Governor's Commission on Disabilities
Legislation Committee Agenda
Monday, December 9, 2013
3:00 PM - 4:30 PM

John O. Pastore Center, 41 Cherry Dale Court,
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Attendees: Linda Ward (Chair.); Jack Ringland (Vice Chair.); Timothy Flynn; Casey Gartland; Arthur M. Plitt; Msgr. Gerard O. Sabourin; & Angelina Stabile

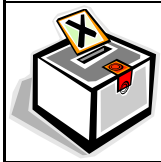
Absentees: Rosemary C. Carmody; Sharon Brinkworth; Joseph Cirillo; Regina Connor; Heather Daglieri; Julie DeRosa; Linda Deschenes; Sarah Everhart Skeels; Kathleen Heren; William R. Inlow; Paula Parker; Meredith Sheehan; & Dawn Wardyga

Guests: Nicole Bucka

Staff: Bob Cooper

3:00 Call to Order and Acceptance of the Minutes, Linda Ward, Chair

Chair calls the meeting to order at 3:10 PM
Introductions of Commissioners and guests



MOTION: To accept the minutes of the previous meeting as presented
Motion moved by CG, seconded by AP *passed/unanimously*

Action Items:

3:05 2014 Legislative Package, Linda Ward

Purpose/Goal: To review the 2014 Legislative Package Adopted by the Commission

1. Transportation to Employment, job training, education, health care, etc.
   a) Maintain the existing RIPTA/RIde service areas;
   b) Adequate funding/new & stable funding source;
   c) Expand the RIPTA/RIde service areas/hours beyond the existing service/hours; and
   d) Require RIPTA to establish a sliding scale RIde fare.
2. Global Medicaid Consumer Choice Waiver; making sure the 2008 level of services stay in place for persons with severe disabilities:
   a) Restore the 2008 Katie Beckett and children with autism spectrum disorders eligibility rules;
   b) Restore the right to medically necessary brand name drugs without requiring two generic failures before allowing brand name;
   c) Improve services for adults with autism spectrum disorders;
   d) Retain multiple behavioral healthcare service delivery models;
   e) Maintain disability service funding;

f) Post-Global Medicaid Consumer Choice Waiver Transition Plan; and
g) Clarify eligibility for Medicaid/Sherlock services.

3. Housing Supports and other services for people with behavioral health concerns:
   a) Restore the Neighborhood Opportunities Program funding;
   b) Create a supportive housing program; and
   c) Expansion of Affordable Housing – require at least 2 additional affordable housing units for cities and towns that have not met the affordable housing goals.
4. Accessibility to Services:
   a) Provide interpreter services for ancillary healthcare programs or supports (including peer supports); and
   b) Provide closed captions of all Capitol Television programing.
5. Employment
   a) Improve school to adult transitional to adult services/employment/post-secondary education; and
   b) Maintain non-competitive employment options.
6. Direct the Legislation Committee to monitor progress on requiring Health Insurance Plans to cover specialty drug (Tier 4 Drug Category) in Tier 3, to determine impact of Affordable Care Act.
7. Shift to the Employment Committee the Commission's efforts on Refocusing State and Municipal Disability Pension Systems to become Reemployment Systems.

Legislation Committee's 2014 Scope of Review

1) Civil Rights;
2) Disability Prevention;
3) Employment;
4) Health Insurance;
5) Housing;
6) Human Services;
7) Medicaid;
8) Special Education;
9) Transportation, and
10) To make recommendations to the Executive Committee in regard to budget articles

3:15 Education Concerns & Recommendations

Purpose/Goal: To review this year's Public Forums Education Concerns and Adopt Recommendations for inclusion into the Public Forum's Report

Discussion: Concerns relating to special education were not identified until after the Public Forum Working Groups had almost completed their review of the testimony. The Commission has authorized the Legislation Committee to adopt recommendations for these education concerns.

<u>Concern: Lack of screening in the early school years to pick up language based learning disabilities.</u>

<u>Concern: Lack of information on the range of services that should be included in an IEP.</u>

Testimony: ELLA WHALEY: I also attend a lot of IEP (Individualized Education Plan) meetings for children in South Kingstown, Barrington, Burrillville, word has spread. I'm alarmed at the amount of children that are being dropped from IEP, and the Parents don't realize really what's going on and are able to look at the

	testing. I know there's a 10th grader here at South Kingstown high school, obviously the testing shown there was definitely some things going on with language based learning disabilities, and requested more testing. The child is now getting a one-on-one program next year. That parent did not have me at that meeting that child would be exited as a 10th Grader from an IEP, and this girl has high goals and now being addressed at the school department. I think our school departments are exiting kids from IEPs. I see it. I'm seeing the praises of Kathy Sanford in that group that put two bills together for children with dyslexia, and I really thought there would have been more work done on those bills. I think that the committee was sent up. I think there was the second piece of the bill that I thought really should have gone further, so the schools would be able to recognize children with dyslexia are a disability. So tied in with that is the language based learning disability. We really do need screenings from the early school years to pick up on language based learning disabilities, and we need to train our teachers. Right now the biggest person that has the most amount of knowledge with language based learning disability is speech language therapist, and they're not allowed in some school districts, and I will say South Kingstown is one of them, that they will not allow speech and language therapists who have reading backgrounds to work with children with reading disabilities. I think that that is a real loss. We're not capitalizing on the strengths of our speech language pathologists working with the reading teachers to get the gaps closed for children. The longer the gap exists, the wider it gets, and the more money it's going to cost the school districts and, lastly, is just the cuts with all of the agencies, representative options. I know cuts are not as significant this year. But last year was a big hit. And I'm hoping that, you know, something really gets turned around there. Thank you for your time. Thank you for having this forum. I really think education to parents; I know that when my daughter left the high school there was very little knowledge. I know there are a lot of parents that have kids involved in independent transition academy. I get the call, what's going to happen? When does DDD, or when does ORS get involved? She graduated in 2007. They held her diploma until 21. She's 24. The school department said to me, we're going to go through this process together. We're going to learn. Even from that point on, what has been learned is not being implemented in the school department. <u>Concern: The increase in the number of students being dropped from IEPs (individual education plans).</u> Testimony: MARY LOPRESTI: I just actually got notice I got an e-mail just the other night so this is very last minute I don't have anything prepared. I am a mom of a 6 and a half year-old little boy with a mitochondrial disorder, he receives various services from the state now in school in our town so there is some crossover there. I often tell people who don't live in the state, I think we are very fortunate we do live here because he is just provided with a very good quality of life which in turn translates for a better quality of life for our family because we have four other children. You probably hear and I am sure there are areas where there could be more funding but for the most part I don't know -- I don't know if because we just more efficiently utilize our services and try to make the most of it but I do think, at least for our family there is a good quality of life and we are fortunate to live here in Rhode Island so it was basically to say thank you. We are not really looking for more at this point. I think as with anyplace child of a -- handicapped or parent, do I (inaudible) is half the battle. For the most part in our

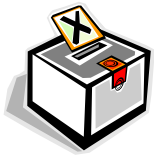
town we get good services but we just went through this experience where my son's IEP[1] one of his services was not addressed and we said what about this? And it was sort of, oh yeah, what about that? Hoping you would ignore that. So I don't know how much there is over sight on the city or town level. I often feel and my husband and I are fortunate because we are college educated, professionals, I have a sister who is a special needs teacher, I worry about those parents who don't know that and I sometimes see and I don't think it's just in my town because I have talked to parents in other towns, is it just what they don't know they don't know and we'll just try to move things along so that is a little bit of a frustration and I would like to see that more equitably distributed. My son will be entering kindergarten, even developmentally he is not even near preschooler and it happens the school he is attending has no handicapped accessible playground and I thought this is interesting if it's -- he'll never be able to walk but if we can get a swing so that's been promised, hopefully it will go through. If there was something at a level maybe if the town was held accountable and I know there are budget constraints so for me maybe this is more of advice and maybe this isn't the forum.

Can I just follow up on that a little bit, I do a hundred percent agree with you that the city of East Providence has a lot of nice services for kids especially and also they have a nice adult program through the city of East Providence for people with special needs which I think is wonderful and a lot of the young adults in my program take advantage of that. I think sometimes what parents run into sometimes is once you make the leap from school age to adult programming there is a huge gap in services and a huge gap in funding. I am a special ed. indicator, as well, and coming from that background, I know that work not guilty a school system or working in a private school when working with a young person with whatever type of disability, you're required to have a certified special ed. teacher. All of a sudden you get into adult programming, once they turn 18 or 21 or any time within that time frame and it's no longer a requirement. Therefore, the salary and the expectations follow. One of the things that contribute to that huge discrepancy is the funding is so inadequate and I want to point out further we as a provider as an agency providing services for adults with developmental disabilities, when you are in a school, you get a per pupil amount of money per year for that student. When you go into adult services, we get what they call quarterly allocations so every quarter we are told how much money we have for that young adult. If, this is something that totally doesn't make sense right now in the state, if that young adult is sick or takes vacation time with a family, we don't get paid. We lose the funding for that individual for that -- so we might be given a particular allocation but unfortunately we can't even take advantage of that allocation to its fullest extent because of those issues that I just pointed out. I mean that doesn't even make sense when you think about it, kid is sick or takes a week vacation with his family, am I supposed to say to my staff sorry can't pay you, stay home? Of course not but that's kind of what we are up against so I am just using that as.

