductions of Commissioners and guests</p>			
<p>MOTION: To accept the minutes of the previous meeting as presented AP/TT passed unanimously</p>			

Action Items:			
	Commission's 2010 Legislative Package	Bob Cooper, Executive Secretary	3:10
<p>Purpose/Goal: To determine which 2010 legislative objectives need additional advocacy in 2011</p>			

Status	Objective
PL 2010 - 201	<p>1. 10 H 7369/10 S 2206 Monitor and respond to implementation of 09 H 5983 Article 05 Sec. 01 the crisis intervention services for abused non-elderly adults (18-64) with severe impaired [need for BCI check for in-home personal care services]</p> <p>2. Enacting of the John J. MacDonald Jr. Transportation</p>

& 210	Initiative [accessible taxicabs]
	3. Maintain the existing RIPTA/RIde service
	4. Monitor and respond to Medicaid Reform proposals to ensure maintenance of the current services to individuals with severe disabilities
PL 2010 – 213 & 206	5. Mandate pedestrian crosswalks have curb cuts on both sides
	6. Increase home modification funding
	7. Ensure implementation of the Disability Business Enterprise program 10 S 2189 (if amended)
	8. Mandate that mill conversions into apartments or condos have a minimum of one unit/federal formula designated as accessible and affordable
	9. Mandate affordable, accessible units for people with chemical sensitivities – including inside the apartment laundry and other washing machines
	10. Increase permanent supportive housing and other community services for people with behavioral health concerns
	11. Address the workers’ compensation liability for the person w/ the disability who employs in-home care services
PL 2010 - 023	12. 10 H 7397 Article 19 Relating To Children’s Health Account

Discussion: Adoption of Legislative Package

The Legislation Committee shall conduct public hearings to elicit public comments prior to the development of the Commission’s Legislative Package.

The committee shall prepare and mail to all commissioners, at least two (2) weeks prior to the Commission’s Fall Legislative Meeting:

- (1) Proposed a Legislative Package for the commission to review; and
- (2) A Scope of Review that outlines the areas of general assembly legislation that the committee should be empowered to review and comment on during the upcoming legislative session.



voting check off graphic

MOTION: To include the following objectives in the Commission’s 2011 Legislative Package:

- 1. Monitor and respond to implementation of 09 H 5983 Article 05 Sec. 01 the crisis intervention services for abused non-elderly adults (18-64) with severe impaired [need for BCI check for in-home personal care services]
- 2. Maintain the existing RIPTA/RIde service
- 3. Monitor and respond to Medicaid Reform proposals to ensure maintenance of the current services to individuals with severe disabilities
- 4. Increase home modification funding

5. Ensure implementation of the Disability Business Enterprise program
 6. Increase permanent supportive housing and other community services for people with behavioral health concerns
- BI/SB passed unanimously
- MOTION To monitor implementation of :
1. The John J. MacDonald Jr. Transportation Initiative [accessible taxicabs] by RIPTA
 2. Pedestrian crosswalks have curb cuts on both sides by RIDOT
 3. Affordable, accessible units for people with chemical sensitivities – including inside the apartment laundry and other washing machines by RI Housing/Housing Resources Commission
 4. Workers’ compensation liability for the person w/ the disability who employs in-home care services by DHS
- TF/AP passed unanimously



Public Forum Concerns and Recommendations	Workgroup Facilitators	3:30
---	------------------------	------

Purpose/Goal: To identify the concerns of people with disabilities and their families and make recommendations to address those concerns.

Concerns	Recommendations	Testimony on Pages
Abuse and Mistreatment		
At RI Veterans Home a disabled vet, Bob Coia, filed issues in 2004 about mistreatment by nurses. Patients were afraid to complain because of possibility of being thrown out and also because patients were forced to receive a psychiatric evaluation.	Contact: Kathy Herren - abusive nurse from Veterans Home (see: health care) Tim Flynn is contacting Paula Parker - from Department of Elderly Affairs	pg.16-19
Respite for adults with disabilities and the frail elderly is not currently reimbursed by Medicaid. Respite is currently funded by Medicaid for children with special health care needs only. Medicaid participates in a working group for the Lifespan Respite Grant.	Ellen Mauro - from Respite Medicaid is looking at the results of the working group for Respite to assist in determining how Medicaid should consider funding for this service. Receive update on psychiatric disabilities and training offered to first responders by BHDDH. Reintroduce last year's legislative package of the protective services bill	pg. 22, 80, 96 pg. 20, 22
Abuse and mistreatment of police officers	Rebecca Boss is contacting Tom Martin - from BHDDH to get the responsibilities	pg. 20-23, 38, 78, 94