<u>Concern: Lack of information on the transition from school to adult services / career supports for parents and students in high school.</u>

Testimony: Claire Rosenbaum There are major difficulties for individuals entering the BHDDH-DDD system as young adults transitioning from high school. Although by statute BHDDH-DDD must accept applications from anyone over eighteen, the intake unit at BHDDH will not review eligibility until a person reaches age 20. Often a SIS which determines funding levels is not conducted until three months

[1] **IEP** defines the individualized objectives of a child who has been found with a disability, as defined by federal regulations.

	before a person's 21st birthday (when they must exit school supports). Then BHDDH can take up to six weeks to inform the individual of the Tier level (in incomprehensible language – see attachment). One cannot tell from this letter what the accurate total funding amount is without also consulting confusing rate charts that change every quarter and are not included with the Tier letter. Only at this point is the person assigned a social caseworker who (in theory) can guide them to plan for their services. This BHDDH timeframe clearly does not allow individuals or their families' adequate time to interview and visit various provider agencies or to decide whether to self-direct their supports and to make other informed decisions about the best array of long term supports. BHDDH requires that Individual Support Plans and their related budgets and purchase orders be submitted 45 days before expected start of service. Given that plans take at least a month to be thoughtfully developed and a family may take several months of research to decide on where and how they want supports to happen, the individual entering the system needs to know his / her Tier level at least nine months before the expected start date, not a mere month or two. Remember the people eligible for support through BHDDH-DDD, by definition, have cognitive and often multiple disabilities and their families are frequently responsible for the day-to-day details of their care as well as for planning their supports within this new and confusing system. In spite of applying to BHDDH-DDD in a timely manner, many transitioning students never get to the planning stage with BHDDH -DDD before finishing school (which had been their major support system) and so never get connected to services. We have met many 24 and 25 year olds who have been sitting at home, with only the tenuous support that their stressed and often misinformed families can muster, who got lost in this transition gap in spite of having applied to BHDDH well before exiting school. The result for some of these young adults is loss of hard won skills, sometimes loss of employment due to lack of necessary employment supports, increasing isolations and sometimes the onset of depression. BHDDH makes no effort to find or identify these individuals who have applied, and maybe even been assessed, but have not accessed service. Many others have begun and continue the process of planning, but experience a gap of months to even years after exiting school while they continue through BHDDH bureaucratic maze trying to get their ISPs approved and services authorized to start. In Massachusetts, Chapter 688 requires school districts to make referrals of students with severe disabilities to their DMR (Mass. Equivalent to our BHDDH-DDD) a full two years before exiting school and requires DMR to accept those referrals and assign a social worker to assist with timely joint transition planning. The RI legislature could consider some similar legislation so that BHDDH-DDD is required to review and set into a planning process all applications of people over eighteen and that school districts make referrals of all students over 18 with significant support needs.
	Early Childhood Autism Parent Survey, Nicole Bucka, Educational Consultant - RTI Technical Assistance, Northern Rhode Island Collaborative
	Invite Kids Count, DHS-Early Intervention; DoH - Special Needs, Education, RIPIN, & Dept of Education to discuss improved coordination of evaluation & early intervention & transition to special education services, parent & doctor education - to the next meeting.
	3:45 Draft 2014 Legislation, Bob Cooper, Executive Secretary

	Purpose/Goal: To review and adopt draft bills for the 2014 General Assembly Session and to invite comments on those drafts at the Jan. 6th meeting.
	1. Transportation to Employment, job training, education, health care, etc. a) Maintain the existing RIPTA/RIde service areas; b) Adequate funding/new & stable funding source; c) Expand the RIPTA/RIde service areas/hours beyond the existing service/hours; and d) Require RIPTA to establish a sliding scale RIde fare.

AN ACT

RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC TRANSIT INVESTMENT

It is enacted by the General Assembly as follows:

SECTION 1. Sections 39-18.1-2, 39-18.1-3, 39-18.1-4 and 39-18.1-5 of the General Laws in Chapter 39-18.1 entitled "Transportation Investment and Debt Reduction Act of 2011" are hereby amended to read as follows:

39-18.1-2. Legislative findings. -- The general assembly finds that:

(1) Rhode Island now has, and for some years has had, a serious shortfall of funds available for the upkeep, maintenance and repair of the state's highways, roads, and bridges.

(2) Rhode Island now funds, and for some years has funded, the local twenty percent (20%) match required to bring federal transportation dollars into the state by means of selling bonds. This has proven unsustainable and creates unaffordable debt-service obligations for future generations of Rhode Island taxpayers.

(3) The health, safety, and convenience of Rhode Island's citizens are seriously and adversely affected when the state's highways, roads, and bridges are not kept in a proper state of upkeep, maintenance and repair.

(4) A critically important function of the state in maintaining the health, safety, and welfare of all the people of Rhode Island is to ensure the proper upkeep, maintenance and repair of the state's highways, roads, and bridges.

{add} (5) The Rhode Island public transit authority, which depends heavily on proceeds of the gasoline tax for its operating budget, has suffered significantly in recent years due to high volatility of gasoline prices with a resulting volatility in both the level of gasoline sales and the amount of gasoline tax proceeds from such sales.

(6) Availability of convenient, affordable public transit is critically important to Rhode Island's economic health and security because many Rhode Islanders depend on public transit in order to get to their places of employment, medical appointments, schools, and to carry on their daily activities.

(7) A critically important function of the state in maintaining the health, safety, and welfare of all the people of Rhode Island is to ensure the continued functioning and reliability of public transit in Rhode Island. {add}

{delete} ~~(5)~~ {delete} {add} (8) {add} Rhode Island must consider all potential sustainable sources as a vehicle for maintaining and improving the transportation infrastructure of the state{add}, including public transit{add}.

{delete} ~~(6)~~ {delete} {add} (9) {add} Additional stable and secure funding sources are absolutely necessary in order for the state to carry out its essential functions, including the upkeep, maintenance and repair of the state's highways, roads, and bridges, and providing for the continued functioning and reliability of public transit. In order to avoid to the full extent possible the creation of enormous and unaffordable debt-service obligations for future generations of Rhode Islanders, these funding sources should be created on a pay-as-you-go basis, and bonding should be reduced to the fullest extent practicable.

39-18.1-3. Definitions. -- When used in this chapter:

(1) "Department of Transportation" means the department created by chapter 13 of title 42 of the general laws of Rhode Island.

(2) "Director" means the director of the Rhode Island department of transportation.

(3) "Highway maintenance" means the upkeep, maintenance, and repair of the state's highways, roads, and bridges, including repaving or resurfacing the same.

(4) "State Planning Council" means the state planning council within the division of planning of the department of administration, as established by Rhode Island general laws section 42-11-10.

(5) "Transportation Improvement Program" means the transportation improvement program that is created and amended from time to time by the state planning council.

{add} (6) "Authority" means the Rhode Island public transit authority, established by chapter 18 of title 39 of the general laws of Rhode Island. {add}

39-18.1-4. {delete}~~Rhode Island highway maintenance trust fund created~~{delete} {add}**Rhode Island highway maintenance and public transit trust fund created**{add}**. --** (a) There is hereby created a special account in the intermodal surface transportation fund as established in section 31-36-20 that is to be known as the Rhode Island highway maintenance account {add}and Public Transit{add} Trust Fund.

(b) The fund shall consist of all those moneys which the state may from time to time direct to the fund, including, but not necessarily limited to, moneys derived from the following sources:

(1) There is imposed a surcharge of {delete}~~*thirty dollars ($30.00)*~~{delete} {add}*forty dollars ($40.00)* {add} per vehicle or truck, other than those with specific registrations set forth below in subsection (b)(1)(i). Such surcharge shall be paid by each vehicle or truck owner in order to register that owner's vehicle or truck and upon each subsequent biennial registration. This surcharge shall be phased in at the rate of ten dollars ($10.00) each year. The total surcharge will be ten dollars ($10.00) from July 1, 2013 through June 30, 2014, twenty dollars ($20.00) from July 1, 2014 through June 30, 2015, {delete}~~*and*~~{delete} thirty dollars ($30.00) from July 1, 2015 through June 30, 2016, and {add}*forty dollars ($40.00) from July 1, 2016 through June 30, 2017 and*{add} each year thereafter.

i) For owners of vehicles or trucks with the following plate types, the surcharge shall be as set forth below and shall be paid in full in order to register the vehicle or truck and upon each subsequent renewal:

Plate Type Surcharge
Antique $5.00
Farm $10.00
Motorcycle $13.00

(ii) For owners of trailers, the surcharge shall be one-half (1/2) of the biennial registration amount and shall be paid in full in order to register the trailer and upon each subsequent renewal.

(2) There is imposed a surcharge of {delete}~~*fifteen dollars ($15.00)*~~{delete} and {add}*twenty dollars ($20.00)*{add} per vehicle or truck, other than those with specific registrations set forth in subsection (b)(2)(i) below, for those vehicles or trucks subject to annual registration, to be paid annually by each vehicle or truck owner in order to register that owner's vehicle, trailer or truck and upon each subsequent annual registration. This surcharge will be phased in at the rate of five dollars ($5.00) each year. The total surcharge will be five dollars ($5.00) from July 1, 2013 through June 30, 2014, ten dollars ($10.00) from July 1, 2014 through June 30, 2015, {delete}~~*and*~~{delete} fifteen dollars ($15.00) from July 1, 2015 through June 30, 2016, and {add}*twenty dollars ($20.00) from July 1, 2016 through June 30, 2017 and*{add} each year thereafter.

(i) For registrations of the following plate types, the surcharge shall be as set forth below and shall be paid in full in order to register the plate, and upon each subsequent renewal:

Plate Type Surcharge
Boat Dealer $6.25
Cycle Dealer $6.25
In-transit $5.00
Manufacturer $5.00
New Car Dealer $5.00
Used Car Dealer $5.00
Racer Tow $5.00
Transporter $5.00

Bailee $5.00

(ii) For owners of trailers, the surcharge shall be one-half (1/2) of the annual registration amount and shall be paid in full in order to register the trailer and upon each subsequent renewal.

(iii) For owners of school buses, the surcharge will be phased in at the rate of six dollars and twenty-five cents ($6.25) each year. The total surcharge will be six dollars and twenty-five cents ($6.25) from July 1, 2013 through June 30, 2014, {delete}~~and~~{delete} twelve dollars and fifty cents ($12.50) from July 1, 2014 through June 30, 2015 and eighteen dollars and seventy-five cents {add} (*$18.75) from July 1, 2015 through June 30, 2016 and*{add} each year thereafter.

(3) There is imposed a surcharge of {delete}~~*thirty dollars ($30.00)*~~{delete}{add}*forty dollars ($40.00)*{add} per operator's license to be paid every five (5) years by each licensed operator of motor vehicles. This surcharge will be phased in at the rate of ten dollars ($10.00) each year. The total surcharge will be ten dollars ($10.00) from July 1, 2013 through June 30, 2014, twenty dollars ($20.00) from July 1, 2014 through June 30, 2015, {delete}~~*and*~~{delete} thirty dollars ($30.00) from July 1, 2015 through June 30, 2016, and {add}*forty dollars ($40.00) from July 1, 2016 through June 30, 2017 and*{add} each year thereafter. In the event that a license is issued or renewed for a period of less than five (5) years, the surcharge will be prorated according to the period of time the license will be valid.

(c) All funds collected pursuant to this section shall be deposited in the highway maintenance fund {add}and public transit trust fund{add} and shall be used only for the purposes set forth in this chapter.

(d) Unexpended balances and any earnings thereon shall not revert to the general fund but shall remain in the highway maintenance {add}and public transit trust{add} fund. There shall be no requirement that moneys received into the highway maintenance fund during any given calendar year or fiscal year be expended during the same calendar year or fiscal year.

(e) The highway maintenance {add}and public transit trust{add} fund shall be administered by the director, who shall allocate and spend moneys from the fund only in accordance with the purposes and procedures set forth in this chapter.

39-18.1-5. Allocation of funds. -- (a) {add}The monies in the Rhode Island highway maintenance and public transit trust shall be apportioned as follows:

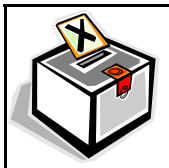
(1) *Seventy-five percent (75%)* to the department of transportation to be used for highway maintenance, to offset borrowing; and

(2) *Twenty-five percent (25%)* to the authority to be used in maintaining, enhancing, and/or expanding services. These funds may be used by the authority for capital expenditures according to the restrictions contained in subdivision (b)(2) of this section, or for routine operations and maintenance, or any combination of those.{add}

{add} (b)(1) {add}The monies in the highway maintenance {add}and public transit trust{add} fund to be directed to the department of transportation pursuant to subdivision (a)(1) of this section shall be allocated through the transportation improvement program process to provide the state match for federal transportation funds, in place of borrowing, as approved by the state planning council.

{add}(2) The expenditure of moneys in the Rhode Island highway maintenance and public transit trust fund by the department of transportation shall only be authorized for projects that appear in the state's transportation improvement program. To the extent that moneys in the Rhode Island highway maintenance and public transit trust fund are expended by the authority for capital expenditure, all such expenditures must first be approved by the state planning council, which shall only authorize expenditures for such capital projects that appear in the state's transportation improvement plan.{add}

SECTION 2. This act shall take effect on July 1, 2014.



MOTION: To accept the draft **An Act Relating To Public Utilities And Carriers -- Public Transit Investment**, as presented and direct the Commission's staff solicit comments from RIPTA, Transportation Coalition, and other interested parties for the January 6th Legislation Committee meeting.

Motion moved by TF, seconded by CG, passed unanimously

AN ACT

RELATED TO THE RHODE ISLAND PUBLIC TRANSIT AUTHORITY

§ 39-18-4 Powers and duties of the authority. - (a) The authority is hereby authorized and empowered:

(1) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(2) To adopt an official seal and alter the seal at pleasure;

(3) To maintain an office at such place or places within the state as it may designate;

(4) To sue and be sued in its own name, plead and to be implead; provided, however, that any and all actions against the authority shall be brought only in the county in which the principal office of the authority shall be located;

(5) To acquire, purchase, hold, use, and dispose of any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the authority, and, to lease as lessee or lessor any property, real, personal or mixed, or any interest therein for such term and at such rental as the authority may deem fair and reasonable, and to sell, transfer, convey, mortgage, or give a security interest in any property, real, personal, or mixed, tangible or intangible, or any interest therein, at any time acquired by the authority;

(6) To employ, in its discretion, planning, architectural, and engineering consultants, attorneys, accountants, construction, financial, transportation, and traffic experts and consultants, superintendents, managers, and such other officers, employees, and agents as may be necessary in its judgment, and to fix their compensation;

(7) To fix from time to time, subject to the provisions of this chapter, schedules and such rates of fare and charges for service furnished or operated as in its judgment are best adopted to insure sufficient income to meet the cost of service; provided, however, the authority is not empowered to operate a passenger vehicle under its control in competition with passenger vehicles of a private carrier over routes which the private carrier operates pursuant to a certificate of public convenience and necessity issued to the private carrier by the division of public utilities and carriers; and provided further that the authority shall not require any person who meets the means test criteria as defined by the Rhode Island {delete}~~Department~~{delete} {add}Division{add} of Elderly Affairs and who is either sixty-five (65) years of age, or over, or who is disabled to pay any fare or charge for bus rides during peak hours; provided, however, that such exclusion for fares or charges shall not apply: (A) to special service routes and (B) during periods and routes of overcrowded conditions. Any person who is either sixty-five (65) years of age, or over, or who is disabled, and who meets the means test criteria as heretofore provided, shall not be required to pay any fare or charge for bus rides during off-peak hours, and any person who is either sixty-five (65) years of age, or over, or who is disabled, and who does not satisfy the means test criteria as heretofore provided, shall only be required to pay one-half (1/2) of the fare or charge for bus rides during off-peak hours. For the purposes of this chapter, "overcrowded conditions," "peak hours," "off-peak hours" and "special service routes" shall be determined annually by the authority. The authority shall establish an advisory committee comprised of seniors/persons with disabilities constituent users of the authority's services to assist in the implementation of this section;

(ii) Any person who accompanies and is assisting a person with a disability when the person with a disability uses a wheelchair shall be eligible for the same price exemptions extended to a person with a disability by subsection (7)(i). The cost to the authority for providing the service to the elderly shall be paid by the state;

(iii) Any person who accompanies and is assisting a passenger who is blind or visually impaired shall be eligible for the same price exemptions extended to the passenger who is blind or visually impaired by subsection (7)(i). The cost to the authority for providing the service to the elderly shall be paid by the state;

(iv) The authority shall be authorized and empowered to charge a fare for any paratransit services required by the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., in accordance with 49 C.F.R. Part 37[2] {add}on a sliding scale on income - change the # of ritics {add}.

[2] 49 C.F.R Part 37 §131 Service criteria for complementary paratransit.

(8) To borrow money and to issue bonds of the authority for any of its purposes including, without limitation, the borrowing of money in anticipation of the issuance of bonds or the receipt of any operating revenues or other funds or property to be received by the authority, and the financing of property to be owned by others and used, in whole or substantial part, by the authority for any of its purposes, all as may from time to time, be authorized by resolution of the authority; the bonds to contain on their face a statement to the effect that neither the state nor any municipality or other political subdivision of the state shall be obligated to pay the same or the interest thereon;

(9) To enter into management contracts for the operation, management, and supervision of any or all transit properties under the jurisdiction of the authority, and to make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter;

(10) Without limitation of the foregoing, to borrow money from, to receive and accept grants for or in aid of the purchase, leasing, improving, equipping, furnishing, maintaining, repairing, constructing, and operating of transit property, and to enter into contracts, leases, or other transactions with any federal agency; and to receive and accept from the state, from any municipality, or other political subdivision thereof, and from any other source, aid or contributions of either money, property, labor, or other things of value, to be held, used and applied only for the purposes for which the grants and contributions may be made;

(11) To acquire in the name of the authority, by negotiated purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of condemnation to the extent only and in the manner as provided in this chapter, such public and private lands, including public parks, playgrounds or reservations, or parts thereof, or rights therein, rights-of-way, property rights, easements, and interests as it may deem necessary for carrying out the provisions of this chapter; provided, however, that all public property damaged in carrying out the powers granted by this chapter shall be restored or repaired and placed in its original condition as nearly as practicable;

(12) To contract with any municipality, public or private company or organization, whereby the authority will receive a subsidy to avoid discontinuance of service, and each municipality within the state is hereby authorized to make and enter into such contracts and to make, grant, or give to the authority a subsidy in such amount and for such period of time as it may deem advisable;

(13) To operate service to nearby Massachusetts and nearby Connecticut terminals for the purpose of deboarding Rhode Island passengers at major traffic generating locations for the benefit of passengers and to board Rhode Islanders for the return trip, provided, however, that the authority operate closed door in Massachusetts and nearby Connecticut to and from its destination; and

(14) To do all things necessary, convenient, or desirable to carry out the purpose of this chapter.