Concerns	Recommendations	Testimony on Pages
	for police sensitivity training (psychiatric disability training)	
Education/Employment		
Employment First policy is not allowing disabled to be first, rather it is that employment is seen as an option for all people regardless of disability Office of Rehabilitation Services (ORS)	Revisit Sherlock Plan Formulate a plan/legislative strategy	pg. 42, 48, 51 pg. 13, 41, 67, 85
Katie Beckett's requirements need to be changed. Katie Beckett is more effective for children with Autism if started early.	Contact Dawn Wardyga and ask recommendations for Katie Beckett (see: Health Care)	pg. 71, 74, 79, 107, 113
Health Care		
RI Veterans Home - abuse and mistreatment of disabled vets. Bob Coia - disabled vet, abused by nurse Kathy Herren. When complaints were made the patients received a psychiatric evaluation.	Laura Jones will contact Kathy Herren (along with a member from abuse and mistreatment). (Dawn Wardyga) DOH complaint process for nursing homes. http://www.health.ri.gov/hsr/bmld/complaintform.pdf	pg. 16-19
Kids who were once eligible for Katie Beckett are not anymore. If kids aren't at an institutionalized level of care they aren't eligible. Legislation for private insurances to be accountable for covering Katie Beckett was put on hold . Legislation needed to be investigated (can you force private insurances to follow legislation?)	Support legislation for Katie Beckett - get people together and file class action. The plan is that the Bill will be reviewed and rewritten after the elections in November 2010. A recommendation would be to have the Governor's Commission work with the RI Commission on Autism to advocate for access to services for children who do not qualify under the federal definition of needing institutional level of care (and therefore do not qualify for Katie Beckett) for private insurance companies to provide the needed services the children of RI need. There has been criticism by some advocates that the bill should not be specific to children with a diagnosis of autism but be more inclusive of all children with special needs.	pg. 71, 74, 79, 107, 113
Look at health reform - how is it going to address the donut hole. Is it receiving funds or being cut? If being cut bring it back to the commission to support advocacy. Psychiatric meds are expensive/ meds gain weight. Fee structure for behavior health co-pays \$30 for specialist/ no co-pays with primary doctor.	Nancy Silva will investigate if mental health is receiving or cutting its funds (Nov. 1 st)	pg. 11, 33, 55, 71, 79, 96

Concerns	Recommendations	Testimony on Pages
Housing		
There is not enough affordable housing. People are waiting at least two years to be accepted into housing.	The commissioners will support the legislation for housing issues rather than bring up a new one.	pg. 23, 51, 80, 84, 100
People do not want to live in the affordable housing complexes because of the poor accessibility, bad areas, or because of cleanliness	Contact Ann Martino (DHS/DEA) Emailed 10/27	
Multiple Chemical Sensitivity (MCS)	Multiple Chemical Sensitivity (MCS) - Pass a state law that gives a 48 hour pesticide spray notice to neighbors. Did RI already pass a healthy pesticides law?	pg. 103-109
Homeless shelters remain filled up every night (House of Hope) Some elderly housing residents are under 50. RI should have more assistive living programs (Transitional housing)	We will continue to support the elders that move out of nursing homes with the correct care Get someone from DHS/OHS to talk about what housing is available and what are the plans for <u>future</u> affordable housing communities	pg. 40, 80, 100
Supports		
Lack of continuation of programs with age. Children in Special ED/other programs are aging out of the system.	Nothing legislatively can be done, but we can suggest ideas to better the communication process with callers	pg. 58,113
The difficulty in finding helpful services after age 22 (transitional resources/supports)	Checking up on agencies about the support they give their callers/clients. Independent peer reviewing. Monthly surveying to callers/clients about the assistance from the agencies. Email/phone survey asking if they would like to receive newsletters about specific resources Publicize the resource library. Updating the agencies name and telephone numbers.	pg. 73, 92, 96
Transportation		
Limited bus routes in RI especially in rural areas. The time RIPTA/RIde runs hinders accessibility, especially for workers on 2nd and 3rd shifts.		pg. 87
Buses cannot cross Tiverton bridge because of weight.	Use smaller vehicles (i.e. vans)	pg. 13, 24-29
RIPTA/RIde cannot leave RI; will only go to state line		pg. 47
MS Dream Center 1 mi. from bus stop (RIPTA/RIde only go 3/4 mi. outside bus	Passing a law that gives certain locations an exception to RIPTA's 3/4 mi. bus stop	pg. 72,81

Concerns	Recommendations	Testimony on Pages
stop)	rule	
RIPTIKS only available at Shaws / Stop & Shop or by using CASH	Having RIPTIKS allow credit card usage on buses and/or having a monthly automatic transaction	pg. 45
RIPTA in deficit needed to cut back because costs were up (gas/health insurance). RIPTA uses state and federal revenue and the lack of revenue is primarily from State. State is only funding capital expenses. We have the equipment (vehicles) we just need funding.	Redirect funding to other sources	pg. 28
Wheelchair lifts keep failing	In the process of building ramps in the vehicles that can be used manually. 60 new vehicles with ramps. Publicizing the new ramp vehicles and wheelchair accessible taxi cabs	
The cab companies need to individually sign off on the wheelchair accessible taxi cabs and will be responsible for maintenance/upkeep.	10 new wheelchair accessible taxis in progress. Monitoring the wheelchair accessible taxi cabs. Monitoring the bill that passed about curb cuts.	pg. 11, 49, 87
Coalition for Transportation Choices	We need a commissioner to formally represent the Coalition for Transportation Choices	pg. 47

Discussion: The Legislative Package can contain up to 12 objectives, including those carried forward from 2010.



voting check off graphic

MOTION: To recommend adding the following to the 2011 Legislative Package:

Include in # 3 Monitor and respond to Medicaid Reform proposals to ensure maintenance of the current services to individuals with severe disabilities -

- children with special health care needs - children in Katie Beckett & or have autism spectrum disorders;
- Sherlock Plan
- Generic prescription - 2 tries before brand name drugs.

7. Monitor health care reform impact on people with special health care needs

8. Respite services for the care giver of adults with non-developmental disabilities populations

AP/JDR passed, BB abstain

MOTION: To seek information from:

BHDDH on Abuse and Neglect - crisis intervention services

RI Dept of Education on the transition from young to adult service and

Recommend the GCD join the Coalition for Transportation Choices

AP/JDR passed, BB abstained.



Announcements

Linda Ward

4:20



Agenda and Scheduling the Next Meeting

Linda Ward

4:25

Items to be placed on the next meeting's agenda:

Drafting legislation

Presentations from:

BHDDH on Abuse and Neglect – crisis intervention services

RI Dept of Education on the transition from young to adult service

Next meeting will be on: Monday Dec. 13th 3 – 4:30



Adjournment

Chair adjourned the meeting at 4:30 PM

Linda Ward

4:30