(b) To effectuate the purposes of this chapter the authority shall have the following duties:

(1) To participate in and contribute to transportation planning initiatives that are relevant to the purposes of the authority;

(2) To plan, coordinate, develop, operate, maintain and manage a statewide public transit system consistent with the purposes of the authority, including plans to meet demands for public transit

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(c) *Fares.* The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (*i.e.*, without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system.

(1) In calculating the full fare that would be paid by an individual using the fixed route system, the entity may include transfer and premium charges applicable to a trip of similar length, at a similar time of day, on the fixed route system.

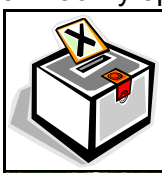
(2) The fares for individuals accompanying ADA paratransit eligible individuals, who are provided service under §37.123 (f) of this part, shall be the same as for the ADA paratransit eligible individuals they are accompanying.

(3) A personal care attendant shall not be charged for complementary paratransit service.

(4) The entity may charge a fare higher than otherwise permitted by this paragraph to a social service agency or other organization for agency trips (*i.e.*, trips guaranteed to the organization).

where such demand, current or prospective, exceeds supply and/or availability of public transit services;

(3) To work with departments, agencies, authorities and corporations of federal, state and local government, public and private institutions, businesses, non-profit organization, users of the system and other entities and persons to coordinate public transit services and provide a seamless network of mobility options.

	The Commission's staff will solicit comments from RIPTA, Transportation Coalition, and other interested parties for the January 6th Legislation Committee meeting.
	2. Global Medicaid Consumer Choice Waiver; making sure the 2008 level of services stay in place for persons with severe disabilities: a) Restore the 2008 Katie Beckett and children with autism spectrum disorders eligibility rules; b) Restore the right to medically necessary brand name drugs without requiring two generic failures before allowing brand name; c) Improve services for adults with autism spectrum disorders; d) Retain multiple behavioral healthcare service delivery models; e) Maintain disability service funding; f) Post-Global Medicaid Consumer Choice Waiver Transition Plan; and g) Clarify eligibility for Medicaid/Sherlock services.

2013 -- S 0092

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

A N A C T

RELATING TO INSURANCE - COVERAGE FOR PRESCRIPTION DRUGS

Introduced By: Senators Crowley, Sosnowski, Jabour, Lynch, and Goodwin

Date Introduced: January 22, 2013

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service Corporations" is hereby amended by adding thereto the following section:

27-19-70. Coverage for prescription drugs. -- (a) Every individual or group health insurance contract, or every individual or group hospital or medical expense insurance policy, plan, or group policy issued for delivery, or renewed in this state on or after the enactment of this section that provides coverage for prescription drugs shall not require an insured to use, prior to using a brand name prescription drug prescribed by a licensed prescriber, any alternative brand name prescription drugs or over-the-counter drugs.

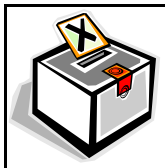
(b) Health insurance contracts, plans or policies to which this section applies may require an insured to use, prior to using a brand name prescription drug prescribed by a licensed prescriber, a therapeutically equivalent generic drug, unless, pursuant to sections 5-19.1-19, 5-37-18.1 and 21-31-15(b), the prescriber indicates "brand name necessary" on the prescription form, or if the prescriber gives oral direction to that effect to the dispensing pharmacist.

SECTION 2. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service Corporations" is hereby amended by adding thereto the following section:

27-20-66. Coverage for prescription drugs. -- (a) Every individual or group health insurance contract, or every individual or group hospital or medical expense insurance policy, plan, or group policy issued for delivery, or renewed in this state on or after the enactment of this section that provides coverage for prescription drugs shall not require an insured to use, prior to using a brand name prescription drug prescribed by a licensed prescriber, any alternative brand name prescription drugs or over-the-counter drugs.

2-2 (b) Health insurance contracts, plans or policies to which this section applies may require
2-3 an insured to use, prior to using a brand name prescription drug prescribed by a licensed
2-4 prescriber, a therapeutically equivalent generic drug, unless, pursuant to sections 5-19.1-19, 5-37-
2-5 18.1 and 21-31-15(b), the prescriber indicates "brand name necessary" on the prescription form,
2-6 or if the prescriber gives oral direction to that effect to the dispensing pharmacist.
2-7 SECTION 3. Chapter 27-41 of the General Laws entitled "Health Maintenance
2-8 Organizations" is hereby amended by adding thereto the following section:
2-9 **27-41-83. Coverage for prescription drugs. --** (a) Every individual or group health
2-10 insurance contract, or every individual or group hospital or medical expense insurance policy,
2-11 plan, or group policy issued for delivery, or renewed in this state on or after the enactment of this
2-12 section that provides coverage for prescription drugs shall not require an insured to use, prior to
2-13 using a brand name prescription drug prescribed by a licensed prescriber, any alternative brand
2-14 name prescription drugs or over-the-counter drugs.
2-15 (b) Health insurance contracts, plans or policies to which this section applies may require
2-16 an insured to use, prior to using a brand name prescription drug prescribed by a licensed
2-17 prescriber, a therapeutically equivalent generic drug, unless, pursuant to sections 5-19.1-19, 5-37-
2-18 18.1 and 21-31-15(b), the prescriber indicates "brand name necessary" on the prescription form,
2-19 or if the prescriber gives oral direction to that effect to the dispensing pharmacist.

2-20 SECTION 4. This act shall take effect upon passage.

	MOTION: To support the reintroduction of S 2013-092 **An Act Related To Insurance - Coverage For Prescription Drugs** as presented, and direct the Commission's staff to solicit comments from any interested parties, prior to the Jan. 6th meeting. Motion moved by SB, seconded by AP, *passed/unanimous*

13-R361
2013 -- S 0239 SUBSTITUTE A
Enacted 06/24/13

JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY THE QUALITY OF LIFE AND CREATE POSITIVE OUTCOMES FOR INDIVIDUALS WITH AUTISM IN THE STATE OF RHODE ISLAND

Introduced By: Senators E O`Neill, Cote, Bates, Ottiano, and Lombardi
Date Introduced: February 06, 2013

RESOLVED, That a special joint commission be and the same is hereby created consisting of twenty-three (23) members: two (2) of whom shall be members of the House of Representatives, not more than one of whom shall be from the same political party, to be appointed by the Speaker of the House; two (2) of whom shall be members of the Senate, not more than one of whom shall be from the same political party, to be appointed by the President of the Senate; one of whom shall be the Commissioner of the Department of Elementary and Secondary Education, or designee; one of whom shall be the Director of the Department of Human Services, or designee; one of whom shall be the Director of the Department of Health, or designee; one of whom shall be the Director of the Department of Children, Youth, and Families, or designee; one of whom shall be the Director of the Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals, or designee; one of whom shall be the Executive Director of The Autism Project of Rhode Island, or designee; one of whom shall be the President of the National Autism Association, or designee; one of whom shall be the President of the Rhode Island Chapter-Autism Society of America; one of whom shall be a diagnostician, to be appointed by the Speaker; one of whom shall be a researcher, to be appointed by the Senate President; one of whom shall be the Director of Clinical and Educational Services from Pathways Strategic Teaching Center, or designee; one of whom shall be the Director of the Association of Rhode Island Administrators of Special Education, or designee; one of whom shall be a Special Education Director from Rhode Island College, to be appointed by the Speaker of the House; one of whom shall be the Director of Development Pediatrics from Rhode Island Hospital, or designee; one of whom shall be from the Department of Special Education at Salve Regina University, to be appointed by the President of the Senate; one of whom shall be the Executive Director of The Groden Center, or designee; one of whom shall a representative from the Paul V. Sherlock Center on

Disabilities; and two (2) of whom shall be parents of an individual with Autism, one of whom shall be appointed by the Speaker, and one of whom shall be appointed by the Senate President.

In lieu of any appointment of a member of the legislature to a permanent advisory commission, a legislative study commission, or any commission created by a General Assembly resolution, the appointing authority may appoint a member of the general public to serve in lieu of a legislator, provided that the majority leader or the minority leader of the political party which is entitled to the appointment consents to the appointment of the member of the general public.

The purpose of said commission shall be to make a comprehensive study to improve the quality of life and create positive outcomes for individuals with autism spectrum disorders and their families in the state of Rhode Island.

Upon passage of this resolution, the members of the commission shall meet at the call of the Speaker of the House and President of the Senate and organize and shall select, from among the legislators, a chairperson.

Vacancies in said commission shall be filled in like manner as the original appointment.

The membership of said commission shall receive no compensation for their services.

All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

The Joint Committee on Legislative Services is hereby authorized and directed to provide suitable quarters for said commission; and be it further

RESOLVED, That the commission shall report its findings and recommendations to the General Assembly no later than January 28, 2014, and said commission shall expire on June 13, 2014.

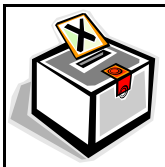


Table action on accessible service legislation until the **Special Joint Commission To Study the Quality Of Life And Create Positive Outcomes For Individuals With Autism In The State Of Rhode Island** makes its recommendations.

The Office of Health and Human Services 2013 Annual report on the implementation of the Health Care Assistance for:

WORKING ADULTS WITH DISABILITIES PROGRAM
SHERLOCK PLAN PROGRESS REPORT
November 8, 2013

Reporting requirements pertaining to 40-8.7-9 Regulations and Commencement of Program

Item1.

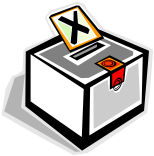
- Total # of applications (since initial collection of data 2008) – 64
  Active – 20
  Closed – 44
- Total # of approved applications – 20
  (Pending applications - 3)
- The number of applicants currently eligible for other forms of medical coverage – 17

Item 2. Demographics including: age, sex, employment supports provided; and primary disabling condition, as permissible under the health insurance portability act of 1996 (HIPPA) privacy and security rules:

- Data base to be developed upon expansion of the program. At this time, given the small numbers of participants, we are unable to provide this level of information.

Item 3. Prior and current participation in other public assistance programs including Medicare, Social Security Disability Insurance (SSDI), Supplemental Security Income (SSI), including the 1619(b) provision:

- Prior/current participation on other public assistance programs (Medicare, SSDI, SSI, 1619b) –
  Medicare – 17

	SSDI – 18 SSI – 13 SSI/1619B – 7 • Prior/current participation in other public assistance programs (AFDC/FIP, SNAP, GPA, QSD, SPPR) – 16 **Item 4.** The number of beneficiaries employed and the average wages of those beneficiaries prior to and post Medicaid buy-in plan eligibility**:** • Current employment – 19 • Average wages - $766.40/month No change between pre and post eligibility at this time, but we continue to monitor. **Item 5.** The amounts of premiums collected: • Premiums collected - $559.00/month • Number of participants with premiums – 9 **Item 6.** Medicaid claims data including pre-buy in, while on the buy-in and if disenrolled, after buy-in to perform an analysis of costs/per member, per month, of buy-in enrollees shall also be provided by the Medicaid agency to the Medicaid Infrastructure Grant recipient, as provided for in the data use agreement • To be developed upon expansion of the program. **Item 7.** Finding and recommendations with regard to "best practices" used by other state in the New England region and nationwide that should be considered to increase employment among Medicaid beneficiaries with disabilities and how to best support Medicaid beneficiaries with disabilities who are working • Executive Office of Health and Human Services has established a committee to review all issues for implementing the Sherlock Plan. Best practices and employment outcomes will be part of this committee's future agenda as we work through initial implementation of the Sherlock Plan. **Item 8.** Identification and strategies that the finance committees should consider regarding challenges or opportunities for workers with disabilities in Rhode as the Affordable Care Act is implemented; including but not limited to, ensuring that employment policies and supports are integrated into the state's design and implementation of the following long-term care Affordable Care Act provisions,: Section 10202-Balancing Incentive Payments Plan (BIPP); 1915 (i) State Plan Amendment; Section 2401- Community First Choice (CFC); Section 2703-Health Homes for Individuals with chronic conditions; Money Follows the Person;2014 Medicaid Expansion: and the dual eligible integrated care plan models. • In progress
	MOTION: To direct the Commission's staff solicit comments from OHHS on definition of "therapeutic employment" and request Commission have a representation on the Committee to review all issues for implementing the Sherlock Plan, Motion moved by TF, seconded by GS, passed unanimous
	Send a letter to Christy Ferguson & Elana Nicolela regarding the impact of the Affordable Care Act's Medicaid Expansion to low income adults without dependents; on the # ineligible adults with disabilities being referred to the Sherlock Plan.

3. Housing Supports and other services for people with behavioral health concerns:
   a) Restore the Neighborhood Opportunities Program funding;
   b) Create a supportive housing program; and
   c) Expansion of Affordable Housing – require at least 2 additional affordable housing units for cities and towns that have not met the affordable housing goals.

AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT -- RHODE ISLAND HOUSING RESOURCES ACT OF 1998

It is enacted by the General Assembly as follows:

SECTION 1. Section 42-128-8 of the General Laws in Chapter 42-128 entitled "Rhode Island Housing Resources Act of 1998" is hereby amended to read as follows:

42-128-8. Powers and duties. -- In order to provide housing opportunities for all Rhode Islanders, to maintain the quality of housing in Rhode Island, and to coordinate and make effective the housing responsibilities of the agencies and subdivisions of the state, the commission shall have the following powers and duties:

(1) Policy, planning and coordination of state housing functions. - The commission shall have the power and duty:

(i) To prepare and adopt the state's plans for housing; provided, however, that this provision shall not be interpreted to contravene the prerogative of the state planning council to adopt a state guide plan for housing.

(ii) To prepare, adopt, and issue the state's housing policy.

(iii) To conduct research on and make reports regarding housing issues in the state.

(iv) To advise the governor and general assembly on housing issues and to coordinate housing activities among government agencies and agencies created by state law or providing housing services under government programs.

(2) Establish, implement, and monitor state performance measures and guidelines for housing programs. - The commission shall have the power and the duty:

(i) To promulgate performance measures and guidelines for housing programs conducted under state law.

(ii) To monitor and evaluate housing responsibilities established by state law, and to establish a process for annual reporting on the outcomes of the programs and investments of the state in housing for low and moderate income people.

(iii) To hear and resolve disputes pertaining to housing issues.

(3) Administer the programs pertaining to housing resources that may be assigned by state law. - The commission shall have the power and duty to administer programs for housing, housing services, and community development, including, but not limited to, programs pertaining to:

(i) Abandoned properties and the remediation of blighting conditions.

(ii) Lead abatement and to manage a lead hazard abatement program in cooperation with the Rhode Island housing and mortgage finance corporation.

(iii) Services for the homeless.

(iv) Rental assistance.

(v) Community development.

(vi) Outreach, education and technical assistance services.

(vii) Assistance, including financial support, to non-profit organizations and community development corporations.

(viii) Tax credits that assist in the provision of housing or foster community development or that result in support to non-profit organizations performing functions to accomplish the purposes of this chapter.

(ix) The Supportive Services Program, the purpose of which is to help prevent and end homelessness among those who have experienced long-term homelessness and for whom certain services in addition to housing are essential. State funding for this program may leverage other resources for the purpose of providing supportive services. Services provided pursuant to this subsection may include, but not be limited to: assistance with budgeting and paying rent; access to employment; encouraging tenant involvement in facility management and policies; medication monitoring and management; daily living skills related to food, housekeeping and socialization;

counseling to support self-identified goals; referrals to mainstream health, mental health and treatment programs; and conflict resolution.

{add}(x) The neighborhood opportunities program, the purpose of which shall be to address the housing and revitalization needs of the state's deteriorating neighborhoods. The neighborhood opportunities program shall provide financial assistance to implement the following three (3) components:

(A) The family affordable housing program, the purpose of which shall be to produce an additional supply of housing units at rents affordable to families working at or near minimum wage. State funding will leverage other resources for the production of housing, to create mixed income housing, and to revitalize neighborhoods through the rehabilitation of existing substandard units.

(B) The permanent supportive housing program, the purpose of which shall be to produce additional housing for disabled individuals to be coupled with services and case management to stabilize homeless individuals in permanent housing at affordable rents for persons receiving supplemental social security income (SSI).

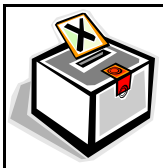
(C) The neighborhood revitalization program, the purpose of which shall be to provide grants to local communities for renovation, demolition, and homeownership opportunities in neighborhoods designated for revitalization.

SECTION 2. There is hereby appropriated out of a dedicated funding stream of money in the treasury appropriated for the fiscal year 2012-2013, the sum of 12.5 million dollars ($12,500,000) for the purpose of carrying out the provisions of this act, and the state controller is hereby authorized to draw his or her orders upon the general treasurer for the payment of said sum, or so much thereof as may be from time to time required, upon receipt by him or her of properly authenticated vouchers.

SECTION 3. At the general election to be held on the Tuesday next after the first Monday in November 2014, there shall be submitted to the people for their approval or rejection the following proposition:

"Shall the action of the general assembly, by an act passed by the January 2014 session authorizing the issuance of bonds, refunding bonds, and temporary notes of the State of Rhode Island in the amount of seventy-five million dollars ($75,000,000) to provide funds to the housing resources commission to be allocated to finance the cost of the neighborhood opportunities program be approved, and the issuance of such bonds, refunding bonds, and temporary notes in accordance with the act be authorized?" {add}

SECTION 4. Section 1, Section 2 and Section 4 shall take effect upon passage. Section 3 of this act shall take effect upon the approval of this act by a majority of those voting on the question at the election presented by the foregoing section.

	MOTION: To accept the draft **An Act Related State Affairs And Government -- Rhode Island Housing Resources Act Of 1998** as presented and direct the Commission's staff solicit comments from the RI Coalition on the Homeless etc. Motion moved by TF, seconded by JR, passed unanimous
	4. Accessibility to Services: a) Provide interpreter services for ancillary healthcare programs or supports (including peer supports); and b) Provide closed captions of all Capitol Television programing.

13-R420

2013 -- S 0277 SUBSTITUTE A

Enacted 07/17/13

JOINT RESOLUTION CREATING A SPECIAL JOINT COMMISSION TO STUDY CAPTIONING AND AUDIO DESCRIPTIONS FOR PERSONS WHO ARE HEARING OR VISUALLY IMPAIRED IN RHODE ISLAND COMMERCIAL AND RESIDENTIAL SETTINGS

Introduced By: Senators Cool Rumsey, Sosnowski, Walaska, Ottiano, and Pichardo

Date Introduced: February 12, 2013

WHEREAS, The equal treatment of those who are deaf, hard of hearing, blind, visually impaired, or otherwise disabled is an important issue; and

WHEREAS, According to the U.S. Census Bureau and the American Community Survey, in 2011, Rhode Island had an estimated population of over 50,000 people who have hearing and/or vision difficulty; and

WHEREAS, Only two movie theaters in Rhode Island are currently providing one captioned movie; and

WHEREAS, The 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design states: "A public accommodation shall take those steps that may be necessary to ensure that no individual with a disability is excluded, denied services, segregated, or otherwise treated differently than other individuals because of the absence of auxiliary aids and services"; and

WHEREAS, An updated ADA regulation now specifies that open or closed captioning is included in the term “auxiliary aids and services”; and

WHEREAS, New technology, such as subtitle glasses, has the potential to enable those who are deaf, hard of hearing, blind, visually impaired, or otherwise disabled to enjoy the movie going experience with less hassle for themselves and other patrons; now, therefore be it

RESOLVED, That a special legislative commission be and the same is hereby created consisting of thirteen (13) members: three (3) of whom shall be members of the Senate, not more than two (2) of whom shall be from the same political party, to be appointed by the President of the Senate; three (3) of whom shall be members of the House of Representatives, not more than two (2) of whom shall be from the same political party, to be appointed by the Speaker of the House of Representatives; one of whom shall be the Executive Director of the Rhode Island Commission on the Deaf and Hard of Hearing, or his or her designee; one of whom shall be the Executive Secretary of the Governor’s Commission on Disabilities, or his or her designee; one of whom shall be the Attorney General, or his or her designee; one of whom shall be a representative of the Department of Human Services who specializes in services for the blind and visually impaired; one of whom shall be a representative of the Theater Owners of New England; one of whom shall be a representative from the Motion Picture Association of America; and one of whom shall be a representative from a Rhode Island based telecommunications company.

In lieu of any appointment of a member of the legislature to a permanent advisory commission, a legislative study commission, or any commission created by a General Assembly resolution, the appointing authority may appoint a member of the general public to serve in lieu of a legislator, provided that the majority leader or the minority leader of the political party which is entitled to the appointment consents to the appointment of the member of the general public.

The purpose of said commission shall be to study captioning and audio descriptions in residential and commercial settings in Rhode Island with respect to motion pictures for persons who are deaf and hard of hearing and persons who are blind or visually impaired and other areas related to the Americans with Disability Act (ADA) as deemed appropriate by the commission.

Forthwith upon passage of this resolution, the members of the commission shall meet at the call of the Co-Chairs and organize. The President of the Senate shall select a co-chairperson and the Speaker of the House of Representatives shall select a co-chairperson of the commission.

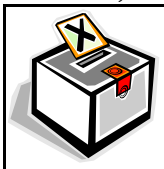
Vacancies in said commission shall be filled in like manner as the original appointment.

The membership of said commission shall receive no compensation for their services.

All departments and agencies of the state shall furnish such advice and information, documentary and otherwise, to said commission and its agents as is deemed necessary or desirable by the commission to facilitate the purposes of this resolution.

The Joint Committee on Legislative Services is hereby authorized and directed to provide suitable quarters in the State House for said commission; and be it further

RESOLVED, That the commission shall report its findings and results to the General Assembly on or before March 4, 2014, and said commission shall expire on July 1, 2014.

	MOTION: To follow up CDHH letter to Senate President and Speaker of the House, requesting appointment of the **Special Joint Commission To Study Captioning And Audio Descriptions For Persons Who Are Hearing Or Visually Impaired In Rhode Island Commercial And Residential Settings.** Table the accessible service

	legislation until the Study Commission makes its recommendations. Motion moved by EG, seconded by GS, passed unanimously.
	5. Employment a) Improve school to adult transitional to adult services / employment / post-secondary education[3]; and b) Maintain non-competitive employment options[4].

INTERIM SETTLEMENT AGREEMENT

A. This Interim Agreement ("Interim Agreement") is entered into between the United States of America ("United States"), the State of Rhode Island ("State"), and the City of Providence, Defendants (hereinafter collectively "Parties").

III. SCOPE OF THE AGREEMENT AND TARGET POPULATIONS

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[3] **§ 40.1-21-4.3 Division of Developmental Disabilities - Definitions. –** As used in this chapter and in chapter 22 of this title the words:

(5) "Developmentally disabled adult" means a person, eighteen (18) years old or older and not under the jurisdiction of the department of children, youth, and families who is either a mentally retarded developmentally disabled adult or is a person with a severe, chronic disability which:

(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
(ii) Is manifested before the person attains age twenty-two (22);
(iii) Is likely to continue indefinitely;
(iv) Results in substantial functional limitations in three (3) or more of the following areas of major life activity:
(A) Self care,
(B) Receptive and expressive language,
(C) Learning,
(D) Mobility,
(E) Self-direction,
(F) Capacity for independent living,
(G) Economic self-sufficiency; and
(v) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services, which are of lifelong or extended duration and are individually planned and coordinated. For purposes of funding, it is understood that students enrolled in school will continue to receive education from their local education authority in accordance with § 16-24-1 et seq.

(8) "Mentally retarded developmentally disabled adult" means a person eighteen (18) years old or older and not under the jurisdiction of the department of children, youth, and families, with significant sub-average, general intellectual functioning two (2) standard deviations below the norm, existing concurrently with deficits in adaptive behavior and manifested during the developmental period. For purposes of funding, it is understood that students enrolled in school will continue to receive education from their local education authority in accordance with § 16-24-1 et seq.

§ 40.1-26-2 Rights for Persons with Developmental Disabilities - Definitions. – As used in this chapter:

(8) "Developmental disability" means a severe chronic disability which is attributable to a mental or physical impairment or combination of impairments; is manifested before the person attains age twenty-two (22); is likely to continue indefinitely; results in substantial functional limitations in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, economic self-sufficiency; and reflects the person's need for a combination and sequence of special, interdisciplinary or generic care, treatment, or other services which are of life long or extended duration and are individually planned and coordinated.

(10) "Participant" means any person eighteen (18) years or older, with a developmental disability who receives services from the division of developmental disabilities and/or an agency licensed by the department of mental health, retardation, and hospitals.

[4] **§ 28-12-9 Minimum Wages- Workers with disabilities. –** The director of labor and training may provide by regulation, after a public hearing at which any person may be heard, for the employment in any occupation at wages lower than the wage rates applicable under this chapter of individuals whose earning capacity is impaired by physical or mental disability as he or she may find appropriate to prevent curtailment of opportunities for employment, to avoid undue hardship, and to safeguard the applicable wage rates under this chapter. No employee shall be employed at wages fixed pursuant to this section except under a special license issued under applicable regulations of the director of labor and training.

A. Supported Employment Services, Integrated Day Services, and/or Transition Services under the Interim Agreement will be given to the following individuals:
1. Individuals with I/DD that receive day activity or sheltered workshop services at Training Thru Placement or have received services at Training Thru Placement or any successor organization in the previous year ("TTP Target Population");
2. Individuals with I/DD who are transition-age youth currently attending the Harold A. Birch Vocational Training Program, or any successor program, at Mount Pleasant High School ("Birch Transition Target Population"); and
3. Individuals with I/DD who are transition age youth attending the Harold A. Birch Vocational Training Program, or any successor program, at Mount Pleasant High School who have exited Birch within the previous two years, or who will exit Birch within one year ("Birch Exit Target Population").

V. SUPPORTED EMPLOYMENT SERVICES AND PLACEMENTS

A. "Supported Employment Services" include the following community services and supports that the State shall make available to satisfy the requirements of this Interim Agreement:
1. Vocational and related services, such as job discovery and development, job-finding, job carving, job coaching, job training, job shadowing, co-worker and peer supports, re-employment support, benefits counseling and transportation services, as well as those environmental modification and environmental accessibility adaptations, behavioral supports; personal care services; case management services; assistive technology; social skills training; self exploration; career exploration; career planning and management; job customization; soft skill development; time management training; self-employment opportunities and supports; adaptive behavior and daily living skills training directly related to job placement and support necessary to allow individuals with I/DD to participate in an integrated employment setting; and
2. In addition, for transition-age youth with I/DD, transitional services and supports, including: instruction, community experiences, the development of employment and other post school adult living objectives; school-based preparatory experiences; career preparation, and integrated work-based learning experiences such as site visits, job shadowing, soft skill and job skill development, internships, part-time employment, summer employment; youth development and leadership, including training in self-advocacy, self-determination and conflict resolution skills, peer and adult mentoring, and, where appropriate, daily living skills; connecting activities, including exposure to post-school educational and community services, transportation, benefits planning, and assistive technology.

B. Supported Employment Services shall be individualized and flexible, and shall be available as needed and desired, but shall not be mandated as a condition of working or receiving services in an integrated employment setting.

C. Supported Employment Services shall be provided in the amount, intensity, and duration necessary to place, maintain, and provide ongoing support, including ongoing professional development, to an individual in a Supported Employment Placement, as set forth below in Section V(D)-(E).

D. "Supported Employment Placement," for the purposes of this Interim Agreement, is defined as the provision of Supported Employment Services in an integrated employment setting:
1. Where the individual is compensated at or above Rhode Island's minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities;
2. Where the individual works the maximum number of hours consistent with his/her abilities;
3. That allows individuals with disabilities to interact with individuals without disabilities in an employment setting to the fullest extent possible for the individual; and
4. That offers individuals with disabilities the same opportunity as non-disabled individuals:

a. To access community opportunities at times, frequencies, and with persons of their choosing during appropriate times when the individual is not working, such as on breaks, during lunch, and before and after the work day;
b. For promotion and/or advancement opportunities; and
c. To perform tasks or work activities that match the interests, preferences, and skills of the worker.

E. All Supported Employment Placements shall be based on an individual's capabilities, strengths, and preferences, and shall be individually tailored to each person and may include self-employment. Working from an individual's home as part of self-employment may be a Supported Employment Placement if made as an informed choice by the individual, and is subject to review by the Monitor.

F. The State and PPSD will establish and implement a policy that includes the presumption that all individuals covered by this Interim Agreement are capable of working in integrated employment settings.

G. Supported Employment Placements made available under this Interim Agreement cannot be in facility-based work/sheltered workshops, group enclaves, mobile work crews, time-limited work experiences (internships), or facility-based day programs.

H. All individuals who receive a Supported Employment Placement under this Interim Agreement shall work the maximum number of hours consistent with their abilities and have access to integrated day services in sufficient amount, duration, and intensity to complement their employment and to provide them with an ISP that affords them the opportunity to participate in integrated settings at times when they are not working during a normative 40 hour work week.

I. By May 1, 2014, all individuals in the TTP and Birch Exit Target Populations that receive a Supported Employment Placement(s) shall average, as determined by a point in time survey, work in an integrated employment setting for at least 20 hours per week.

J. Any individual eligible for a Supported Employment Placement, but who makes an informed choice for placement in a sheltered workshop, group enclave, mobile work crew, time-limited work experience (internships), or facility-based day program, or other segregated setting may seek a variance allowing such placement. Variances may only be granted after an individual has:
1. Participated in at least one vocational or situational assessment, as defined in Section II;
2. Completed one trial work experience, as defined in Section II;
3. Received the outreach, education, and support services described in Section X; and
4. Received a benefits counseling consultation, as described in Sections IV(8).

K. If a variance is granted, the individual must be reassessed by a qualified professional, and the revised employment goal reevaluated, within 180 days, and annually thereafter, for the individual to have the meaningful opportunity to choose to receive Supported Employment Services in an integrated work setting. The Parties and the Monitor shall create a process that governs the variance process within 30 days of entering this Interim Agreement.

VI. INTEGRATED DAY SERVICES

A. "Integrated Day Services" include the following community services and supports that the State shall make available to satisfy the requirements of this Interim Agreement: community-based recreational, social, educational, cultural, and athletic activities, including community volunteer activities and training activities, as well as other non-facility based activities of a person's choosing that are provided in integrated settings during the day with the appropriate services and supports.

B. Integrated Day Services will be provided to all individuals in the TTP and Birch Exit Target Populations for the remainder of all time set forth in an individual's ISP in a 40 hour work week in which such individuals are not in school or supported employment. Integrated day settings must:
1. Allow individuals with disabilities the opportunity to interact with individuals without disabilities in a community setting to the fullest extent possible for the individual; and
2. Offer individuals with disabilities the same opportunity as do non-disabled individuals:

a. To engage in non-work activities that match the interests, preferences, and goals of the participant; and
b. To do so at times, frequencies, and with persons of their choosing during the day, when an individual is not working or receiving residential care or educational services.
   i. Integrated Day Services shall be individualized, flexible, purposeful, and productive daytime activities; shall be individually tailored to a person's interests, abilities, and goals; and shall afford individuals the services and supports necessary to interact with non-disabled individuals to the fullest extent possible during the day.
   ii. Integrated Day Services must include an array of group and non-group activities and facilitate meaningful choice by individuals with I/DD between group and non-group activities.
   iii. Integrated Day Services shall not be services provided as part of a sheltered workshop, day services, group home, or residential service provider's on-site program.

VII. CAREER DEVELOPMENT PLANNING

1. By September 1, 2013, the State shall adopt and implement policies and procedures for developing career development plans for each individual in the TTP Target Population. By September 1, 2013, the State and PPSD shall adopt and implement policies and procedures for developing career development plans for each individual in the Birch Exit Target Population. The policies will include a presumption that all individuals covered by this Interim Agreement are capable of working in an integrated employment setting and that a rapid search process for employment should be implemented for individuals eligible for Supported Employment Services under this Interim Agreement. The policies will also include the presumption that all individuals covered by this Interim Agreement will be ensured an active and leading role in the career development planning process. The policies also will include a provision that no readiness criteria shall be used in pre-eligibility determinations to assess an individual's ability to work in an integrated setting. All individuals covered by this Interim Agreement will be presumed ready for employment.
2. The State shall adopt evidence-based vocational assessments and vocational eligibility criteria that are person-centered and appropriate for individuals with I/DD; based on the presumption that with the appropriate services and supports individuals with I/DD can work; and designed to reveal information about an individual's skills, interests, strengths and abilities, regardless of whether the individual has the verbal ability to express such information.
3. For the purposes of this Interim Agreement, no vocational or situational assessments, including those conducted by the State, or any vendors or contractors of the State, shall be conducted in segregated work settings, including in sheltered workshops or in any setting that does not meet the definitions and standards set forth in Sections V(D)-(E).
4. The State shall ensure that all assessments:
   a. Are conducted by appropriate and trained staff;
   b. Maintain fidelity to an asset-based assessment model (like MAPS, PATHS, or VAPS);
   c. Are available for all individuals eligible for relief under this Interim Agreement to be assessed in several different integrated employment settings, should they desire to be assessed in more than one community employment setting; and
   d. Are conducted with the appropriate accommodations, services and supports necessary for individuals eligible for relief under this Interim Agreement to be assessed performing work activities in integrated employment settings.
5. A career development plan shall be formulated and/or revised at least annually in conjunction with the ISP or IEP process through an asset-based, person-centered planning process including discovery, vocational assessment, and situational assessment conducted with the goal of maximizing the number of hours spent working, consistent with an individual's abilities, in settings that meet the definitions and standards set forth in Sections V and VI. The career development plan shall:

a. Set forth the individual's skills, interests, strengths, and abilities;
b. Be integrated into the individual's IPE, ISP, IEP, and ILP and Summary of Performance ("SOP"), where applicable; and
c. Identify the nature and scope of services needed by the individual to remove obstacles to obtaining and keeping an individualized job in an integrated employment setting and participating in Integrated Day Services meeting the definitions and standards set forth in Sections V and VI.

6. Translation and interpretation services, including sign language interpretation, shall be accessible and available to all individuals in the Target Population and their families who require such services during all employment planning meetings and during the entire career planning process. Further, all individuals covered by this Interim Agreement will have access to the services and supports necessary to make informed decisions pertaining to this Interim Agreement.
7. If, after discovery, and a vocational or situational assessment, an individual expresses that a particular work setting does not match his/her interests, strengths, or abilities, the person-centered planning process shall resume, the reasons that the individual did not prefer the work placement shall be documented, and all planning shall proceed with goals that have been adjusted based on the information revealed through the discovery and assessment process.
8. The State shall implement a rapid job search process for competitive employment for each individual eligible for a Supported Employment Placement under this Interim Agreement.
9. At minimum, the State shall ensure that the rapid job search process:
   a. Begins within 10 days of the completion of an individual's vocational assessment;
   b. Includes an individualized job search; and
   c. Includes job development and job carving.

VIII. TRANSITION PLANNING FOR YOUTH

1. The State and PPSD shall adopt an Employment First Policy, making work in integrated employment settings the first and priority service option for youth seeking transition work placements and for transition-age youth's postsecondary vocational planning objectives. The PPSD's Employment First Policy will set forth values for the school district's transition planning process that reflect PPSD and the State's expectations for supporting youth in transition in integrated employment settings through a systemic and collaborative framework.
2. The State and PPSD shall enter into an interagency agreement that includes timelines and specific benchmarks setting forth a school-to-work transition process for transition-age youth (14-21 years of age) with I/DD in Providence Public School District, including Birch students, and providing for students' access to the services and supports set forth in Sections V(A)(1)-(2).
3. The State and PPSD shall promote the involvement and availability, and use of employment planning teams at Birch. Employment planning teams shall at a minimum include a qualified vocational rehabilitation counselor, qualified school transition specialist, qualified State representative, where applicable, and the eligible youth with I/DD. Family and/or guardian participation in all planning meetings should be required. The eligible youth shall be ensured an active and leading role in all of his/her planning meetings.
4. The transition planning process for students enrolled in Birch shall continue to begin by age 14, shall include an employment planning team, and shall include access to ORS and Medicaid Waiver services, if the individual is eligible for such services. The transition planning process shall be designed to ensure that each youth and his/her family has been informed about, and been given opportunities to experience, Supported Employment Services and Placements. The transition planning process, as set forth by interagency agreement in Section XIII, shall be inclusive of specific and relevant planning milestones for all eligible Birch youth in transition. At minimum, these milestones shall include:
   a. Assignment, by age 14, to an employment planning team, as defined in this Section;

b. No later than during the first year of entry to Birch, and with the assistance of the employment planning team, the formulation of the employment-related recommendations of the IEP to discover and record students' personal interests and goals for postsecondary employment and/or postsecondary education;
c. No later than the year in which a student turns 16 years of age and with the assistance of the employment planning team, a comprehensive introduction to or enrollment in State services, if an individual is eligible or will be eligible, and also with the assistance of the employment planning team, the formulation of the employment-related recommendations of the IPE and ISP, where applicable;

d. No later than the year in which a student turns 18 years of age meeting with the employment planning team to facilitate possible post-secondary employment placements, and to ensure that an eligible youth has been introduced to numerous and specific options to receive Supported Employment Services in a community based long-term placement in an integrated employment setting meeting the definitions and standards set forth in Section V(D)-(E), and that the eligible youth has (or will have) experienced the opportunity to be placed in such a setting, and to begin working there, prior to the end of his or her participation at Birch; and
e. No later than during the year prior to exit from secondary school, all Birch youth in transition shall receive benefits planning information, according to the standards set forth in Section IV(8).

5. All youth in transition shall have a meaningful opportunity to experience one or more vocational and/or situational assessments in an integrated employment setting prior to exit from Birch, pursuant to the standards set forth in Section II.
6. All youth in transition shall have a meaningful opportunity to experience at least two trial work experiences, where each trial work experience is approximately 60 days duration, prior to exit from Birch in an individualized, integrated employment setting meeting the definitions and standards set forth in Sections V(D)-(E) with supervision and appropriate services and supports. Such trial work experiences may be exempt from the requirement of Section V(D)(1), and may include full-time, part-time, or seasonal work on a paid or unpaid basis, including internships, summer work experiences, or volunteer/ community service experiences. Such trial work experiences cannot be positions of employment that are controlled by an employer that is a provider, school, or school district for the purpose of employing individuals with disabilities; instead, they must be provided in typical work settings meeting the definitions and standards set forth in Sections V(D)(2)-(4) and V(E).
7. A person-centered career development plan shall be developed by the employment planning team for each youth in transition, to inform the employment-related goals and recommendations of the youth's ISP, IEP, IPE, ILP, and SOP, where applicable, and to provide ongoing coordination of the employment-related recommendations of those plans.
8. The State and PPSD shall prohibit vocational assessments of transition age youth in segregated work settings, and shall issue a directive that no Birch youth in transition will be assessed in segregated settings or in settings that do not meet the definitions and standards set forth in Section V(D)-(E).
9. The State and PPSD shall ensure that the appropriate services and supports are available to Birch transition-age youth who choose to work in the community before their 21st birthday rather than remaining in school. To this end, the State and PPSD will update their policies and administrative rules to facilitate individuals who are eligible to access State services, including Supported Employment Services, beginning at age 18.
10. The State and PPSD shall take affirmative steps to ensure that Birch youth, following their exit from school, are not excluded from the benefits and opportunities of the school district's "transition academy" at Johnson & Wales University.
11. The State and PPSD shall issue a directive that Birch youth in transition shall be provided all opportunities to earn credentials based on the RI Secondary Education Regulations 2011 and not be unnecessarily or unjustifiably excluded from the opportunity to receive a high school diploma as a result of their participation in the Birch program.

4:20 Request for Support of Civil Rights Legislation

Purpose/Goal: To review and decide the impact draft legislation to amend RI Civil Rights Laws to prohibit retaliation for filing a complaint, etc.

Discussion: The RI Commission for Human Rights has asked the Commission to support they will be sponsoring to prohibit retaliation, see email below:

From: Cynthia Hiatt
To: Brown, Steven; Cooper, Bob; amulready@ridlc.org; naacp.prov@verizon.n...
Date: 11/26/2013 8:00 AM
Subject: Re: Legislation on retaliation
CC: Evora, Michael; Gaschen, Francis

Nice - short, clear and easy to interpret. Once others have had the chance to comment, we will let all of you know the final version that the Commission will recommend. Thanks and have a happy Thanksgiving. Cynthia

>>> Steven Brown <brownaclu@aol.com> 11/25/2013 5:08 PM >>>

Hi Cynthia

I agree that A could be problematic by failing to describe what "retaliation" is, and so I prefer the wordiness of B for that reason. But what about the following as an alternative to B that may be both clear and non-wordy?:

§ 28-5-7.3 Discriminatory practice need not be sole motivating factor. – An unlawful employment practice may be established in an action or proceeding under this chapter when the complainant demonstrates that race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, ~~or~~ country of ancestral origin, or any activity protected by section 28-5-7(5)[5] was a motivating factor for any employment practice, even though the practice was also motivated by other factors. Nothing contained in this section shall be construed as requiring direct evidence of unlawful intent or as limiting the methods of proof of unlawful employment practices under § 28-5-7.

Steven Brown Executive Director ACLU of Rhode Island
128 Dorrance Street, Suite 220
Providence, RI 02903
401-831-7171 (phone)
401-831-7175 (fax)
www.riaclu.org

-----Original Message-----
From: Cynthia Hiatt <chiatt@richr.ri.gov>
To: brownaclu <brownaclu@aol.com>; Toby Ayers <tayers@doa.state.ri.us>; Bob Cooper
<bcooper@gcd.ri.gov>; Anne Mulready <amulready@ridlc.org>; naacp.prov
<naacp.prov@verizon.net> Cc: Francis Gaschen <FGaschen@richr.ri.gov>; Michael

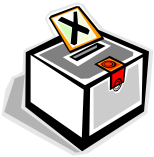
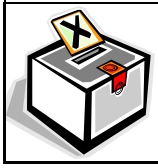
[5] **28-5-7 (5) Fair Employment Practices - Unlawful employment practices. -** For any employer or employment agency, labor organization, placement service, training school or center, or any other employee referring source to discriminate in any manner against any individual because he or she has opposed any practice forbidden by this chapter, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this chapter;

Evora <mevora@richr.ri.gov>
Sent: Mon, Nov 25, 2013 4:20 pm Subject: Legislation on retaliation
Dear Toby, Steve, Bob, Jim and Anne:
I write to consult you on potential legislation which the Commission hopes to have introduced in the next session.
As you know, the Fair Employment Practices Act (FEPA) prohibits discrimination on a number of bases, such as race, sex, disability, etc. It also prohibits retaliation. It is an unlawful employment practice under R.I.G.L. Section 28-5-7(5):
(5) For any employer or employment agency, labor organization, placement service, training school or center, or any other employee referring source to discriminate in any manner against any individual because he or she has opposed any practice forbidden by this chapter, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this chapter;...
A number of years ago, there was a US Supreme Court decision that said that discrimination could not be found unless the adverse action would not have been taken "but for" race, sex etc. In response, both Title VII and the FEPA were amended to provide that a complainant could prove discrimination if he/she proved that race, sex etc. was a motivating factor in the adverse decision. R.I.G.L. Section 28-5-7.3 was added to read as follows:

§ 28-5-7.3 Discriminatory practice need not be sole motivating factor. – An unlawful employment practice may be established in an action or proceeding under this chapter when the complainant demonstrates that race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin was a motivating factor for any employment practice, even though the practice was also motivated by other factors. Nothing contained in this section shall be construed as requiring direct evidence of unlawful intent or as limiting the methods of proof of unlawful employment practices under § 28-5-7.

A recent US Supreme Court case [Univ. of Texas Southwestern Medical Center v. Nassar, 133 S. Ct. 2517 (U.S. Supreme Court 6/24/13)] looked at comparable Title VII language and said - hey, retaliation isn't listed there, so a person cannot prove unlawful retaliation unless they prove that the adverse action would not have happened "but for" retaliation. When this decision came down, I looked at our language and realized that it doesn't include retaliation either. The Rhode Island Supreme Court generally follows federal law in interpreting the FEPA, so it is likely that they would follow what the US Supreme Court did in this case.
So - the Commission wants to amend R.I.G.L. Section 28-5-7.3 to include retaliation. We are considering two different versions. I would appreciate it if you would tell me which version you prefer. The first one is short and simple, but may not give enough guidance to people who don't understand what unlawful retaliation is. The second one is clearer on what is covered, but wordy.

ALTERNATIVE A
§ 28-5-7.3 Discriminatory practice need not be sole motivating factor. – An unlawful employment practice may be established in an action or proceeding under this chapter when the complainant demonstrates that race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, ~~or~~ country of ancestral origin, or retaliation for protected activity was a motivating factor for any employment

	practice, even though the practice was also motivated by other factors. Nothing contained in this section shall be construed as requiring direct evidence of unlawful intent or as limiting the methods of proof of unlawful employment practices under § 28-5-7. ALTERNATIVE B **§ 28-5-7.3 Discriminatory practice need not be sole motivating factor. –** An unlawful employment practice may be established in an action or proceeding under this chapter when the complainant demonstrates that race, color, religion, sex, sexual orientation, gender identity or expression, disability, age, ~~or~~ country of ancestral origin, or retaliation against the complainant because he or she has opposed any practice forbidden by this chapter, or because the complainant has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this chapter, was a motivating factor for any employment practice, even though the practice was also motivated by other factors. Nothing contained in this section shall be construed as requiring direct evidence of unlawful intent or as limiting the methods of proof of unlawful employment practices under § 28-5-7. Thanks for your help. Cynthia M. Hiatt RI Commission For Human Rights 180 Westminster Street Providence, RI 02903 (401) 222-7562
	MOTION: To support the Commission for Human Rights draft amendment to the RI Civil Rights Laws prohibiting retaliation Motion moved by TF, seconded by CG, *passed/unanimous*
	4:25 Agenda for the Next Meeting, Linda Ward
	Purpose/Goal: To set the agenda for the next meeting.
	Discussion: The Legislation Committee meetings in 2014 will be on the 1st Monday 3 - 4:30 PM: 01/06th; 02/03rd; 03/03rd; 04/07th; 05/5th; 06/02nd; 07/07th; 08/04th; 09/08th; 10/27th; and 12/01st.
	4:30 Adjournment, Linda Ward
	MOTION: To adjourn at 4:55 PM, Motion moved by EG, seconded by CG passed unanimously.